



**CITY OF HAYWARD
AGENDA REPORT**

AGENDA DATE May 19, 1998
AGENDA ITEM 5
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

**SUBJECT: HEARING ON REPORT AND ASSESSMENT FOR COMMUNITY
PRESERVATION FEES PAST DUE**

RECOMMENDATION:

It is recommended that the City Council:

- ◆ Hold a public hearing and adopt a resolution confirming the cost of Community Preservation fees and abatement charges for the 1997 calendar year, authorizing the assessments to become a lien against the properties if not paid on or before July 24, 1998.

DISCUSSION:

Community Preservation abatements are carried out to remove debris, trash, vegetation, graffiti, appliances, abandoned vehicles and auto parts, etc., from private property. Abatement is undertaken by the City's contractor when a property owner has not abated the nuisance after having failed two or more (depending on the nature of the violation, progress made, weather) inspections.

Inspection fees for violation of the Community Preservation Ordinance are based on the standard cost for staff time and materials to process a typical violation. The fees include a minimum of two site inspections, site photographs, researching property ownership records, sending abatement notices, file preparation and maintenance, internal vehicle charges, etc.

There is no cost for the initial inspection if the violation is abated by the compliance date. If it is not, the fee for a second inspection is \$226.00, which includes the cost of the initial inspection. Additional inspections, if necessary, cost \$81.00 each. Contractor costs are in addition to any City fees.

Tonight's hearing is the third lien hearing the City has held since adoption of the Community Preservation Ordinance. As with the Weed Abatement Ordinance, the purpose of the hearing is to: (1) encourage property owners in the future to pay their bills on time, and to avoid a lien being placed on their property; and (2) enable the City to be reimbursed if the property is sold or refinanced.

Mayor and City Council
Meeting of May 19, 1998

As of the date of this writing, overdue bills affecting 24 properties amounts to approximately \$12,850.

The purpose of tonight's hearing is to consider the proposed report and assessment list, as well as any objections from property owners. After concluding the hearing, Council may modify the proposed charges and assessment list as it deems appropriate, after which the list must be officially confirmed by resolution. The unpaid charges, plus any administrative costs of the City and County, will then become a lien and will appear on the November tax bill.

Abatement charges constitute a special assessment against the property that was abated. (It is not a personal debt like a credit card charge for goods or services.) Sometimes, however, it is not possible to establish a lien to collect an overdue bill because the current owner was not the party responsible for the debt. In these instances, the Finance Director pursues collection of the debt from the responsible individual through the City Collection Officer, collection agency, or litigation as appropriate.

Public Notice

Notice of this hearing was published in the Daily Review on May 9, 1998 and on May 14, 1998.

In addition, a notice was sent by certified mail to each property owner, mortgagee or beneficiary indicated on the current assessor's roll; and staff sent a courtesy letter to all those affected in April, informing them of the impending proceedings and encouraging them to pay their bills to minimize fees and be removed from the proposed assessment list.

Prepared by:



Marvin J. Carash
Development Inspection Services Administrator

Recommended by:

for 

Sylvia Ehrental
Director of Community and Economic Development

Mayor and City Council
Meeting of May 19, 1998

Approved by:

A handwritten signature in black ink, appearing to read "Jesús Armas", is written over a horizontal line.

Jesús Armas
City Manager

Attachments: Exhibit A – 1997 Proposed Community Preservation Assessment List
Draft Resolution

April 15, 1998

DEPARTMENT: COMMUNITY PRESERVATION
 INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER- MAP BLOCK PARCEL	OWNER NAME/ADDRESS INVOICE DESCRIPTION	PARCEL LOCATION	BALANCE DUE	DEPT STAT
83437	02/24/1997	081D 1665 009 01	BRANDT JAYE A 27504 BAHAMA AV HAYWARD CA COMM PRES INSPECTION FEE @ 26841 PARKSIDE DR. (APN 81D-1665-9-1) ON 2-10-97 ZV96-1271. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT COLLEEN GALLOWAY AT 293-5564.	26841 PARKSIDE DR 94545	320.12	4630 46

12129	BRANDT, JAYE A.				TOTAL	320.12

85312	06/30/1997	465 0020 090 00	CHANDRA VEDYA & NIRBHAY NARAYAN 29011 VAGABOND LN HAYWARD CA COMM PRES INSPECTION FEE @ 29011 VAGABOND LN (APN 465-20-90) ON 6-23-97, CP97-474. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT COLLEEN GALLOWAY AT 293-5564.	29011 VAGABOND LN 94544	388.00	4630 46

13188	CHANDRA, VEDYA/NIRBHAY, NARAYAN				TOTAL	388.00

83441	02/24/1997	416 0150 091 00	CRAWFORD TERRY L 22612 MADRONE ST HAYWARD CA COMM PRES INSPECTION FEE @ 22612 MADRONE ST. (APN 416-150-91) ON 2-4-97, CP96-1681. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT COLLEEN GALLOWAY AT 293-5564.	22612 MADRONE ST 94541	401.93	4630 46

84631	05/14/1997	416 0150 091 00	CRAWFORD TERRY L 22612 MADRONE ST HAYWARD CA COMM PRES INSPECTION FEE @ 22612 MADRONE ST (APN 416-150-91) ON 4-14-97, CP97-298. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT JO ANNE LA CONTE AT 293-5566.	22612 MADRONE ST 94541	320.12	4630 46

11260	CRAWFORD, TERRY L				TOTAL	722.05

83442	02/24/1997	081D 1665 001 03	DANIELS DORIS L 1137 TIEGEN DR HAYWARD CA COMM PRES INSPECTION FEE @ 26525 PARKSIDE DR. (APN 81D-1665-1-3) ON 1-27-97 CP96-1590. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT COLLEEN GALLOWAY AT 293-5564.	26525 PARKSIDE DR 94542	238.31	4630 46

12130	DANIELS, DORIS L				TOTAL	238.31

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EXHIBIT A

DEPARTMENT: COMMUNITY PRESERVATION
 INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER- BILLED TO	MAP BLOCK PARCEL	OWNER NAME/ADDRESS INVOICE DESCRIPTION	PARCEL LOCATION	BALANCE DUE	DEPT STAT
77247	01/23/1996	454	0065 136 00	DERIDDER CAROLE PO BOX 3123 COMM PRES INSPECTION FEE @ 27257 PATRICK AVE. ON 12-15-95, CP95-1572 FOR FURTHER INFO CONTACT COLLEEN GALLOWAY 293-5564	27257 PATRICK AV 94578	226.00	4630 46

10201
 ⑤ DERIDDER, CAROLE .

TOTAL 226.00

85557	07/08/1997	464	0020 015 00	ENGINEER PHIROZE S & PERRIN P 1220 WEST TENNYSON RD HAYWARD CA COMM PRES INSPECTION FEE @ 1220 WEST TENNYSON RD (464-20-15) ON 4-9-97, SV97-14. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT COLEEN GALLOWAY @ 293-5564.	1220 WEST TENNYSON RD 94544	357.49	4630 46
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13292
 ⑥ ENGINEER, PHIROZE & PERRIN

TOTAL 357.49

78360	03/29/1996	445	0230 031 00	RODRIGUES VINCENT SR TR 596 POSADA WY COMM PRES INSPECTION FEE @ 25809 BRYN MAWR AVE. ON 3-13-96, CP96-16 FOR FURTHER INFO CONTACT COLLEEN GALLOWAY 293-5564	25809 BRYN MAWR AV 94536	226.00	4630 46
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10484
 ⑦ GONSALVES, MARIA S. TR.

TOTAL 226.00

83941	04/04/1997	078C	0644 008 00	HERNANDEZ RAMONA R 27918 CAPETOWN AV HAYWARD CA COMM PRES INSPECTION FEE @ 27654 MISSION BLVD (APN 78C-644-8) ON 3-12-97, CP97-152. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT COLLEEN GALLOWAY AT 293-5564.	27654 MISSION BL 94545	238.31	4630 46
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13286
 ⑧ HERNANDEZ, RAMONA

TOTAL 238.31

83454	02/24/1997	453	0090 104 02	MARCOTTE CHARLES J & SHIRLEY L TRS ETAL 23441 FOLEY ST HAYWARD CA COMM PRES INSPECTION FEE @ 583 TENNYSON RD., W. (APN 453-90-104-2) ON 2-3-97, SV97-59. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT KATHY CAMPBELL AT 293-5565.	583 WEST TENNYSON RD 94545	115.09	4630 46
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16875
 ⑨ MARCOTTE, CJ & SHIRLEY L

TOTAL 115.09

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DEPARTMENT: COMMUNITY PRESERVATION
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER- MAP BLOCK PARCEL	OWNER NAME/ADDRESS INVOICE DESCRIPTION	PARCEL LOCATION	BALANCE DUE	DEPT STAT
76487	11/21/1995	444 0021 015 00	MCMAHON DEBRA A & WAYNE W & JOANNE D 24419 PARK ST HAYWARD CA COMM PRES INSPECTION FEE @ 24522 PARK ST. ON 8-21-95, CP95-450 FOR FURTHER INFO CONTACT COLLEEN GALLOWAY 293-5564	24522 PARK ST 94544	557.47	4630 46
77000	12/21/1995	444 0021 015 00	MCMAHON DEBRA A & WAYNE W & JOANNE D 24419 PARK ST HAYWARD CA COMM PRES INSPECTION FEE @ 24522 PARK ST. ON 12-9-95, CP95-1544 FOR FURTHER INFO CONTACT COLLEEN GALLOWAY 293-5564	24522 PARK ST 94544	697.86	4630 46
7904		MCMAHON, DEBRA/WAYNE/JOANNE D		TOTAL	1,255.33	
78373	03/29/1996	432 0048 078 00	MILLERGAUBATZ BARBARA A 23138 LILLA RD HAYWARD CA COMM PRES INSPECTION FEE @ 23138 LILLA RD. ON 10-26-95, CP95-869 FOR FURTHER INFO CONTACT WILLIAM MORK 293-5561	23138 LILLA RD 94541	238.31	4630 46
10483		MILLER, BARBARA A.		TOTAL	238.31	
84648	05/14/1997	445 0220 046 00	MOITA ANTONE F & PAULITA 25350 DELMAR AV HAYWARD CA COMM PRES INSPECTION FEE @ 25350 DELMAR AVE (APN 445-220-46) ON 4-28-97, CP97-395. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT JO ANNE LA CONTE AT 293-5566.	25350 DELMAR AV 94542	238.31	4630 46
12541		MOITA, ANTONE F & PAULITA		TOTAL	238.31	
84762	05/30/1997	444 0060 009 00	NASIR AHMAD 747 BERRY AV HAYWARD CA COMM PRES INSPECTION FEE @ 747 BERRY AVE (APN 444-60-9) ON 5-8-97, CP97-224 IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT KATHY CAMPBELL AT 293-5565.	747 BERRY AV 94544	388.00	4630 46
12597		NASIR, AHMAD		TOTAL	388.00	

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DEPARTMENT: COMMUNITY PRESERVATION
 INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER- BILLED TO	MAP BLOCK PARCEL	OWNER NAME/ADDRESS INVOICE DESCRIPTION	PARCEL LOCATION	BALANCE DUE	DEPT STAT
83987	04/04/1997	432 0040 045 01		O'CONNELL BARBARA J & PATRICK A 4715 SCARLET SAGE DR PUEBLO CO COMM PRES INSPECTION FEE @ 22680 HAPPYLAND AVE (APN 432-40-45-1) ON 3-17-97 CP97-238. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT KEN JEFFERY AT 293-5183.	22680 HAPPYLAND AV 81001	1,060.45	4630 46

11442	O'CONNELL, BARBARA & PATRICK					TOTAL	1,060.45	
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77361	01/23/1996	453 0055 020 00		ORAVASAARI SEPPO K & SHEKZADI N 1247 BENEDICT CT SAN LEANDRO CA COMM PRES INSPECTION FEE @ 751 HARRIS CT. ON 12-19-95, CP95-1576 FOR FURTHER INFO CONTACT COLLEEN GALLOWAY 293-5564	751 HARRIS CT 94577	238.31	4630 46
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4425	ORAVASAARI, LISA					TOTAL	238.31	
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85195	06/18/1997	431 0040 005 00		ORTIZ CLIFFORD R & JUDY G 539 B ST HAYWARD CA COMM PRES INSPECTION FEE @ 539 B ST (APN 431-40-5) ON 6-3-97, CP97-185. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT KATHY CAMPBELL AT 293-5565.	539 B ST 94541	4,053.08	4630 46
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11511	ORTIZ, CLIFFORD R & JUDY G					TOTAL	4,053.08	
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77368	01/23/1996	465 0020 093 02		PERRY RONALD J & MARLENE 625 FOLSOM AV HAYWARD CA COMM PRES INSPECTION FEE @ 625 FOLSOM AVE. ON 10-10-95, CP95-1165 FOR FURTHER INFO CONTACT KATHY CAMPBELL 293-5565	625 FOLSOM AV 94544	188.31	4630 46
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10198	PERRY, RONALD J. & MARLENE					TOTAL	188.31	
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88481	12/04/1997	454 0025 126 02		QUENGA IRENE D 26517 GADING RD HAYWARD CA WEED ABATEMENT COLLECTION @ 26517 GADING RD (454-25-126-02) ON 11-24-97,CASE #VH97-1987. IF YOU HAVE ANY QUESTIONS ABOUT BILL- ING, CONTACT PHYLLIS CLEARWATER @ 510-293-5563,	26517 GADING RD 94544	238.31	4630 46
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13962	QUENGA, IRENE					TOTAL	238.31	
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DEPARTMENT: COMMUNITY PRESERVATION
 INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	-PARCEL NUMBER- MAP BLOCK PARCEL	OWNER NAME/ADDRESS INVOICE DESCRIPTION	PARCEL LOCATION	BALANCE DUE	DEPT STAT
84655	05/14/1997	445 0210 051 01	REDGWICK ELLEN R TR & D A & BEVERLY 21679 GAIL DR COMM PRES INSPECTION FEE @ 25200 MISSION BLVD (APN 445-210-51-1) ON 4-22-97 SV97-273. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT JO ANNE LA CONTE AT 293-5566.	25176 MISSION BL 94546 CASTRO VALLEY CA	212.05	4630 46

			REDGWICK, ELLEN D A & BEVERLY	TOTAL	212.05	
76954	12/08/1995	444 0066 025 00	SINGH NAVEEN & KAMLESH 3226 SHAWN WY COMM PRES INSPECTION FEE @ 25460 MUIR ST. ON 11-27-95, CP95-1404 FOR FURTHER INFO CONTACT COLLEEN GALLOWAY 293-5564	25460 MUIR ST 94541 HAYWARD CA	170.12	4630 46

			SINGH, NAVEEN	TOTAL	170.12	
84661	05/14/1997	416 0140 039 01	TELLES ROBERT L JR & SUSAN C 406 RED WING DR COMM PRES INSPECTION FEE @ 1724/26 D ST (APN 416-140-39-1) ON 4-22-97, CP97-237. IF YOU HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT JO ANNE LA CONTE AT 293-5566.	1724 D ST 94526 DANVILLE CA	238.31	4630 46

			TELLES, ROBERT L JR & SUSAN C	TOTAL	238.31	
88655	12/16/1997	416 0120 054 00	TINGLEY STEPHEN L JR & JILL 22472 LINDEN ST WEED ABATEMENT COLLECTION @ 22472 LINDEN AV. (416-120-54) ON 5/2 7/2, 7/23 & 9/23/97 (ZV97-246). IF YOU HAVE ANY ?S WHY YOU WERE BILLED, CONTACT JOANNE LACONTE @ 293-5566. WEED ABATEMENT COLLECTION @ 22472 LINDEN AV. (416-120-54) ON 5/2 7/2, 7/23 & 9/23/97 (ZV97-246). IF YOU HAVE ANY ?S WHY YOU WERE BILLED, CONTACT JOANNE LACONTE @ 293-5566. WEED ABATEMENT COLLECTION @ 22472 LINDEN AV. (416-120-54) ON 5/2 7/2, 7/23 & 9/23/97 (ZV97-246). IF YOU HAVE ANY ?S WHY YOU WERE BILLED, CONTACT JOANNE LACONTE @ 293-5566.	22472 LINDEN ST 94541 HAYWARD CA	474.00	4630 46

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12536
 (19)

3317
 (20)

8816
 (21)

INVOICE # DATE - PARCEL NUMBER - MAP BLOCK PARCEL INVOICE DESCRIPTION OWNER NAME/ADDRESS PARCEL LOCATION BALANCE DUE STAT DEPT

13995 RINGLEY, STEPHEN L. JR & JILL
BILLED TO
1647 TROWVILLE LN VIADA ANTHONY W & KATHRYN M HAYWARD CA 1647 TROWVILLE LN 188.31 4630 46
COMM PRES INSPECTION FEE 94545
@ 1647 TROWVILLE LN. ON 8-16-96, CP96-956. IF YOU
HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT
INSPECTOR KATHY CAMPBELL AT 293-5565.

11381 VIADA, ANTHONY W & KATHRYN M
81086 09/26/1996 455 0032 052 00 VIADA ANTHONY W & KATHRYN M 1647 TROWVILLE LN HAYWARD CA 1647 TROWVILLE LN 188.31 4630 46
COMM PRES INSPECTION FEE 94545
@ 1647 TROWVILLE LN. ON 8-16-96, CP96-956. IF YOU
HAVE ANY QUESTIONS WHY YOU WERE BILLED, CONTACT
INSPECTOR KATHY CAMPBELL AT 293-5565.

12287 WADA, ISAO
84017 04/04/1997 428 0056 041 00 WADA ISAO 28 PARK VIEW TERRACE DR SAN PABLO CA 22458 MISSION BL 838.25 4630 46
COMM PRES INSPECTION FEE 94803
@ 22458 MISSION BLVD (APN 428-56-41) ON 3-19-97,
CP97-159. IF YOU HAVE ANY QUESTIONS WHY YOU WERE
BILLED, CONTACT JO ANNE LA CONTE AT 293-5566.

TOTAL 838.25

TOTAL 12,850.82
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***** END OF REPORT *****

DRAFT JB 1/23/98

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION CONFIRMING THE REPORT, AS REVISED,
OF THE ENFORCEMENT OFFICER FOR PUBLIC
NUISANCE ABATEMENT FROM CERTAIN PROPERTIES
IN THE CITY OF HAYWARD IN CONNECTION WITH THE
COMMUNITY PRESERVATION PROGRAM FOR 1997

WHEREAS, in connection with the 1997 Community Preservation Program, the Enforcement Officer has rendered an itemized report in writing to this Council showing the cost of abating public nuisances from certain properties in the City of Hayward described in said report, all as required by section 5-7.50 of the Municipal Code of the City of Hayward; and

WHEREAS, the hour of 8 p.m. on Tuesday, May 19, 1998, in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to receive and consider the report, and a copy of the report has been posted and published in the manner required by section 5-7.55 of the Municipal Code; and

WHEREAS, the hearing was held at the time and place fixed, and the City Council has considered the report and all comments with respect thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the revised report of the Enforcement Officer of the City of Hayward Community Preservation Program on the cost of abating public nuisances from the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5 p.m. on July 24, 1998, and thereafter such official shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 1998

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward