

CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

C-7

333 West Ocean Boulevard 6th Floor • Long Beach, CA 90802 • (562) 570-6169 • Fax (562) 570 -5836

July 14, 2009

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt the attached Resolution directing the Los Angeles County Auditor-Controller to include, on the 2009-10 Secured Tax Roll, certain levies made pursuant to the provisions of the Long Beach Municipal Code for weed, debris removal and/or building abatement in the amount of \$41,971.45. (Districts 1, 2, 4, 6 and 7)

DISCUSSION

Chapter 8.56 of the Long Beach Municipal Code sets forth procedures for notifying property owners to clean their vacant lots of weeds and/or debris. If the owner fails to remove the weeds or debris within the time stated following notification, or if ordered by the Board of Examiners, Appeals and Condemnation (BEAC), after appeal, the City is authorized to clean the lot and assess a levy.

Chapters 18.04 and 18.20 of the Long Beach Municipal Code authorize the City to demolish, following the appropriate hearings, any substandard building or structure, which constitutes a public nuisance. All expenses incurred by the City in connection with the removal, securing of buildings or demolition are charged to, and become an indebtedness of, the property owner.

The attached Resolution authorizes the City to collect delinquent weed removal charges and/or delinquent building abatement charges, incidental enforcement costs, interest, and a lien transfer charge from the owners through their property tax bills for properties cleaned during July 1, 2008 through June 30, 2009. Interest accrues at the rate of 12 percent from the delinquency date through June 30, 2010.

For weed and debris removal, the City Code Enforcement Division computes and records the costs of removing weeds or debris on each parcel. Affected property owners are notified to pay these expenses. The owner may appeal the charges within 15 days of the bill. If the amount, as determined by the BEAC, is not paid within 30 days, the bill becomes delinquent and interest begins to accrue.

For building abatement, the City Code Enforcement Division computes and records the costs of securing, demolishing and/or clearing of buildings on each parcel. Affected property owners are notified to pay these expenses. If payment is not received within 60 days, the bill becomes delinquent and interest begins to accrue. Owners may appeal the charges within 30 days of notification. If the amount, as determined by the BEAC, is not paid within 30 days, the bill once again becomes delinquent and interest begins to accrue.

Upon approval by the City Council, the Director of Financial Management will forward the authorizing Resolution and the prescribed reporting forms to the Los Angeles County Auditor-Controller, Tax Division, for incorporation into the 2009-10 County Secured Tax Roll.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on June 17, 2009 and Budget and Performance Management Bureau Manager David Wodynski on June 18, 2009.

TIMING CONSIDERATIONS

City Council action on this item is requested on July 14, 2009, as the Los Angeles County Auditor-Controller requires receipt of the authorized lien assessment on July 31, 2009 or shortly thereafter.

FISCAL IMPACT


Cleaning charges and interest in the amount of \$41,971.45 were levied against the thirteen listed properties (see Exhibit A of Resolution). No delinquent building charges and interest are to be collected on this tax roll.

The County will be requested to collect these costs with the annual property taxes for deposit into the General Fund (GP). These revenues are used for code enforcement related activities undertaken by the Code Enforcement Division in the Department of Community Development (CD).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


LORI ANN FARRELL
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

APPROVED:


PATRICK H. WEST
CITY MANAGER

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 LONG BEACH DIRECTING THE LOS ANGELES COUNTY
5 AUDITOR-CONTROLLER TO INCLUDE ON THE 2009-
6 2010 SECURED TAX ROLL ASSESSMENTS MADE
7 PURSUANT TO LONG BEACH MUNICIPAL CODE
8 CHAPTER 8.56 FOR WEED AND DEBRIS LOT CLEANING
9 CHARGES

10
11 WHEREAS, Chapter 8.56 of the Long Beach Municipal Code provides a
12 system for levy and collection to cover the cost of removing weeds and debris by the
13 City from privately owned real property; and

14 WHEREAS, the City's Building Official is required to certify to the City
15 Treasurer-Tax Collector the amount of the unpaid lot cleaning charges and interest for
16 delinquency; and

17 WHEREAS, the City's Building Official has certified to the City Treasurer-
18 Tax Collector unpaid lot cleaning charges and interest for delinquency which should be
19 entered upon the secured tax roll;

20 NOW, THEREFORE, the City Council of the City of Long Beach resolves
21 as follows:

22 Section 1. The Los Angeles County Auditor-Controller is hereby
23 authorized and requested to include on the 2009-2010 secured tax roll the delinquent
24 assessment charges, and penalties, if any, for each of the described pieces of real
25 property set forth in Exhibit "A" attached hereto and made a part hereof. The county
26 parcel number and the total unpaid assessment, together with interest thereon, and the
27 situs address of the real property are set forth in Exhibit "A". Only the amount set forth
28

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
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1 in the third column entitled "Amount" should be entered as charges due the City of Long
2 Beach on the real property to which the amount refers. The Los Angeles County
3 Auditor-Controller is directed to collect said charges in the same manner as ad valorem
4 taxes.

5 Section 2. The Director of Financial Management is directed to transmit
6 to the County Auditor-Controller a certified copy thereof on or before July 31, 2009.

7 Section 3. This resolution shall take effect immediately upon its
8 adoption by the City Council, and the City Clerk shall certify the vote adopting this
9 resolution.

10 I hereby certify that the foregoing resolution was adopted by the City
11 Council of the City of Long Beach at its meeting of _____, 2009 by the following
12 votes:

13 Ayes: Councilmembers: _____
14 _____
15 _____
16 _____

17 Noes: Councilmembers: _____
18 _____

19 Absent: Councilmembers: _____
20 _____

21 _____
22 _____
23 _____
24 _____
25 _____
26 _____
27 _____
28 _____
City Clerk

**TAX LIEN FOR THE REAL AND SECURED ASSESSMENT ROLL
(FOR WEED ABATEMENT)
JULY 1, 2008 TO JUNE 30, 2009**

<u>TRACT NO.</u>	<u>ASSESSOR PARCEL NO.</u>	<u>AMOUNT</u>	<u>SITUS ADDRESS</u>	<u>COUNCIL DISTRICT</u>
5770	7254-001-014	\$3620.04	1110 Loma Avenue	4
5751	7259-031-025	\$8680.80	1701 Gladys Avenue	4
5748	7240-010-011	\$5025.83	5160 Vista Hermosa	4
5742	7223-017-001	\$3506.44	2300 Rutgers Avenue	4
5731	7208-014-010	\$2199.87	2331 Locust Avenue	6
5752	7268-025-035	\$1256.08	1738 Martin Luther King	6
5731	7205-018-015	\$2766.56	2322 Pine Avenue	6
5722.02	7201-006-001	\$1970.00	840 W. 29 th Street	7
5729	7431-036-006	\$2918.00	1640 Parade Avenue	1
5765	7266-009-028	\$2708.21	435 Cerritos Avenue	2
5759	7278-026-009	\$2942.76	444-46 Cerritos Avenue & 443-45 Crystal Court	1
5762	7281-006-010	\$2693.02	402 Atlantic Avenue	1
5764	7267-007-024	\$1683.84	1046 Norman Court	6

GRAND TOTAL= \$ 41,971.45