



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Adopt a Resolution Causing Charges for Non-Payment of Administrative Citations to be Placed on the FY 2014/15 County of Santa Clara Tax Roll

#### **BACKGROUND**

The City of Sunnyvale Municipal Code authorizes the City to collect unpaid administrative citations on the County of Santa Clara property tax roll through Chapter 1.05.

Chapter 1.05 allows enforcement of code violations through the issuance of administrative citations. These citations are an important tool in facilitating cooperation from property owners regarding uncorrected code violations. Citations are only issued after repeated attempts at voluntary compliance have failed. Most violations are corrected after the first warning. However, some property owners fail to correct the violation and are consequently issued administrative citations. Despite the efforts of City staff to collect on these citations, there are several unpaid administrative citations outstanding at this time.

Each year, the City holds a public hearing to provide the public an opportunity to comment regarding the proposed assessments for delinquent administrative citations.

#### **EXISTING POLICY**

The City of Sunnyvale Municipal Code Section 1.05.110 allows the City to cause charges for administrative citations to be collected on the property tax roll together with general taxes.

#### **ENVIRONMENTAL REVIEW**

N/A.

#### **DISCUSSION**

Each administrative citation results in the Department of Finance issuing up to three written notices to the property owner: a bill, an interest invoice and statement, and a final demand letter notifying the recipient that failure to pay may result in legal action. The property owners listed on Exhibit A to Attachment 1 are a minimum of 90 days delinquent in paying the administrative citation fines. Repeated attempts to collect the delinquent funds through the billing and notification process have been unsuccessful. Additionally, property owners were notified of tonight's public hearing by certified mail.

Based on past history, the City is likely to experience a high collection rate by placing these delinquent accounts on the property tax roll. It provides the added security that, should a property owner not pay the balance on their property tax bill, a tax lien will be placed on the property.

As previously mentioned, notice of tonight's public meeting has been sent to all affected property owners. Council should expect that some people may make an attempt to have their cases heard at the public hearing in an effort to get the balance owed to the City reduced or eliminated before they are placed on the property tax roll. It is important to note that the appeal period for rescinding any balances has already passed. Therefore, Council approval can go forward to place these debts on the property tax roll since the appeal period has long since expired.

Any property owners wishing to pay at tonight's Council meeting may pay the amount due under the "Balance at Meeting" column on Exhibit A to Attachment 1. If the amount due is not paid tonight, the amount in the "Balance for Tax Roll" column will be placed on the property tax roll, if approved by Council. This amount includes the original amount due, penalties to November 1, 2014 (the due date of the first installment of property taxes), and the County's administrative fee of 1%.

### **FISCAL IMPACT**

If approved, staff will forward the charges including late payment penalties and administrative charges of 1% to the County of Santa Clara for collection on the FY 2014/15 Property Tax Roll. The total assessments with administrative charges equal \$34,085.34.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

Notification of the hearing was also sent directly to the mailing address for each owner of the affected properties.

### **ALTERNATIVES**

1. Adopt the resolution, presented as Attachment A, causing charges for non-payment of administrative citations to be placed on the FY 2014/15 County of Santa Clara Property Tax Roll.
2. Do not adopt the resolution. Attempt to collect the delinquent funds through other means.

### **RECOMMENDATION**

Alternative 1: Adopt the resolution, presented as Attachment A, causing charges for non-payment of administrative citations to be placed on the FY 2014/15 County of Santa Clara Property Tax Roll.

This method has been the most effective way for the City to collect delinquent administrative citation fines.

Prepared by: Therese Balbo, Finance Manager

Reviewed by: Grace Leung, Director, Finance

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Proposed Resolution Placing Delinquent Administrative Citations on the Property Tax Roll

- Exhibit A: Delinquent Administrative Citations Scheduled to be Placed on 2014/15  
County of Santa Clara Tax Roll