

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
OAKLAND

2005 JUN -9 AM 10: 04

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Finance and Management Agency
DATE: June 21, 2005

RE: Public Hearing on the Assessment of Liens for Delinquent Real Property Transfer Taxes

SUMMARY

On May 23, 2005, pursuant to Chapter 4.20 of the Oakland Municipal Code, an administrative hearing for delinquent Real Estate Transfer Taxes was held to hear protests and resolve any inconsistencies or inequities raised by property owners prior to the public hearing before City Council.

A resolution has been prepared confirming the placement of liens on 11 accounts and authorizing the subsequent assessment for all fees and charges, should they remain unpaid at the time of the City's submission to the County Assessor.

FISCAL IMPACT

Property owners owe the City delinquent real property transfer taxes and administrative fees for the accounts not resolved at the May 23, 2005 administrative hearings. Failure to place a lien to recover the tax will result in an estimated loss of \$27,686.43 to the City's General Fund.

BACKGROUND

The City notified property owners of the City's intent to record a lien against their property. No cases were resolved and removed from the list of delinquent properties.

A resolution has been prepared confirming the placement of liens on 11 accounts and authorizing the subsequent assessment for all fees and charges

KEY ISSUES AND IMPACTS

None.

SUSTAINABLE OPPORTUNITIES

None

Item: _____
City Council
June 21, 2005

DISABILITY AND SENIOR CITIZEN ACCESS

None.

RECOMMENDATION(S) AND RATIONALE

Staff recommends that the City Council approve the resolution confirming the placement of liens on all unpaid accounts and authorize the subsequent assessment for all fees and charges should they remain unpaid.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the City Council approve the placement of liens on all unpaid accounts and authorize the subsequent assessment for all fees and charges should they remain unpaid prior to the transfer of said assessment to the County Assessor for inclusion on the next property tax assessment.

Respectfully submitted,



William E. Noland

Director, Finance and Management Agency

Prepared by:

Anna Lawrence, Revenue Operations Supervisor
Revenue Division

APPROVED AND FORWARDED TO THE
CITY COUNCIL:


OFFICE OF THE CITY ADMINISTRATOR

Item: _____
City Council
June 21, 2005

ACCOUNTS GOING TO COUNCIL HEARING JUNE 21, 2005

APN	NAME	PROPERTY ADDRESS	BALANCE
037A-2750-004	VILLA,ROSALYN	6036 OUTLOOK AVE	1,436.34
048G-7448-009	CASE,BRYAN	7045 SKYLINE BLVD	2,673.99
013-1088-028	BMW FUNDING & INVESTMENT, INC	879 45TH ST	7,526.85
025-0694-020	VALENZUELA,FERNANDO	1236 30TH AVE	3,981.27
045-5304-025	INTER BAY CORPORATION	344 STONEFORD AVE	548.73
010-0833-011	INTER BAY CORPORATION	3909 GRAND AVE	2,057.71
003-0035-014	BEY,MADEEAH	773 21ST ST	979.87
22-0299-011-01	KLEIN,JANE ETAL	1626 E 22ND ST	1,342.36
47-5579-011-01	CLEMONS,TAWNY	2611 FRAZIER AVE	1,685.38
040A-3411-038	HILL,TREMAYNE	7700 NEY AVE	1,332.63
038-3237-062	SAULALA,MALIA ETAL	2026 57TH AVE	4,121.30
		TOTAL	27,686.43

Richard Kahn-Dough

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2005 JUN -9 AM 10: 04

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION ACCEPTING AND CONFIRMING REPORTS OF THE CITY ADMINISTRATOR ON THE COSTS INCURRED BY THE CITY OF OAKLAND FOR DELINQUENT REAL PROPERTY TRANSFER TAXES AND CONFIRMING THE RECORDATION OF LIENS, ADMINISTRATIVE CHARGES AND ASSESSMENT CHARGES AS NECESSARY - PURSUANT TO CHAPTER 4.20, OF THE OAKLAND MUNICIPAL CODE, AND DIRECTING THE NOTICE OF LIEN AND ASSESSMENT CHARGES TO BE TURNED OVER TO THE COUNTY TAX COLLECTOR FOR COLLECTION

-oOo-

WHEREAS, pursuant to Chapter 4.20, of the Oakland Municipal Code, the City Administrator filed with the City Clerk on the 21st day of June 2005, her reports concerning the costs incurred for delinquent real property transfer taxes and recordation of liens with added administrative charges and assessment charges on therein after described real property; and

WHEREAS, June 21, 2005, at the hour of 7:02 p.m., was fixed as the day and hour for the Council to hear and accept said reports, together with any objections or protests which may be raised by any of the property owners liable to be assessed for costs incurred for delinquent real property transfer taxes, and any other interested persons; and

WHEREAS, no protest having been made at said hearing; now, therefore, be it

RESOLVED: That the reports that the City Administrator filed with the City Clerk on the 21st day of June 2005, concerning delinquent real property transfer taxes, the recordation of liens with administrative charges for the real property described thereafter in the report of the City Administrator attached hereto, be and the same is, hereby accepted and confirmed, and assessments are hereby authorized to be levied upon the hereinafter described properties in the amount set opposite each description for costs incurred for delinquent real property transfer taxes, added administrative charges and assessment charges; and be it

FURTHER RESOLVED: That if said assessment therein levied is not paid before the 10th day of August 2005, the City Administrator shall present an itemized report to the Auditor Controller of the County of Alameda, State of California, to be placed on the 2005-2006 County Tax Roll.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, REID, QUAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2005 JUN -9 AM 10:04

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION OVERRULING PROTESTS AND OBJECTIONS AND ACCEPTING AND CONFIRMING REPORTS OF THE CITY ADMINISTRATOR ON THE COST INCURRED BY THE CITY OF OAKLAND FOR DELINQUENT REAL PROPERTY TRANSFER TAXES AND AUTHORIZING THE RECORDATION OF LIENS, ADMINISTRATIVE CHARGES AS NECESSARY - PURSUANT TO CHAPTER 4.20, OF THE OAKLAND MUNICIPAL CODE, AND DIRECTING THE NOTICE OF LIEN AND ASSESSMENT CHARGES TO BE TURNED OVER TO THE COUNTY TAX COLLECTOR FOR COLLECTION

-oOo-

WHEREAS, pursuant to Chapter 4.20, of the Oakland Municipal Code, the City Administrator filed with the City Clerk on the 21st day of June 2005, her reports concerning the costs incurred for delinquent real property transfer taxes and recordation of liens with added administrative charges and assessment charges on the thereafter described real property; and

WHEREAS, June 21, 2005, at the hour of 7:02 p.m. was fixed as the day and hour for the Council to hear and pass upon said reports, together with any objections or protests which may be raised by any of the property owners liable to be assessed for costs incurred for delinquent real property transfer taxes, and any other interested person; now therefore be it

RESOLVED: That the protests are hereby overruled; and be it

FURTHER RESOLVED: That the reports that the City Administrator filed with the City Clerk on the 21st day of June 2005, concerning delinquent real property transfer taxes, and the recordation of liens with administrative charges for the real property described therein be and are hereby accepted and confirmed, and the assessments are hereby authorized to be levied upon the properties described in said City Administrator report, in the amounts set opposite each description for costs incurred for delinquent real property transfer taxes, added administrative charges, and assessment charges; and be it

FURTHER RESOLVED: That if said assessment herein levied is not paid before the 10th day of August 2005, the City Administrator shall present an itemized report to the Auditor-Controller of the County of Alameda, State of California, to be placed on the 2005-2006 County Tax Roll.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, REID, QUAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

LaTonda Simmons

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2005 JUN -9 AM 10: 04

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION CONTINUING HEARING ON REPORTS OF THE CITY ADMINISTRATOR ON THE DELINQUENT REAL PROPERTY TRANSFER TAXES AND CONFIRMING OF THE RECORDATION OF LIENS, ADMINISTRATIVE CHARGES, AND ASSESSMENT CHARGES AS NECESSARY - PURSUANT TO CHAPTER 4.20, OF THE OAKLAND MUNICIPAL CODE, AND DIRECTING THE NOTICE OF LIEN AND ASSESSMENT CHARGES TO BE TURNED OVER TO THE ALAMEDA COUNTY TAX COLLECTOR FOR COLLECTIONS

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RESOLVED: That the hearing of the reports of the City Administrator on the delinquent real property transfer taxes and recordation of the liens with added administrative charges that was duly noticed and held on the 21st day of June 2005, at the hour 7:02 p.m., is hereby continued for further hearing on the day of _____ in the City Hall, One Frank H. Ogawa Plaza, Council Chambers, Oakland, California.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California