

**CITY OF LONG BEACH**

DEPARTMENT OF FINANCIAL MANAGEMENT

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

August 5, 2008

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 2008-09 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 \$8,763. (Citywide)

**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, 2007 through June 30, 2008. Interest accrues at the rate of 12 percent from the delinquency date through June 30, 2009.

For weed and debris removal, the City Code Enforcement Division's Building Official 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.

HONORABLE MAYOR AND CITY COUNCIL

August 5, 2008

Page 2

For building abatement, the City Code Enforcement Division's Building Official 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 2008-09 County Secured Tax Roll.

This matter was reviewed by Assistant City Attorney Michael J. Mais on July 3, 2008 and Budget Management Officer Victoria Bell on July 7, 2008.

TIMING CONSIDERATIONS

City Council action on this item is requested on August 5, 2008, as the Los Angeles County Auditor-Controller requires receipt of the authorized lien assessment on July 31, 2008 or shortly thereafter.

FISCAL IMPACT

Cleaning charges and interest in the amount of \$8,763 were levied against the four 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

**TAX LIEN FOR THE REAL AND SECURED ASSESSMENT ROLL  
(FOR WEED ABATEMENT)  
JULY 1, 2007 TO JUNE 30, 2008**

<b>TRACT NO.</b>	<b>ASSESSOR PARCEL NO.</b>	<b>AMOUNT</b>	<b>SITUS ADDRESS</b>	<b>COUNCIL DISTRICT</b>
5769	7261-032-017	\$1,745.82	1205 St. Louis	4
5730	7202-033-014	2,251.15	2095 Maine	7
5755	7429-029-018	3,207.53	1665 Seabright	1
5730	7209-014-030	1,558.87	1909 N. Palmer	6

---

**GRAND TOTAL= \$8,763.37**

1 RESOLUTION NO.

2  
3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH DIRECTING THE LOS ANGELES  
5 COUNTY AUDITOR-CONTROLLER TO INCLUDE ON THE  
6 2008-2009 REAL AND SECURED TAX ROLL CERTAIN  
7 ASSESSMENTS MADE PURSUANT TO THE PROVISIONS  
8 OF THE LONG BEACH MUNICIPAL CODE FOR REMOVING  
9 WEEDS AND DEBRIS (LOT CLEANING CHARGES)

10  
11 WHEREAS, Section 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 City  
13 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 real and secured tax roll;

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

22 Section 1. The County Auditor-Controller is hereby authorized and  
23 requested to include on the 2008-2009 real and secured tax roll the delinquent  
24 assessment charges, and penalties, if any, for each of the described pieces of property  
25 set forth in Exhibit "A" attached hereto and made a part hereof. The county parcel  
26 number and the total unpaid assessment, together with interest thereon, and the situs  
27 address of the property is set forth in Exhibit "A." Only the amount set forth in the third  
28 column entitled "Amount" should be entered as charges due the City of Long Beach on

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

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

the real property to which the amount refers. The County Auditor-Controller is directed to collect said charges in the same manner as ad valorem taxes.

Section 2. The Director of Financial Management is directed to transmit to the County Auditor-Controller a certified copy thereof on or before July 31, 2008.

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 20\_\_ by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
City Clerk