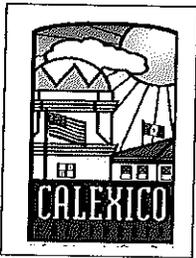


**AGENDA  
ITEM**

**15**



# AGENDA STAFF REPORT

**DATE:** September 20, 2017

**TO:** Mayor and City Council

**APPROVED BY:** Armando G Villa, City Manager

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

**SUBJECT:** Deeming Properties 1233 & 1235 C.N. Perry a Nuisance

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## Recommendation:

That the City Council deem the properties at 1233 & 1235 C.N. Perry 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 over grown weeds, brush and trees which are creating a nuisance and a fire and safety condition.

## Background:

Properties located at 1233 & 1235 C.N. Perry have been abandon for years creating a nuisance consisting of weeds, brush, tree and a dilapidated fire damage housing structure. Staff have expired all means of locating the property owners to no avail. All this time the properties have become an unpleasant sight to the neighborhood as well as a health and safety issue.

## Discussion & Analysis:

In May of 2015, Code Enforcement mailed a letter to the owners of both 1233 and 1235 C.N. Perry regarding over grown vegetation weeds, brush as well as a fire damaged housing structure which was deemed dilapidated and creating a 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. Twice for a structural fire and two or three times due to illegal entry and possible illegal activities. Code Enforcement tagged the building with a "Danger Structure Do Not Enter" notices which have always been ignored.

Attempts were made in contacting the owners, between May of 2015 through 2017. Letters were mailed, neighbors were approached trying to get a contact address and/or phone number, visiting the county's tax assessor's office, and even visited the last business location all to no avail. On May 16, 2017, staff reached out to the city attorney for assistance.

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This property has become a haven for homeless, and undesirable individuals camping under the brush and in the abandon house. This has created an uneasiness with the surrounding neighbors to the point that our office has received numerous complaining.

Unable to make contact with the owners of the two properties, 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 and even remove the tree.
2. Have the city crew conduct the cleaning of the property.

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: \$ 79,000.
2. Cost of staff (crew of four), time and materials for approximately five (5) working days

**Coordinated With:**

City Attorney

**Attachment:**

Property Photographs