



CITY OF SACRAMENTO

DEPARTMENT OF ENGINEERING
915 I STREET SACRAMENTO, CALIFORNIA 95814
CITY HALL ROOM 207 TELEPHONE (916) 449-5281

CITY MANAGER'S OFFICE
RECEIVED
JUL 21 1980

R. H. PARKER
CITY ENGINEER
J. F. VAROZZA
ASSISTANT CITY ENGINEER

July 17, 1980

City Council
Sacramento, California

Honorable Members in Session

Subject: Sidewalk Repairs at 2809 Land Park Drive

APPROVED
BY THE CITY COUNCIL

JUL 29 1980

OFFICE OF THE
CITY CLERK

SUMMARY

At a hearing to determine the reasonable costs and findings of fact for sidewalk repairs held on July 16, 1980 before the City Council, Ms. Dolores Owens appeared to protest the cost of the repairs. Ms. Owens protest was based on the fact that the repairs should have been paid for by the previous owner, since she only recently acquired the property. Action on this matter was delayed for two weeks until a report on the chronology of events could be made to the City Council.

BACKGROUND

Listed below is a report on the events concerning the sidewalk repairs at 2809 Land Park Drive.

1. The City was notified of a sidewalk fall at 2809 Land Park Drive on June 7, 1979.
2. On September 13, 1979 after several unsuccessful attempts to contact the owner of the property a form letter was sent to Honoruth Finn, 23 Russell Street, Davis, California, outlining the condition of the sidewalk and the cost of the repairs. Ms. Finn did not respond to this letter.
3. On October 2, 1979 a notice to repair sidewalk was sent to Ms. Finn. This notice was apparently sent after the transfer of the property to Ms. Owens, whose close of escrow was September 28, 1979.
4. On November 4, 1979, the City received a letter from Ms. Finn stating that she no longer owned the property and did not feel responsible for the bill.
5. Since a sidewalk fall was involved and on the advice of the City Attorney a letter similar to the one sent to Ms. Finn on September 13, 1979 was sent to the new owner on January 14, 1980.
6. Ms. Owens contacted Bill Seeber, the City Sidewalk Inspector and indicated that she was not the owner of the property at the time of the fall and therefore did not feel that she was responsible.

7. Mr. Seeber indicated that because of the fall and the defective condition of the sidewalk the City was obligated to require the owner to repair the sidewalk. The property owner was notified to repair sidewalk on February 4, 1980. When no response was received to the notice the City proceeded with the work at a cost of \$369.60. Copies of all notices and correspondence are attached for the Councils information.

FINANCIAL DATA

There are no fiscal implications in assessing costs as a lien.

RECOMMENDATION

It is the City's obligation to require property owners to repair defective sidewalks. In this case it would appear that the prior owner may have a responsibility to Ms. Owens, but this would be a matter between the two parties and not the City.


It is recommended that the cost of repairs be made a lien upon the described property by passage of the attached resolution.

Respectfully submitted,



R. H. Parker
City Engineer

Recommendation Approved:



Walter J. Slipe
City Manager

RHP:jk
Attachments

RESOLUTION No. 80-490

Adopted by The Sacramento City Council on date of

July 29, 1980

RESOLUTION DETERMINING THE REASONABLE COSTS AND FINDINGS OF FACT FOR SIDEWALK REPAIRS LOCATED AT

2809 Land Park Drive

IN ACCORDANCE WITH SECTION 38 OF THE SACRAMENTO CITY CODE AND PLACING A LIEN ON THE PROPERTY BY THE CITY FOR THE COSTS THEREOF

WHEREAS, heretofore the City Council by resolution set a public hearing for July 15, 1980 in the City Council Chamber to hear and consider all protests, if there be any, and then affirm or reject the placing of the costs of sidewalk repairs upon the hereinafter described real property as a lien, and

WHEREAS, notice of the time and place of said hearing was given in the manner provided by law, and

WHEREAS, the City Council held a hearing thereon and continued said hearing to July 29, 1980 and it was established by competent evidence that the work has been performed by private contract.

WHEREAS, the City Council has found the total cost for such work to be a reasonable cost, and any protests made were overruled:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

- 1. That the reasonable costs for sidewalk repair was and is the sum set forth opposite the description of the parcel below:

AMOUNT OF LIEN	DESCRIPTION OF PROPERTY
\$369.60	2809 Land Park Drive, Lot 634, Swanston Park Unit #2 (012-123-19)

- 2. That as provided in Chapter 38 of the Sacramento City Code, the City of Sacramento is entitled to and hereby attaches a lien upon the above described real property and such lien in the amount of the total costs of sidewalk repairs listed in the preceeding paragraph, shall be added to the next succeeding tax bill against the respective property, and shall be collected at the time and in the same manner as general municipal taxes are collected, and shall be subjected to the same penalties and procedure in the case of delinquency.
- 3. That the owner of the property described herein may pay said lien at the office of the City Engineer, Room 207, City Hall, Sacramento, California, at any time prior to August 15, 1980 and that, in the event of such payment, the lien described in paragraph 2 hereof shall be satisfied and shall not be added to the next succeeding tax bill against the property.
- 4. That the City Clerk shall transmit a certified copy of this resolution to the Revenues and Collections Officer, the City Engineer, County Auditor, and the City Controller.

APPROVED BY THE CITY COUNCIL

ATTEST:

JUL 29 1980

MAYOR

OFFICE OF THE CITY CLERK

CITY CLERK

TO: HONORUTH FINN
23 RUSSELL ST.
DAVIS CA. 95616

Date 9-13-79

Re: Repair of Sidewalk, Driveway, or Approach in
Front of Property Located at
2809 LAND PARK DR.

Dear MRS. FINN :

Our inspection of the above property reveals that the
 sidewalk driveway approach at the above address is
in need of repairs. There is a 5 1/2 x 2 1/2
section, a _____ section, and a
9 1/2 x 5 1/2 section that should
be removed and replaced.

As you may be aware, the California Streets and Highways
Code, §§5600 et seq., requires that property owners maintain
their sidewalks in such a manner that they do not endanger per-
sons, or interfere with the public convenience. Accordingly, you,
as the landowner of the above property, are responsible for the
necessary repairs.

Your total cost of repairs is estimated to be \$ 369.60.

We would appreciate your early reply and approval. However,
if there is no reply within two weeks, we will initiate proceed-
ings to repair the sidewalk driveway approach in
accordance with Sections 5600 et seq. of the Streets and Highways
Code of the State of California, which as previously indicated
authorizes the City to make the necessary repairs and to file a
lien on the property in question in order to insure that the
City is reimbursed.

If you have any questions regarding this correspondence,
please contact the undersigned between the hours of 8:00 - 9:00
a.m., 12:30 - 1:30 p.m., or 4:00 - 4:30 p.m. at 449-5234.

Very truly yours,

CITY OF SACRAMENTO

By Bell Secher
Sidewalk Inspector

S/A ACCT # 205

POSTED 10-2-79

NOTICE TO REPAIR SIDEWALK

TO: HONORUTH FINN
[Owner or Person in Possession]
23 Russell Street
[Address]
Davis, California 95616

Date October 2, 1979

YOU ARE HEREBY NOTIFIED that the sidewalk, approach, or driveway at 2809 Land Park Drive, Sacramento,

is in need of repair. You are further notified that the following repairs to the above are required to be made, to-wit: 5-1/2' x 21'
9-1/2' x 5-1/2'

Said repairs shall be performed as follows:

1. The sections of the sidewalk, approach, or driveway (listed above) which are in need of repair shall be removed and disposed of properly.
2. Replacement concrete shall be Class "C", containing five (5) sacks (470 pounds) of Portland cement per cubic yard, and shall have a maximum size of coarse aggregate of three-quarter inch (3/4"), with one (1) pound of Lamp Black added per cubic yard.
3. Minimum thickness shall be three and one-half inches (3 1/2"), with a cross slope of three-eighths inch (3/8") per foot toward the curb line, and finished with a light broom finish.
4. Expansion joints shall be placed at approximately twenty foot (20') intervals, which will be divided equally into five (5) four foot (4') spaces by score lines.
5. The final product is subject to approval by this office, and shall, at a minimum, present a smooth, unbroken surface between the previously existing concrete surface and the replacement portions, where the two adjoin each other.

You are further notified that if within two weeks after you have been given this notice, you have not commenced and are not proceeding with diligence and without interruption to the completion of said repairs, the undersigned shall make said repairs. You are further notified that in the event the undersigned makes said repairs, the cost thereof shall be a lien on your property, described above.

As previously indicated, the estimated cost of these repairs is \$ 369.60

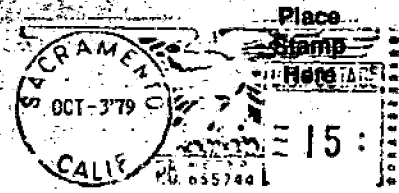
This notice is given pursuant to Sections 5611 to 5614, inclusive, of the Streets and Highways Code of the State of California.

If you have any questions regarding this notice, please contact Bill Seeber
at 449-5236

Sidewalk Agreement # 205

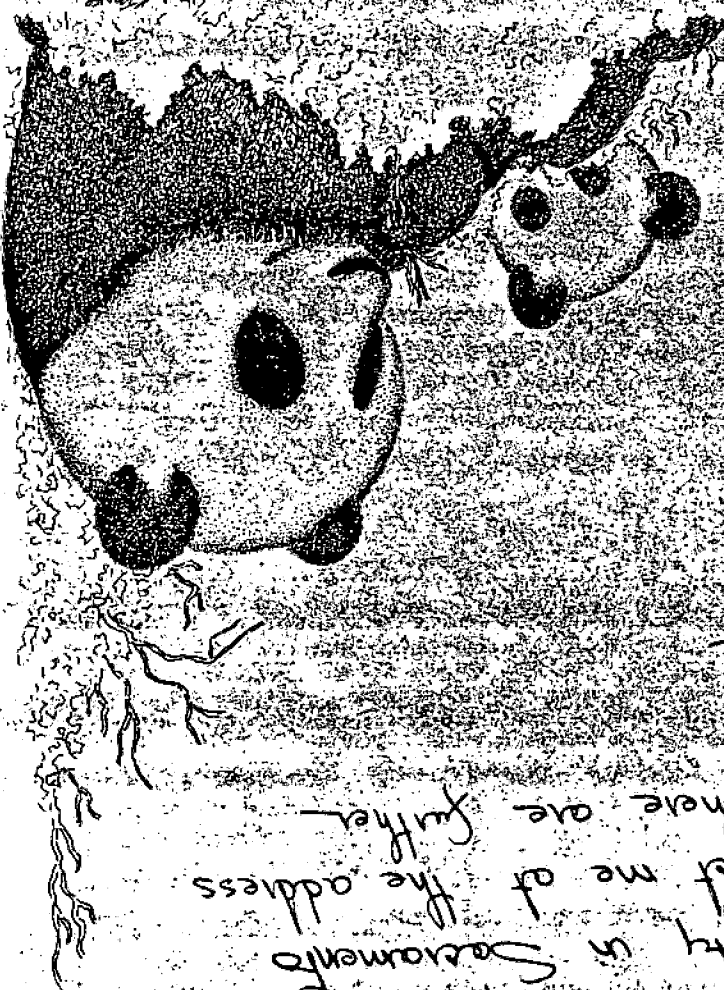
By [Signature]
SUPERINTENDENT OF STREETS
Room 207, City Hall
915 I Street
Sacramento, California 95814

CITY OF SACRAMENTO
SUPERINTENDENT OF STREETS
Room 207, City Hall
915 I Street
Sacramento, CA 95814



RECEIVED DUSD
OCT 8 1979
PERSONNEL OFFICE

HONORUTH FINN
23 Russell Street
Davis, California 95616



I no longer own the property cited
 on the enclosed notice. Escrow on the
 sale of that property closed at the
 end of September. Therefore I do
 not feel responsible for the bill.
 Verification of sale of the property
 may be made with Penny Georgalis
 of G B C Realty in Sacramento.
 Please contact me at the address
 shown above if there are further
 questions.
 Hogarth Luv

2617 Voorhees #8
 Redondo Beach CA 90278
 November 4 1979

Gentlemen

Room 207, City Hall
915 I Street

**CITY OF SACRAMENTO
SUPERINTENDENT OF STREETS**
Sacramento, California 95814

Telephone
449-5234

NOTICE TO REPAIR SIDEWALK

TO: DOLORES JEAN OWENS

Date February 4, 1980

[Owner or Person in Possession]

2809 Land Park Drive

[Address]

Sacramento, California 95818

YOU ARE HEREBY NOTIFIED that the sidewalk, approach, or driveway at _____
2809 Land Park Drive _____, Sacramento,

is in need of repair. You are further notified that the following repairs to the above are

required to be made, to-wit: Sidewalk: 21' x 5-1/2'
9-1/2' x 5-1/2'

Said repairs shall be performed as follows:

1. The sections of the sidewalk, approach, or driveway (listed above) which are in need of repair shall be removed and disposed of properly.
2. Replacement concrete shall be Class "C", containing five (5) sacks (470 pounds) of Portland cement per cubic yard, and shall have a maximum size of coarse aggregate of three-quarter inch (3/4"), with one (1) pound of Lamp Black added per cubic yard.
3. Minimum thickness shall be three and one-half inches (3 1/2"), with a cross slope of three-eighths inch (3/8") per foot toward the curb line, and finished with a light broom finish.
4. Expansion joints shall be placed at approximately twenty foot (20') intervals, which will be divided equally into five (5) four foot (4') spaces by score lines.
5. The final product is subject to approval by this office, and shall, at a minimum, present a smooth, unbroken surface between the previously existing concrete surface and the replacement portions, where the two adjoin each other.

You are further notified that if within two weeks after you have been given this notice, you have not commenced and are not proceeding with diligence and without interruption to the completion of said repairs, the undersigned shall make said repairs.

You are further notified that in the event the undersigned makes said repairs, the cost thereof shall be a lien on your property, described above.

As previously indicated, the estimated cost of these repairs is \$ 369.60

This notice is given pursuant to Sections 5611 to 5614, inclusive, of the Streets and Highways Code of the State of California.

If you have any questions regarding this notice, please contact Bill Seeber
at 449-5236

Sidewalk Agreement #242

By _____

SUPERINTENDENT OF STREETS
Room 207, City Hall
915 I Street
Sacramento, California 95814

**CITY OF SACRAMENTO
SUPERINTENDENT OF STREETS**

Room 207, City Hall
915 I Street
Sacramento, CA 95814

Place
Stamp
Here

DOLORES JEAN OWENS

2809 Land Park Drive

Sacramento, California 95818

TO: DOLORES JEAN OWENS
2809 LAND PARK DR
SACRAMENTO CA

Date 1-14-80

Re: Repair of Sidewalk, Driveway, or Approach in
Front of Property Located at
2809 LAND PARK DR

Dear MRS. OWENS:

Our inspection of the above property reveals that the
 sidewalk driveway approach at the above address is
in need of repairs. There is a 5 1/2 x 21
section, a 9 1/2 x 5 1/2 section, and a
_____ section that should
be removed and replaced.

As you may be aware, the California Streets and Highways
Code, §§5600 et seq., requires that property owners maintain
their sidewalks in such a manner that they do not endanger per-
sons, or interfere with the public convenience. Accordingly, you,
as the landowner of the above property, are responsible for the
necessary repairs.

Your total cost of repairs is estimated to be \$ 369.60.

We would appreciate your early reply and approval. However,
if there is no reply within two weeks, we will initiate proceed-
ings to repair the sidewalk driveway approach in
accordance with Sections 5600 et seq. of the Streets and Highways
Code of the State of California, which as previously indicated
authorizes the City to make the necessary repairs and to file a
lien on the property in question in order to insure that the
City is reimbursed.

If you have any questions regarding this correspondence,
please contact the undersigned between the hours of 8:00 - 9:00
a.m., 12:30 - 1:30 p.m., or 4:00 - 4:30 p.m. at 449-5234.

Very truly yours,

CITY OF SACRAMENTO

By Bill Seiber
Sidewalk Inspector

CALLER 1-28-80
WILL CONTACT ATTORNEYS
POST.
POSTED 2-4-80
S/A HGR #242

24

REPORT OF SIDEWALK FALL

DATE OF INJURY: _____

NAME OF INJURED: _____

ADDRESS: _____

LOCATION: 2809 LAND PARK DR.

INFORMATION FROM: MRS BERYL SMITH DATE: _____

ADDRESS: _____

SIDEWALK INSPECTED BY: H. A. Seiber DATE: 6-7-79

RESULTS OF INSPECTION: SIDEWALK BROKEN & SUNKEN IN VARIOUS SPOTS

PICTURES TAKEN

REMARKS:



Return To:
City of Sacramento
1915 I ST Rm 104
Sacramento CA 95814

B8008-08P761

117893

RESOLUTION No. 80-490

Adopted by The Sacramento City Council on date of

July 29, 1980

CERTIFIED AS TRUE COPY
of Resolution No. 80-490

1111 31 1980

DATE CERTIFIED
CITY CLERK, CITY OF SACRAMENTO

NO FEE

OFFICIAL RECORDS
SACRAMENTO COUNTY, CALIF.

1980 AUG 8 AM 10 45

J.A. SIMPSON
CITY CLERK - BY ORDER

RESOLUTION DETERMINING THE REASONABLE COSTS AND FINDINGS
IN CONTACT FOR SIDEWALK REPAIRS LOCATED AT

2809 Land Park Drive

IN ACCORDANCE WITH SECTION 38 OF THE SACRAMENTO CITY CODE
AND PLACING A LIEN ON THE PROPERTY BY THE CITY FOR THE COSTS
THEREOF

WHEREAS, heretofore the City Council by resolution set a public hearing for July 15, 1980 in the City Council Chamber to hear and consider all protests, if there be any, and then affirm or reject the placing of the costs of sidewalk repairs upon the hereinafter described real property as a lien, and

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3. That the owner of the property described herein may pay said lien at the office of the City Engineer, Room 207, City Hall, Sacramento, California, at any time prior to August 15, 1980 and that, in the event of such payment, the lien described in paragraph 2 hereof shall be satisfied and shall not be added to the next succeeding tax bill against the property.
4. That the City Clerk shall transmit a certified copy of this resolution to the Revenues and Collections Officer, the City Engineer, County Auditor, and the City Controller.

PHILLIP L. ISENBERG

ATTEST:

LORRAINE MAGANA

CITY CLERK

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO
SEP 17 12 47 PM '80
MAYOR