

RESOLUTION NO. 2009-072

Adopted by the Sacramento City Council

February 10, 2009

ACCEPTING THE FINDINGS OF FACT OVERRULING PROTESTS AND PLACING LIENS ON PROPERTIES FOR UNPAID ASSESSMENTS FOR CODE ENFORCEMENT CASE FEES AND PENALTIES

BACKGROUND

- A. The Code Enforcement Department, in accordance with Sacramento City Code, Sections 8.04.370 through 8.04.420, did provide a hearing before the appointed third-party Hearing Examiner to consider all protests for unpaid fees and penalties, if any.
- B. Notice of the time and place of hearing was given in accordance with Sacramento City Code Section 8.04.390.
- C. The Code Enforcement Department, established by competent evidence before the Hearing Examiner that the unpaid fees and penalties had been imposed in accordance with City Code.
- D. The Code Enforcement Department, established by competent evidence before the Hearing Examiner that in each case the unpaid fees and penalties are due.
- E. The City Council has found the unpaid fees and penalties to be a reasonable cost.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1: The reasonable penalties in the aggregate amount not to exceed **\$126,348.00** for unpaid fees and penalties is the sum set forth by the appointed third-party Hearing Examiner's findings of fact of the hearings held on November 12, 2008 and December 10, 2008. This amount may be reduced as staff determines necessary.

Section 2: 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.

Section 3: 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.

Section 4: Such lien also constitutes a personal obligation against the owner of the property.

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Exhibit A – List of Properties a lien will be placed upon

Adopted by the City of Sacramento City Council on February 10, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk

Exhibit A – List of Properties to be Liened

ITEM NO.	PARCEL NUMBER	CASE NUMBER	PROPERTY ADDRESS	PROPERTY OWNER	AMOUNT DUE	INVOICE NUMBER	CD	COUNTY CODE
1	002-0161-024-0000	08-012135	1221 G ST.	ROBINSON STEPHEN R	\$841.80	CEDCNU00769	3	0206
2	007-0335-019-0000	08-010521	1631 26TH ST	WASHINGTON MUTUAL BANK	\$931	CEDCNU00786	3	0206
3	008-0052-008-0000	08-011740	4432 H ST	ALTSTATT DANIEL J	\$400	CEDCNU00673	3	0206
4	008-0052-009-0000	08-011741	4440 H ST	SALDIVAR HELADIO	\$841.80	CEDCNU00685	3	0206
5	011-0221-009-0000	08-009942	5033 2ND AV	DUPER ROBERT	\$831	CEDCNU00918	5	0206
6	013-0332-011-0000	08-007722	3280 9TH AV	DEUTSCHE BANK NATIONAL TRUST COMPANY	\$931	CEDCNU00783	5	0206
7	013-0355-015-0000	08-011376	3441 38TH ST	PEBLEY KAREN E	\$831	CEDCNU00922	5	0206
8	013-0401-028-0000	08-013627	3614 37TH ST	SUROFSKY TRUST/C BRAD EVANS/BOOTS/ETAL	\$3248.44	CEDCNU00967	5	0206
9	013-0401-029-0000	08-013628	3620 37TH ST	EVANS BOOTS/C BRAD/ETAL	\$2721.20	CEDCNU00966	5	0206
10	013-0401-030-0000	08-012978	3626 37TH ST	HARBOUR MICHAEL L TURPIN FAMILY TRUST	\$2721.20	CEDCNU01226	5	0206
11	014-0122-019-0000	07-040338	4235 4TH AV	WILLIAMS LARRY	\$1994.26	CEDCNU00319	5	0206
12	014-0122-019-0000	07-040338	4235 4TH AV	WILLIAMS LARRY	\$2000	CEDCEA00035	5	0206
13	014-0185-014-0000	07-055614	3200 SAN JOSE WY	BRIAN R. BYRD AND ANNA BYRD	\$1940.92	CEDCNU00714	5	0206
14	014-0185-014-0000	07-055614	3200 SAN JOSE WY	BRIAN R. BYRD AND ANNA BYRD	\$1010.80	CEDCEA00089	5	0206
15	014-0185-014-0000	07-055614	3200 SAN JOSE WY	BRIAN R. BYRD AND ANNA BYRD	\$2010.80	CEDCEA00090	5	0206
16	014-0185-014-0000	07-055614	3200 SAN JOSE WY	BRIAN R. BYRD AND ANNA BYRD	\$2010.80	CEDCEA00091	5	0206
17	014-0241-010-0000	08-001766	3551 40TH ST	VELEZ EDMUNDO SIMARIA D R H CARRANZA	\$1311.80	CEDCNU00798	5	0206
18	014-0252-003-0000	08-008365	4420 11TH AV	DASS CHANDRASEN EUGENE/KIRAN M	\$831	CEDCNU00923	5	0206
19	015-0342-017-0000	08-009487	6772 9TH AV	ALDRIDGE CHARLOTTE ANN	\$941.80	CEDCNU00942	6	0206
20	020-0023-015-0000	08-007757	3812 36TH ST	RACHEL BALANGITAN	\$2641.80	CEDCNU00705	5	0206
21	020-0043-003-0000	08-007019	3916 33RD ST	DEUTSCHE BANK	\$2572.88	CEDCNU00961	5	0206
22	020-0052-001-0000	07-045301	3905 34TH ST	BARKOUKI JOSHUA	\$931	CEDCNU00794	5	0206
23	020-0052-001-0000	07-045301	3905 34TH ST	BARKOUKI JOSHUA	\$2500	CEDCEA00099	5	0206

24	020-0054-001-0000	08-008414	3900 36TH ST	CARROLL BRYAN F	\$841.80	CEDCNU00762	5	0206
25	020-0072-006-0000	08-007752	4030 WASHINGTON AV	DOSTY WYATT C/CAROLYN	\$831	CEDCNU00921	5	0206
26	020-0112-033-0000	08-013015	4111 32ND ST	REYES SALVADOR J	\$831	CEDCNU00927	5	0206
27	020-0131-019-0000	08-012419	3737 17TH AV	DEUTSCHE BANK NATIONAL TRUST COMPANY	\$1084.12	CEDCNU00896	5	0206
28	020-0142-003-0000	08-009704	3935 17TH AV	BUFFINTON DIANE	\$85	CEDCNU00722	5	0206
29	020-0144-015-0000	08-007001	3944 17TH AV	17TH AVE TRUST	\$1999.90	CEDCNU00804	5	0206
30	020-0214-030-0000	08-003319	3701 21ST AV	BOSTON LOUISE (EST OF)	\$1697.08	CEDCNU00797	5	0206
31	020-0214-030-0000	08-003319	3701 21ST AV	BOSTON LOUISE (EST OF)	\$422	CEDCUE00007	5	0206
32	020-0266-005-0000	08-003620	3332 21ST AV	OYINKANSOLA OLAYEMI	\$1201	CEDCNU00802	5	0206
33	021-0033-037-0000	07-055646	4024 54TH ST	RICHARD/DIANE AVILA TRUST	\$95.80	CEDCNU00289	5	0206
34	021-0163-021-0000	08-011866	4255 65TH ST	QADDUS ABDUL	\$678.40	CEDCNU00693	6	0206
35	021-0172-011-0000	08-010099	6911 18TH AV	LASALLE BANK	\$931	CEDCNU00939	6	0206
36	021-0201-023-0000	08-006904	4515 STOCKTON BL	MILTON ZEDOLION/BETTY	\$941.80	CEDCNU00687	5	0206
37	021-0222-003-0000	08-009976	5850 19TH AV	SACCO DENNIS C	\$831	CEDCNU00779	6	0206
38	021-0302-041-0000	08-012728	5821 21ST AV	RODRIGUEZ ERIC	\$85	CEDCNU00739	6	0206
39	022-0013-012-0000	08-011209	3433 23RD AV	HERNANDEZ CASIMIRO/ESTHER MONTEZ	\$831	CEDCNU00935	5	0206
40	022-0021-004-0000	08-010933	4708 36TH ST	ABUCAY MARCELINA D/ADOLFO CALAYCAY	\$831	CEDCNU00747	5	0206
41	023-0092-016-0000	08-012664	5020 BRADFORD DR	GUTIERREZ LEONOR/VERONICA	\$469	CEDCNU00898	6	0206
42	023-0282-029-0000	06-004827	5470 80TH ST	HAMBRICK WILLIAM S/CATHERINE J	\$125	NS070010	6	0206
43	024-0366-004-0000	08-012176	1360 CORNELL WY	BERRY VILIA LIVING TRUST	\$85	CEDCNU00737	4	0206
44	025-0165-017-0000	08-010045	2810 33RD AV	CALDERON MANUELA	\$841.80	CEDCNU00686	5	0206
45	025-0173-004-0000	08-005576	3000 34TH AV	RIVERA ANNA (EST OF)	\$6230.99	CEDCNU00958	5	0206
46	025-0181-026-0000	08-013476	2509 FERNANDEZ DR	PRESCOTT RACHELLE D	\$95.80	CEDCNU00731	5	0206
47	030-0233-014-0000	08-012283	6258 RIVERSIDE BL	ALDRIDGE-GRANT GWEN	\$85	CEDCNU00736	7	0206
48	031-0191-005-0000	08-012809	7414 MYRTLE VISTA AV	HALEEM RICHARD Z	\$95.80	CEDCNU00723	4	0206

49	031-0330-061-0000	08-009707	807 FLORIN RD	FEDERAL NATL MTG		\$931	CEDCNU00938	4	0206
50	035-0366-002-0000	08-012630	6594 GOLF VIEW DR	CHAPMAN JOCELYN J/STORMY J CALLAHAN		\$831	CEDCNU00749	5	0206
51	036-0112-020-0000	06-015097	2601 51ST AV	STEEFS RUCKA CHUCKY TRUST C/O AL SEASTRAND		\$875	CEDCNU00205	5	0206
52	038-0346-011-0000	08-008407	7325 ELDER CREEK RD	LESLIE TANISHA		\$450	CEDCNU00792	6	0206
53	040-0141-001-0000	08-008685	6720 75TH ST	PIMENTEL OLGA		\$1098.40	CEDCNU00962	6	0206
54	040-0190-058-0000	08-012851	15 RANCHO TORRE CT	CEPEDA RITA MJUAN T		\$831	CEDCNU00905	6	0206
55	048-0101-003-0000	08-009667	7478 19TH ST	PARNELL ELAINE		\$8195.80	CEDCNU00806	8	0206
56	049-0061-001-0000	08-003113	7535 24TH ST	LAVULO MOHENOAVEA A		\$1095.70	CEDCNU00704	8	0206
57	052-0180-036-0000	08-006753	7743 18TH ST	DEUTSCHE BANK		\$2775	CEDCNU00979	8	0206
58	052-0240-002-0000	08-015265	7688 19TH ST	US BANK		\$1939	CEDCNU00965	8	0206
59	053-0095-016-0000	06-009736	3692 FALLIS CR	COLLINS RICHARD L/ESTHER G WASHINGTON		\$450	CNVCNV00224	7	0206
60	201-0780-076-0000	08-012892	5581 CELEBRATION ST	VU KIM		\$85	CEDCNU00900	1	0206
61	225-0304-009-0000	08-013867	3083 BRIDGEFORD	BANK OF NEW YORK		\$85	CEDCNU00740	1	0206
62	225-0510-010-0000	07-049619	1646 RIVER CITY WY	ROSSE DONNA M		\$941.80	CEDCNU00795	1	0206
63	225-0510-010-0000	07-049619	1646 RIVER CITY WY	ROSSE DONNA M		\$2010.80	CEDCEA00100	1	0206
64	225-0632-005-0000	08-011692	2 WALBROOK CT	BANK OF NEW YORK		\$831	CEDCNU00904	1	0206
65	225-0822-006-0000	08-007627	3626 CATTLE DR	HANSEN BRADLEY/JACKIE		\$841.80	CEDCNU00683	1	0206
66	226-0041-014-0000	08-009488	4830 SORENTO RD	SULLIVAN MICHAEL J		\$841.80	CEDCNU00757	1	0206
67	226-0300-026-0000	08-007389	1021 ROOD AV	U S BANK NATIONAL ASSOCIATION		\$841.80	CEDCNU00764	2	0206
68	237-0040-052-0000	08-008929	610 MAIN AV	GREEN BRAD ALLEN & NORMA L GREEN		\$500	CEDCNU00784	2	0206
69	237-0192-002-0000	08-006148	608 GRANGER AV	HSBC BK USA NA SERIES 2006- CW1		\$2857	CEDCNU00894	2	0206
70	237-0192-002-0000	08-006148	608 GRANGER AV	HSBC BK USA NA SERIES 2006- CW1		\$2000	CEDCEA00111	2	0206
71	237-0241-010-0000	07-056136	1444 RENE AV	NATIONAL CITY BANK		\$931	CEDCNU00893	2	0206
72	237-0241-010-0000	07-056136	1444 RENE AV	NATIONAL CITY BANK		\$2000	CEDCEA00109	2	0206
73	237-0241-010-0000	07-056136	1444 RENE AV	NATIONAL CITY BANK		\$2400	CEDCEA00110	2	0206

74	237-0332-016-0000	07-034639	149 LOVELAND WY	CAYOCCA HELEN/EST OF	\$969.33	CEDCNU00953	2	0206
75	237-0333-004-0000	08-014341	124 LOVELAND WY	CARRINGTON MTG LN TRUST LOAN #1008289862	\$831	CEDCNU00936	2	0206
76	238-0072-010-0000	08-008014	208 NIMITZ ST	BANK OF NEW YORK	\$831	CEDCNU00780	2	0206
77	250-0074-027-0000	08-008095	600 MORRISON AV	VERNON TANECHIA	\$95.80	CEDCNU00742	2	0206
78	250-0191-009-0000	C040037321	356 SILVER EAGLE RD	GARCIA VIRGINIA	\$385	NS070421	2	0206
79	250-0191-009-0000	C040037321	356 SILVER EAGLE RD	GARCIA VIRGINIA	\$385	NSV070005	2	0206
80	250-0341-010-0000	08-007290	315 MOREY AV	VU NGUYEN ATTN: FREEMAN NGUYEN	\$840.64	CEDCNU00571	2	0206
81	251-0033-001-0000	08-013196	1324 NORTH AV	LEE VICTOR /LANDREA L	\$385	CEDCNU00963	2	0206
82	251-0063-019-0000	08-008912	3822 MAY ST	PEYCHEV PETER/KONSTANTIN TSAPLIN	\$841.80	CEDCNU00768	2	0206
83	251-0156-007-0000	08-005503	925 SILVANO ST	SVETLANA MARKEVICH	\$931	CEDCNU00790	2	0206
84	263-0081-019-0000	08-009290	349 ARCADE BLVD	JACK AKABA	\$841.80	CEDCNU00765	2	0206
85	263-0104-012-0000	08-010046	700 BELASCO AV	JIMENEZ ANTONIO & JOSEFINA	\$831	CEDCNU00933	2	0206
86	265-0111-001-0000	07-055152	2947 RIO LINDA BLVD	RIO GROUP L.L.C, A CALIFORNIA CORPORATION ATTN: JERRY FLEMING	\$515.50	CEDCNU00713	2	0206
87	265-0111-001-0000	07-055152	2947 RIO LINDA BLVD	RIO GROUP L.L.C, A CALIFORNIA CORPORATION	\$750	CEDCN00086	2	0206
88	265-0291-015-0000	08-003784	2594 BEAUMONT ST	A&J TRUST	\$831	CEDCNU00777	2	0206
89	265-0304-005-0000	08-012835	2659 TAFT ST	HOUSEHOLD FINANCE CORP OF CA	\$831	CEDCNU00772	2	0206
90	265-0382-007-0000	08-013184	3120 ACADEMY WY	KATHLEEN PHILLIPS	\$3309.86	CEDCNU00950	3	0206
91	266-0321-007-0000	07-038090	2645 PLOVER ST	DENNIS DARREL DAMITZ	\$2869.24	CEDCNU00895	3	0206
92	266-0321-007-0000	07-038090	2645 PLOVER ST	DENNIS DARREL DAMITZ	\$1000	CEDCN00112	3	0206
93	266-0321-007-0000	07-038090	2645 PLOVER ST	DENNIS DARREL DAMITZ	\$1500	CEDCN00113	3	0206
94	274-0371-027-0000	08-014824	2201 SANDCASTLE WY	ESPINOZA MARGARITA	\$831	CEDCNU00929	1	0206
95	277-0233-023-0000	08-011521	1815 ETHAN WY	ADAMS SONIA/DUDE TOM STEVE	\$831	CEDCNU00771	3	0206
				TOTAL:	\$117,318.46			