



APPROVED
BY THE CITY COUNCIL

JUL 20 1999

OFFICE OF THE
CITY CLERK

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NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

DEVELOPMENT SERVICES DIVISION

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET, SUITE 200
SACRAMENTO, CA 95814

HOUSING AND DANGEROUS
BUILDINGS INSPECTIONS
PH 916-264-5404
FAX 916-264-6833

June 21, 1999

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: HOUSING CASE FEES -- FINDINGS OF FACT FOR SPECIAL ASSESSMENT LIEN

LOCATION AND COUNCIL DISTRICT: 2111 I STREET - COUNCIL DISTRICT 3

STAFF RECOMMENDATION:

It is recommended that the City Council:

Adopt the attached resolution confirming a special assessment lien on the property for unpaid fees, declaring the unpaid fees to be a personal obligation of the property owner, and transmit the unpaid costs to the Sacramento County Auditor/Controller as special assessments against the property.

CONTACT PERSON: Ron O'Connor, Chief Building Inspector, Neighborhoods, Planning & Development Services Department, 264-8183

FOR COUNCIL MEETING OF: July 20, 1999

SUMMARY:

Outstanding fees imposed during the Housing and Dangerous Buildings cases are brought before the City Council to be confirmed as special assessment liens pursuant to Titles 49 and 50 of the Sacramento City Code. The outstanding fees may also be declared to be a personal obligation of the property owner.

BACKGROUND INFORMATION:

The property owner in this case received the appropriate legal notices as required by Titles 49 and 50 of the Sacramento City Code. Additionally the property owner appeared before the Housing Code Advisory and Appeals Board (HCAAB). Subsequent to the hearing, a "Decision of HCAAB" notice was issued to the property owner. Findings and specific fees were included in this notice.

This property came before Council on July 21, 1998 for the imposition of a special assessment lien for the unpaid fees. The Council decided to return the case to the Neighborhoods, Planning & Development Services Department

for further review. Despite attempts to work with the owner in this case, the property has not been repaired and the outstanding fees have not been paid.

Section 49.16 of the Sacramento City Code allows the City Council to order the outstanding fees to be made both as a personal obligation and a special assessment against the property.

We submit this resolution to the City Council for the unpaid fees to be declared a special assessment lien against the property and also as a personal obligation of the property owner.

FINANCIAL CONSIDERATIONS:

Lien accrual will be made through County tax collections. The City will 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 49 and 50. The property owner was afforded an opportunity to appear before an impartial hearing board for the stated violation. The owner was afforded the additional opportunity to protest the imposition of the fees at a special assessment hearing.

ESBD CONSIDERATIONS

Not applicable


Respectfully submitted,


MAX FERNANDEZ
Director, Area 1
Neighborhoods, Planning & Development Services Dept

Approved for Council Information:



ROBERT P. THOMAS
City Manager



JACK CRIST
Deputy City Manager

RESOLUTION NO. 99-398

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

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JUL 20 1999

OFFICE OF THE
CITY CLERK

A RESOLUTION ACCEPTING THE FINDINGS OF FACT OVERRULING PROTESTS AND PLACING A LIEN ON THE PROPERTY LOCATED AT 2111 I STREET (APN: 007-0021-029-0000) FOR UNPAID ASSESSMENTS

WHEREAS, heretofore the Neighborhood Services Department, Housing and Dangerous Buildings Inspection Division, in accordance with Sacramento City Code, Chapter 50.09 provided a hearing before the Housing Code Advisory and Appeals Board (HCAAB) to consider all protests for unpaid fees, if any; and

WHEREAS, notice of the time and place of HCAAB hearing was given in accordance with Sacramento City Code, Chapter 50.09; and

WHEREAS, the Neighborhood Services Department, Housing and Dangerous Buildings Inspection Division, established by competent evidence before the HCAAB that in each case the unpaid fees had been imposed in accordance with City Code; and

WHEREAS, the Neighborhood Services Department, Housing & Dangerous Buildings Inspection Division, established by competent evidence before the HCAAB that the unpaid fees are due; and

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

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

1. That, the reasonable penalties in the amount of \$759.00 (Invoice #HCE48372) for unpaid fees for the property located at 2111 I Street (APN: 007-0021-029-0000) is reasonable. Applicable County ID is 0656.
2. That, as provided in Section 38773.5 of the California Government Code, the City of Sacramento is entitled to and hereby attaches a special assessment lien upon the described property upon recordation in the office of the County Recorder of the County of Sacramento.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

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3. That, such lien shall constitute a special assessment against the property 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

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RESOLUTION NO.: _____

DATE ADOPTED: _____