

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: April 26, 2022
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Maria O. Pasillas, (915) 212-1737

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: Goal 6 – Set the Standard for Sound Governance and Fiscal Management

SUBGOAL: 6.11 Provide efficient and effective services to taxpayers

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

A Resolution to find that the Taxpayer, MC CLURE BARBARA J, has met the requirements of Section 33.011 of the Tax Code for the request of waiver of penalties and interest and the City waives the penalty and interest amount on the 2021 delinquent taxes pursuant to Section 33.011(3)(A) of the Tax Code in the amount of \$401.89, for the property with the following legal description: 26 SCOTSDALE #4 LOT 33 (8284 SQ FT).

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Pursuant to Section 33.011 (3)(A) of the Tax Code, the governing body of a taxing unit may waive penalties and provide for a waiver of interest on a delinquent tax if the taxpayer submits evidence showing that the taxpayer attempted to pay the tax before the delinquency date by mail; and the Taxpayer's failure to pay the tax before the delinquency date was a result of an act or omission of the US Postal Service; and pursuant to Section 33.011(d) a request for waiver of penalties and interest pursuant to Section 33.011(3)(A) must be made before the 181st day after the delinquency date.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Council has previously considered this type of item in the past.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES ___ NO

PRIMARY DEPARTMENT: Tax Office

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Sheryl R. Mack for Maria O. Pasillas

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, pursuant to Section 33.011(3)(A) of the Tax Code, the governing body of a taxing unit may waive penalties and provide for a waiver of interest on a delinquent tax if the taxpayer submits evidence showing that the taxpayer attempted to pay the tax before the delinquency date by mail; and

WHEREAS, pursuant to Section 33.011(d) a request for waiver of penalties and interest pursuant to Section 33.011(3)(A) must be made before the 181st day after the delinquency date; and

WHEREAS, pursuant to Section 33.011(d) of the Tax Code, taxpayer, MC CLURE BARBARA J (“Taxpayer”) requested a waiver of penalties and interest on March 2, 2021, before the 181st day after the delinquency date, in the amount of \$401.89 for the 2021 delinquent taxes for the property with the following legal description:

26 SCOTSDALE #4 LOT 33 (8284 SQ FT)

WHEREAS, the Taxpayer paid the taxes owed on the property on March 2, 2021, which is not later than the 21st day after the date the taxpayer knew or should have known of the delinquency; and

WHEREAS, the Taxpayer’s failure to pay the tax before the delinquency date was a result of an act or omission of the US Postal Service.

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

THAT the Taxpayer, MC CLURE BARBARA J, has met the requirements of Section 33.011 of the Tax Code for the request of waiver of penalties and interest and the City waives the penalty and interest amount on the 2021 delinquent taxes pursuant to Section 33.011(3)(A) of the Tax Code in the amount of \$401.89, for the property with the following legal description:

26 SCOTSDALE #4 LOT 33 (8284 SQ FT)

(Signatures Begin on Following Page)

APPROVED this ____ day of _____ 2022.


CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

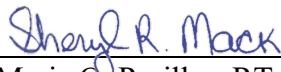
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Wendi N. Vineyard
Assistant City Attorney

APPROVED AS TO CONTENT:

 for Maria O. Pasillas

Maria O. Pasillas, RTA
City Tax Assessor/Collector

From: [Thick, Bea M.](#)
To: [Pasillas, Maria O.](#); [Mack, Sheryl R.](#)
Subject: FW: mail fraud involving tax payment
Date: Wednesday, March 2, 2022 11:20:56 AM
Attachments: [Hotline Complaint to USPS.eml.msg](#)
[report-2022-905805-0\[470\].pdf](#)

M. Beatrice Thick

Ph: 915-212-1738

Tax Accounts Supervisor

City of El Paso Consolidated Tax Office

221 N Kansas Ste 300

El Paso TX 79901

Main Ph #: 915-212-0106

citytaxoffice@elpasotexas.gov

Your opinion matters! [Click here](#) to participate in a brief survey and let us know how we are doing.

From: Joe & Cheryl <bj.cheryl@comcast.net>
Sent: Wednesday, March 2, 2022 10:29 AM
To: CityTaxOffice <CityTaxOffice@elpasotexas.gov>
Cc: Barbara McClure <barbmclure@comcast.net>
Subject: mail fraud involving tax payment

Some people who received this message don't often get email from bj.cheryl@comcast.net. [Learn why this is important](#)

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use **Phish Alert** or forward to SpamReport@elpasotexas.gov.

Good Morning Ms. Pasillas,

I spoke with a representative this morning and presented the following information. She instructed me to contact you with the details.

On January 17 I mailed my mother's property taxes with a personal check taking it directly to the Post Office in Portland, OR. When, after a couple of weeks, the check hadn't cleared I called your office in El Paso to check on the status. The phone representative let me know that they were running behind. This was February 8. The check hit my bank account February 10 so I thought all was

well until March 1 when I checked my mother's property tax on the website and the money had not been credited to her account. Panicked, I checked my bank account to make sure the check had cleared and again, it had. I opened the scan of the check only to see that "El Paso Property Tax Assessor-Collector" had been washed out and replaced with "Garrett Integrated Systems". Whoever did this also washed out the property tax id number in the "for" space. I immediately called my credit union to report fraud and theft of my check. I had to close my checking account. I have filed a Police Report and a complaint to the US Postal service both which now have active cases. The money intended for my mother's property taxes totaling \$4492.73 had been deposited into a fraudulent credit union account in Vancouver, WA. The account had been opened with stolen identification from the owner of Garrett Integrated Systems. He has also filed a police report for stolen id.

Both the police report and complaint against the US Postal service documents have been attached to this email. I have also attached the scan of check #162 which originally had been sent to you for my mother's property taxes and her property tax statement that includes her name and property tax id number.

At this point what I would like to request from you is to review these documents and information and remove the late fees to my mother's property taxes. I will pay the taxes but not by personal check. I would like to send an e-check through my credit union or by credit card.

If you need further information or clarification please let me know.

Thank you,

Cheryl McClure

PORTLAND POLICE BUREAU SUMMARY INCIDENT REPORT

REPORT NUMBER: 2022-905805



INCIDENT INFORMATION							
INCIDENT CODE 250	INCIDENT TYPE FORGERY / COUNTERFEIT	INITIAL SUPP	<input checked="" type="checkbox"/>	DATE/TIME STARTED 01/17/2022 05:00 PM	DATE/TIME ENDED 02/10/2022 05:00 PM	DATE/TIME REPORTED 03/01/2022 05:17 PM	
REPORT FILED FROM ***	TRACKING NUMBER T22006946	LOCATION OF OCCURRENCE 2425 Northeast 50th Avenue, PORTLAND, OR 97213			APPROVED BY: 37618/Sabrina Dobbs		
LOCATION TYPE Other/Unknown	THEFT TYPE	METHOD OF ENTRY	METHOD OF EXIT	PT OF ENTRY	PT OF EXIT	ENTRY LOC	

PERSON LISTINGS										
	TYPE 1	LAST NAME McClure	FIRST NAME Cheryl	MIDDLE NAME Ruth	DOB ***	RACE ***	SEX *	DRIVER LIC NO	LIC ST	
	SSN	ETHNICITY	RESIDENT	EYE COLOR	HAIR COLOR	AGE	HEIGHT	WEIGHT	CELL PHONE ***	
1	EMAIL bj.cheryl@comcast.net		RESIDENCE ADDRESS ***				HOME PHONE			
	EMPLOYER NAME retired		BUSINESS ADDRESS ***				WORK PHONE			

PROPERTY LISTINGS							
	INVL 7	ITEM Other Items - OTHER ITEMS - DESCRIBE IN PROPERTY			QUANTITY 1	BRAND	MODEL
1	SERIAL NO	OWNER APPLIED NO		COLOR	MKT VALUE 4492.73	DMG VALUE	
	DESCRIPTION stole check out of mail, washed it, enter own data, cashed it						

NARRATIVE
Check for property taxes was mailed at Post Office. Check did not make destination. It was altered then cashed.