



CITY COUNCIL STAFF REPORT

DATE: July 6, 2011

PUBLIC HEARING

SUBJECT: FILING OF NUISANCE ABATEMENT LIENS FOR THREE PUBLIC NUISANCES LOCATED AT 693 WEST GATEWAY DRIVE, 1091 SOUTH PASEO DE MARCIA, AND 4237 EAST SUNNY DUNES ROAD

FROM: David H. Ready, City Manager

BY: Department of Building & Safety

SUMMARY

The City Council will consider confirming the report of proceedings and order a public nuisance abatement lien on three properties, to recover the nuisance abatement costs incurred by the City.

RECOMMENDATION:

1. Adopt Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING, AND ORDERING A PUBLIC NUISANCE ABATEMENT LIEN ON THE PROPERTY LOCATED AT 693 WEST GATEWAY DRIVE;"
2. Adopt Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING, AND ORDERING A THE PUBLIC NUISANCE ABATEMENT LIEN ON THE PROPERTY LOCATED AT 1091 SOUTH PASEO DE MARCIA;"
3. Adopt Resolution No. _____ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, CONFIRMING THE REPORT OF PROCEEDINGS AND ACCOUNTING, AND ORDERING A PUBLIC NUISANCE ABATEMENT LIEN ON THE PROPERTY LOCATED AT 4237 EAST SUNNY DUNES ROAD;"

ITEM NO. 1A

STAFF ANALYSIS:

Palm Springs Municipal Code Chapter 11.70 provides the City Council authority to collect public nuisance abatement costs by the placement of a lien on the property subject to the procedures as contained in Cal. Gov. Code §38773.1.

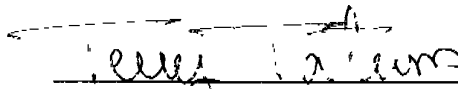
The City, after specific legal notice, was forced to abate a public nuisance at three properties for the protection of the public health, safety, and welfare. The property owners have failed to remit payment to the City.

Staff is recommending the City Council confirm the report of proceedings, and order the City Clerk to record nuisance abatement liens on the subject properties to recover the direct costs incurred by the City to abate the nuisance. The total amount outstanding is \$19,000.00.


FISCAL IMPACT:

The City has incurred the cost for the abatement the public nuisances, including City Attorney fees, abatement contractor cost, and the direct cost of City staff time.

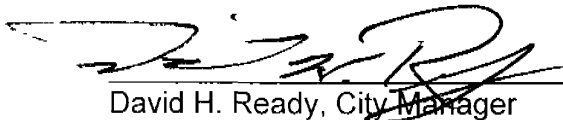
Upon recovery of \$19,000.00 by the placement of nuisance abatement liens on the tax rolls, will be returned to the General Fund.



Terry Tatum,
Director of Building and Safety



Thomas J. Wilson
Assistant City Manager



David H. Ready, City Manager

Attachments:

Proposed Abatement Lien Resolutions (3)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PALM SPRINGS CONFIRMING THE
REPORT OF PROCEEDINGS AND ACCOUNTING
FOR THE PUBLIC NUISANCE LIEN LOCATED AT
693 West Gateway Drive.

WHEREAS, the City has abated proceedings concerning a public nuisance located on the property described as 693 West Gateway Drive, Palm Springs, California; and

WHEREAS, said property is shown as Assessor's Parcel No. 669-357-010 on the County Assessor's map books as of 07/06/2011; and

WHEREAS, the Director of Building & Safety has reported that notices required in accordance with Chapter 11.72 of the Palm Springs Municipal Code have been given and that the owner has refused to comply; and

WHEREAS, pursuant to said code, the City there upon abated the public nuisance located on the property described above; and

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY
RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves the report of Proceedings and Accounting of the cost in the total amount of \$3,131.00.

SECTION 2. That a special assessment lien in the amount of \$3,131.00 is hereby imposed upon the property herein above described.

SECTION 3. That a certified copy of this Resolution and the report be filed with the Riverside County Auditor-Controller's office.

SECTION 4. That the County Auditor-Controller is respectfully requested to enter the amount of the assessment on the County Tax Roll opposite the parcel of land referred to, and that thereafter said amount shall be collected at the same time and in the same manner as ordinary municipal taxes.

SECTION 5. That a certified copy of this resolution and the report shall be recorded with the Riverside County Recorder's office.

ADOPTED this 6th day of July 2011.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

PROCEEDINGS AND ACCOUNTING REPORT

PUBLIC NUISANCE ABATEMENT

I. LOCATION/LEGAL:

Assessor's Parcel Number: 669-357-010
Address: 693 West Gateway Drive

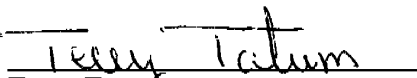
II. OWNER OF RECORD: Sara O. Acosta

III. PROCEEDURE:

- A. Public Nuisance Posting: 10-28-2009
- B. Non-Compliance: N/A
- C. Bid Solicitation: N/A
- D. Notice to Proceed: N/A
- E. Work Completion: N/A
- F. Billing: On 08-30-2010, owner billed \$3,131.00 to cover City administrative costs.
- G. Non-Payment: As of 07/06/2011, the bill remained Outstanding.

IV. ACCOUNTING:

Abatement :
Administrative: 3,131.00
Total: \$3,131.00


Terry Tatum
Director of Building & Safety

NOTICE OF PUBLIC HEARING

CITY COUNCIL
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT
Sara O. Acosta
693 West Gateway Drive, APN: 669-357-010

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting on July 6, 2011. The City Council meeting will begin at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider adoption of resolution to allow for a special abatement lien to be placed on the individual property tax rolls for monies owed to the City in the amount of \$3,131.00

Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (mail or hand delivery) to:

Mr. James Thompson, City Clerk
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at or prior to the meeting. Notice of Public Hearing is being sent to the property owner of the subject property. An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Terry Tatum, Director, Department of Building & Safety, 760-323-8242.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger (760) 322-8364 ext. 8758.


James Thompson
City Clerk

CITY OF PALM SPRINGS

ACCOUNTS RECEIVABLE

P O BOX 2743

3200 E TAHQUITZ CANYON WAY

PALM SPRINGS, CA 92263

PHONE: 760-323-8230

FAX: 760-322-8320

INVOICE

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G007000050

INVOICE DATE Aug 30, 2010

DUE DATE Sep 29, 2010

TERMS NET 30

CUSTOMER NO: NACOSA

SERVICE NUISANCE ABATEMENT

SARA O ACOSTA
2003 W SYCAMORE ST
SAN BERNARDINO, CA 92407

CUSTOMER PHONE
CUSTOMER PO

SERVICE ADDRESS
SARA O ACOSTA
693 W GATEWAY DR
PALM SPRINGS, CA 92262

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	TAX
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FILE NUMBER: 2008-1426

APN: 669-357-010

PROPERTY ADDRESS: 693 W GATEWAY DR

STAFF HOURS @ \$101.00 PER HR

001-34381

31.00

101.00

3,131.00 N

LATE CHARGES MAY BE ASSESSED IF BALANCE IS OVER 30 DAYS PAST DUE.

\$3.00 PER MONTH CHARGE IF UNDER \$300.00

1% PER MONTH CHARGE IF OVER \$300.00

TOTAL CHARGES	3,131.00
TOTAL TAX	0.00
TOTAL INVOICE	3,131.00
PAYMENTS	0.00
ADJUSTMENTS	0.00
TOTAL DUE	3,131.00

07

Property Detail Report for:



693 W GATEWAY DR, PALM SPRINGS CA , 92262-1424

Owner Information:

Owner Name: **ACOSTA,SARA O**
 Mailing Address: **535 N MULBERRY AVE, RIALTO, CA, 92376- 5207**
 Vesting Code: **SEPARATE ESTATE/PROPERTY** Phone Number

Location Information:

Legal Description: **LOT 20 MB 039/058 PALM SPRINGS GATEWAY ESTATES 1**
 County: **RIVERSIDE** FIPS Code: **06065** Census Trct/Blk: **0446011 / 1**
 APN: **669357010** Alternative APN: **669357010** Map Ref: **C3-756**
 Townshp-Rnge-Sect: **--** Legal Book/Page: **669-35 /** Tract No:
 Legal Lot: **20** Legal Block:
 Subdivision: **PALM SPGS GATEWAY ESTATES 01**

Last Market Sale Information:

Sale Date: **03/09/2006** Sale Price: **\$275,000** 1st Mtg Amount: **\$220,000**
 Sale Doc No: **0000170895** Price Per SqFt: **\$220** 1st Mtg Int Type:
 Transfer Doc No: **0000170896** Price Per Acre: **\$1,250,000** 2nd Mtg Amount:
 Multi/Split Sale: 1st Mtg Doc No: **170897** 2nd Mtg Int Type:
 Sale Type: **FULL CONSIDERATION**
 Deed Type: **GRANT DEED/DEED OF TRUST**
 Title Company: **NEW CENTURY TITLE**
 Lender: **SCME MORTGAGE BANKERS INC**
 Seller Name: **BONILLA,ELIZABETH**

Property Characteristics:

Building Area: **1,248** Total Rooms: Construction
 Living Area: **1,248** Bedrooms: **3** Heat Type: **CENTRAL**
 Garage Area: Baths: **2.0** Air Cond: **CENTRAL**
 Basement Area: Fireplace: Roof Type:
 Parking Type: **C 0** No of Stories: **1** Roof Material: **COMP SHINGLE**
 Yr Built/Effective: **1960 /** Quality: Style
 Pool Code:

Tax and Value Information:

Assessed Value: **\$43,000** Assessed Year: **2010** Est Market Val: **\$149,601**
 Land Value: **\$9,000** Property Tax: **\$1,713** Assessor Appd Val:
 Improvement Value: **\$34,000** Improvement %: **79.06**
 Total Taxable Value: **\$43,000** Tax Exemption

Site Information:

Assessor Acres: **0.22** Zoning: **R1C** Land Use: **163**
 Assessor Lot SqFt: **9,583** No of Buildings: Land Use Desc: **SFR**
 Assessor Lot W/D: **/** Res/Comm Units: **1** County Use Code: **R1**
 Calculated Acres: **0.2424** Sewer Type:
 Calculated Lot SqFt: **10,559** Water Type:

- Not in Fault Zone Hazard**
- In One Mile Industrial Commercial Zone**
- Not in 100yr. FEMA Flood Zone**
- Not in Dam Inundation Hazard**
- Not in Wildland Fire Hazard**
- Not in Severe Fire Hazard**



City of Palm Springs

Code Compliance

3200 East Tahquitz Canyon Way • Palm Springs CA 92262
PO Box 2743 • Palm Springs CA 92263
Tel 760.322.8244 • Fax 760.322.8360 • TDD 760.864.9527
www.palmprings-ca.gov

ACTIVITIES REPORT

CASE NO:	1426	OFFICER:	Wehrle
DATE OPENED:	12/10/2008	DATE CLOSED:	8-23*2010
ADDRESS:	693 W. Gateway Dr.	APN:	669-357-010
OWNER:	Sara O. Acosta	PHONE:	
E-MAIL ADDRESS:			
MAILING ADDRESS:	535 N. Mulberry Ave, Rialto CA 92376-5207		

CHRONOLOGICAL ORDER

12/10/2008: (dlb) report from Jose Luis, 909-562-9572 re: vehicles stored in rear and side yard in various conditions of disrepair.

1-8/9INSPECT/PHOTO W/OFFICER WILLIAMS, MULTIBILE AUTOS IN REAR YARD, INOPS, AUTO IN CARPORT BEING WORKED ON, AUTO PARTS, TIRES, FURITURN, JUNK, DEBRIS, TRASH, LITTER, ETC PALM TREE ALONG SIDEWALK ONGATEWAY NEEDS TRIMMING & CLEARANCE FROM SIDEWALK

1-225/8MAIL OUT COURTESY NOTICE TO OWNER & OCCUPANTS

2-5*9DROVEBY PROPERTY, APPEARS THAT PROPERTY IS BEING CLEANED UP, MOST VEHICLES ARE GONE, LG TRAILER THERE FULL OF JUNK& TRASH

2-11INSPECT/PHOTO – STILL INVIOATION, MANY CARS ALL OVER REAR & SIDE YARD, INOPS, AUTO PARTS, JUNK,ETC

2-18*9INSPECT/PHOTO – VEHICLES STILL ALL AROUND IN REAR & SIDE YARD ALONG GATEWAY, TIRES,AUTO PARTS, ENGINES, JUNK, DEBRIS, TRASH CANS OUT ALONG SIDE, PALM TREE ALONG SIDEWALK ON GATEWAY STILL NOT TRIMMED

MAIL OUT \$500 CITATIONS TO PROPERTY OWNER

2-19*9WAS DRIVING BY PROPERTY NOTICE 2 MEN WERE WORKING ON A VEHICLE UNDER THE HOOD, VEHICLE IN REAR YARD, VIEWABLE FROM STREETALONG GATEWAY, TRASH CANS STILL OUT BTW CURB & SIDEWALK

2-209PHOTOS – WAS DRIVING BY, ON ONE WAS OUTSIDE IN THE YARD, THERE WAS TRASH LITTERING THE STREET ALONG GATEWAYALONG W/A LG ROCK, THIS MESS HAD CAUGHT MY EYE. TRASH CANS STILL PLACED BTW CURB & SIDEWALK WHICH IS A PLANTER AREA, SMALL PALM TREE NOT TRIMMED GROWING INTO SIDEWALK AREA. JUNK, TIRES, ETC STILL ALONG FENCE, REAR YARD W/INOPS, TIRES, INOP MOTORCYCLES, AUTO PARTS, GAS CAN, TRASH, LITTER, JUNK, ENGINE & TRANSMISSIONS ON GROUND NEXT TO VEHICLE WHICH THE ENTIRE FRONT GROUP OF VEHICLE REMOVED ALL W/IN

CARPORT/DRIVEWAY AREA. DRIVEWAY APPROACH STAINED W/A LOT OF OILS, HAZARDOUS CHEMICALS.

3-5*9INSPECT/PHOTO – PALM TREE ALONG WALK NOT TRIMMED, VEHICLES & INOPS STILL IN SIDE & REAR YARD, VEHICLE HOODS UP ON A COUPLE OF VEHICLES, 3 MEN AROUND VEHICLE W/HOOD UP & THEY ARE LEANING OVER ENGINE COMPARTMENT AS THOUGH THEY ARE WORKING ON VEHICLE, THEY SAW ME W/CAMERA & WALKED AROUND ON DRIVERSIDE OF VEHICLE SO AS NOT TO HAVE THEIR PICTURE TAKEN, AUTO PARTS, JUNK, TRASH, ETC ALONG FENCE, TREE BRANCHES ON SIDE YARD.

3-10*9MAIL OUT \$1250 CITATIONS TO OWNER

3-31*9INSPECT/PHOTO – PROPERTY IS OVERGROWN W/WEEDS ALONG SIDEWALK & IN STREET, PROPERTY HAS TRASH & LITTER IN FRONT & SIDE YARD, PALM TREE ALONG SIDE STILL NOT TRIMMED GROWING OUT INTO SIDEWALK, TREE BRANCHES STILL ALONG SIDE OF HOUSE ALONG GATEWAY. SIDE YARD ALONG GATEWAY AGAINST FENCE THERE IS LARGE PILE OF DISCARDED TRASH, BROKEN FURNITURE, BOXES, LUMBER, BUCKETS, LITTER, ETC. INOPS IN REAR YARD, VEHICLE ENGINE W/TRANSMISSION ATTACHED SITTING ON GROUND IN FRONT OF VEHICLE IN REAR CARPORT, AUTO PARTS, MATTRESSES, JUNK, ETC. OIL STAINS ALONG DRIVEWAY, OIL CONTAMINATION IN SOILS. WILL SEND ANOTHER CITATION TO OWNER

4-1*9MAIL OUT \$2500 CITATION TO OWNER

4-16*9INSPECT/PHOTO-STILL NO IMPROVEMENT TO PROPERTY WEEDS, TRASH, LITTER, CONTAINERS OF MOTOR OIL. DID NOT SEE ANYONE OUT THERE

4-21 CALLED WATER CO, BILLING IS SENT TO OWNER AT THIS ADDRESS & WATER WAS SHUT OFF FOR NONPAYMENT AS OF APRIL 1. THIS IS THE ONLY ADDRESS THEY HAVE FOR OWNER

4-23 DROVE BY, PHOTO, NO CHANGE

5-6*9INSPECT W/OFFICER STEVE WILLIAMS, WAS TAKING PICTURE, RICKY TAYLOR WALK UP HE IS TENANT, EXPLAINED ALL VIOLATIONS, CEASE AND DESIST AUTO REPAIR REMOVE INOPS NO PARKING ON UN PAVED SURFACE, REMOVE ALL R&W, WEED. HE SAID SOME VEHICLES GOING TO SHOP. GAVE HIM BUSINESS CARD TO GIVE TO OWNER, 2 WKS TO CLEAN UP

6-17*9INSPECT/OFFICER STEVE WILLIAMS, THERE WAS A LARGE DUMP TRUCK THERE, PEOPLE WERE LOADING UP TRASH, MATTRESSES, TREE CUTTINGS, ETC, NOTICE SOME OF THE VEHICLES IN THE REAR YARD WERE GONE BUT THERE WERE STILL SEVERAL MORE ALONG W/AUTO PARTS. SPOKE W/RICKY TAYLOR TENANT SAID HE IS CLEANING UP YARD. THE MAN WHO OWNED THE DUMP TRUCK STATED HE WAS THE PROPERTY OWNER W/HIS WIFE SARA ACOSTA, HIS NAME JOSE LUIS ACOSTA. I OBTAINED HIS DL #, THEIR MAILING ADDRESS & V BOTH CELL PHONE #S. WE SPOKE IN PRIVATE, HE IS IN THE PROCESS OF EVICTING RICKY TAYLOR AS MR TAYLOR HAS NOT PAID RENT IN SEVERAL MONTHS, HAS BEEN DESTROYING THE INTERIOR OF THE

DWELLING, DOES NOT MAINTAIN PROPERTY, ACCUMULATION OF JUNK CARS, ETC. MR ACOSTA HAS BEEN SPEAKING W/FAIR HOUSING ABOUT EVICTION PROCESS. HE HAS TOLD ME THAT HE THINKS MR TAYLOR IS STEALING ELECTRIC CUZ A/C IS RUNNING BUT METER IS NOT TURNING & HE IS A LICENSED ELECTRICIAN. I INFORMED HIM THAT THE CITY ONLY HAS THIS PROPERTY AS A MAILING ADDRESS FOR SARTA ACOSTA, THAT I HAVE ISSUED MANY CITATIONS TO HER (JOSE DOESN'T SHOW AS OWNER) HE SAID THEY WANT TO COMPLY BUT CAN'T FULLY UNTIL HE EVICTS MR TAYLOR WILL NOT MOVE OUT ON HIS OWN ACCORD. ONCE THE PROPERTY IS CLEANED UP & IN COMPLIANCE WILL THE CITY DISMISS THE CITATIONS? I TOLD HIM THAT I CANNOT LEGALLY DISMISS THEM, BUT THE BUILDING OFFICIAL IS AUTHORIZED TO. I SAID I WOULD WORK W/HIM & HIS WIFE ABOUT DISMISSING CITATIONS BUT NOT UNTIL PROPERTY IS TOTALLY CLEANED UP, THAT HE IS WORKING DUE DILIGENCE TO COMPLY, THEY WILL NEED TO REQUEST THIS IN WRITING. HE ALSO SAID THAT HE HAS A TENANT THAT WOULD MOVE IN, THAT HIS RENTAL IS A SECTION 8 RENTAL PROPERTY. MR ACOSTA WILL KEEP ME UPDATED.

6-18*9 I CALLED & E-MAILED RICK SALAZAR W/SCE REVENUE PROTECTION INVESTIGATOR ABOUT POSSIBLE THEFT OF UTILITIES AT THIS ADDRESS.

7-23*9 I CALLED JOSE ACOSTA, HE SAID THAT TENANT RICKY TAYLOR TOLD HIM HE HAS MOVED OUT 2 DAYS AGO BUT HASN'T REMOVED TRASH & JUNK FROM AROUND PROPERTY. JOSE TOLD ME THAT HE INFORMED MR TAYLOR HE WOULD REMOVE TRASH.

JOSE WAS PLANNING ON COMING DOWN MONDAY TO START CLEANING UP PROPERTY. I SAID I WOULD SEE HIM MON, JULY 27

7-29*9 DRIVE-BY VEHICLES STILL IN BACK YARD, GATE IS LOCKED. THERE HAS BEEN SOME PROPERTY MAINTENANCE DONE ALONG GATEWAY BTW CURB & SIDEWALK - PALM TREES TRIMMED & SOME WEEDING

9-2*9 INSPECT/PHOTO - THERE HAS BEEN NO CHANGE.
ORDERED TITLE REPORT AS PROPERTY MAY BE IN FORECLOSURE

9-14*9 REC CALL FROM RICK W/SCE INVESTIGATOR, NEEDS TO GET ONTO PROPERTY TO DISCONNECT POWER, THEFT OF UTILITIES, GATE LOCKED & 3 DOGS ON PROPERTY, CAN I ASSIST
CHECK W/ PD, IF EMERGENCY CAN ASSIST

9-23*9 PROPERTY DOES NOT SHOW TO BE IN DEFAULT

9-23*9 CALLED JOSE ACOSTA, OWNER'S HUSBAND, LEFT MESSAGE ON CELL PHONE, NEED STATUS UP DATE AS I SEE NOTHING IS BEING DONE.

9-23*9 CALLED SARA ACOSTA, OWNER - SHE HAD ME SPEAK W/HER HUSBAND JOSE AS SHE DOES NOT SPEAK MUCH ENGLISH. HE SAID THAT THEY ARE TRYING TO GET BANK TO LOWER PAYMENTS, THEY CURRENTLY ARE NOT PAYING & WILL LET IT GO BACK TO BANK. HE HASN'T DONE ANYTHING ELSE W/PROPERTY. I ASK FOR HIM TO REMOVE LOCKS FROM GATES SO EDISON CAN GET TO POWER POLE. HE STATED THAT HE THINKS LAST TENANT THAT MOVED OUT ABANDONED HAS LEFT HIS DOGS THERE. I TOLD HIM IF HOUSE IS

VACANT HE NEEDS TO CALL ANIMAL CONTROLL TO REMOVE DOGS, HE SAID HE WOULD, I ASK HIM TO CALL ME LATER FOR UPDATE.

9-25*9CITY CLOSED, FRIDAY, MR ACOSTA LEFT MESSAGE THAT FRONT GATE HAS LOCK BUT IS NOT LOCKED

9-30*9RICK SALAZAR W/SEC CALLED

10-5*9RICK W/SEC, NO DOGS ON PROPERTY, HE HAS REMOVED METER

10-8*9REQUEST TITLE REPORT, ANY CHANGE AFTER DOC#2006-170897, DATED3-9-2006, DEFAULT?

10-14*9NOTHING HAS BEEN RECORDED AGAINST PROPERTY, DOES NOT SHOW TO BE IN DEFAULT

10-28*9MAIL OUT NOTICE VIOLATION TO PROPERTY OWNER & LENDER/BANK. NOV REQUIRES CLEAN-UP, CONSENT TO INSPECT PRIVATE PROPERTY FORM FOR INSPECTION OF INTERIOR DWELLING & EXTERIOR PROPERTY DUE TO SCE REMOVING METER DUE TO THEFT OF UTILITIES & INFO DISCLOSED TO ME OR CITY SHALL SEEK INSPECTION & ABATEMENT WARRANT

10-28*9POST/PHOT W/OFFICER STEVE WILLIAMS, PROPERTY IS VACANT & ABANDONED. BACK DOOR OPEN, FRONT DOOR HAS A LARGE ROCK PLACED IN FRONT OF DOORS W/IN DWELLING. APPEARS THAT A VAGRANT IS SLEEPING INSIDE, DRYWALL REMOVED IN KITCHEN, 2 BEDROOMS HAVE TRASH W/IN THEM, BROKEN WINDOW IN ONE, MISSING WINDOW IN ANOTHER. THERE IS LARGE AMOUNTS OF REFUSE & WASTE, TRASH, GARBAGE, DISCARDED FURNITURE, AUTO PARTS & STRIPPED DONE VEHICLE MISSING WHEELS & ENGINE & TRANSMISSION IN CARPORT AREA. GRAFFITI ON BLOCK WALLS IN REAR, GRAFFITI ON FRONT OF HOUSE. ALONG GATEWAY DRIVE WHICH IS THE SIDE OF THE HOUSE & DRIVEWAY WENTRANCE TO CARPORT IN REAR YARD. LARGE PILE OF TIRES DEBRIS, REFUSE & WASTE, TRASH, GARBAGE, DISCARDED FURNITURE, ETC. THERE IS ALSO AN ABANDONED JAGUAR VEHICLE, BROKEN LEFT REAR WINDOW, NO LIC. PKATES, OFFICER WILLIAMS RAN VIN# BUT COMES BACK AS "NOT ON RECORD"

11-16OFFICER STEVE WILLIAMS INFORMED ME THAT ON SATURDAY THE CLEAN UP TEAM HAD CLEANED UP MOST OF THE JUNK & TRASH IN CARPORT & DRIVEWAY AREA. OWNERS SUPPOSELY WERE THERE & HAD BOTH VEHICLES TOWED

12-7*9HAD TITLE CHECK TO SEE IF PROPERTY HAS CHANGED

12-8*9NOTICE OF DEFAULT HAS BEEN RECORDED ON OCT 27, 2009. CALLED BAYVIEW LOAN SERVICING AS THEY ARE LISTED ON RECORDED DEFAULT FORM. ALSO, DEFAULT CLAIMS THAT BORROWER (SARA ACOSTA) HAS SURRENDERED PROPERTY TO MGT, TRUSTEE, BENEFICIARY OR AUTHORIZED AGENT

SPOKE W/ MARIA BLURSQUOT 954/876-5768 BAYVIEW LOAN SERVICING CO. I INFORMED HER OF THE VIOLATIONS, SHE WANTED TO KNOW WHAT IT WOULD COST TO COMPLY. I TOLD HER THAT HER COMPANY WOULD HAVE TO HIRE

SOMEONE TO GIVE THEM THAT COST. SHE WOULD SEE ABOUT SENDING SOMEONE OUT IN A COUPLE OF WEEKS TO PHOTO & GIVE HER A REPORT. SHE STATED THAT IF TOO COSTLY OR A PROBLEM THAT THEY WOULD "PULL BACK ON FORECLOSURE". I ASK HER IF SHE WOULD CALL ME W/AN UPDATE & DIRECTION AFTER THEIR INSPECTION

NOTE: SHE IS NOT A PLEASANT PERSON TO WORK WITH.

1-20*2010 GAVE A LIST OF VIOLATIONS TO ANGIES SO AS TO PLACE HOLDS & NOTICES ON PROPERTY.

1-20*2010 REC CALL FROM SARA ACOSTA'S HUSBAND JOSE, STATED PROPERTY IS IN DEFAULT, WANTS TO KNOW MINIMUM AMOUNT OF WORK THAT CAN BE DONE TO PROPERTY SO NO OTHER FEES ARE CHARGED. I INFORMED HIM – BOARD UP OR REPLACE WINDOWS, SECURE CLOSE DWELLING, REMOVE GRAFFITI, TRASH & DEBRIS, CUT DOWN WEEDS & CLEAN UP. HE WANTED TO KNOW WHAT FINES ARE OWED. I WOULD GIVE HIM TOTAL OF CITATIONS LATER TODAY.

1-20*2010 CALLED MARIA BLUR QUOT W/BAYVIEW LOAN, LEFT MESSAGE, NED UP DATE

1-20*2010 TOTAL CITATION FINES ARE \$4250, DOES NOT INCLUDE PENALTIES & LATE FEES

1-20*2010 JOSE ACOSTA CALLED, I GAVE HIM LIST OF CITATIONS W/AMOUNT OWED, PHONE NUMBER TO REVENUE EXPERTS FOR PAYMENT INFORMATION. HE WANTED TO KNOW IF I WOULD HELP OUT BY WAVING CITATIONS IF HE GETS PROPERTY INTO COMPLIANCE, SINCE I AM UNABLE TO, WHO CAN HE CONTACT FOR THIS REQUEST. I DIRECTED HIM TO THE CITY MGR. SINCE HE INSISTED SOMEONE WHO COULD. HE WANTED TO KNOW IF HE OBTAIN PERMIT FOR SOME OF THE WORK WOULD I THEN GIVE A GOOD WORD TO THE CITY MGR. AS TO WAVE CITATIONS. I SAID I WOULD TELL THE CITY MGR. WHAT ALL HAS TRANSPIRED W/PROPERTY & NOT LIE. MR ACOSTA WANTED ME TO TELL HIM HOW, WHEN & WHAT HE SHOULD DO W/PROPERTY. I REFERRED HIM BACK TO THE "NOTICE OF VIOLATION" AS IT STATES WHAT NEEDED TO BE DONE. HE SAID HE WOULD OBTAIN PERMITS, DO SOME REPAIRS & THEN CONTACT CITY MGR.

3-25*10 CHECKED TO SEE IF ANY PERMITS HAVE BEEN OBTAINED OR HAS SUBMITTED FOR PLAN CHECK
THERE HAS NOT BEEN ANY ACTION FOR PERMITS FROM THE OWNER

4-15*10 DROVE BY PROPERTY, TOOK PHOTOS – WEEDS HAVE BEEN CUT ON, GRAFFITI REMOVED, THERE ARE SOME BLK TRASH BAGS IN REAR THWILPOBBLY BE PICKED UP, WINDOWS ARE STILL BROKEN THOUGH
WILL CHECK TITLE TO SEE IF BANK FORECLOSED ON
REQUEST TITLE UP DATE

4-19*10 REC. TITLE UP DATE, NOTICE OF TRUSTEE SALE RECORDED, PROPERTY WAS TO BE SOLD ON FEB 18, 2010 BUT HAS NOT WILL CONTACT TRUSTEE.

CALLER SEASIDE TRUSTEE, SAID SALE HAS BEEN POSTPONED TO MAY 26, 2010, THEY GAVE ME PHONE# TO LENDER – BAYVIEW LOAN SERVICING
CALLER BAYVIEW LOAN SERVICING 866/409-7914, SPOKE WITH TONY DIGIOVINE, SUPERVISOR, INFORMED HIM THAT PROPERTY IS UNINHABITABLE & UNSECURED, WILL THEY SECURE SWELLING & CLEAN UP? THERE NOTES STATE THAT LOAN MODIFICATION BUT OWNER SARA OCOSTA HAS NOT MADE ANY ATTEMPT. HE WILL ORDER DWELLING TO BE SECURED & CLEAN UP, SHOULD START IN ONE WEEK & HAVE SOMEONE CALL ME.

5-12*10ANGIE GAVE ME COPY OF PERMIT#C26548 THAT OWNER, SARA ACOSTA HAD OBTAINED FOR ELECTRIC PANEL REPAIR, DRYWALL W/IN KITCHEN & REPLACE DOORS & WINDOWS.

6-24*10INSPECT/PHOTO - WINDOWS HAVE BEEN REPLACED, PROPERTY MAINTENANCE APPEAR OK. WILL CHECK PERMIT FILE TO SEE IF ANY WORK HAS BEEN SIGNED OFF. RAUL, BUILDING INSPECTOR HAD APPROVED ELECTRIC PANEL REPAIR ON JUNE 15, 2010. I WILL CLOSE CASE & PREPARE COST RECOVERY BILLING

8-23*2010 PREPARE CASE FOR BILLING CODE ENFORCEMENT TIME, SEND TO FINANCE SO CITY CAN BILL MRS SARA O COSTA, CLOSE CASE

TOTAL CEO HOURS IS 31 HOURS

June 29, 2011

Mr. James Thompson, City Clerk
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs CA 92262

RECEIVED
CITY OF PALM SPRINGS
2011 JUN 29 PM 3: 52
JAMES THOMPSON
CITY CLERK

RE: Public Nuisance Abatement, 693 West Gateway Drive, APN: 669-357-010

Dear Mr. Thompson:

I am in receipt of a notice of the upcoming public hearing to consider placing a special abatement lien of \$3, 131.00 on the tax rolls for my property located at 693 West Gateway Drive, Palm Springs.

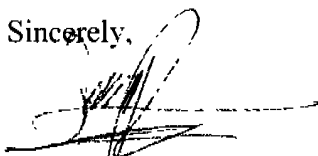
I did not receive the notices or tickets that were being sent because my renter was receiving them. I called Nadine Fieger when I received the hearing notice and she said that my mailing address shows as Mulberry Avenue in Rialto. I have not lived there for approximately 5 years, I now live on Sycamore Street in San Bernardino and I receive my mail there. I had renters at 693 Gateway that stopped paying the rent, then went on to steal electricity and gas. They completely trashed the property and I did not find out about the City's charges until after they left. At this same time, I was going through a divorce and almost lost the property to the bank.

I have worked very hard to put my life back together. Now, I have new renters and am constantly working to improve the property so that it will be an asset to the neighborhood. I come to Palm Springs at least once a month to make sure that there are no problems at my property.

I know I am responsible for my property and I want to live up to that responsibility. However, I am living on a very tight budget since my divorce and any extra expense is difficult for me. Please do not put a tax lien on my property. I would like to request that the City help me by reducing the \$3,131.00 amount as much as possible and then allowing me to make small monthly payments until the debt is paid.

Thank you very much for your consideration.

Sincerely,



Sara O. Acosta

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PALM SPRINGS CONFIRMING THE
REPORT OF PROCEEDINGS AND ACCOUNTING
FOR THE PUBLIC NUISANCE LIEN LOCATED AT
1091 South Paseo de Marcia.

WHEREAS, the City has abated proceedings concerning a public nuisance located on the property described as 1091 South Paseo de Marcia, Palm Springs, California; and

WHEREAS, said property is shown as Assessor's Parcel No. 508-394-004 on the County Assessor's map books as of 07/06/2011; and

WHEREAS, the Director of Building & Safety has reported that notices required in accordance with Chapter 11.72 of the Palm Springs Municipal Code have been given and that the owner has refused to comply; and

WHEREAS, pursuant to said code, the City there upon abated the public nuisance located on the property described above; and

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY
RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves the report of Proceedings and Accounting of the cost in the total amount of \$15,386.00.

SECTION 2. That a special assessment lien in the amount of \$15,386.00 is hereby imposed upon the property herein above described.

SECTION 3. That a certified copy of this Resolution and the report be filed with the Riverside County Auditor-Controller's office.

SECTION 4. That the County Auditor-Controller is respectfully requested to enter the amount of the assessment on the County Tax Roll opposite the parcel of land referred to, and that thereafter said amount shall be collected at the same time and in the same manner as ordinary municipal taxes.

SECTION 5. That a certified copy of this resolution and the report shall be recorded with the Riverside County Recorder's office.

ADOPTED this 6th day of July 2011.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

PROCEEDINGS AND ACCOUNTING REPORT

PUBLIC NUISANCE ABATEMENT

I. LOCATION/LEGAL:

Assessor's Parcel Number: 508-394-004
Address: 1091 South Paseo de Marcia


II. OWNER OF RECORD: Howard E. Kilberg

III. PROCEDURE:

- A. Public Nuisance Posting: 05-17-2010
- B. Non-Compliance: 08-18-2010
- C. Bid Solicitation: 08-24-2010
- D. Notice to Proceed: 08-26-2010
- E. Work Completion: 09-01-2010
- F. Billing: On 12-01-2010, owner billed \$15,386.00 to cover Abatement cost and City administrative costs.
- G. Non-Payment: As of 07/06/2011, the bill remained Outstanding.

IV. ACCOUNTING:

Abatement :	\$5,650.00
Administrative:	<u>9,736.00</u>
Total:	<u>\$15,386.00</u>


Terry Tatum
Director of Building & Safety

NOTICE OF PUBLIC HEARING

CITY COUNCIL
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT
Howard E. Kilberg
1091 South Paseo de Marcia, APN: 508-394-004

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting on July 6, 2011. The City Council meeting will begin at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider adoption of resolution to allow for a special abatement lien to be placed on the individual property tax rolls for monies owed to the City in the amount of \$15,386.00

Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (mail or hand delivery) to:

Mr. James Thompson, City Clerk
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at or prior to the meeting. Notice of Public Hearing is being sent to the property owner of the subject property. An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Terry Tatum, Director, Department of Building & Safety, 760-323-8242.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger (760) 322-8364 ext. 8758.


James Thompson
City Clerk

CITY OF PALM SPRINGS

ACCOUNTS RECEIVABLE

P O BOX 2743

3200 E TAHQUITZ CANYON WAY

PALM SPRINGS, CA 92263

PHONE: 760-323-8230

FAX: 760-322-8320

INVOICE

G008000263

PAGE 1 OF 1

INVOICE DATE Dec 01, 2010

DUE DATE Dec 31, 2010

TERMS NET 30

CUSTOMER NO: NKILHO

SERVICE NUISANCE ABATEMENT ADMIN

CUSTOMER PHONE

CUSTOMER PO

SERVICE ADDRESS

HOWARD E KILBERG

1091 S PASEO DE MARCIA

PALM SPRINGS, CA 92262

HOWARD E KILBERG
#1 NORTH LA SALLE ST STE 1700
CHICAGO, IL 60602

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	TAX
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FILE NUMBER: 2010-0475

APN: 508-394-004

PROPERTY: 1091 S PASEO DE MARCIA

STAFF HOURS @ \$101 PER HR

CITY ATTORNEY FEES

001-34381

CONTRACTOR COSTS

001-34380

5.00	101.00	505.00	N
1.00	9,231.00	9,231.00	N
1.00	5,650.00	5,650.00	N

LATE CHARGES MAY BE ASSESSED IF BALANCE IS OVER 30 DAYS PAST DUE.

\$3.00 PER MONTH CHARGE IF UNDER \$300.00

1% PER MONTH CHARGE IF OVER \$300.00

TOTAL CHARGES	15,386.00
TOTAL TAX	0.00
TOTAL INVOICE	15,386.00
PAYMENTS	0.00
ADJUSTMENTS	0.00
TOTAL DUE	15,386.00



Property Detail Report for:



1091 S PASEO DE MARCIA, PALM SPRINGS CA , 92264-8533

Owner Information:

Owner Name	SECURITY TRUST CO	Phone Number.
Mailing Address	300 W WASHINGTON ST 1304, CHICAGO, IL, 60606-	
Vesting Code	TRUST	

Location Information:

Legal Description:	LOT 10 MB 025/011 DEEP WELL RANCH ESTATES UNIT 4		
County	RIVERSIDE	FIPS Code.	06065
APN	508394004	Alternative APN	508394004
Twnshp-Rnge-Sect	--	Legal Book/Page	508-39 /
Legal Lot.	10	Legal Block.	
Subdivision.	DEEP WELL RANCH ESTATES UNIT 0		
		Census Trct/Blk	0448051 / 1
		Map Ref:	F4-786
		Tract No:	

Last Market Sale Information:

Sale Date	03/11/1996	Sale Price	\$170,000	1 st Mtg Amount:	
Sale Doc No	0000087520	Price Per SqFt.	\$65	1 st Mtg Int Type	
Transfer Doc No		Price Per Acre	\$586,207	2 nd Mtg Amount:	
Multi/Split Sale		1 st Mtg Doc No:		2 nd Mtg Int Type:	
Sale Type	FULL CONSIDERATION				
Deed Type					
Title Company	FIRST AMERICAN TITLE				
Lender.					
Seller Name	MURRAY, A M				

Property Characteristics:

Building Area	2,631	Total Rooms		Construction	
Living Area	2,631	Bedrooms	3	Heat Type	CENTRAL
Garage Area	400	Baths	3.0	Air Cond	CENTRAL
Basement Area		Fireplace		Roof Type	
Parking Type.	GA1	No of Stories	1	Roof Material.	SHAKE
Yr Built/Effective	1955 /	Quality:		Style	
Pool Code	YES				

Tax and Value Information:

Assessed Value.	\$218,772	Assessed Year:	2010	Est Market Val.	\$489,234
Land Value	\$51,469	Property Tax	\$4,132	Assessor Appd Val:	
Improvement Value	\$167,303	Improvement %:	76.47		
Total Taxable Value.	\$218,772	Tax Exemption.			

Site Information:

Assessor Acres	0.29	Zoning	R1C	Land Use	163
Assessor Lot SqFt	12,632	No of Buildings.		Land Use Desc:	SFR
Assessor Lot W/D	/	Res/Comm Units:	1	County Use Code:	R1
Calculated Acres	0.2428	Sewer Type.			
Calculated Lot SqFt.	10,576	Water Type			

- Not in Fault Zone Hazard**
- In One Mile Industrial Commercial Zone**
- Not in 100yr. FEMA Flood Zone**
- Not in Dam Inundation Hazard**
- Not in Wildland Fire Hazard**
- Not in Severe Fire Hazard**



City of Palm Springs

Code Compliance

3200 East Tahquitz Canyon Way • Palm Springs, CA 92262
PO Box 2743 • Palm Springs, CA 92263
Tel 760 322 8244 • Fax 760 322 8360 • TDD 760 864 9527
www.palmsprings-ca.gov

ACTIVITIES REPORT

CASE NO:	0475	OFFICER:	Fieger
DATE OPENED:	5/10/2010	DATE CLOSED:	11-29-2010
ADDRESS:	1091 S. Paseo de Marcia	APN:	508-394-004
OWNER:	Security Trust Co.	PHONE:	
E-MAIL ADDRESS:			
MAILING ADDRESS:	300 W. Washington St. 1304, Chicago, IL 60606-		

CHRONOLOGICAL ORDER - previous case

6/30/2009: (dlb) property maintenance.

7/8/09 Photos;

This property has a long history of abandonment; we have finished 2 abatements;

1. The Valencia address I got from Waste Disposal;
2. The 300 W. Washington Chicago address on the property print-out per Howard Kilberg was demolished; Mr. Kilberg stated that he lost the house several years ago; However this building shows up on the google satellite map;
- 3 The water company says the address is the La Salle Street, and the basic water is paid every month; going c/o Howard Kilberg;
- 4 I have searched with banks and title companies the name "Security Trust" it is nowhere;
5. 300 W. Washington Street, Chicago Illinois; All of the mail to the Chicago address comes back as undeliverable;

Per the water company he pays his basic water; the refuse has gone on the tax roles;
When I check this property, many times the pool is very clean and with no water at all;
Neighbors say that the owner boasted to them that they put the property into a invisible company of some type; He called them to have the pool cleaned and they did clean the pool for the owner, but there were never paid; I have asked these neighbors for the name of the owner, but they have declined;

Howard Kilberg stated to me in a conversation in December 08 that he was the attorney representing the owner in a sale a long time ago, but that he had no interest in the property now. I believe that Mr Kilberg is the owner at any rate he pays the water bills for someone, and he stated to me that 300 W. Washington was demolished and per google it is still there

Sent for new property profile; ;

7/14/09 Courtesy Notice out;

7/15/09 Found a note on my desk Kevin and Hugh called regarding the property; 760 325 929, called them and left message;

7/21/09 Certified signed for in Chicago on La Salle addressed to Mr. Kilberg;

Case taken over by Nadine

08-04-2009: Photo, ask Denise for property profile. Property remains vacant and not maintained. Courtesy notice to clean and register by **September 8, 2009.**

9/14/2009: (dlb) Neighbor, James Kilian – 1094 S. Paseo de Marcia, 760-219-0577 called to give information - numbers he found on line for property owner are -312-236-7723 / 708-233-2180 – house has been vandalized this past weekend – garage door torn off – things were taken from inside the house – a police report has been taken. – please contact when you get a chance.

09-14-2009: I called and the secretary who answered confirmed that Howard E. Kilberg can be reached at 312-236-7723, #1 North La Salle Street, Suite 1700, Chicago IL 60602.

09-16-2009: Photos. Property is overgrown and there is a lot of debris. Two sliding glass doors, one front and one back, are wide open. Garage door not completely closed. Courtesy notice to clean, secure, and register by **October 4, 2009**.

09-23-2009: James Kilian, 760-219-0577 and Joe 760-641-7171 left a message with Patti for me to call them I called and spoke to Joe. He is concerned because it looks like people are still getting into the house. I suggested that he contact Lt. Graham, the Lt. for that area. Joe wanted to know the code compliance procedure and I told him that a notice had already gone out, then citations would follow, then we would secure, if necessary, after that. He said the property is going to tax sale in March 2010.

10-05-2009: Photo; Cite B2534 for \$100; deadline **October 18, 2009**.

10-13-2009: Dispatch E-mailed and called that vagrants were found inside and asked for an emergency board-up, Event# 0910p-2636. Terry authorized and I contacted Phil Jauregui of SEMJ. Met Phil at the property to discuss what needed to be done. Phil told me to check property on Monday, 10-16-2009, and let him know if more was needed.

10-19-2009: Checked property. Advised Phil of what needed to be done.

10-20-2009: Emergency abatement completed. Received bill from SEMJ for \$3,225.00 and gave to Denise for payment. Took photos, close case.

Note: Tax Liens include:

2008: \$896.50

2009: \$985.00

2010: \$3,427.00

CHRONOLOGICAL ORDER - current case

5/10/2010: (dlb) report from Diane Ross re: vacant house lack of property maintenance.

Owner contact information from previous file:

Howard E. Kilberg
#1 North La Salle Street, Suite 1700
Chicago IL 60602

Tel: 312-236-7723

05-13-2010: Photo

05-17-2010: Courtesy notice to clean and secure. It should be noted that the property appears to remain secured against entry from the abatement that the City did last year, but I felt this requirement should be reiterated. Also, property to be registered with vacant building registration program. Deadline: **June 1, 2010**.

06-07-2010: Photo; pre-cite B2889, to remedy violations listed on courtesy notice, and also to remove water from bottom of swimming pool to avoid mosquito breeding. Deadline: **June 20, 2010**.

06-10-2010: Diane Ross forwarded an E-mail complaint about this property from Dennis May and Daryl Morrell at 1121 South Pase de Marcia.

06-21-2010: Photos; Cite B2899 for \$100; deadline **July 7, 2010**.

- 07-08-2010: Photos; property is overgrown and front door is ajar. Photos forwarded to City Atty. Case referred to City Atty. Copies of current and old files being made for City Atty. Cite B0660 for \$250; deadline **July 23, 2010**.
- 07-22-2010: E-mailed Christy Doyle of City Atty's office to ask status of their efforts.
- 08-04-2010: Photos; Cite B0680 for \$500; deadline **August 22, 2010**.
- 08-09-2010: E-mails from City Atty added to file. They are working on an inspection warrant.
- 08-04 and 08-09-2010: City Atty sent letters requesting consent to inspect
- 08-11-2010: Photo, no change to property.
- 08-16-2010: Atty Jason McEwen and I went to Indio court to get inspection warrant. Judge John D. Evans signed the warrant. I mailed the warrant and the inspection notice to the 2 addresses that we have on file. I also posted the documents on the garage door and took a photograph. We intend to inspect on Wednesday, August 18, 2010.
- 08-18-2010: Site inspection with Jason McEwen, Alberto, Nadine, Police Officer Steve Williams and Deputy Fire Marshal Ricke Warstler. Photos. Terry authorized removal of gas and electric services.
- 08-24-2010: Alberto and I will meet abatement contractor, Phil Jauregui, on site tomorrow to discuss what needs to be done once we have the abatement warrant. I am scheduled to meet Jason McEwen at Indio court on 08-26-2010 to do inspection warrant return and obtain abatement warrant. I also asked Jason about charging the monitoring fee and cleaning the property as needed in the future.
- 08-25-2010: Alberto and I met Phil Jauregui, abatement contractor, on site and went over what needs to be done once we get the abatement warrant.
- 08-26-2010: Went to court with Jason and obtained abatement warrant. Posted warrant on site and told Phil he could start the abatement on Saturday.
- 09-01-2010: Site visit, abatement done. Letter to DWA to shut off water service.
- 09-02-2010: Abatement bill for \$5,650.00 and given to Bette for payment. Took photos and E-mailed them to Jason.
- 09-15-2010: Spoke to Jason and he said he was going to court with the return. As soon as he is able he will give me the City Atty cost so I can bill the property owner. Terry advised that DWA turned off the water, per our request.
- 11-29-2010: Received billing information from City Atty and prepared Billing Memo as follows:
- | | |
|---|-----------------------------|
| City Atty: | \$9,231.00 |
| Staff Time: | 5 hours x \$101 = \$505 |
| Subtotal of admin charges = \$9,736.00, Acct # 001-34381 | |
| Contractor costs: | \$5,650.00, Acct #001-34380 |
| Total bill to property owner: \$15,386.00, and Notice of Public Nuisance Abatement prepared for that amount and mailed to County for recording. | |

CLOSE CASE.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PALM SPRINGS CONFIRMING THE
REPORT OF PROCEEDINGS AND ACCOUNTING
FOR THE PUBLIC NUISANCE LIEN LOCATED AT
4237 East Sunny Dunes Road.

WHEREAS, the City has abated proceedings concerning a public nuisance located on the property described as 4237 East Sunny Dunes Road, Palm Springs, California; and

WHEREAS, said property is shown as Assessor's Parcel No. 680-141-003 on the County Assessor's map books as of 07/06/2011; and

WHEREAS, the Director of Building & Safety has reported that notices required in accordance with Chapter 11.72 of the Palm Springs Municipal Code have been given and that the owner has refused to comply; and

WHEREAS, pursuant to said code, the City there upon abated the public nuisance located on the property described above; and

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY
RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby approves the report of Proceedings and Accounting of the cost in the total amount of \$483.00.

SECTION 2. That a special assessment lien in the amount of \$483.00 is hereby imposed upon the property herein above described.

SECTION 3. That a certified copy of this Resolution and the report be filed with the Riverside County Auditor-Controller's office.

SECTION 4. That the County Auditor-Controller is respectfully requested to enter the amount of the assessment on the County Tax Roll opposite the parcel of land referred to, and that thereafter said amount shall be collected at the same time and in the same manner as ordinary municipal taxes.

SECTION 5. That a certified copy of this resolution and the report shall be recorded with the Riverside County Recorder's office.

Resolution No. _____
Page 2

ADOPTED this 6th day of July 2011.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

PROCEEDINGS AND ACCOUNTING REPORT

PUBLIC NUISANCE ABATEMENT

I. LOCATION/LEGAL:

Assessor's Parcel Number: 680-141-003

Address: 4237 East Sunny Dunes Road

II. OWNER OF RECORD: Cecilia Baltazar; Victoria B. Enriquez

III. PROCEDURE:

A. Public Nuisance Posting: 02-01-2011

B. Non-Compliance: 04-07-2011

C. Bid Solicitation: 04-07-2011

D. Notice to Proceed: 04-12-2011

E. Work Completion: 04-18-2011

F. Billing: On 04-26-2011, owner billed \$483.00 to cover Abatement cost and City administrative costs.

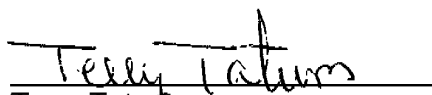
G. Non-Payment: As of 07/06/2011, the bill remained Outstanding.

IV. ACCOUNTING:

Abatement : \$180.00

Administrative: 303.00

Total: \$483.00


Terry Tatur
Director of Building & Safety

NOTICE OF PUBLIC HEARING

CITY COUNCIL
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT
Cecilia Baltazar; Victoria B. Enriquez
4237 East Sunny Dunes Road, APN: 680-141-003

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting on July 6, 2011. The City Council meeting will begin at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.


The purpose of the hearing is to consider adoption of resolution to allow for a special abatement lien to be placed on the individual property tax rolls for monies owed to the City in the amount of \$483.00

Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (mail or hand delivery) to:

Mr. James Thompson, City Clerk
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at or prior to the meeting. Notice of Public Hearing is being sent to the property owner of the subject property. An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Terry Tatum, Director, Department of Building & Safety, 760-323-8242.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger (760) 322-8364 ext. 8758.


James Thompson
City Clerk

CITY OF PALM SPRINGS

ACCOUNTS RECEIVABLE

P O BOX 2743

3200 E TAHQUITZ CANYON WAY

PALM SPRINGS, CA 92263

PHONE: 760-323-8230

FAX: 760-322-8320

INVOICE

PAGE 1 OF 1

G008000264

INVOICE DATE Apr 26, 2011

DUE DATE May 26, 2011

TERMS NET 30

CUSTOMER NO: NBALCE

SERVICE NUISANCE ABATEMENT ADMIN

CECILIAN BALTAZAR & VICTORIA ENRIQU
4237 E SUNNY DUNES RD
PALM SPRINGS, CA 92264

CUSTOMER PHONE
CUSTOMER PO

SERVICE ADDRESS

CECILIAN BALTAZAR & VICTORIA ENRIQ
4237 E SUNNY DUNES RD
PALM SPRINGS, CA 92264

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	TAX
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FILE NUMBER: 2011-0083

APN: 680-141-003

PROPERTY: 4237 E SUNNY DUNES RD

STAFF HOURS @ \$101 PER HR X 3HRS

001-34381

CONTRACTOR COSTS

001-34380

3.00 101.00 303.00 N

1.00 180.00 180.00 N

*Patty sent invoice to Citibank 5-9-11
Notify Patty when paid*

LATE CHARGES MAY BE ASSESSED IF BALANCE IS OVER 30 DAYS PAST DUE.

\$3.00 PER MONTH CHARGE IF UNDER \$300.00

1% PER MONTH CHARGE IF OVER \$300.00

TOTAL CHARGES	483.00
TOTAL TAX	0.00
TOTAL INVOICE	483.00
PAYMENTS	0.00
ADJUSTMENTS	0.00
TOTAL DUE	483.00

29

4/11/11 Tried contacting bank again, still don't show property in foreclosure. Gave me fax number to CitiMortgage legal department 636-261-6518 faxed notice asking them to contact me. Bid from GM for \$180.00. SEMJ never responded.

4/12/11 Bid from GM approved by Terry. Emailed Deidre.

4/18/11 I did a recheck and the property has been abated. Did Billing Memorandan for \$483.00 and placed Notice of Violation on the property.

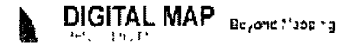
CASE CLOSED.

5/3/11 Jonathan Robinson at 636-261-7646 called asking about the violations on the property. I called and left him a message asking him to contact me. He said that he was with the bank.

I called again and his voicemail also says to call 1-877-290-3997 option 1.

5/4/11 Mr. Robinson called and said to mail info to Citibank 1000 Technology Drive Ofalon, Missouri 63368 Attention: property preservation. Mailed NOV and billing memo to that address along with registration paperwork. Also faxed to legal department.

Property Detail Report for:



4237 E SUNNY DUNES RD, PALM SPRINGS CA , 92264-1405

Owner Information:

Owner Name: **BALTAZAR,CECILIA ENRIQUEZ,VICTORIA B**
 Mailing Address: **4237 E SUNNY DUNES RD, PALM SPRINGS, CA, 92264- 1405**
 Vesting Code: **SEPARATE ESTATE/PROPERTY** Phone Number: **7603224326**

Location Information:

Legal Description: **POR LOT 35 MB 020/094 VISTA DEL CIELO 2**
 County: **RIVERSIDE** FIPS Code: **06065** Census Trct/Blk: **0448041 / 1**
 APN: **680141003** Alternative APN: **680141003** Map Ref: **A3-787**
 Twنشp-Rnge-Sect.: **--** Legal Book/Page: **680-14 /** Tract No.:
 Legal Lot: **35** Legal Block:
 Subdivison: **VISTA DEL CIELO 02**

Last Market Sale Information:

Sale Date: **12/15/2005** Sale Price:
 Sale Doc No.: **0001034943** Price Per SqFt: **1st Mtg Amount:**
 Transfer Doc No.: **0001034943** Price Per Acre: **1st Mtg Int Type**
 Multi/Split Sale: **1st Mtg Doc No.** **2nd Mtg Amount**
 Sale Type: **2nd Mtg Int Type**
 Deed Type: **GRANT DEED/DEED OF TRUST**
 Title Company: **NEW CENTURY TITLE**
 Lender:
 Seller Name: **ENRIQUEZ,VICTORIA B**

Property Characteristics:

Building Area: **1,403** Total Rooms: **7** Construction:
 Living Area: **1,403** Bedrooms: **3** Heat Type:
 Garage Area: Baths: **2.0** Air Cond:
 Basement Area: Fireplace
 Parking Type: **C 0** No of Stories: **1** Roof Type:
 Yr Built/Effective: **1946 /** Quality: **Roof Material: COMP SHINGLE**
 Pool Code: **Style: CONVENTIONAL**

Tax and Value Information:

Assessed Value: **\$103,000** Assessed Year: **2010** Est Market Val: **\$153,054**
 Land Value: **\$34,000** Property Tax: **\$2,390** Assessor Appd Val:
 Improvement Value: **\$69,000** Improvement %: **66.99**
 Total Taxable Value: **\$103,000** Tax Exemption:

Site Information:

Assessor Acres: **0.15** Zoning: **NR1C** Land Use: **163**
 Assessor Lot SqFt: **6,534** No of Buildings:
 Assessor Lot W/D: **/** Res/Comm Units: **1** Land Use Desc: **SFR**
 Calculated Acres: **0.1468** Sewer Type:
 Calculated Lot SqFt: **6,395** Water Type:

- Not in Fault Zone Hazard**
- In One Mile Industrial Commercial Zone**
- Not in 100yr. FEMA Flood Zone**
- Not in Dam Inundation Hazard**
- Not in Wildland Fire Hazard**
- Not in Severe Fire Hazard**

**CITY OF PALM SPRINGS
PUBLIC HEARING NOTIFICATION**



**CITY CLERK'S DEPARTMENT
James Thompson, City Clerk**

City Council
Meeting Date: July 6, 2011
Subject: PUBLIC NUISANCE ABATEMENT

AFFIDAVIT OF MAILING

I, Nadine T. Fieger, Code Compliance Officer, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on or before June 3, 2011, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.

(3 notices)

I declare under penalty of perjury that the foregoing is true and correct.

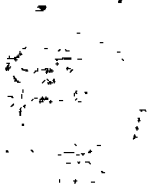

Nadine T. Fieger
Code Compliance Officer

Mailed to:

Sara O. Acosta, 535 North Mulberry Avenue, Rialto, CA 92376-5207

Howard E. Kilberg, #1 North La Salle St., Ste. 1700. Chicago IL 60602

Cecilia Baltazar; Victoria B. Enriquez, 4237 East Sunny Dunes Road, Palm Springs, CA 92264-1405



City of Palm Springs

Office of the City Clerk
PO Box 2745
Palm Springs, CA 92265-2745

Return Service Requested

Sara O. Acosta
535 North Mulberry Avenue
Rialto CA 92376-5207



City of Palm Springs

Office of the City Clerk
PO Box 2745
Palm Springs, CA 92265-2745

Return Service Requested

Cecilia Baltazar; Victoria B. Enriquez
4237 East Sunny Dunes Road
Palm Springs CA 92264-1405

IMPORTANT:



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Palm Springs, CA 92265-2745

Return Service Requested

Howard E. Kilberg
#1 North La Salle St., Ste. 1700
Chicago IL 60602

NOTICE OF PUBLIC HEARING

CITY COUNCIL
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT
Sara O. Acosta
693 West Gateway Drive, APN: 669-357-010

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting on July 6, 2011. The City Council meeting will begin at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider adoption of resolution to allow for a special abatement lien to be placed on the individual property tax rolls for monies owed to the City in the amount of \$3,131.00

Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (mail or hand delivery) to:

Mr. James Thompson, City Clerk
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

If any individual or group challenges the action in court, issues raised may be limited to only those issues raised at the public hearing described in this notice or in written correspondence at or prior to the meeting. Notice of Public Hearing is being sent to the property owner of the subject property. An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Terry Tatum, Director, Department of Building & Safety, 760-323-8242.

Si necesita ayuda con esta carta, por favor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger (760) 322-8364 ext. 8758.


James Thompson
City Clerk

NOTICE OF PUBLIC HEARING

CITY COUNCIL
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT
Cecilia Baltazar; Victoria B. Enriquez
4237 East Sunny Dunes Road, APN: 680-141-003

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting on July 6, 2011. The City Council meeting will begin at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.

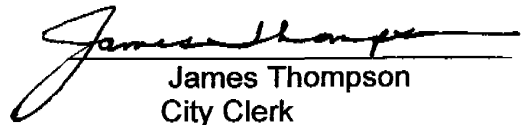
The purpose of the hearing is to consider adoption of resolution to allow for a special abatement lien to be placed on the individual property tax rolls for monies owed to the City in the amount of \$483.00

Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (mail or hand delivery) to:

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James Thompson
City Clerk

NOTICE OF PUBLIC HEARING

CITY COUNCIL
CITY OF PALM SPRINGS

PUBLIC NUISANCE ABATEMENT
Howard E. Kilberg
1091 South Paseo de Marcia, APN: 508-394-004

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting on July 6, 2011. The City Council meeting will begin at 6:00 p.m., in the Council Chamber at City Hall, 3200 E. Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider adoption of resolution to allow for a special abatement lien to be placed on the individual property tax rolls for monies owed to the City in the amount of \$15,386.00

Response to this notice may be made verbally at the public hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (mail or hand delivery) to:

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City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

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James Thompson
City Clerk