



## CITY COUNCIL STAFF REPORT

DATE: July 11, 2012 PUBLIC HEARING

SUBJECT: FILING OF NUISANCE ABATEMENT RESOLUTIONS REPORTS FOR THREE PUBLIC NUSANCES

FROM: David H. Ready, City Manager

BY: Department of Building & Safety

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### SUMMARY

By adopting the resolutions the City Council will authorize the City Clerk to process the filing of the resolutions reports to allow for a special assessment to be placed on the individual property tax rolls for monies owed to the City.

### RECOMMENDATION:

1. Adopt Resolution No. \_\_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 2395 NORTH INDIAN CANYON DRIVE;"
2. Adopt Resolution No. \_\_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 414 SOUTH MONTE VISTA DRIVE;"
3. Adopt Resolution No. \_\_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING FOR THE PUBLIC NUISANCE ABATEMENT LIEN LOCATED AT 1091 SOUTH PASEO DE MARCIA;"

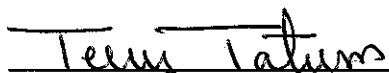
### STAFF ANALYSIS:

Section 11.72.260 of the Palm Springs Municipal Code requires this report of Resolutions to be filed with the City Council. Following the filing of the report, the City

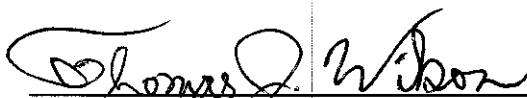
Clerk will deliver the Resolutions by certified mail to the Riverside County Auditor-Controller's Office to establish special assessment liens on the billings yet unpaid. Attached to this report are the Resolutions for 3 of these nuisances that have been abated, but for which the property owners have not paid the billing. The total amount outstanding is \$21,424.75.

FISCAL IMPACT:

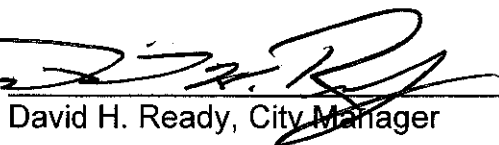
The City has already paid the bills incurred for these abatements. These bills include City Attorney fees, abatement contractor cost, and staff time costs. If recovered by special assessment liens through the tax rolls, \$21,424.75 can be returned to the General Fund.



Terry Tatum  
Director of Building and Safety



Tom Wilson,  
Assistant City Manager



David H. Ready, City Manager

Attachments:

Resolution reports (3)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PALM SPRINGS CONFIRMING THE  
REPORT OF PROCEEDINGS AND ACCOUNTING  
FOR THE PUBLIC NUISANCE LIEN LOCATED AT  
2395 North Indian Canyon Drive

WHEREAS, the City has abated proceedings concerning a public nuisance located on the property described as 2395 North Indian Canyon Drive, Palm Springs, California; and

WHEREAS, said property is shown as Assessor's Parcel No. 504-260-019 on the County Assessor's map books as of 07/11/2012; and

WHEREAS, the Director of Building & Safety has reported that notices required in accordance with Chapter 11.72 of the Palm Springs Municipal Code have been given and that the owner has refused to comply; and

WHEREAS, pursuant to said code, the City there upon abated the public nuisance located on the property described above; and

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves the report of Proceedings and Accounting of the cost in the total amount of \$19,268.25

SECTION 2. That a special assessment lien in the amount of \$19,268.25 is hereby imposed upon the property herein above described.

SECTION 3. That a certified copy of this Resolution and the report be filed with the Riverside County Auditor-Controller's office.

SECTION 4. That the County Auditor-Controller is respectfully requested to enter the amount of the assessment on the County Tax Roll opposite the parcel of land referred to, and that thereafter said amount shall be collected at the same time and in the same manner as ordinary municipal taxes.

SECTION 5. That a certified copy of this resolution and the report shall be recorded with the Riverside County Recorder's office.

ADOPTED this 11th day of July 2012.

\_\_\_\_\_  
David H. Ready, City Manager

ATTEST:

\_\_\_\_\_  
James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. \_\_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Thompson, City Clerk  
City of Palm Springs, California

PROCEEDINGS AND ACCOUNTING REPORT

PUBLIC NUISANCE ABATEMENT

I. LOCATION/LEGAL:

Assessor's Parcel Number: 504-260-019

Address: 2395 North Indian Canyon Drive

II. OWNER OF RECORD: Arvin Hallak

III. PROCEEDURE:

A. Public Nuisance Posting: 06-17-2010

B. Non-Compliance: 05-11-2011

C. Bid Solicitation: N/A

D. Notice to Proceed: 05-18-2011

E. Work Completion: 06-14-2011 (including City Atty court visit)

F. Billing: On 08-02-2011, owner billed \$19,268.25 to cover Abatement cost and City administrative costs.


G. Non-Payment: As of 07-11-2012, the bill remained Outstanding.

IV. ACCOUNTING:

Abatement : \$13,846.00

Administrative: 5,422.25

Total: \$19,268.25

  
Terry Tatum  
Director of Building & Safety

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PALM SPRINGS CONFIRMING THE  
REPORT OF PROCEEDINGS AND ACCOUNTING  
FOR THE PUBLIC NUISANCE LIEN LOCATED AT  
414 South Monte Vista Drive

WHEREAS, the City has abated proceedings concerning a public nuisance located on the property described as 414 South Monte Vista Drive, Palm Springs, California; and

WHEREAS, said property is shown as Assessor's Parcel No. 513-211-012 on the County Assessor's map books as of 07/11/2012; and

WHEREAS, the Director of Building & Safety has reported that notices required in accordance with Chapter 11.72 of the Palm Springs Municipal Code have been given and that the owner has refused to comply; and

WHEREAS, pursuant to said code, the City there upon abated the public nuisance located on the property described above; and

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY  
RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves the report of Proceedings and Accounting of the cost in the total amount of \$653.50

SECTION 2. That a special assessment lien in the amount of \$653.50 is hereby imposed upon the property herein above described.

SECTION 3. That a certified copy of this Resolution and the report be filed with the Riverside County Auditor-Controller's office.

SECTION 4. That the County Auditor-Controller is respectfully requested to enter the amount of the assessment on the County Tax Roll opposite the parcel of land referred to, and that thereafter said amount shall be collected at the same time and in the same manner as ordinary municipal taxes.

SECTION 5. That a certified copy of this resolution and the report shall be recorded with the Riverside County Recorder's office.

ADOPTED this 11th day of July 2012.

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David H. Ready, City Manager

ATTEST:

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James Thompson, City Clerk

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ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Thompson, City Clerk  
City of Palm Springs, California

PROCEEDINGS AND ACCOUNTING REPORT

PUBLIC NUISANCE ABATEMENT

I. LOCATION/LEGAL:

Assessor's Parcel Number: 513-211-012

Address: 414 South Monte Vista Drive

II. OWNER OF RECORD: George L. Vance

III. PROCEDURE:

A. Public Nuisance Posting: 07-28-2011

B. Non-Compliance: 12-07-2011

C. Bid Solicitation: 11-22-2011

D. Notice to Proceed: 12-08-2011

E. Work Completion: 12-10-2011

F. Billing: On 12-15-2011, owner billed \$653.50 to cover Abatement cost and City administrative costs.

G. Non-Payment: As of 07-11-2012, the bill remained Outstanding.

IV. ACCOUNTING:

Abatement : \$300.00

Administrative: 353.50

Total: \$653.50

  
Terry Tatum  
Director of Building & Safety



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF PALM SPRINGS CONFIRMING THE  
REPORT OF PROCEEDINGS AND ACCOUNTING  
FOR THE PUBLIC NUISANCE LIEN LOCATED AT  
1091 South Paseo de Marcia.

WHEREAS, the City has abated proceedings concerning a public nuisance located on the property described as 1091 South Paseo de Marcia, Palm Springs, California; and

WHEREAS, said property is shown as Assessor's Parcel No. 508-394-004 on the County Assessor's map books as of 07/11/2012; and

WHEREAS, the Director of Building & Safety has reported that notices required in accordance with Chapter 11.72 of the Palm Springs Municipal Code have been given and that the owner has refused to comply; and

WHEREAS, pursuant to said code, the City there upon abated the public nuisance located on the property described above; and

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY  
RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves the report of Proceedings and Accounting of the cost in the total amount of \$1,503.00.

SECTION 2. That a special assessment lien in the amount of \$1,503.00 is hereby imposed upon the property herein above described.

SECTION 3. That a certified copy of this Resolution and the report be filed with the Riverside County Auditor-Controller's office.

SECTION 4. That the County Auditor-Controller is respectfully requested to enter the amount of the assessment on the County Tax Roll opposite the parcel of land referred to, and that thereafter said amount shall be collected at the same time and in the same manner as ordinary municipal taxes.

SECTION 5. That a certified copy of this resolution and the report shall be recorded with the Riverside County Recorder's office.

ADOPTED this 11th day of July 2012.

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David H. Ready, City Manager

ATTEST:

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AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Thompson, City Clerk  
City of Palm Springs, California

PROCEEDINGS AND ACCOUNTING REPORT  
PUBLIC NUISANCE ABATEMENT

I. LOCATION/LEGAL:

Assessor's Parcel Number: 508-394-004  
Address: 1091 South Paseo de Marcia

II. OWNER OF RECORD: Howard E. Kilberg

III. PROCEDURE:

- A. Public Nuisance Posting: 03-14-2011
- B. Non-Compliance: 05-05-2011
- C. Bid Solicitation: 04-19-2011
- D. Notice to Proceed: 05-10-2011
- E. Work Completion: 05-17-2011
- F. Billing: On 05-17-2011, owner billed \$1,503.00 to cover Abatement cost and City administrative costs.
- G. Non-Payment: As of 07-11-2012, the bill remained Outstanding.

IV. ACCOUNTING:

Abatement :	\$1,200.00
Administrative:	<u>303.00</u>
Total:	<u><u>\$1,503.00</u></u>

  
\_\_\_\_\_  
Terry Tatum  
Director of Building & Safety

**CITY OF PALM SPRINGS  
PUBLIC HEARING NOTIFICATION**



**CITY CLERK'S DEPARTMENT  
James Thompson, City Clerk**

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City Council  
Meeting Date: July 11, 2012  
Subject: PUBLIC NUISANCE ABATEMENT

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**AFFIDAVIT OF MAILING**

I, Nadine T. Fieger, Code Compliance Officer, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on or before June 11, 2012, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.

(3 notices)

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in cursive script that reads "Nadine T. Fieger".

Nadine T. Fieger  
Code Compliance Officer

Mailed to:

Arvin Hallak, 2170 Paseo Grande Drive, El Cajon CA 92019

Howard E. Kilberg, #1 North La Salle St., Ste. 1700. Chicago IL 60602

George Vance, PO Box 389, Rancho Mirage CA 92270

NOTICE OF PUBLIC HEARING

CITY COUNCIL  
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT

Howard E. Kilberg  
1091 South Paseo de Marcia, APN: 508-394-004

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting on July 11, 2012. The City Council meeting will begin at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider adoption of resolution to allow for a special abatement lien to be placed on the individual property tax rolls for monies owed to the City in the amount of \$1,503.00

Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (mail or hand delivery) to:

Mr. James Thompson, City Clerk  
City of Palm Springs  
3200 East Tahquitz Canyon Way  
Palm Springs, CA 92262

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at or prior to the meeting. Notice of Public Hearing is being sent to the property owner of the subject property. An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Terry Tatum, Director, Department of Building & Safety, 760-323-8242.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger (760) 322-8364 ext. 8758.

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James Thompson  
City Clerk

NOTICE OF PUBLIC HEARING

CITY COUNCIL  
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT  
George L. Vance  
414 South Monte Vista Drive, APN: 513-211-012

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James Thompson  
City Clerk

NOTICE OF PUBLIC HEARING

CITY COUNCIL  
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT

Arvin Hallak

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James Thompson  
City Clerk