



Legislation Details (With Text)

File #: 18-167
Type: Consent Calendar **Status:** Passed
File created: 6/29/2018 **In control:** City Council/Public Financing Authority
On agenda: 7/16/2018 **Final action:** 7/16/2018
Title: Adopt Resolution No. 2018-47 approving the Certification of Special Assessments for collecting Delinquent Civil Fines for Municipal Code Violations
Attachments: 1. Att #1 Resolution No. 2018-47.pdf, 2. Sup Com 07-16-2018 #26 18-167.pdf

Date	Ver.	Action By	Action	Result
7/16/2018	1	City Council/Public Financing Authority	adopted	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Fred A. Wilson, City Manager

PREPARED BY: Gilbert Garcia, Chief Financial Officer

Subject:
Adopt Resolution No. 2018-47 approving the Certification of Special Assessments for collecting Delinquent Civil Fines for Municipal Code Violations

Statement of Issue:
Each year the City records notices of special assessment against private property for the value of unpaid civil fines plus interest and penalties pursuant to Ordinance No.3397 adopted by the City Council on June 15, 1998. City Council approval is required in order to meet the filing deadline with the County of Orange.

Financial Impact:
The total amount of assessments included in this action equals \$650,152.32. Fiscal Year 2018/19 property tax roll will be deposited into the General Fund when collected.

Recommended Action:
Adopt 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 Municipal Code Violations."

Alternative Action(s):
Do not approve the recommended action and direct staff accordingly.

Analysis:
In June 1998, the City Council adopted Huntington Beach Municipal Code Chapter 1.18 authorizing

the issuance of administrative citations that impose civil fines for violation of the Municipal Code of the City of Huntington Beach. Pursuant to Section 1.18.150 of the Municipal Code, the City may certify certain fines, interest, and penalties as delinquent and have them collected as special assessments against the real property involved. These assessments are limited to property related violations, wherein the fines exceed \$250.00 cumulatively, and are 60 days past due. In addition, all hearing or appeal rights of the cited persons have been exhausted.

For each of the properties being considered for placement of a lien, staff verified that the owners received proper notification of the violations, citations, notification of the outstanding fines and fees due, and of the potential for placement of a lien on their property for non-payment of the outstanding fines and fees. Property owners also received invoices for the outstanding fines and fees and were provided the opportunity to make payment arrangements.

Civil fines identified on Exhibit A to this Resolution have not been paid. The fine amounts will be levied against the properties, non-payment of which will incur penalties and will appear as an exception to the title on a title report at the time of transfer of the property. In addition, the fines will be reported to the County Tax Assessor for inclusion on the property tax bills.

All assessments identified on "Exhibit A" represent fines, penalties, and interest related to code enforcement action against medical marijuana establishments operating illegally within the City.

Environmental Status:

Not Applicable.

Strategic Plan Goal:

Strengthen economic and financial sustainability

Attachment(s):

1. 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," including "Exhibit A"