



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: JULY 16, 2024

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT WARD: ALL

SUBJECT: RECOVERY OF FISCAL YEAR 2023/24 UNPAID ADMINISTRATIVE AND ABATEMENT COSTS FOR VARIOUS CODE ENFORCEMENT ACTIONS AND NUISANCE ABATEMENTS AFFECTING REAL PROPERTY IN THE AMOUNT OF \$138,121.72 – ADOPTION OF RESOLUTIONS

ISSUE:

Adopt Resolutions to approve the accounting of unpaid administrative and abatement costs for Fiscal Year 2023/24 associated with the various code enforcement actions and nuisance abatements affecting real property in the amount of \$138,121.72.

RECOMMENDATIONS:

That the City Council:

1. Conduct the public hearing;
2. Approve the accounting of the administrative and abatement costs totaling \$138,121.72 as set forth in Attachments 1-4 shown as Exhibit A of each Resolution; and
3. Adopt four separate Resolutions (Attachments 1-4) assessing the costs and establishing the liens upon the respective parcels of real property to allow for cost recovery of the unpaid balances.

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 administrative costs and abatement services that have been assessed to property owners for non-compliance. Actual costs for abatements can be recovered through a secured property tax lien. Fines and penalties are recovered through different collection methods.

DISCUSSION

When all means of notification, order and appeal have been exhausted to gain 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.

After using all means of notification, invoicing, and collection efforts to recover costs from the property owners without success, 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 Riverside County Auditor-Controller's Office will attach a secured lien on the respective property tax bill to recover the unpaid balances.

As required by Riverside Municipal Code, the City will post a notice of the Public Hearing on June 25, 2024 in the Press Enterprise.

Attachments 1-4 represent four separate Resolutions that each include Exhibit A which identifies outstanding balances for Administrative Costs, Abatement of Dangerous Buildings, Debris/Rubbish Abatements, and Weed and Brush Nuisance Abatements. Properties identified in each exhibit A are subject to revision, as payments are received up until the time of City Council action on this matter. Unpaid balances for fiscal year 2023-2024 need to be filed by August 16, 2024 with the Riverside County Auditor-Controller's Office, in order to appear on the 2024-2025 property tax bills.

STRATEGIC PLAN ALIGNMENT:

This item aligns with **Strategic Priority 5 - High Performing Government** and **Goal 5.4 - Achieve and maintain financial health by addressing gaps between revenues and expenditures and aligning resources with strategic priorities to yield the greatest impact.**

The item aligns with each of the cross-cutting threads as follows:

1. **Community Trust** – The City is required to advertise the potential placement of secured tax liens in the local news publication and conduct a public hearing prior to assessment of these liens. This provides notice and ability to comment for all those potentially affected. In addition, every property that is being considered had ample notification and due process to appeal leading up to this stage.
2. **Equity** Recovery of unpaid administrative and abatement costs for various code enforcement actions generates revenue that will go back into the General Fund to provide citywide benefit.
3. **Fiscal Responsibility** – Recovery of unpaid administrative and abatement costs for various code enforcement actions generates revenue that will go back into the General Fund. These amounts are related to administrative, staff time and actual costs involved in processing code enforcement actions and conducting abatements.
4. **Innovation** – This item is neutral to this cross-cutting thread.
5. **Sustainability & Resiliency** – This item is neutral to this cross-cutting thread.

FISCAL IMPACT:

The fiscal impact of this action is \$138,121.72 resulting from the recovery of unpaid balances. The funds will be allocated as follows as indicated in the tables below.

Fund	Program	Account	Amount
General Fund	GF, Boarding Up Structures	0000101-340401	\$26,814.35
	GF, Debris Removal	0000101-362300	\$74,461.30
	GF, Weed Abatement Assessments	0000101-362100	\$27,518.11
Neglected Property Abatement	Administrative Civil Penalties	0000224-353700	\$9,327.96
Total:			\$138,121.72

Attachment-Exhibit	Account Title	Account	Amount
1-A	Abatement of Dangerous Buildings	0000101-340401	\$26,814.35
2-A	Rubbish, Refuse, Trash/Debris or Waste Matter Abatements	0000101-362300	\$74,461.30
3-A	Weed and Brush Nuisance Abatements	0000101-362100	\$27,518.11
4-A	Administrative Costs	0000224-353700	\$9,327.96
Total:			\$138,121.72

Prepared by: Gary T. Merk, Code Enforcement Manager
 Approved by: Jennifer A. Lilley, Community & Economic Development Director

Certified as to
 availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
 Approved by: Rafael Guzman, Assistant City Manager
 Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Resolution - Abatement of Dangerous Buildings
2. Resolution - Rubbish, Refuse, Trash/Debris or Waste Matter Abatements
3. Resolution - Weed and Brush Nuisance Abatements
4. Resolution - Administrative Costs
5. Notice of Public Hearing
6. Presentation