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**CITY OF SACRAMENTO  
CALIFORNIA**

NEIGHBORHOOD SERVICES  
DEPARTMENT

1231 I STREET, SUITE 200  
SACRAMENTO, CA  
95814-2997

Housing & Dangerous Buildings  
916-264-5404  
FAX: 264-6833

May 11, 2001

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: HOUSING CASE FEES AND PENALTIES -- FINDINGS OF FACT FOR  
SPECIAL ASSESSMENT LIENS**

**LOCATION AND COUNCIL DISTRICT:** Citywide

**STAFF RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution placing liens on the properties for unpaid fees and penalties and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the properties.

**CONTACT PERSON:** Ron O'Connor, Chief Building Inspector, Neighborhood Services  
Department, 264-8183

**FOR COUNCIL MEETING OF:** May 29, 2001

**SUMMARY:**

Delinquent fees and penalties are brought before the City Council to secure the debt by placing liens on the properties for which the fees and penalties were imposed pursuant to Titles 8.96 and 8.100 of the Sacramento City Code.

**BACKGROUND INFORMATION:**

Prior to the assessment of fees and penalties, each property owner was issued the appropriate legal notices, as set forth in Titles 8.96 and 8.100, and was afforded an opportunity to appear before the Housing Code Advisory and Appeals Board (HCAAB) and/or an appointed third-party examiner. Subsequent to the hearing, a "Decision of HCAAB or Hearing Examiner" notice was issued and mailed to the property owner. Included in this notice were findings and the specific fees and penalties. The decision of the HCAAB or Hearing Examiner is final and judicial review must be conducted in the manner and time frame set forth in California Code of Civil Procedure §1094.6. Sacramento City Code, Chapter 8.100 Article XVI allows the City Council to order the penalty be made both as a personal obligation and a special assessment against the property.

Each property owner listed on the attachment has received all required notices under Titles 8.96 and 8.100, and has been afforded both an opportunity to appear for an administrative hearing and a special assessment hearing. Each has received a final decision notice. None of the listed owners have paid the fees and penalties.

We submit this resolution to the City Council for declaration of a special assessment.

**FINANCIAL CONSIDERATIONS:**

Lien accruals will be made through County tax collections. The City will also receive partial reimbursement from monies collected by the County based on the "Teeter" legislation agreement with the County. Any money generated from these liens would be included in the approved budget.

**ENVIRONMENTAL CONSIDERATIONS:**

Per Section 15061(b)(3) of the CEQA guidelines, a Notice of Exemption will be filed. The proposed resolution will not have any adverse environmental impact.

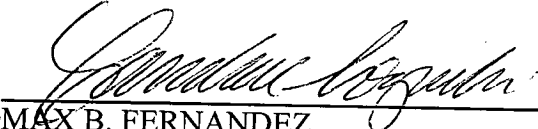
**POLICY CONSIDERATIONS:**

Conducting the lien hearing is in accordance with Sacramento City Code Titles 8.96 and 8.100. All property owners listed in the attachment were afforded an opportunity to appear before an impartial hearing examiner or hearing board for the stated violation. Each owner was afforded the additional opportunity to protest the imposition of the fees and penalties at a special assessment hearing.


**E/SBD ISSUES:**

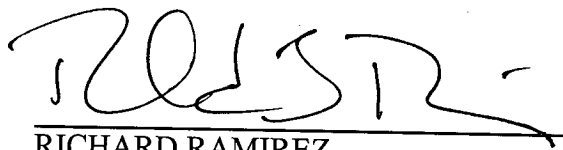
Not applicable.

Respectfully submitted,

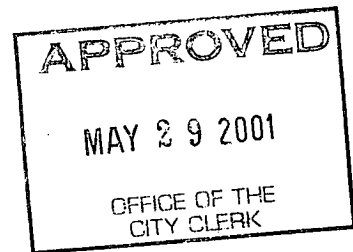
  
for MAX B. FERNANDEZ  
Director, Area 1  
Neighborhood Services Department.

Recommendation approved:

 for  
ROBERT P. THOMAS  
City Manager

  
RICHARD RAMIREZ  
Deputy City Manager

Attachment



**AMENDED**

**RESOLUTION NO. 2001-324**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**A RESOLUTION ACCEPTING THE FINDINGS OF FACT OVERRULING PROTESTS AND PLACING LIENS ON PROPERTIES FOR UNPAID ASSESSMENTS AS SHOWN ON ATTACHMENT FOR HOUSING AND DANGEROUS BUILDINGS CASE FEES AND PENALTIES**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:**

WHEREAS, heretofore the Neighborhood Services Department, Code Enforcement Division, Housing & Dangerous Buildings Inspections, in accordance with Sacramento City Code, Chapter 8.96 Article IX did provide a hearing before the Housing Code Advisory and Appeals Board (HCAAB) and/or appointed third-party Hearing Examiner to consider all protests for unpaid fees and penalties, if any; and

WHEREAS, notice of the time and place of hearing was given in accordance with Sacramento City Code, Chapter 8.96 Article IX; and

WHEREAS, the Neighborhood Services Department, Code Enforcement Division, Housing & Dangerous Buildings Inspections, established by competent evidence before the HCAAB and/or appointed thrid-party Hearing Examiner that in each case the unpaid fees and penalties had been imposed in accordance with City Code; and

WHEREAS, the Neighborhood Services Department, Code Enforcement Division, Housing & Dangerous Buildings Inspections, established by competent evidence before the HCAAB and/or appointed third-party Hearing Examiner that in each case the unpaid fees and penalties are due; and

WHEREAS, the City Council has found the unpaid fees and penalties to be a reasonable cost.

**FOR CITY CLERK USE ONLY**

AMENDED RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That, the reasonable penalties in the aggregate amount of \$51,097.45 for unpaid fees and penalties is the sum set forth on the attachment incorporated into this resolution.
2. That, as provided in Section 38773.5 of the California Government Code, the City of Sacramento is entitled to and hereby attaches special assessment liens upon the described properties upon recordation in the office of the County Recorder of the County of Sacramento.
3. That, such liens shall constitute a special assessment against the properties at which the services were rendered, and shall be collectible at the same time and in the same manner as secured property taxes are collected, and shall be subject to the same penalties, priorities, and procedures in the case of delinquency.
4. That, such lien also constitutes a personal obligation against the owner of the property.
5. That, the City Clerk shall transmit a certified copy of this resolution to the Sacramento County Auditor/Controller.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

Attachment

\_\_\_\_\_  
FOR CITY CLERK USE ONLY

AMENDED RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

Housing Case Fees & Penalties -- Attachment

May 29, 2001

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
053-0141-020-0000	HSG9900956	7907 Ann Arbor Wy	Vick G. Rodriquez	618.10	HCE54551	7	0657
040-0205-003-0000	7537BOWE01	7537 Bowen Cr	David Gin	1,831.40	HCE54560	8	0656
225-0612-021-0000	54CEDR01	54 Cedro Ct	Christopher J. & Kara A. Crowley	759.00	HCE54697	1	0656
048-0114-001-0000	7549COSG00	7549 Cosgrove Wy	Alvin E. Goodwin & Nekeidra L. Huggins	86.25	HCE54616	8	0656
002-0084-009-0000	HSG9900534	1315 D St	Fourteenth Street Trust	874.00	HCE54663	1	0656
277-0013-008-0000	HSG9901194	2435 Evergreen	Beverly Cadjew	795.80	HCE54723	2	0656
265-0323-011-0000	1022FRIE02	1022 Fianza	Travis Moses	845.25	HCE54703	2	0656
251-0105-001-0000	HSG9900210	1204 Grand Av	Timothy R. Coltrin	249.00	HCE54655	2	0656
275-0025-005-0000	HSG9900757	2299 Grove Av	Herminito S. & Eloisa G. Briones	150.00	HCE54644	2	0656
238-0102-042-0000	207HILL00	207 Hills Ct	J.W. & S.S. Hiller	6,077.75	HCE54625	2	0201
251-0125-012-0000	HSG9900455	3603 Marysville Bl	Daniel E. Leon	150.00	HCE54564	2	0656
226-0210-005-0000	4955MARYXX	4955 Marysville Bl	Patrick M. O'Connor	2,558.75	HLE54728	2	0201
001-0064-009-0000	HSG9901308	446 North B St	L.D. & Juanita Patterson	8,176.10	HCE54731	1	0201
007-0323-007-0000	2216PST00	2216 P St	Dale W. Sprock	621.00	HCE54651	3	0656
262-0061-011-0000	HSG9901269	431 Senator Av	Mickey Dell Owens	266.80	HCE54710	1	0656
250-0140-006-0000	508SOUT00	508 South Av	Ros & Kathleen Jordan Et Al	845.25	HCE54679	2	0656

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Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
015-0242-028-0000	3711STOC03	3711 Stockton Bl	Wayne A. Rosemond Sr.	14,425.60	HCE54649	5	0201
010-0321-009-0000	3556YST00	3556 Y St	Alice Faye Luera 1990 Trust Et Al	759.00	HCE54570	5	0656
014-0071-010-0000	3764YST00	3764 Y St	Sean C/Trisha J McClelland	759.00	HCE54582	5	0656
013-0292-024-0000	HSG9901455	3630 6th Av	Melissa L. Carter	1,328.25	HCE54717	5	0656
019-0101-024-0000	282121AV00	2821 21st Av	Albert G/Gerlie P. Silvestre	759.00	HCE54567	5	0656
010-0385-001-0000	HSG9900850	2801 36th St	Daniel Jr. and Pamela J. Belsito	3,393.65	HCE54604	5	0678
021-0023-044-0000	HSG9901200	4034 50th St	DSH Third Family Limited Partnership	671.25	HCE54835	5	0656
021-0023-044-0000	HSG9901200	4034 50th St	DSH Third Family Limited Partnership	4,097.25	HCE54918	5	0678

**TOTAL TO BE LIENED:**

**\$51,097.45**

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That, the reasonable penalties in the aggregate amount of \$51,796.03 for unpaid fees and penalties is the sum set forth on the attachment incorporated into this resolution.
2. That, as provided in Section 38773.5 of the California Government Code, the City of Sacramento is entitled to and hereby attaches special assessment liens upon the described properties upon recordation in the office of the County Recorder of the County of Sacramento.
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**TOTAL TO BE LIENED:**

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