

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

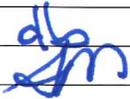
A Resolution authorizing recovery of abatement costs pursuant to EMC 1.20.090 at 2620 Rucker Avenue

_____ Briefing
 _____ Proposed Action
 _____ Consent
 _____ Action
 _____ First Reading
 _____ Second Reading
 _____ Third Reading
 _____ Public Hearing
 _____ Budget Advisory

COUNCIL BILL #
 Originating Dept.
 Contact Person
 Phone Number
 FOR AGENDA OF

_____ Code Enforcement
 _____ Kevin Fagerstrom
 _____ (425)257-8565
 _____ Sept. 28, 2016

Initialed by:
 Department Head
 CAA
 Council President



<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
		Proposed Resolution, Summary of Activities, Report of Expenses, Order of the City of Everett Code Official, Contractor's Invoice, Notice of Payment Due, Notice of Council Hearing	Legal, Code Enforcement

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

DETAILED SUMMARY STATEMENT:

The Everett Municipal Code (Section 1.20.090) authorizes the City to abate code violations and recover the abatement costs. On June 1, 2016, an inspection of the property located at 2620 Rucker Avenue revealed that the vegetation in the yard was overgrown and dried out and presented a potential fire hazard to neighboring properties. The City ordered the overgrown vegetation to be cut and debris removed from the property. The Property owner failed to comply with this order and on July 5, 2016 a contractor conducted the abatement including removal of overgrown vegetation and debris from the yards of the property. The Respondent failed to pay the abatement costs and penalty, which are now past due. This Resolution authorizes placement of an assessment lien on the property on or after September 28, 2016, in the amount of the abatement costs, which total \$1,437.07.

RECOMMENDATION (Exact action requested of Council):

Adopt a Resolution authorizing recovery of abatement costs pursuant to EMC 1.20.090 at 2620 Rucker Avenue in the amount of \$1,437.07.



RESOLUTION NO. _____

A RESOLUTION authorizing recovery of abatement costs pursuant to EMC 1.20.090 at 2620 Rucker Avenue, Everett, Washington.

WHEREAS, the Everett Municipal Code (the “EMC”) Section 1.20.090 authorizes the City to abate code violations and recover the abatement costs; and

WHEREAS, on June 8, 2016 an Order of the City of Everett Code Official was issued against the property owner Robert A. Schleiffers (the “Owner”) to abate exterior nuisance conditions at 2620 Rucker Avenue (the “Property”), parcel number 00439161502000, and abbreviated legal description:

EVERETT PLAT OF BLK 615 D-00 - LOTS 20 & 21; and

WHEREAS the Owner failed to abate the exterior nuisance conditions in accordance with the Order;

WHEREAS, an Order of the City of Everett Code Official explained that failure to abate the exterior nuisance conditions would result in the City abating the nuisance conditions on the Property, and that those costs may become a lien against the Property if the Owner failed to reimburse the City the abatement costs; and

WHEREAS, the City, through a contractor, conducted the abatement of the exterior nuisance conditions on July 5, 2016; and

WHEREAS, the City incurred costs in the amount of \$1,437.07 in its abatement of the exterior nuisance conditions against the owner; and

WHEREAS, the Owner has failed to timely pay the abatement costs; and

WHEREAS, notice of Council’s consideration of this Resolution was provided to the Owner; and

NOW, THEREFORE, BE IT RESOLVED by the **City Council of Everett** that the costs and penalties set forth in the report attached hereto is confirmed for the Property. The City Treasurer is authorized to certify the amount due and owing to the County Treasurer, which amount shall then be entered as an assessment upon the tax rolls against the Property with interest as provided by law.

COUNCIL MEMBER INTRODUCING RESOLUTION

PASSED AND APPROVED THIS ___ DAY OF
SEPTEMBER, 2016

SCOTT MURPHY,
COUNCIL PRESIDENT



Police Code Enforcement Unit

Summary of Activities 2620 Rucker Avenue

- 06/01/16: Inspection reveals overgrown vegetation in the yards and debris discarded on the Property.
- 06/08/16: Order of the City of Everett Code Official sent to owners
- 06/13/16: Inspection reveals Property remains in violation of City ordinance.
- 07/05/16: Abatement completed by Combined Construction, Inc.
- 07/06/16: Notice of abatement cost sent via regular, certified mail and posting.
- 08/15/16: Notice of Council Hearing is sent certified and posted on property.
- 09/28/16: Council Hearing.



**Everett Police Department
Code Enforcement Unit**

September 7, 2016

City of Everett – Code Enforcement Unit

Order of the City of Everett Code Official dated June 8, 2016

Abatement of exterior nuisance conditions for property located at: 2620 Rucker Avenue, Everett, Washington

Itemized Statement for: Robert A. Schleiffers

Case #: CE16-0476

Abatement Date: July 5, 2016

1) City of Everett Fees for abatement costs incurred:

Abatement of violations (Combined Construction, Inc)	\$1,437.07
Total:	\$1,437.07



**Everett Police Department
Code Enforcement Unit**

June 8, 2016

Case # CE16-0476

ORDER OF THE CITY OF EVERETT CODE OFFICIAL

Property: 2620 Rucker Avenue
Everett, Washington 98201

Property owner: Robert Schleiffers

You are the owner, and/or have a financial interest in the above referenced property (the "Property").

On February 2, 2012 this Property was condemned due to a structure that was heavily damaged by fire, was vacant and unfit for human habitation and occupancy. On March 19, 2013, the Violations Hearing Examiner of the City of Everett Held that the vacant and fire damaged structure and property was not maintained in a safe, secure and sanitary manner and that the structure and property was an attractive nuisance.

Inspections of the property conducted on June 1, 2016 revealed that the property remains vacant, abandoned and is not being maintained in a clean, safe and sanitary manner. The conditions described above remain on the Property in violation of the Everett Municipal Code (EMC) and International Property Maintenance Code (IPMC). Additionally the vegetation, grass and weeds on the property are extremely tall and dry causing potential fire danger. Such violations are an annoyance and disrupt and injure the comfort, repose, health and safety of others. The entire community is affected by the activity.

Pursuant to my authority as the Code Official under the International Property Maintenance Code Section 108.2, I hereby order you, Robert Schleiffers to remove all exterior nuisance conditions present on the property, which include;

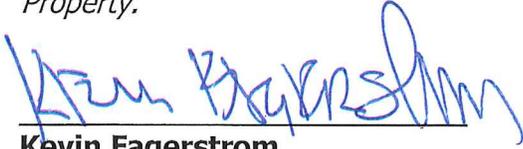
- Litter, junk, and trash discarded on the property in violation of EMC 8.20.020 (A)
- Furniture items discarded on the property in violation of EMC 8.20.020 (C)
- A shopping cart visible on the property in violation of EMC 8.20.020 (D)
- Overgrown grass, weeds in violation of EMC 8.20.020 (E)
- Graffiti visible on the property in violation of EMC 8.20.020 (F)

ACTION REQUIRED: You must remove all exterior nuisance conditions on the property by June 12, 2016, no later than 1:00 pm.

FAILURE TO COMPLY: If you fail to comply with this order, the city will remove all exterior nuisance conditions after 1:00pm on June 12, 2016. Any cost of the removal of nuisance conditions on the property will be at your sole expense and may become a lien on your property if you fail to reimburse the City for its costs.

This Order is subject to the appeal process set forth in RCW 36.70C.

I certify that I personally served Robert Schleiffers by posting this Order on the residence at the Property.



Kevin Fagerstrom

City of Everett

Code Enforcement Supervisor

Anne Weech do hereby certify that on
June 8, 2016, mailed certified / 1st class
Robert Schleiffers

a true and accurate copy of the order / VC issued, re:
case # CE16-0476, Order Code Official
Anne Weech
Signature

Combined Construction, Inc.

4493 Russell Road Ste:G
Mukilteo, WA 98275

Invoice

Date	Invoice #
7/6/2016	2013-035-25

Bill To
City of Everett 3002 Wetmore Ave. Everett, WA 98203 USA

P.O. No.	Terms	Project
RQ 21771	Net 30	2013-035 On-Call Police As...

Quantity	Description	Rate	Amount
1	18 Hours @ \$70.00/Hr	1,260.00	1,260.00T
1	Disposal Fees	56.00	56.00T
	Sales Tax	9.20%	121.07
Total			\$1,437.07

**SMALL WORKS
PUBLIC WORKS CONTRACT
(\$2,500 or less including tax)**



**STATEMENT OF INTENT TO
PAY PREVAILING WAGES
AND
AFFIDAVIT OF WAGES PAID**

This form must be typed or printed in ink and completed in full or it will be returned for correction. Large, bold numbers match instructions on the back of this form. Shaded areas are for the Awarding Agency and Labor & Industries (L&I) use only.

No filing fee

Contractors may obtain this form from the **CONTRACT AWARDING AGENCY** only. Contractors must complete and return the form to the **CONTRACT AWARDING AGENCY**. If the agency approves the form, it will send a copy of the approved form to L&I within 30 days of the date the agency received the form from the contractor.

1 Contract Awarding Agency City of Everett Purchasing Div		Project Name Attachment @ 2620 Rucker	
Awarding Agency Address 3200 Cedar St		Contract or Purchase Order Number RA 21771	
City Everett	State WA	ZIP+4 98201	County Where Work Was Performed Snohomish
Indicate Total Dollar Amount of Your Contract - Include Sales Tax (No "Time & Materials" allowed) \$ 1437.07		Date Contract Awarded (mm/dd/yy) 7/1/16	City Where Work Was Performed Everett
		Date Work Completed (mm/dd/yy) 7/6/16	

2 Number of Owner/Operators who own at least 30% of the company who performed work on this project: (check one box) None (0) One (1) Two (2) Three (3)

3 Did employees perform work on this project? (check one box) Yes No (If "Yes" - please list below)

4 Crafts/Trades/Occupations and Apprentices - For Apprentices enter the name, registration number, trade, dates worked on project, stage of progression, wage and usual benefit for each apprentice.	5 Number of Workers in Each Trade	6 Total # of Hours Worked in Each Trade	7 Rate of Hourly Wages	8 Rate of Hourly Usual ("Fringe") Benefits
General labor	2	18	42.93	- 0

9 Contractor Company Name Combined Construction Inc		Contractor Address 4493 Russell Rd Ste G		
Contractor Phone Number 425-610-4334	Contractor Email Address 935ccie@gmail.com	City Mukilteo	State WA	ZIP+4 98275
Contractor Registration Number COMBIC1893NT	Contractor UBI Number 603-119-288	Contractor Industrial Insurance Account Number 216,146-00		

I hereby certify that the above information is correct and that all workers I employed on this Public Works Project were paid no less than the Prevailing Wage rate(s) as determined by the Industrial Statistician of the Department of Labor & Industries. I understand that contractors who violate Prevailing Wage laws, e.g., apply incorrect classifications/scopes of work for tasks performed on the project, fail to pay correct prevailing wage rates, etc., are subject to fines and/or debarment and will be required to pay any back wages due workers. See RCW 39.12.065.

Contractor Signature 	Date 7/6/16	Title VP/GM
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PLEASE NOTE:

- In approving this form, the Awarding Agency must verify that the Contractor's Registration or License is current and valid.
- The contract dollar amount indicated shall only be for a single payment in full on a single contract with the Awarding Agency. NO subcontractors.
- For information on potential Awarding Agency liability regarding use of this alternate filing process, see RCW 39.12.040(2)(d).
- RCW 39.12.040(2)(e): Nothing in this section shall be interpreted to allow an Awarding Agency to subdivide any public works project of more than two thousand five hundred dollars for the purpose of circumventing the procedures required by RCW 39.12.040(1).

10 Approval: Name and Title of Individual Authorized to Approve This Form on Behalf of the Awarding Agency (type or print)	Phone Number	Email Address
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Signature of Individual Authorized to Approve This Form on Behalf of the Awarding Agency	Date
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Received: Department of Labor & Industries

Date: _____



**EVERETT POLICE DEPARTMENT
CODE ENFORCEMENT UNIT**

July 7, 2016

Robert A. Schleiffers, Owner
11120 59th Ave S
Seattle, WA 98178

Chase Mortgage Company

Re: Case #CE16-0476: Order of the City of Everett Code Official
Violation Address: 2620 Rucker Avenue, Everett, WA 98201

Dear Mr. Schleiffers,

On June 8, 2016 an Order of the City of Everett Code Official was issued requiring abatement of the exterior nuisance conditions on the property noted above by June 12, 2016 no later than 1:00 pm. You failed to abate all or part of the exterior nuisance conditions. Pursuant to the Order of the City of Everett Code Official the City abated the exterior nuisance conditions.

The abatement of the exterior nuisance conditions on the property was completed on July 5, 2016, pursuant to the Order of the City of Everett Code Official and provisions of the Everett Municipal Code, chapter 1.20. The cost to the City for this work is \$1,437.07 and an invoice is attached. According to EMC 1.20.090 (B), all costs of abatement, including incidental expenses, shall be billed to the Respondent and become due and payable 30 days from the date of this bill. Failure to pay this fine could result in an assessment lien against the property.

Please note that this is the only notice you will be receiving from the City in regards to this matter.

Payment shall be made to:

**City of Everett
Treasurer's Office
2930 Wetmore, Suite 100
Everett, WA 98201**

Please reference your **Case Number CE16-0476** on your check, money order or at the time of payment. If you have any questions, please contact our office at (425)257-8560.

Thank you for your prompt response,

Kevin Fagerstrom
Code Enforcement Supervisor
Code Enforcement Unit
Everett Police Department

Anne Weed, do hereby certify that on
July 7, 2016, mailed certified / 1st class
Robert Schleiffers
a true and accurate copy of the order / VC issued re:
case # CE16-0476 Abatement fine
Anne Weed
Signature



POLICE

CODE ENFORCEMENT UNIT

August 15, 2016

NOTICE OF HEARING

Robert A. Schleiffers
2620 Rucker Avenue
Everett, WA 98201

Re: Case Number CE16-0476
2620 Rucker Avenue

Dear Mr. Schleiffers,

You are hereby notified that there will be a public hearing before the Everett City Council regarding your property located at 2620 Rucker Avenue, Everett, Washington, the legal description of which is follows:

EVERETT PLAT OF BLK 615 D-00 - LOTS 20 & 21

TAX PARCEL NUMBER: 00-4391-615-020-00

SUBJECT: The Code Enforcement Unit will request City Council adopt a resolution confirming the expenses incurred by the City of Everett while performing abatement of exterior nuisance conditions and authorizing placement of lien against the above-described property in the amount of the abatement costs. This amount totals \$1,437.07. The resolution and packet to be presented to the City Council are enclosed.

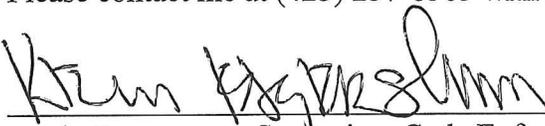
The City Council will formally consider adopting/denying the resolution at the date, time, and location below.

DATE: Wednesday, September 28, 2016

TIME: 12:30 p.m.

LOCATION: City Council Chambers
3002 Wetmore Avenue
Everett, WA 98201

Please contact me at (425) 257-8565 with any questions.


Kevin Fagerstrom, Supervisor Code Enforcement Unit

Anne Weech, do hereby certify that on 8/15/16, I mailed certified / 1st class
Robert Schleiffers
a true and accurate copy of the order / VC issued re:
case # CE16-0476 Council packet
Anne Weech
Signature













