

**AGENDA
ITEM**

09



AGENDA STAFF REPORT

DATE: November 28, 2018

TO: Mayor and City Council

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

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

SUBJECT: Deeming Property 23 W 3rd Street a Nuisance

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Recommendation:

That the City Council deem the properties at 23 W 3rd street 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 raze the fire damaged housing structure and clean the property by removing the trash, securing of a dilapidated commercial structure which are creating a nuisance and a fire and safety condition.

Background:

Properties located at 23 W 3rd street has been abandon for years creating a nuisance situation consisting of trash along with a dilapidated fire damage commercial structure. Staff have expired all means of locating the property owner, even though contact was made and promises were made to secure the building and clean the property no effort was made to follow through. Since the property owner lives in Mexico it has become difficult to locate him. All this time the properties have become an unpleasant sight to the neighborhood as well as a health and safety issue.

Discussion & Analysis:

Several have been mailed by Code Enforcement to the owner of 23 W 3rd street regarding trash as well as securing 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 which have always been ignored.

Between 2014 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.

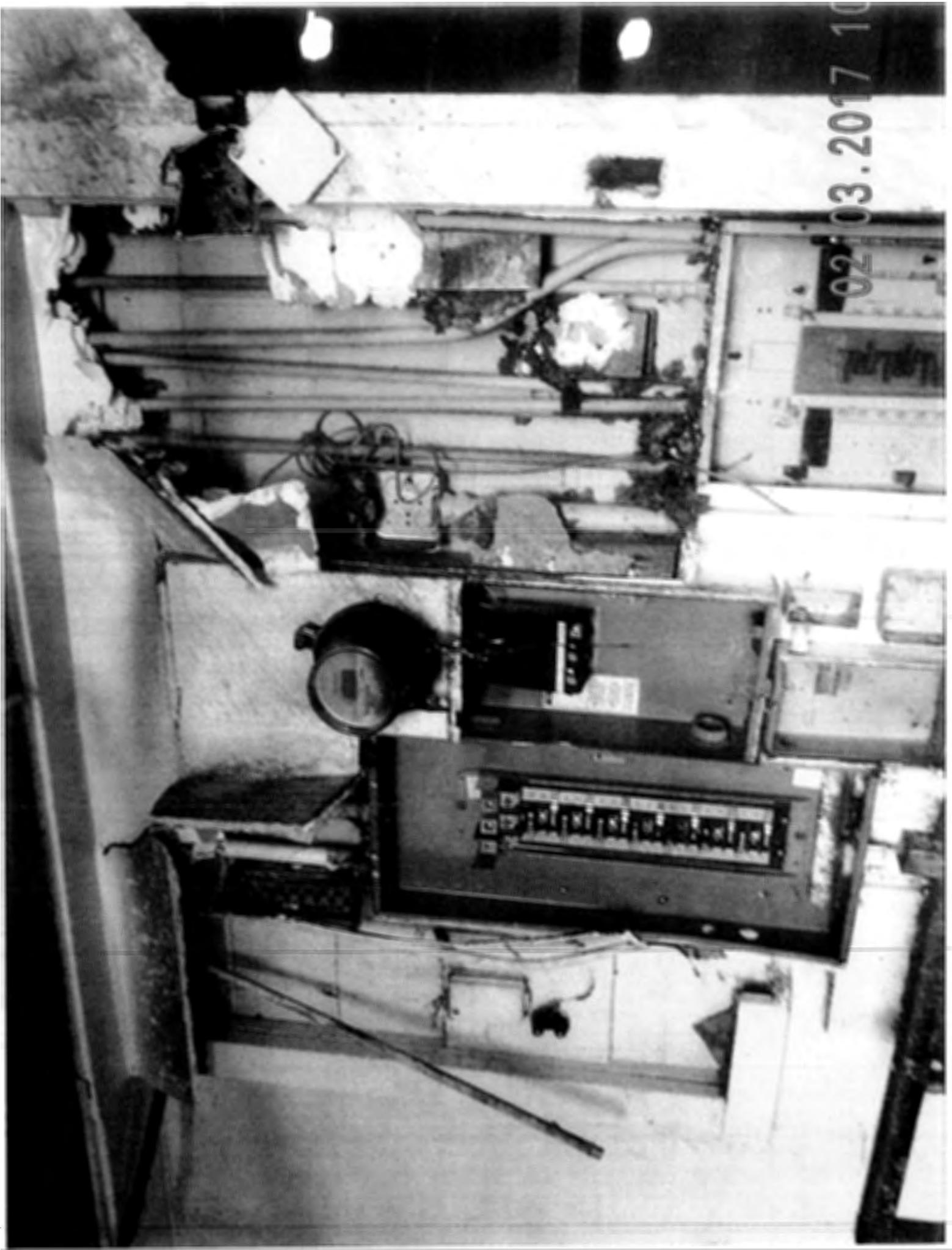
Fiscal Impact:

1. Estimated cost of contracting out to a licensed contractor including prevailing wages: \$ 50,000. To clean and secure property
2. Cost of city staff time and materials to clean property not known at this.

Attachment:

Property Photographs





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