

RESOLUTION NO. 2018-47

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HUNTINGTON BEACH CERTIFYING SPECIAL  
ASSESSMENTS FOR COLLECTING DELINQUENT CIVIL FINES  
FOR NUISANCE VIOLATIONS OF THE MUNICIPAL CODE

WHEREAS, the City Council has adopted Huntington Beach Municipal Code 1.18, which provides that any violation of its Municipal Code shall constitute a nuisance; and

Authorizes the issuance of administrative citations that impose civil fines upon persons who commit property-related nuisance violations of the Municipal Code; and

Certain administrative citations have been issued for such property-related nuisance violations and civil fines imposed thereby have not been paid by the responsible persons who committed the Municipal Code violations; and

Section 1.18.150 of the Municipal Code provides that any unpaid delinquent civil fines, interest and penalties may be recovered as such a nuisance abatement lien or special assessment against the property of the responsible person who is the owner of the property where the violations occurred; and

To compel code compliance, the City may seek to abate the nuisance and collect the costs incurred by means of a nuisance abatement lien and/or special assessment against the property where a property-related violation occurred as part of the nuisance abatement procedures authorized by *Government Code* Section 38773.5; and

The City Council wishes to certify certain property-related nuisance abatement fines, interest and penalties as delinquent and have them collect as special assessments against the real property involved.

NOW, THEREFORE, the City Council of the City of Huntington Beach does hereby resolve as follows:

1. The special assessments designated on **Exhibit A**, which is attached and incorporated herein by this reference, are hereby certified as being delinquent civil fines, interest and penalties owing to the City of Huntington Beach and qualified for collection as special assessments under Section 1.18.150 C.

2. The City Council as part of the City's nuisance abatement program orders that these delinquent fines, interest and penalties are to be collected as special assessments against the respective properties shown on **Exhibit A** pursuant to the provisions of Municipal Code Section 1.18.150 C and *Government Code* Section 38773.5.

3. Pursuant to such authority, the Chief Financial Officer is directed to take the requisite steps for recording notice of such assessments against the respective properties in the property records of the County of Orange and for obtaining the collection of such assessments by the Tax Collector of the County of Orange.

4. The Chief Financial Officer is also authorized to take the necessary steps to have releases filed with the County Recorder when any such special assessments have been paid.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

REVIEWED AND APPROVED:

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney *mw*

INITIATED AND APPROVED:

  
\_\_\_\_\_  
Chief Financial Officer

# **EXHIBIT A**

Property Address	Owner	Dates/Fine Amount(s)/Total (w/late fees & charges)	Violation(s)	APN Number
8162 Talbert Ave Huntington Beach, CA 92648	K3 Investments LLC	05/01/17 \$8,000	5.08.010 17.04.020 17.10.050 (a)(c)(d)(e)(x); 17.04.036; 250 204.18; 250 215.04	988-481-09
		05/01/07 \$2,000		
		05/02/17 \$8,000		
		05/02/17 \$2,000		
		05/16/17 \$8,000		
		05/16/17 \$2,000		
		05/17/17 \$8,000		
		05/17/17 \$2,000		
		05/18/17 \$8,000		
		05/18/17 \$2,000		
		05/22/17 \$8,000		
		05/22/17 \$2,000		
		05/24/17 \$8,000		
		05/24/17 \$2,000		
		05/25/17 \$8,000		
		05/25/17 \$2,000		
		05/26/17 \$8,000		
		05/26/17 \$2,000		
		05/30/17 \$8,000		
		05/30/17 \$2,000		
		05/31/17 \$8,000		
		05/31/17 \$2,000		
		06/01/17 \$8,000		
		06/01/17 \$2,000		
		06/07/17 \$8,000		
		06/07/17 \$2,000		
		06/09/17 \$8,000		
		06/09/17 \$2,000		
		06/12/17 \$8,000		
		06/12/17 \$2,000		
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		06/16/17 \$8,000		
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		06/20/17 \$8,000		
		06/20/17 \$2,000		
		06/21/17 \$8,000		
		06/21/17 \$2,000		
		06/22/17 \$8,000		
		06/22/17 \$2,000		
		06/23/17 \$8,000		
		06/23/17 \$2,000		
		06/26/17 \$8,000		
		06/26/17 \$2,000		
		06/27/17 \$8,000		
		06/27/17 \$2,000		
		06/28/17 \$8,000		
		06/28/17 \$2,000		
		06/29/17 \$8,000		
		06/29/17 \$2,000		
		07/05/17 \$8,000		
		07/05/17 \$2,000		
		07/06/17 \$8,000		
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		07/07/17 \$8,000		
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		07/11/17 \$8,000		
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		07/31/17 \$8,000		
		07/31/17 \$2,000		
		08/01/17 \$8,000		
		08/01/17 \$2,000		
		08/02/17 \$8,000		
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		08/23/17 \$2,000		
		08/24/17 \$8,000		
		08/24/17 \$2,000		
		08/28/17 \$8,000		
		08/28/17 \$2,000		
		08/29/17 \$8,000		
		08/29/17 \$2,000		
		<b>Total \$650,152.32</b>		