



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JULY 11, 2017

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARDS: ALL

SUBJECT: RECOVERY OF FISCAL YEAR 2017-2018 UNPAID FINES, PENALTIES AND COSTS OF ABATEMENTS IN THE AMOUNT OF \$1,504,154.47 – RESOLUTIONS

ISSUES:

Conduct a public hearing, approve the reports of the accounts of fines, penalties and costs associated with the various code enforcement actions and nuisance abatements affecting real property, and adopt resolutions to assess the costs and establish liens upon the respective parcels of 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 the attached reports; 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.

DISCUSSION

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 the 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 the property owners, the City may attach a lien on the respective properties for the unpaid balances that are thirty (30) days past due. After 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 1 – 5 are the resolutions and associated exhibits that 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 2017-2018 need to be filed by August 21, 2017 with the Riverside County Auditor, in order to appear on the 2017-2018 property tax bills.

FISCAL IMPACT:

The City would recover approximately \$1,504,154.47 in unpaid balances, thereby reimbursing the General Fund for costs associated with Code Enforcement Division activity. The funds will be allocated as follows:

Exhibit	Account Title	Account Number	Amount
A	Abatement of Dangerous Buildings	0000101-340401	\$89,805.84
B	Rubbish, Refuse, Trash/Debris or Waste Matter Abatements	0000101-362300	\$64,037.21
C	Weed and Brush Nuisance Abatements	0000101-362100	\$30,312.62
D	Administrative Civil Penalties	0000224-353700	\$1,100,447.16
E	Administrative Citations	0000101-353600	\$219,551.64
			\$1,504,154.47

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

Attachments:

1. Resolution and Exhibit A, Abatement of Dangerous Buildings
2. Resolution and Exhibit B, Rubbish, Refuse, Trash/Debris or Waste Matter Abatements

3. Resolution and Exhibit C, Weed and Brush Nuisance Abatements
4. Resolution and Exhibit D, Administrative Civil Penalties
5. Resolution and Exhibit E, Administrative Citations
6. Presentation