

RESOLUTION 2020-027

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO FILE SUCH ACTIONS IN THE COURT (S) OF COMPETENT JURISDICTION ON BEHALF OF THE CITY OF SIERRA VISTA TO JUDICIALLY FORECLOSE ITS ABATEMENT LIEN AGAINST JODI SILVA; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, On November 4, 2016, October 17, 2017 and September 13, 2018, respectively, the City recorded an abatement lien against Jodi Silva arising out of abatement activities performed by the City on the property located at 140 E. Friehage Dr., Sierra Vista, Arizona; and

WHEREAS, under Arizona law and Sierra Vista City Code, Ms. Silva is obligated to repay the lien in no less than three annual installments; and

WHEREAS, Ms. Silva has failed to repay the lien; and

WHEREAS, before the City Attorney may pursue legal action, the Mayor and Council must direct him to do so; and

WHEREAS, it is in the best interest of the citizens of Sierra Vista that such legal action be taken.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the settled policy, which directs the City Attorney to initiate litigation by specific action of the Mayor and City Council be, and hereby is reaffirmed.

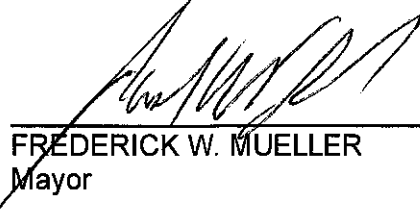
SECTION 2

That the City Attorney is hereby authorized and directed to take such action(s) as may be required to enforce the City of Sierra Vista's rights and obligations under those certain Abatement Liens recorded against JODI SILVA on November 4, 2016, October 17, 2017 and September 13, 2018 as Document Nos. 2016-19825, 2017-20186 and 2018-16891, respectively.

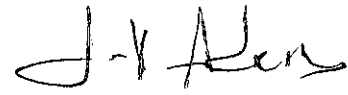
SECTION 3

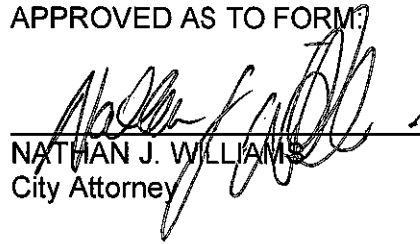
The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 11th DAY OF MAY 2020.

  
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FREDERICK W. MUELLER  
Mayor

ATTEST:

  
\_\_\_\_\_  
JILL ADAMS  
City Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
NATHAN J. WILLIAMS  
City Attorney

PREPARED BY:  
Nathan J. Williams, City Attorney