



# Staff Report

## City Council

Item No. {{section.number}}.J

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**Meeting Date:** June 26, 2024

**From:** Andrew Firestine, Director Community and Economic Development

**Title:** Resolution Confirming Assessments Against Various Property Owners for Nuisance Abatement Costs

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### **RECOMMENDATION:**

Staff recommends City Council adopt the proposed resolution, thereby confirming assessments against various property owners for nuisance abatement costs and providing for collection.

### **BACKGROUND:**

When a property owner fails to comply with a Code Compliance Notice of Violation or Notice of Public Nuisance and Order to Abate, the Code Compliance Officer may proceed with an abatement of the property. The property owner is responsible for all costs of abatement incurred by the City, including administrative costs and attorneys' fees. If the abatements costs are not paid prior to June 30th, the abatement costs may become a special assessment levied against the property.

For Fiscal Year 2023-2024, nine (9) abatements were conducted by the City in which the costs were not recovered. In accordance with the Municipal Code, each time an abatement was conducted, the property owner was notified as prescribed, and proof of service documented. Upon abatement of the property, a Notice of Administrative Costs was mailed to the property owner with a description of the abatement work and total cost owed.

### **DISCUSSION:**

The abatement process is one of the tools in the City's legal toolbox to obtain code compliance. Abatements can be initiated either because of a court order or through a summary abatement process for immediate health and safety violations. Out of the nine (9) abatements six (6) were summary abatements (emergency board up). The remaining three (3) were court ordered actions, including a longstanding case on Treasure Trail where the property owner failed to respond to any communications or actions. Conversely, City staff conducted an emergency board up of a property on Papaya Ln after the building inspector deemed the dwelling uninhabitable.

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The costs incurred through the abatement process include the time, materials, and labor of the work itself. It also includes any fines or fees levied against the property for unpaid citations as well as attorney fees incurred by the City bringing these matters to court.

The total costs incurred by the City for the nine abatements was \$78,960.45. The costs, as shown on Exhibit A of the Resolution, include administrative costs and staff time for preparing the necessary paperwork, inspection of the property and the contractor's cost of labor and materials.

### **FISCAL IMPACT:**

The recommended action will serve to recover costs incurred by the City in abating public nuisances on the referenced properties.

### **FIVE-YEAR STRATEGIC PLAN:**

This action will further Goal F – Embracing, Inclusive City  
Objective - Cathedral City is valued and respected as a community that welcomes and embraces diversity, has an abundance of high quality and affordable housing options, and vibrant businesses. Our neighborhoods are attractive and well-maintained and issues surrounding homelessness have been compassionately addressed with thoughtful, coordinated, and collaborative programs.

Action F-16 - Implement a code compliance program that proactively identifies and responds to code compliance complaints.

### **ATTACHMENTS:**

1. Resolution
2. Exhibit A 2023-2024 Nuisance Abatement Lien List