



City Council Agenda Item

City Council Meeting Date: March 21, 2023

TO: Honorable Mayor and City Councilmembers

FROM: Jeff Malawy, City Attorney
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SUBJECT: Adoption of Resolution No. 6567(23) Assessing Costs of Nuisance Abatement at 1128 North A Street

Recommendation:

Staff recommends the City Council adopt Resolution No. 6567(23) (attached) assessing the costs of nuisance abatement at 1128 North A Street and directing the Santa Barbara County Tax Collector to collect the costs as a special municipal tax on the next round of property tax assessments.

Background:

On February 21, 2023, the City Council confirmed the cost report for abatement of a public nuisance at 1128 North A Street. (For more background concerning those costs, see the agenda report of February 21, 2023.)

Discussion:

Lompoc Municipal Code (LMC) Section 17.628.090(C)(1) states the total cost of abating such nuisance, as so confirmed by the Council, shall constitute a special assessment against the respective lot or parcel of land where the nuisance occurs.

LMC Section 17.628.090(C)(2) states the assessment may be collected at the same time and in the same manner as ordinary property taxes are collected and shall be subject to the same penalties and procedure under foreclosure and sale in case of delinquency as provided for ordinary property taxes.

The Santa Barbara County Tax Assessor requires a resolution before the assessment will be collected with property taxes.

Fiscal Impact:

Submission to the Tax Collector will result in reimbursement to the City, even if the taxes are not collected, as the City is a "Teeter" city and Santa Barbara County has agreed to

pay the taxes due to the City whether or not they are collected. In exchange, the County keeps the penalties and interest on the taxes when they are eventually collected.

Conclusion:

Adoption of Resolution No. 6567(23) will complete the process for submitting the special assessment to the Tax Collector for collection.

Respectfully submitted,



Jeff Malawy, City Attorney

Attachment: Resolution No. 6567(23)