

## ORDINANCE NO. NS-2927

AN ORDINANCE, ADDING DIVISION 3 TO ARTICLE 10, OF CHAPTER 8 OF THE CITY OF SANTA ANA MUNICIPAL CODE OF TO BE ENTITLED, "REGISTRATION AND MAINTENANCE OF ABANDONED AND DEFAULTED MORTGAGE PROPERTY"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY OF THE ORDINANCE REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF REGISTRABLE REAL PROPERTY WITHIN THE CITY

THE CITY COUNCIL OF THE CITY OF SANTA ANA HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

- A. The City Council desires to protect the public health, safety and welfare of the citizens of the City of Santa Ana and maintain a high quality of life for the citizens of the City through the maintenance of structures and properties in the City.
- B. Vacant and abandoned residential and commercial properties are a significant problem and can depreciate property values, reduce property tax revenue, attract crime, degrade the quality of life within the community and foster an unsafe and unhealthy environment for residents.
- C. The foreclosing party or property owners are often out of state, and there is no local contact for such a property, which makes it difficult to notice the proper party of the violations of the municipal code, and to maintain the requisite level of maintenance and security on such structures or lots.
- D. The Council has a vested interest in protecting neighborhoods against decay caused by registrable property and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration requirements of registrable property located within the City to discourage registrable property owners and mortgagees from allowing their properties to be abandoned, neglected or left unsupervised.
- E. The Council desires to amend the City's code in order to establish a property registration process that will identify a contact person to address safety and aesthetic concerns to minimize the negative impact and conditions that occur as a result of vacancy, absentee ownership and the foreclosure process.

F. The City Council finds that the implementation of the following changes and additions will assist the City in protecting neighborhoods from the negative impact and conditions that occur as a result of vacancy, absentee ownership and lack of compliance with existing City regulations and laws.

Section 2. Pursuant to the California Environmental Quality Act ("CEQA") and the state CEQA Guidelines, the adoption of this Ordinance is exempt from CEQA review pursuant to California Code of Regulations section 15061(b)(3), which is applicable if it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. As a result, a Notice of Exemption will be filed upon the adoption of this ordinance.

Section 3. The City hereby amends the Santa Ana Municipal Code ("SAMC") by adding Division 3 to Article 10 of Chapter 8, entitled "Registration and Maintenance of Abandoned and Defaulted Mortgage Properties" to read as follows:

### DIVISION 3. REGISTRATION AND MAINTENANCE OF ABANDONED AND DEFAULTED MORTGAGE PROPERTIES

#### **8-1982. Purpose.**

It is the intent of the City Council, through the adoption of this division, to establish a mechanism to protect neighborhoods from becoming blighted through the lack of maintenance and security of abandoned and vacant properties; to establish an abandoned property registration program and to set forth guidelines for the maintenance of such properties.

#### **8-1983. Definitions.**

For the purpose of this Division the following terms, phrases and words, shall have the meaning set forth below:

"Abandoned" means any real property that is vacant or shows evidence of vacancy, and (1) is subject to a current notice of default and/or notice of trustee's sale, pending tax assessors lien sale and/or (2) is the subject of a foreclosure sale resulting in the acquisition of title by an interested beneficiary of a deed of trust, and/or (3) was conveyed to the current owner under a deed in lieu of foreclosure/sale.

"Abatement order" means a notice of violation, notice and order, or administrative citation. As used in this chapter, the terms "abate" and "abatement" means action to repair, replace, remove, destroy, terminate, or otherwise remedy the condition or activity in question by such means and in such manner as is necessary in the interests of the health, safety or welfare of the public. (SAMC Section 17-4)

"Accessible Property" means real property that is accessible to the public, either, in general or through an open and unsecured door, window, gate fence, wall, etc.

“Accessible Structure” means a building or structure that is not secured or is open in such a way as to allow public or unauthorized access to the interior.

“Administrative Penalty Payment Due Date” means the date that is the 10th day after the issuance of an abatement order, a notice of violation issued pursuant to SAMC Section 1-21.7 (1).

“Agreement” means any written instrument that transfers or conveys title to residential or commercial real property from one owner to another after a sale, trade, transfer or exchange.

“Beneficiary” means a lender participating in a real property transaction that holds a secured interest in the real property in question identified in a deed of trust.

“Buyer” means any person, partnership, association, corporation, fiduciary or other legal entity that agrees to transfer anything of value in consideration for real property via an agreement.

“Dangerous Building” means any building or structure reasonably deemed by authorized City staff to represent a violation of any provision specified in the Uniform Code for the Abatement of Dangerous Buildings, International Property Maintenance Code, and California Health and Safety Code section 17920.3.

“Days” means Calendar days.

“Deed of Trust” means an instrument whereby an owner of real property, as trustor, transfers a secured interest in the real property in question to a third party trustee, as security for a loan issued in the context of a real property transaction. This definition applies to any and all subordinate deeds of trust; i.e., 2<sup>nd</sup> trust deed, 3<sup>rd</sup> trust deed, etc.

“Deed In Lieu Of Foreclosure” means a recorded instrument that transfers ownership of property from the trustor to the holder of a deed of trust upon consent of the beneficiary of the deed of trust.

“Default” means the material breach of, or failure to fulfill, a legal or contractual duty arising from or relating to a deed of trust.

“Distressed” means any building, structure or real property that is subject to a current notice of default and/or notice of trustee’s sale, pending tax assessors lien sale and/or any real property conveyed via a foreclosure sale resulting in the acquisition of title by an interested beneficiary of a deed of trust, and/or any real property conveyed via a deed in lieu of foreclosure/sale, regardless of vacancy.

“Enforcement Official” means the City Manager, the Building Official, and/or any employee or agent of the City of Santa Ana designated and/or charged with

enforcing this Code, including but not limited to applicable codes adopted by reference therein.

“Evidence of Vacancy” means any real property condition that independently, or in the context of the totality of circumstances relevant to that real property would lead a reasonable enforcement official to believe that a property is vacant or occupied by a person without a legal right of occupancy. Such real property conditions include but are not limited to: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; and/or statements by neighbors, passersby, delivery agents, government employees that the property is vacant.

“Foreclosure” means the legal process by which a mortgagee, or other lien holder, terminates a property owner's equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to, public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lien holder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

“Local” means within 40 driving miles of the subject building, structure or real property.

“Neighborhood Standard” means the condition of real property that prevails in and through the neighborhood where an abandoned building, structure or real property is located. When determining the neighborhood standard no abandoned or distressed building, structure or real property shall be considered.

“Notice of Default” means a recorded instrument that reflects and provides notice that a default has occurred under a deed of trust, and that the beneficiary intends to proceed with a trustee's sale.

“Notice of Trustee's Sale” means a document prepared and recorded by the trustee that sets forth the day, date and time of the trustee's sale, describes the property to be sold, and gives an estimate for the unpaid debt on the deed of trust secured by the property.

“Out of Area” means in excess of 40 road or driving miles of the subject building, structure or real property.

“Owner” means any person, partnership, association, corporation, fiduciary or other legal entity having a legal or equitable title or any interest in real property.

“Owner of Record” means any person shown as the owner of land on the last equalized assessment roll produced by the Orange County Recorder’s Office.

“Property” means any unimproved or improved real property designed or permitted to be used for commercial, residential or dwelling purposes, or portion thereof, including but not limited to building or structures located on said real property, regardless of condition.

“Registrable Property” means any real property located in the City, whether vacant or occupied, that is encumbered by a mortgage in default, is subject to an ongoing foreclosure action by the Mortgagee or Trustee, is subject to an application for a tax deed or pending tax assessor’s lien sale, or has been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

The designation of a “default/foreclosure” property as “registrable” shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm’s length transaction or the foreclosure action has been dismissed and any default on the mortgage has been cured.

“Residential Building” means any improved real property, or portion thereof, designed or permitted to be used for dwelling purposes, including buildings and structures located on such improved real property. This includes any real property being offered under any circumstances for sale, trade, transfer, or exchange as “residential,” whether or not said property is legally permitted and zoned for such use.

“Secure” means such measures as may be directed by an enforcement official that assist in rendering real property inaccessible to unauthorized persons, including but not limited to repairing fences and walls, chaining/pad locking gates, the repairing or boarding of doors, windows or other openings. Such measures shall be implemented in conformance with all applicable standards of the United States Department of Housing and Urban Development.

“Tax assessor’s lien sale” means the sale, conducted by the Assessor of Orange County, of tax liens for delinquent taxes on the property.

“Trustee” means any person, partnership, association, corporation, fiduciary or other legal entity holding a deed of trust securing an interest in real property for the benefit of the beneficiary.

“Trustor” means any owner/borrower identified in a deed of trust, who transfers an interest in real property to a trustee as security for payment of a debt by that owner/borrower.

“Vacancy/Vacant” means any building, structure or real property that is unoccupied or occupied by a person without a legal right of occupancy.

### **8-1984. Duty to record instrument for property transfer.**

Within 10 days of a property transaction involving a change in the identity of an owner or the owner of record, or alternatively a transfer/assignment of a loan or deed of trust secured by residential or commercial property, each beneficiary and trustee engaged in said transaction or transfer/assignment shall record, with the Orange County Recorder's Office, an instrument evidencing such transaction, transfer or assignment. This instrument shall reflect the identity, mailing address and telephone number of the trustee and beneficiary responsible for receiving payments associated with the loan or deed of trust in question. This duty/obligation shall be joint and several among and between all trustees and beneficiaries and their respective agents.

### **8-1985. Registration.**

A. Each beneficiary and trustee, who holds a deed of trust on a property located within the City of Santa Ana, shall perform an inspection of the property that is security for the deed of trust upon default by the trustor prior to recording a Notice of Default or similar instrument with the Orange County Recorder's Office.

B. If such inspection shows that the property is abandoned, the owner, beneficiary or trustee shall, within 10 days of the inspection, register the property with the City's Code Enforcement division on forms provided by the City.

C. If the property is occupied but distressed, the trustee and beneficiary or a designee shall inspect the property on a monthly basis until:

1. The trustor or another party remedies the default; or
2. The property is found to be vacant or shows evidence of vacancy, deemed abandoned and registered subject to subsection B of this section.

D. The registration required pursuant to subsection B of this section shall contain the identity of the beneficiary and trustee, the direct mailing address (no postal box address), email address and phone number of the beneficiary and trustee and, in the case of a corporate or out of area beneficiary or trustee, the local property management company, if any, responsible for the security, maintenance and marketing of the property in question.

E. The registration pursuant to subsection B of this section shall be renewed annually.

F. This section shall also apply to properties that have been the subject of a foreclosure sale wherein title has been transferred to the beneficiary of a deed of trust involved in the foreclosure, and to any properties transferred under a deed in lieu of foreclosure.

G. Properties subject to this chapter shall remain subject to the annual registration requirement, security and maintenance standards of this division as long as they remain vacant and/or abandoned.

H. Any person, partnership, association, corporation, fiduciary or other legal entity that has registered a property under this chapter must make a written report to the City's Code Enforcement Division of any change of information contained in the registration within 10 days of the change.

I. If the mortgage on a registrable property is sold or transferred, the new Mortgagee is subject to all the terms of this Article and within 5 days of the transfer must register the property and pay a registration fee in accordance with this Article. Any previous unpaid annual registration fees are the responsibility of the new Mortgagee or Trustee and are due and payable with their initial registration.

J. If the Mortgagee owner of a foreclosed real property sells or transfers the property to a non-arm's length related person or entity, the transferee is subject to all the terms of this Article and within 5 days of the transfer must register the property and pay a registration fee in accordance with this Article. Any previous unpaid annual registration fees are the responsibility of the new Registrable property owner and are due and payable with their initial registration.

K. As long as the property is Registrable it shall be inspected by the Mortgagee, or designee, monthly. If an inspection shows a change in the property's occupancy status the mortgagee shall, within ten (10) days of that inspection, update the occupancy status of the property registration.

L. Mortgagees who have existing registerable property on the effective date of this ordinance have 30 calendar days from the effective date to register the property with the City, or its designee, on forms or other manner as directed, and indicate whether the property is vacant or occupied.

#### **8-1986. Maintenance requirements.**

It is declared a public nuisance for any person, partnership, association, corporation, fiduciary or other legal entity, that owns, leases, occupies, controls or manages any abandoned property to cause, permit, or maintain any property condition contrary to any provision of this chapter. The following maintenance standards shall apply to any abandoned or vacant property:

A. Any abandoned property shall be maintained in compliance with the requirements of this chapter and Santa Ana Municipal Code Chapters 16, Chapter 41, the Uniform Code for the Abatement of Dangerous Buildings, International Property Maintenance Code and California Health and Safety Code section 17920.3.

B. Abandoned property shall be kept free of weeds, dry brush, dead vegetation, excessive foliage growth, trash, junk, debris, building materials, any accumulation

of newspaper, circular flyers, notices (except those required by federal, state or local law), discarded personal items including but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

C. Abandoned property shall be maintained free of graffiti, tagging or similar marking in accordance with Article IV of Chapter 10 of the SAMC. Any removal or painting over of graffiti shall be with an exterior grade paint that matches the color of the exterior of the structure.

D. Visible front and side yards shall be landscaped and maintained to the neighborhood standard. Landscaping includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation and standards listed in the Santa Ana Municipal Code Santa Ana Municipal Code 41-609 "Landscape", and abide by the Planning and Public Works division landscape standards. Landscaping does not include weeds, gravel, broken concrete, asphalt, plastic sheeting, mulch, indoor-outdoor carpet or any similar material.

E. Pools and spas shall be kept in working order so that water remains clear and free of pollutants, mosquito larvae, and debris, or alternatively shall be drained and kept dry. In either case, properties with pools and/or spas must comply with the minimum security fencing requirements set forth in Article XIII of this Chapter and minimum state standards, whichever is more restrictive.

F. Adherence to this section does not relieve the beneficiary/trustee or property owner of obligations set forth in any covenants conditions and restrictions and/or homeowner's association rules and regulations which may apply to the property.

An enforcement official may allow exceptions to the maintenance standards set forth in this section for abandoned property that is under construction and/or repair, that is diligently pursued for at least three (3) business days per week, and is undertaken in compliance with all applicable laws including but not limited to City permitting requirements.

#### **8-1987. Security requirements.**

A. Abandoned and vacant properties shall be secured so as not to be accessible to unauthorized persons.

B. Securing of abandoned property includes but is not limited to closing and locking of windows, doors (walk-through, sliding and garage), gates and any other opening that may allow access to the interior of the property and or structure(s). In the case of broken windows securing means re-glazing or boarding the window.

C. If the abandoned property is owned by a corporation and/or out of area beneficiary/trustee/owner, a local property management company shall be contracted to perform weekly inspections to verify that the abandoned property is



maintained in accordance with the requirements of this section, and any other applicable laws.

D. The property shall be posted with the name and 24-hour contact phone number of the local property management company. The posting shall be no less than 18" x 24", shall be of a font that is legible from a distance of forty-five (45) feet, and shall contain the following verbiage: "THIS PROPERTY MANAGED BY \_\_\_\_\_," and "TO REPORT PROBLEMS OR CONCERNS CALL (name and phone number)."

E. The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street, or secured to the exterior of the building/structure facing the street of the front of the property so it is visible from the street. If no such area exists, the posting shall be on a stake of sufficient size to support the posting, in a location that is visible from the street to the front of the property, and to the extent possible, not readily subject to potential vandalism. Exterior posting must be constructed of, and printed with weather resistant materials.

F. The local property management company shall inspect the property on a weekly basis to determine if the property is in compliance with the requirements of this division. If the property management company determines the property is not in compliance, it is the company's responsibility to bring the property into compliance.

G. The duties and obligations specified in this section shall be joint and several among and between all trustees and beneficiaries and their respective agents.

#### **8-1988. Additional authority.**

In addition to the enforcement remedies established in this division, the City shall have the authority to require the beneficiary, trustee, owner or owner of record of any property affected by this section, to implement additional maintenance and/or security measures including but not limited to, securing any and all doors, windows or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site security guard or other measures as may be reasonably required to secure and reduce the visual decline of the property.

#### **8-1989. Fees.**

An annual non-refundable Foreclosed Vacant property registration fee shall be paid to City at the time of registration, annually thereafter on January 1<sup>st</sup> each year and must be received no later than January 31 of the year due. If the foreclosed and/or abandoned property is sold or transferred within a calendar year to a new bank/owner it will need to register the foreclosed and/or abandoned property; the annual fee is not transferrable. The fee for registering and re-registering a foreclosed and/or abandoned property shall be set, from time to time, by resolution of the City Council. The amount of the fee shall not exceed the cost of administering the provisions of this chapter.

Additional hourly inspection fees as set forth in the City's Miscellaneous Fee resolution may be levied on a Property for staff time to inspect and enforce the provision of this Code when a complaint has been filed on a Property subject to this article.

**8-1990. Enforcement.**

A. Any violation of this division shall be treated as a strict liability offense; a violation shall be deemed to have occurred regardless of a violator's intent.

B. Any person, partnership, association, corporation, fiduciary or other legal entity, that owns, leases, occupies, controls or manages any abandoned property and causes, permits, or maintains a violation of the chapter as to that property, shall be guilty of a misdemeanor, and upon conviction thereof, may be punished as provided in SAMC section 1-8.

C. This section is intended to be cumulative to, and not in place of, other rights and remedies available to the City pursuant to this Code. As an alternative to the violation and penalty specified in this section, the City Attorney or enforcement official may pursue any other right or remedy permitted by this Code, including, but not limited to, commencement of any civil action, or administrative action to abate the condition of a property as a public nuisance pursuant to SAMC sections 1-21 through 1-21.9.

D. If an enforcement officer determines that the owner of abandoned property has failed to maintain that property as obligated under California Civil Code Section 2929.3 and in accordance with this chapter, the City may impose a civil fine against the owner of up to one thousand dollars (\$1,000) per day, or an amount set by the City's Miscellaneous Fee Schedule as amended from time to time, for each day that the owner fails to maintain the property commencing on the day following the expiration of the period to remedy the violation as set forth in the notice provided pursuant to subsection E.

E. If the City chooses to impose a fine pursuant to subsection D of this section, it shall give notice of the alleged violation to the owner. The notice shall include a description of the conditions that gave rise to the violation, and notice of the City's intent to assess a civil fine if action to correct the violation is not commenced within a period of not less than 14 days and completed within a period of not less than 30 days. The notice shall be mailed to the name and address provided in the deed or other instrument for mailing future tax statements, or, if none, to the return address provided on the deed or other instrument.

F. The City shall provide a period of not less than 30 days for the legal owner to remedy the violation prior to imposing a civil fine. Notwithstanding the foregoing, the City may provide less than 30 days' notice to remedy a condition before imposing a civil fine if the entity determines that a specific condition of the property threatens public health or safety and provided that notice of that determination and time for compliance is given.

G. The City shall provide an owner who wishes to contest any fines imposed pursuant to subsection D a hearing and opportunity to be heard in accordance with the procedures for administrative citations contained in Chapter 1.14 of this Code.

H. Payment of the administrative and civil penalties shall not excuse the failure to correct the violation nor shall it bar further enforcement action.

**8-1991. Appeals.**

Any person aggrieved by any of the requirements of this division may appeal a determination made hereunder in the manner specified with respect to appeals under SAMC Section 1-21.8 through 1-21.9 or SAMC Chapter 3.

**8-1992. Joint and several liability.**

The duties/obligations specified in this division shall be joint and several among and between all trustees and beneficiaries and their respective agents.

Section 4. The charges and fees authorized by Section 8-1989 of this Code shall be set forth in a fee schedule established by concurrent resolution. Such charges and fees shall be incorporated into, and where appropriate, supersede the City's Uniform Schedule of Miscellaneous Fees for Fiscal Year 2017-18.


Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 6. The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

ADOPTED this 17<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
Miguel A. Pulido  
Mayor

APPROVED AS TO FORM  
Sonia R. Carvalho, City Attorney

By:   
Lisa Storck  
Assistant City Attorney

AYES: Councilmembers: Benavides, Martinez, Pulido, Sarmiento, Solorio, Tinajero, Villegas (7)

NOES: Councilmembers: None (0)

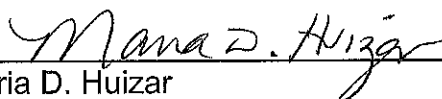
ABSTAIN: Councilmembers: None (0)

ABSENT: Councilmembers: None (0)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-2927 to be the original ordinance adopted by the City Council of the City of Santa Ana on October 17, 2017, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 10/26/2017

  
Maria D. Huizar  
Clerk of the Council  
City of Santa Ana

## RESOLUTION NO. 2017-090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING THE FORECLOSED VACANT PROPERTY REGISTRATION FEE TO INCLUDE CONSULTANT COSTS FOR ASSISTING TO MANAGE THE FORECLOSED VACANT PROPERTY PROGRAM IN ACCORDANCE WITH ARTICLE 3 OF DIVISION 3 OF CHAPTER 8 OF THE SANTA ANA MUNICIPAL CODE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

**Section 1.** The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

A. On October 3, 2017, the City Council of the City of Santa Ana adopted Ordinance No. NS-2927 adding Division 3 to Article 3 to Chapter 8 of the Santa Ana Municipal Code regarding the registration and maintenance of abandoned and defaulted mortgage property.

B. Section 8-1989 of the Santa Ana Municipal Code authorizes an administrative fee related to the registration, inspection and enforcement regarding such abandoned and defaulted mortgage property that is to be established by resolution.

C. Based on analysis and evaluation of staff time, equipment, and materials, this fee is recommended as set forth below, adjusted to include consultant costs to assist and manage the program.

D. This amended fee shall become effective immediately and shall be incorporated into the City's Uniform Schedule of Miscellaneous Fees for Fiscal Year 2017-18, as updated annually.

**Section 2.** The City Council hereby amends the annual administrative fee relating to the registration, inspection and enforcement regarding such abandoned and defaulted mortgage property. The fee shall include both City staff costs and consultant costs and is hereby amended to \$513 per property.

**Section 3.** Without further action of the City Council, the above-referenced fee amended by this Resolution shall be incorporated into the City's Uniform Schedule of Miscellaneous Fees for Fiscal Year 2017-18 and updated annually.


**Section 4.** This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this 19<sup>th</sup> day of December, 2017.



\_\_\_\_\_  
Miguel A. Pulido  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho  
City Attorney

By:   
\_\_\_\_\_  
Lisa Storck  
Assistant City Attorney

|              |                |   |
|--------------|----------------|---|
| AYES:        | Councilmembers | <u>Benavides, Martinez, Solorio, Villegas (4)</u> |
| NOES:        | Councilmembers | <u>None (0)</u>                                   |
| ABSTAIN:     | Councilmembers | <u>None (0)</u>                                   |
| NOT PRESENT: | Councilmembers | <u>Pulido, Sarmiento, Tinajero (3)</u>            |

**CERTIFICATE OF ATTESTATION AND ORIGINALITY**

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2017-090 to be the original resolution adopted by the City Council of the City of Santa Ana on December 19, 2017.

Date: 1-2-2018



\_\_\_\_\_  
Maria D. Huizar  
Clerk of the Council  
City of Santa Ana