

RESOLUTION NO. 2019-49

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 _____, 2019.

REVIEWED AND APPROVED:

City Manager

Mayor

APPROVED AS TO FORM:



City Attorney

INITIATED AND APPROVED:



Interim Chief Financial Officer

EXHIBIT A

Property Address	Owner	Dates/Fine Amount(s)/Total (w/late fees & charges)	Violation(s)	APN Number
9581 Telhan Dr Huntington Beach, CA 92646	Robert Briganti	12/22/17 \$500 1/30/18 \$1,500 5/7/18 \$3,000 5/31/18 \$4,000 6/27/18 \$4,000 7/23/18 \$4,000 10/17/18 \$4,000 11/15/18 \$2,000 Total \$26,319.43	17.10.050 (z) HB250 231.02 (E) CHSC 17920.3 (a)(14) CHSC 17920.3 (g)	153-153-30
19502 Surfdale Ln Huntingtn Beach, CA 92648	Diane Starbuck	5/4/16 \$2,000 5/20/16 \$4,000 5/21/16 \$4,000 5/23/16 \$4,000 5/23/16 \$2,000 7/28/16 \$4,000 7/29/16 \$4,000 3/8/18 \$500 3/21/18 \$1,000 3/27/18 \$2,000 3/29/18 \$2,000 4/4/18 \$2,000 4/20/18 \$2,000 4/25/18 \$2,000 4/26/18 \$2,000 5/8/18 \$2,000 Total \$44,094.07	17.10.050 (p); 17.10.050 (u); 8.48.180; CHSC 17920.3 (i)	023-202-05
19092 Beach Bl #'s J, K, L & M Huntington Beach, CA	Phoung Pham	4/9/18 \$1,000 4/9/18 \$1,000 4/9/18 \$500 7/11/18 \$2,000 7/11/18 \$2,000 7/11/18 \$1,000 8/20/18 \$1,000 8/20/18 \$500 8/20/18 \$1,000 8/22/18 \$2,000 8/22/18 \$2,000 8/22/10 \$1,000 9/21/18 \$500 11/15/18 \$1,000 Total \$27,769.48	17.10.050 (c) 17.04.020 HB250 204.18 CBC 111.1 HB250 215.04 CBC 111,112.3	153-041-28
17511 Griffin Ln #7 Huntington Beach, CA 92647	Bao Young Ho	4/30/19 \$4,000 5/1/19 \$4,000 Total \$8,078.00	17.10.050 (b) (1) (2) 17.04.020 CHSC 17920.3 (a)(14) (B)(4)(6)(D)	939-271-30

Property Address	Owner	Dates/Fine Amount(s)/Total (w/late fees & charges)	Violation(s)	APN Number
9442 Greenwich Dr Huntington Beach, CA 92646	Ann Lydia Pigage	4/19/17 \$250 5/1/17 \$500.00 5/5/17 \$1,000 5/9/17 \$250 5/11/17 \$1,250 5/18/17 \$500 5/19/17 \$1,000 5/21/17 \$500 5/25/17 \$1,000 5/31/17 \$1,000 6/3/17 \$1,000 6/7/2017 \$1,000 6/9/17 \$1,000 6/19/17 \$1,000 5/20/19 \$1,000 8/2/17 \$1,000 8/9/17 \$1,000 8/12/17 \$1,000 8/13/17 \$1,000 8/21/17 \$1,000 9/5/17 \$1,000 9/14/17 \$1,000 9/26/17 \$1,000 9/27/17 \$1,000 9/30/17 \$1,000 10/8/17 \$1,000 10/12/17 \$1,000 11/1/17 \$1,000 3/8/18 \$1,000 3/13/18 \$1,000 3/23/18 \$1,250 7/23/18 \$1,000 8/23/18 \$3,000 8/24/18 \$2,000 8/25/18 \$2,000 8/26/18 \$2,000 8/27/18 \$2,000 8/28/18 \$2,000 8/29/18 \$3,000 8/30/18 \$3,000 8/31/18 \$2,000 9/1/18 \$2,000 9/2/18 \$3,000 9/3/18 \$3,000 9/4/18 \$3,000 9/5/18 \$3,000 9/6/18 \$2,000 9/7/18 \$2,000 9/12/18 \$3,000 Total \$86,935.37	17.10.050 (z) HB250 210.04 HB250 231.02 E1 CHSC 17920.3 (I)	153-323-17