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NEIGHBORHOODS, PLANNING  
AND DEVELOPMENT SERVICES  
DEPARTMENT

CITY OF SACRAMENTO  
CALIFORNIA

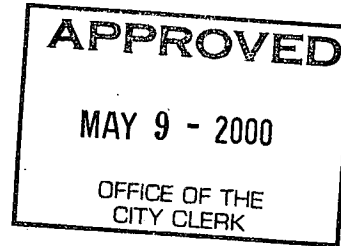
1231 I STREET, SUITE 200  
SACRAMENTO, CA 95814

DEVELOPMENT SERVICES DIVISION

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

April 25, 2000

City Council  
Sacramento, California



Honorable Members in Session:

**SUBJECT: CODE ENFORCEMENT (ENVIRONMENTAL HEALTH) 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:** Robert L. Rose, Chief of Code Enforcement, Neighborhoods, Planning & Development Services Department, 264-5947

**FOR COUNCIL MEETING OF:** May 9, 2000

**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 Title 61 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 Title 61, and was afforded an opportunity to appear before the Neighborhoods, Planning & Development Services Department Hearing Examiner, an appointed third-party examiner. Subsequent to the hearing, a "Decision of 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 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, Titles 50.09 and 61.05 allow 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 Title 61, 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 50 and 61. All property owners listed in the attachment were afforded an opportunity to appear before an impartial hearing examiner 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 CONSIDERATIONS:**

Not applicable.

Respectfully submitted,



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

Approved for Council Information:



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ROBERT P. THOMAS  
City Manager

Attachment



**AMENDED**

**RESOLUTION NO. 2000-209**

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 CODE ENFORCEMENT (ENVIRONMENTAL HEALTH) CASE FEES AND PENALTIES**

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

WHEREAS, heretofore the Neighborhoods, Planning & Development Services Department, Code Enforcement Division, in accordance with Sacramento City Code, Chapters 50.09 and 61.05 did provide a hearing before the 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, Chapters 50.09 and 61.05; and

WHEREAS, the Neighborhoods, Planning & Development Services Department, Code Enforcement Division, established by competent evidence before the Hearing Examiner that in each case the unpaid fees and penalties had been imposed in accordance with City Code; and

WHEREAS, the Neighborhoods, Planning & Development Services Department, Code Enforcement Division, established by competent evidence before the 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.

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

- 1. That, the reasonable penalties in the aggregate amount of \$30,996.00 for unpaid fees and penalties is the sum set forth on the attachment incorporated into this resolution.

**FOR CITY CLERK USE ONLY**

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

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

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.

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MAYOR

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CITY CLERK

Attachment

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**FOR CITY CLERK USE ONLY**

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

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

## Code Enforcement (Environmental Health) Case Fees &amp; Penalties -- Attachment

May 9, 2000

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
002-0075-001-0000	31511STE0	315 11th St	Man Lin au-Leung	851.00	VECT57351	1	0206
003-0121-001-0000	41518STE0	415 18th St	Fourteenth Street Trust	759.00	VECT52142	3	0206
009-0094-014-0000	1631TSTE0	1631 T Street	Helen Carroll	954.50	VECT47818	3	0206
010-0288-007-0000	255227STE0	2552 27th St	Lowell Fields & Jo Ann Fields	1,759.00	VECT47950	5	0206
010-0384-011-0000	272237STE0	2722 37th St	Alice Faye Lueras 1990 Trust	851.00	VECT53414	5	0206
013-0251-012-0000	36565AVE0	3656 5th Av	Arunious Gay	851.00	VECT52069	5	0206
013-0251-013-0000	36645AVE0	3664 5th Av	Arunious Gay	851.00	VECT52067	5	0206
013-0292-039-0000	35417AVE0	3541 7th Av	Carleton A. Gordie	759.00	VECT52061	5	0206
014-0102-046-0000	282339STE0	2823 39th St	David Backman	1,759.00	VECT52138	5	0206
014-0191-015-0000	ENV9900070	3202 43rd St	Dorothy M. Newson Family Trust	759.00	VECT57359	5	0206
014-0196-024-0000	44418AVE0	4441 8th Av	Bob M. Odom	2,816.50	VECT52199	5	0206
014-0212-008-0000	ENV9800069	3348 San Jose Wy	Kalowati Jaipal	759.00	VECT56034	5	0206
019-0173-005-0000	524125STE0	5241 25th St	James & Minnie Profit	759.00	VECT52065	5	0206
020-0044-018-0000	3931FRANE0	3931 Franklin Bl	John S. Bailey	759.00	VECT47887	5	0206
020-0051-013-0000	400834STE0	4008 34th St	Charles Gwyn, Masoud Kermani	1,172.50	VECT52062	5	0206
020-0061-009-0000	402038STE0	4020 38th St	Andrew Starks	2,316.50	VECT47949	5	0206
020-0062-009-0000	ENV9800093	3876 14th Av (aka 3866 14th Av)	Ronald S. & Lillian F. Shelan	1,259.00	VECT57549	5	0206
020-0062-009-0000	ENV9800093	3876 14th Av (aka 3866 14th Av)	Ronald S. & Lillian F. Shelan	1,500.00	VECT55976	5	0206
250-0062-022-0000	ENV9800291	521 Morrison Av	Lorene E. Fahn	759.00	VECT57358	2	0206

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
251-0082-007-0000	3825FIGSE0	3825 Fig St	Marian Kranig Living Trust	1,500.00	VECT47832	2	0206
251-0174-007-0000	ENV9800056	3434 High St	Kalowati Jaipal	759.00	VECT53419	2	0206
251-0212-032-0000	ENV9800062	1311 Rivera Dr	Gary R. Perez	759.00	VECT55233	2	0206
251-0212-042-0000	ENV9800054	3330 Alvarado Bl	Rickey L. Johansen	559.00	VECT55238	2	0206
251-0282-003-0000	ENV9800080	3325 Cypress St	Kalowati Jaipal	759.00	VECT53417	2	0206
263-0241-029-0000	545SANTE0	545 Santiago Av	Durendra Kumar, Chandra Kumar & Yuni Suratio	249.00	VECT47905	2	0206
263-0241-033-0000	555SANTE1	555 Santiago Av	Durendra Kumar, Chandra Kumar & Yuni Suratio	150.00	VECT47906	2	0206
265-0021-019-0000	1097SONOE0	1097 Sonoma Av	Susan Vaughn & John Chaffin	1,000.00	VECT47919	2	0206
265-0021-019-0000	1097SONOE0	1097 Sonoma Av	Susan Vaughn & John Chaffin	759.00	VECT52051	2	0206
265-0291-016-0000	810LAMPE0	810 Lampasas	John Long	1,489.00	VECT47820	2	0206
277-0194-027-0000	ENV9900140	2144 Yorkshire Rd	Steve W. Cowan & Mary Jo Cowan	759.00	VECT57357	3	0206

**TOTAL TO BE LIENED:****\$30,996.00**

**RESOLUTION NO. 2000-209**

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 CODE ENFORCEMENT (ENVIRONMENTAL HEALTH) CASE FEES AND PENALTIES**

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

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WHEREAS, the Neighborhoods, Planning & Development Services Department, Code Enforcement Division, established by competent evidence before the 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.

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

1. That, the reasonable penalties in the aggregate amount of \$37,532.00 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.

**FOR CITY CLERK USE ONLY**

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

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

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

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## Code Enforcement (Environmental Health) Case Fees &amp; Penalties -- Attachment

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009-0094-014-0000	1631TSTE0	1631 T Street	Helen Carroll	954.50	VECT47818	3	0206
010-0288-007-0000	255227STE0	2552 27th St	Lowell Fields & Jo Ann Fields	1,759.00	VECT47950	5	0206
010-0384-011-0000	272237STE0	2722 37th St	Alice Faye Lueras 1990 Trust	851.00	VECT53414	5	0206
013-0251-012-0000	36565AVE0	3656 5th Av	Arunious Gay	851.00	VECT52069	5	0206
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014-0191-015-0000	ENV9900070	3202 43rd St	Dorothy M. Newson Family Trust	759.00	VECT57359	5	0206
014-0196-024-0000	44418AVE0	4441 8th Av	Bob M. Odom	2,816.50	VECT52199	5	0206
014-0212-008-0000	ENV9800069	3348 San Jose Wy	Kalowati Jaipal	759.00	VECT56034	5	0206
019-0173-005-0000	524125STE0	5241 25th St	James & Minnie Profit	759.00	VECT52065	5	0206
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020-0062-009-0000	ENV9800093	3876 14th Av (aka 3866 14th Av)	Ronald S. & Lillian F. Shelan	1,259.00	VECT57549	5	0206
020-0062-009-0000	ENV9800093	3876 14th Av (aka 3866 14th Av)	Ronald S. & Lillian F. Shelan	1,500.00	VECT55976	5	0206
<del>020-0266-004-0000</del>	<del>333021AVE0</del>	<del>3330 21st Av</del>	<del>Abdul Azeez &amp; Amina B. Abdul Azeez</del>	<del>1,000.00</del>	<del>VECT47947</del>	<del>5</del>	<del>0206</del>

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<del>020-0266-004-0000</del>	<del>333021AVE0</del>	<del>3330 21st Av</del>	<del>Abdul Azeez &amp; Amina B. Abdul Azeez</del>	<del>3,259.00</del>	<del>VECT53411</del>	<del>5</del>	0206
250-0062-022-0000	ENV9800291	521 Morrison Av	Lorene E. Fahn	759.00	VECT57358	2	0206
250-0072-018-0000	729MORRE0	729 Morrison Av	First Nationwide Mortgage Corp.	759.00	VECT57353	2	0206
251-0082-007-0000	3825FIGSE0	3825 Fig St	Marian Kranig Living Trust	1,500.00	VECT47832	2	0206
251-0174-007-0000	ENV9800056	3434 High St	Kalowati Jaipal	759.00	VECT53419	2	0206
251-0212-032-0000	ENV9800062	1311 Rivera Dr	Gary R. Perez	759.00	VECT55233	2	0206
251-0212-034-0000	ENV9800061	1225 Rivera Dr	Seetahal & Kamala Jadubans	759.00	VECT53418	2	0206
251-0212-042-0000	ENV9800054	3330 Alvarado Bl	Rickey L. Johansen	559.00	VECT55238	2	0206
251-0282-003-0000	ENV9800080	3325 Cypress St	Kalowati Jaipal	759.00	VECT53417	2	0206
263-0141-006-0000	660LASPE1	660 Las Palmas Av	Joseph K. Smith	759.00	VECT47909	2	0206
263-0241-029-0000	545SANTE0	545 Santiago Av	Durendra Kumar, Chandra Kumar & Yuni Suratio	249.00	VECT47905	2	0206
263-0241-033-0000	555SANTE1	555 Santiago Av	Durendra Kumar, Chandra Kumar & Yuni Suratio	150.00	VECT47906	2	0206
265-0021-019-0000	1097SONOE0	1097 Sonoma Av	Susan Vaughn & John Chaffin	1,000.00	VECT47919	2	0206
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265-0291-016-0000	810LAMPE0	810 Lampasas	John Long	1,489.00	VECT47820	2	0206
277-0194-027-0000	ENV9900140	2144 Yorkshire Rd	Steve W. Cowan & Mary Jo Cowan	759.00	VECT57357	3	0206

TOTAL TO BE LIENED:

\$37,532.00

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