CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: **Environmental Services - Solid Waste Management**

AGENDA DATE: **October 11, 2005**

CONTACT PERSON/PHONE: **Ellen A. Smyth, P.E., (915) 621-6719**

DISTRICT (S) AFFECTED: **2, 3, 5, 6, 7,**

SUBJECT:

Approve a resolution to place a lien for non-payment of property clean-ups

BACKGROUND / DISCUSSION:

5000 Block of Pershing- property cleaned March 18, 2005 (District 2)
3227 Porter – property cleaned February 23, 2005 (District 2)
150 Cherry – property cleaned December 6, 2004 (District 3)
5637 Dearborne – property cleaned August 26, 2004 (District 4)
10056 Manitoba Street – property cleaned April 27, 2005 (District 4
11409 Patricia – property cleaned December 6, 2004 (District 5)
10464 Brian Mooney – property cleaned March 14, 2005 (District 7)
9853 La Morenita – property cleaned February 15, 2005 (District 6)
9853 La Morenita – property cleaned May 18, 2004 (District 6)

9904 La Morennita – property cleaned February 15, 2005 (District 6

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

**********************REQUIRED AUTHORIZATION***********************

LEGAL: (if required) Raymond Telles **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

Placing a lien on the following properties (legal description on file with the City Clerk) and in the following amounts for work performed by the City pursuant to Chapter 9.04 (Dept. of Environmental Services/Solid Waste Management) (Ellen A. Smith, P.E., 915-621-6719)

5000 Block of Pershing **(District 2)**	$ 449.24	Albert Malooly
3727 Porter **(District 2)**	$48.71	Michael E. Ahumada
150 Cherry Street **(District 3)**	$ 405.94	Juan & Maria Flores
5637 Dearborne Drive **(District 4)**	$ 313.93	David O. & Rosa M. Lopez
10056 Manitoba **(District 4)**	$ 221.91	Deutsche Bank National Trust Company
11409 Patricia Avenue **(District 5)**	$289.57	Jose S. & Armida Martinez
9853 La Morenita **(District 6)**	$113.66	Pedro A. & Silvia Villalobos
9853 La Morenita **(District 6)**	$87.68	Pedro A. & Silvia Villalobos
9904 La Morenita **(District 6)**	$ 259.80	Lorena & Mike Valenzuela, Jr.
9315 Socorro Road **(District 6)**	$535.84	Maria E. M. Wiseman & Three c/o Aida Hernandez
10464 Brian Mooney Street **(District 7)**	$194.85	Susan G. Molina

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DAVID O. AND ROSA M. LOPEZ, owners of the hereinafter described property, were given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owners failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

> 5637 Dearborne Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 7, Block 97, Sun Valley Subdivision, Parcel #S816-999-0970-1300,

to be THREE HUNDRED THIRTEEN AND 93/100 DOLLARS ($313.93) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the twenty-sixth day of August, 2004, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED THIRTEEN AND 93/100 DOLLARS ($313.93) to be a lien on the above described property, said amount being due and

payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

PASSED AND APPROVED this _____ day of _____, 2005.

CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Raymond L. Telles
Assistant City Attorney

APPROVED AS TO CONTENT:

Ellen A. Smyth, P.E., Director, Envir. Serv.
Solid Waste Management

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

SWM/1/SANITATION LIEN 5637 DEARBORNE
#16536/RTEL

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2005, by _____, as _____, of the City of El Paso.

_____
Notary Public, State of Texas
Notary's Printed or Typed Name:
_____

My Commission Expires:

_____

PREPARED IN THE OFFICE OF:

Office of the City Attorney
#2 Civic Center Plaza
El Paso, Texas 79901-1196