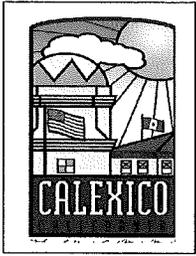


**AGENDA
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AGENDA STAFF REPORT

DATE: March 7, 2018

TO: Mayor and City Council

APPROVED BY: David Dale, City Manager *DD*

PREPARED BY: Ralph B. Morales, Building/Planning/Code Enforcement Manager *[Signature]*

SUBJECT: Approval of a Resolution of the City Council of the City of Calexico, California, Establishing a Fee for the Registration and Maintenance of Vacant and Abandoned Properties Pursuant to Chapter 8.50 of the Calexico Municipal Code

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Recommendation:

City Council approve the following Resolution:

A Resolution of the City Council of the City of Calexico, California, Establishing a Fee for the Registration and Maintenance of Vacant and Abandoned Properties Pursuant to Chapter 8.50 of the Calexico Municipal Code.

Background: On November 1, 2017, the City Council approved an ordinance adding Chapter 8.50 to title 8 of the municipal code relating to the registration and maintenance of vacant and abandoned commercial, industrial and residential properties. The past decade, the City has witnessed the growing presence of vacant and abandoned residential, commercial and industrial properties within the City's boundaries.

Due to continuing issues the problems created by vacant and abandoned commercial and industrial properties requires special measures to improve the situation and assure that vacant commercial and industrial properties are maintained in a clean and attractive manner.

Discussion & Analysis: Staff checked with other cities regarding registration fees for monitoring vacant properties, unfortunately the neighboring cities like El Centro, Brawley had none. Closest area was Sacramento, CA the following fees were as follows:

- (a) Abandoned Property Registration Fee: \$150.00 with a \$75.00 renewal fee.
- (b) Administrative Abatement Fee: \$400.00 this fee shall cover the City's costs incurred for staff administrative time, overhead cost, and related administrative cost to abate any existing nuisance conditions.

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- (c) Monitoring Fee: \$305.00 monthly monitoring fee in addition to a \$400.00 enforcement response fee for each time a building inspector is called to the vacant building site.

Adoption of this resolution provides the City with the necessary tool to assure that properties are maintained in accordance with minimum standards, reduce the chances that such buildings become nuisances and a danger to surrounding property.

Fiscal Impact:

The regulatory fees will recover the costs of monitoring compliance with the ordinance. Thus, putting no cost to the City.

Coordinated With:

City Attorney's Office.

Attachment:

1. A Resolution of the City Council of the City of Calexico, California, establishing a fee for the registration and maintenance of vacant and abandoned properties.

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, ESTABLISHING A FEE FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED PROPERTY PURSUANT TO CHAPTER 8.50 OF THE CALEXICO MUNICIPAL CODE.

WHEREAS, in the last year, there has been an increased number of vacant, abandoned buildings associated with the increased number of foreclosures occurring as part of the housing downturn; and

WHEREAS, the City Council finds that the growing presence of vacant, abandoned buildings can discourage potential buyers from purchasing a property adjacent to or in neighborhoods with vacant, abandoned buildings; and

WHEREAS, the City Council finds that the increased number of these vacant and abandoned properties can lead to neighborhood decline and become attractive nuisances causing the City to incur significant costs in the form of the City staff time for code enforcement actions seeking to maintain the conditions of these properties; and

WHEREAS, the City Council finds that many vacant, abandoned buildings are the responsibility of out of area, out of state lenders and trustees; and

WHEREAS, in many instances these lenders and trustees fail to adequately maintain and secure these vacant buildings; and

WHEREAS, the City has an obligation to protect its neighborhoods from decline and devaluation; and

WHEREAS, prior to or concurrently with the adoption of this resolution, the City council has adopted Ordinance No. 18-__ adding Chapter 8.50 to authorize the City to charge parties regarding the registration and maintenance of vacant and abandoned buildings; and

WHEREAS, it is the intention of the City Council that the fees herein shall cover, but not exceed, the estimated reasonable cost of providing the service for which the fee is charged; and

WHEREAS, based upon the evidence provided, the City Council hereby determines that the fees established herein reasonably cover, but do not exceed, the reasonable cost of providing the service for which the fee is charged.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Calexico, California, as follows:

**RESOLUTION NO 2018-
PAGE 2**

Section 1. Fees. The following fees and charges are hereby established to recover the City's cost of providing municipal services to the public as follows:

A. Abandoned Property Registration Fee

This fee shall cover the City's costs to operate an abandoned property program which shall inspect abandoned buildings and/or issue notice of violations. A fee of \$ 150.00 per abandoned property shall be imposed with an annual re-newel fee of \$75.00.

B. Administrative Abatement Fee

This fee shall cover the City's costs incurred for staff administrative fee, overhead costs, and related administrative costs to abate any existing nuisance conditions. A fee of \$400.00 per abatement action and any additional abatement action costs, including costs of contractors and legal fees, shall be imposed.

C. Repeat Compliance Inspection Fee

This fee shall cover the City's costs incurred for subsequent inspections required for uncorrected municipal code violations or to inspect for new violations due to numerous previous violations found. A fee of \$305.00 in addition imposed fee of \$400.00 enforcement response fee for each time a building inspector is called to the vacant building site.

Section 2. Charges and Fees to over actual costs. In the event that the City incurs additional costs related to registering and maintaining a vacant and abandoned building, the City may charge the owner of said building additional charges and fees equal to the amount of actual costs incurred by the City. Such actual costs may include, but not be limited to, securing the building and other actual costs related to abating the nuisance created by abandoned and vacant buildings.

**RESOLUTION NO 2018-
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Section 3. Effective Date. The Mayor shall sign this Resolution and the City Clerk shall attest thereto, and this Resolution shall take effect and be in force on the date of its adoption.

PASSED, ADOPTED AND APPROVED, at a regular meeting of the City Council this ____ day of ____ 2018 by the following vote.

Maritza Hurtado, Mayor

ATTEST:

Gabriela Garcia, City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)
CITY OF CALEXICO)

I, Gabriela Garcia, City Clerk of the City of Calexico do hereby certify that the following Resolution No. 2018- ____ was duly passed and adopted at a regular meeting of the City Council of the City of Calexico held on the ____ day of ____ 2018.

Upon motion of Council Member _____, seconded by Council Member _____, the foregoing Resolution No. 2018- ____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSTAINED:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of City of Calexico this ____ day of ____ 2018.

Gabriela Garcia, City Clerk