

REPORT TO THE CITY COUNCIL

City of Salinas, California

DATE: May 12, 2015

FROM: Alan Stumpf, Interim Director of CEDD

THROUGH: Sylvia Perez, Senior Code Enforcement Officer
Marina Gallegos, Human Resources Officer
Joseph DeSante, Permit Center Manager/Bldg Official

BY: Teresa Kistler, Revenue Technician

SUBJECT: **2015 SPECIAL ASSESSMENT FOR COLLECTION OF UNPAID CHARGES
FROM PROPERTY OWNERS**

RECOMMENDATION:

Staff recommends that Council adopt the attached resolution confirming unpaid nuisance abatement charges and administrative costs and penalties incurred by the City of Salinas from calendar years 2012 to 2014 and directing the Finance Director to collect the unpaid charges from the property owners in the same manner as ordinary municipal taxes.

DISCUSSION:

In 2013, the City Council approved adoption of Section 1-49 of the Salinas Municipal Code which authorizes the City to impose a special assessment against real property where fines and fees remain outstanding. Section 1-49 allows for recovery by special assessment against the subject property when the amount of any nuisance abatement charge, administrative penalty, administrative cost, or other debt imposed by the city in connection with real property has not been satisfied in full within ninety (90) days and/or has not been challenged by a timely writ of mandate. Exhibit A lists the properties to be assessed, as well as the amounts owed. This list includes unpaid charges from Code Enforcement, Risk Management, Fire Inspection, and Building divisions.

Pursuant to the requirements as outlined in the ordinance, property owners are provided with adequate notice before their properties are assessed, including invoices and letters advising them of the total amount due and consequences for failing to pay. A letter was mailed to all affected property owners ten days in advance of this City Council meeting advising the owner that the resolution was pending before Council.

ISSUE:

Shall Council adopt the resolution confirming the unpaid charges from 2012-2014 to be collected by special assessment of each of the subject properties at the same time and in the same manner as ordinary municipal taxes are collected?

FISCAL IMPACT:

Upon approval of the resolution, the Finance Director will provide notice to the tax collector that the amount of the special assessment has not been paid and should be imposed against each of the subject properties at the same time and in the same manner as ordinary municipal taxes.

TIME CONSIDERATIONS:

Adoption of the Resolution in a timely manner is essential to direct the Finance Director to assess the subject properties at the same time and in the same manner as ordinary municipal taxes are collected, in June of each calendar year. Timely resolution and reimbursement will close these cases in their entirety.

ALTERNATIVES:

The Council may reject the Resolution before it and direct staff not to collect the unpaid balance due of \$16,424.28 from subject properties. Staff does not recommend this alternative.

CITY COUNCIL GOALS:

Adoption of the proposed Resolution supports the City Council's goal of Effective, Sustainable government by ensuring collection of debt imposed by the City in connection with real property.

CONCLUSIONS:

Property owners have the option at any time to pay the charges in full and thereby avoid the special assessment. However, after multiple attempts to collect these charges, the City now has the alternative provided by the Municipal Code, to secure payments through the special assessment. Validating the special assessment in order for the City to secure payment of costs incurred for unpaid administrative charges is recommended.

Distribution:
City Council
City Manager
City Attorney
Department Directors

Attachments:
Resolution
Exhibit A
Sample Notice to Property Owners of Council Meeting