



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JULY 12, 2016

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARDS: ALL

SUBJECT: APPROVAL OF RECOVERY OF FISCAL YEAR 2016-2017 UNPAID FINES, PENALTIES AND COSTS OF ABATEMENTS IN THE AMOUNT OF \$1,608,470.49 – RESOLUTIONS

ISSUE:

The issue for City Council consideration is approval of the accounts of fines, penalties and costs associated with the various code enforcement actions and nuisance abatements affecting real property.

RECOMMENDATIONS:

That the City Council:

1. Conduct the public hearing;
2. Approve the accounting of the fines, penalties and costs associated with the abatements as set forth in Attachments A-E; and
3. Adopt the attached Resolutions assessing the costs and establishing the liens upon the respective parcels of real property.

BACKGROUND:

The Administrative Code Enforcement Program adopted by the City Council on July 13, 1999 enables the Code Enforcement Division to employ appropriate means of cost recovery for citations, abatement services, administrative fees and costs, and administrative fines and penalties that have been assessed. The Code Enforcement Division assesses fines and penalties when property owners fail to voluntarily bring into compliance property violations of the Riverside Municipal Code, Uniform Code for the Abatement of Dangerous Buildings or the California Building Code.

For context, in fiscal year 2015-16, the Code Enforcement Division processed 9,204 cases. The total number of properties with uncollected abatement costs, administrative civil penalties and/or administrative citations under consideration today is 319 properties, approximately 2.88% of all cases.

When all means of notification, order and appeal have been utilized to garner voluntary

compliance, the Code Enforcement Division often proceeds with abatement action by a contractor. The City then invoices the property owner(s) to collect the amounts of the fees and charges that have been incurred. With regard to citations and administrative civil penalties, all reasonable efforts are made by Code Enforcement Division staff to ensure a property owner's compliance with all applicable codes. Non-compliance results in the imposition of fines and penalties until compliance is achieved.

After utilizing all means of notification, invoicing and collection efforts to recover costs from property owners, the City may attach a lien on the respective properties for the unpaid balances that are thirty (30) days past due. After the City Council has adopted the necessary resolutions, the County Auditor will attach a lien on the respective property tax bill to recover the unpaid balances.

Attachments A-E identify the outstanding balances for Administrative Citations, Administrative Civil Penalties, Abatement of Dangerous Buildings, Rubbish Abatements, and Weed and Brush Nuisance Abatements. Properties identified in the exhibits are subject to revision, as payments are received up until the time of City Council action on this matter. The unpaid balances for fiscal year 2016-2017 need to be filed by August 19, 2016 with the Riverside County Auditor in order to appear on the 2016-2017 property tax bills.

FISCAL IMPACT:

The City would recover approximately \$1,608,470.49 in unpaid balances, thereby reimbursing the General Fund for costs associated with Code Enforcement Division activity. The funds will be allocated as follows:

Attachment	Account Title	Account Number	Amount
A	Abatement of Dangerous Buildings	0000101-340401	\$80,876.54
B	Rubbish, Refuse, Trash/Debris or Waste Matter Abatements	0000101-362300	\$73,634.03
C	Weed and Brush Nuisance Abatements	0000101-362100	\$42,756.00
D	Administrative Civil Penalties	0000101-353700	\$1,256,095.59
E	Administrative Citations	0000101-353600	\$155,108.33
			\$1,608,470.49

Prepared by: Rafael Guzman, Community & Economic Development Director
 Certified as to availability of funds: Scott G. Miller, Interim Finance Director/Treasurer
 Approved by: Al Zelinka, FAICP, Assistant City Manager
 Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. Abatement of Dangerous Buildings
2. Rubbish, Refuse, Trash/Debris or Waste Matter Abatements
3. Weed and Brush Nuisance Abatements
4. Administrative Civil Penalties
5. Administrative Citations