

**AGENDA
ITEM**

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AGENDA STAFF REPORT

DATE: November 28, 2018

TO: Mayor and City Council

APPROVED BY: David Dale, City Manager *MD for D.D.*

PREPARED BY: Ralph B. Morales, Building/Planning/Code Enforcement Manager *RBM*

SUBJECT: Deeming Property 2380 N. Imperial Ave a Nuisance

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Recommendation:

That the City Council deem the property at 2380 N. Imperial Ave a nuisance as per the Calexico Municipal Code Chapter 15.18 Uniform Code for the Abatement of Dangerous Buildings, 1997 Abatement of Dangerous Buildings and Chapter 8.40.020 Weeds and Rubbish Nuisance. Direct staff to take the necessary legal steps to secure the damaged commercial structure and clean the property by removing the trash, both inside and outside commercial property which are creating a nuisance as well as fire and safety condition.

Background:

Property located at 2380 Imperial Ave has been abandon for years creating a nuisance situation consisting of trash along with a substandard commercial structure. Staff have contacted the property owner, even though contact was made and promises were made to secure and clean the building no effort has been made to follow through. All this time the properties have become an unpleasant sight to the neighboring commercial properties as well as a health and safety issue.

Discussion & Analysis:

Code Enforcement has mailed several letters to the owner of 2380 N. Imperial Ave regarding trash as well as securing and cleaning and removing all the food staples from inside the commercial structure which was deemed dilapidated and creating a further fire hazard as well as a health and safety issue.

On several occasions Code Enforcement was requested by both the Police and Fire Department to respond to the above address for a structural fire. Code Enforcement tagged the building with a "Danger Structure Do Not Enter" notices due to its unsafe condition.



Between 2011 through 2018 many attempts were made in contacting the owners, each time the property owner has promised to clean the property but never have come through with their promise.

This property has created an uneasiness with the surrounding neighbors to the point that our office has received numerous complaining.

Due to the owners unwillingness to clean the property, staff is requesting that the city council deem it a nuisance as per Calexico Municipal Code Chapter 15.18 Uniform Code for the Abatement of Dangerous Buildings, 1997 Abatement of Dangerous Buildings and Chapter 8.40.020 Weeds and Rubbish Nuisance directing staff through the city attorney to move forward and legally file for an Abatement Warrant from the Courts to allow the City to take action in cleaning the property.

Options to clean the property would be to:

1. Bid out the clean-up and have a licensed contractor remove the dilapidated structure and clean the properties of all weeds, brush.
2. Have the city crew conduct the cleaning of the property.
3. Work with a Receivership to address the issue.

Please note that whatever decision the council makes the cost of cleaning of property plus staff time including attorney fees can be charged to the owner in form of tax lien on the property.

Fiscal Impact:

1. Estimated cost of contracting out to a licensed contractor including prevailing wages: \$ not know at this time
2. Cost of city staff time and materials to clean property not known at this.

Attachment:

Property Photographs





