



STAFF REPORT

Approved and Forwarded to the City Council:

Bryan Montgomery, City Manager

Date: June 27, 2017
To: Bryan H. Montgomery, City Manager
From: Troy Edgell, Code Enforcement Manager
Subject: Annual Resolution Confirming Costs for Abatements of Mandatory Subscriptions for Garbage Service and Directing Special Assessments and Liens Upon Each Parcel

Background and Analysis

The City's Municipal Code includes provisions to protect the health and safety of the community. One of these provisions is the requirement for every owner of real property that generates solid waste, refuse, green waste or recyclables to subscribe with the franchisee (Oakley Disposal Service) for the collection and disposal of such material.

Exhibit A contains a list of properties identified as not having a mandatory subscription for garbage service. These property owners were provided twenty (20) days to self-correct and failed to obtain the required service. When the property owner fails to subscribe for service within the time frame provided, the City automatically pays for and subscribes the property to a six (6) month subscription. The property owner is then required to reimburse the City for its costs. If reimbursement is not made voluntarily, the City will seek to collect by enrolling a direct assessment onto the County tax roll to recover the subscription fee and an administrative charge to recoup the Staff cost associated with noticing the property owner and processing the enrollment with Oakley Disposal Service.

Direct assessment collections of abatements must be confirmed by the City Council therefore the purpose of this resolution is to ensure the City's expenses for performing the abatement are recovered.

It is important to note the property owners have been notified via both First Class Mail and the physical posting of the Notice on the property that they have one more opportunity to voluntarily reimburse the City by July 25, 2017 or submit a written appeal to this action no later than July 6, 2017. If a reimbursement is received or a property owner files an appeal and the Hearing Officer does not sustain the amount for collection, the property address will be removed from Exhibit A prior to being transmitted to the County Tax Collector.

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Fiscal Impact

Adoption of the Resolution will authorize Staff to lien the properties and collect the amounts due via direct assessment on the 2017-2018 tax roll.

Recommendation

Staff recommends the Council adopt the attached Resolution confirming the costs for subscribing the nuisance properties to garbage service and directing a special assessment and lien upon such parcel if the amount due is not paid in full by July 25, 2016.

Attachments

1. Resolution
Exhibit A: 2016/2017 Property Listing of Garbage Subscription Liens
Resolution

RESOLUTION NO. __-17

A RESOLUTION OF THE OAKLEY CITY COUNCIL CONFIRMING THE COSTS FOR ABATEMENTS OF MANDATORY SUBSCRIPTIONS FOR GARBAGE SERVICE; AND DIRECTING SPECIAL ASSESSMENTS AND LIENS UPON EACH PARCEL

WHEREAS, the Oakley Municipal Code establishes standards in Law to protect the health and safety of the Community; and

WHEREAS, the City's Code Enforcement Division is tasked with addressing violations of these codes, so as to ensure the health and safety of the Community; and

WHEREAS, the list of properties in Exhibit A attached have violations which required abatement by the City through the Code Enforcement Division; and

WHEREAS, the costs incurred by the City to abate the violations is shown in the Exhibit, and such costs remain unreimbursed to date; and

WHEREAS, the City seeks to confirm these costs, and if they remain unpaid after July 25, 2017, seeks authorization to lien the property and collect the amounts via direct assessment on the Fiscal Year 2017-2018 property tax roll.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oakley hereby confirms the cost for each property, and for those remaining unreimbursed after July 25, 2017, authorizes Staff to lien the property and submit them as direct assessments for collection on the 2016-2017 property tax roll.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 27th of June, 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

Sue Higgins, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date

2017-2018 PLACEMENT OF DIRECT ASSESSMENTS FOR FAILURE TO REIMBURSE CITY FOR MANDATORY SUBSCRIPTION TO GARBAGE SERVICE ON TAX
ROLL CONFIRMED BY CITY OF OAKLEY COUNCIL

	PARCEL NUMBER	LEVY CODE	FUND	REVENUE	LEVY AMOUNT	COUNCIL CONFIRMATION RESOLUTION #	PROPERTY ADDRESS
A	034-150-003				405.05		650 BROWNSTONE RD
A	033-090-023				405.38		40 ROGER LANE
A	033-313-023				406.88		234 OAK VIEW LANE
A	035-404-011				403.63		960 W CYPRESS ROAD
A	033-280-056				398.1		1275 QUAIL VALLEY RUN
A	037-410-001				368.69		1870 E SUMMERFIELD COURT
A	035-533-002				398.1		4670 TEAKWOOD COURT
A	037-123-032				403.32		5005 MARTIN STREET
A	032-010-002				398.1		6390 SELLERS AVE

3587.25

As of 6/22/2017