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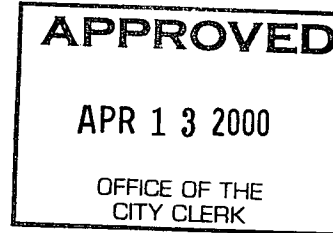
NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

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

DEVELOPMENT SERVICES DIVISION



March 29, 2000

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, Neighborhoods, Planning & Development Services Department, 264-8183

FOR COUNCIL MEETING OF: April 13, 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 Titles 49 and 50 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 49 and 50, 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, Title §49.16 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 49 and 50, 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.

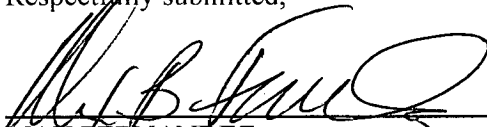
POLICY CONSIDERATIONS:

Conducting the lien hearing is in accordance with Sacramento City Code Titles 49 and 50. 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 CONSIDERATIONS:

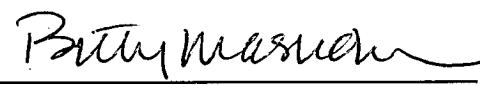
Not applicable.

Respectfully submitted,

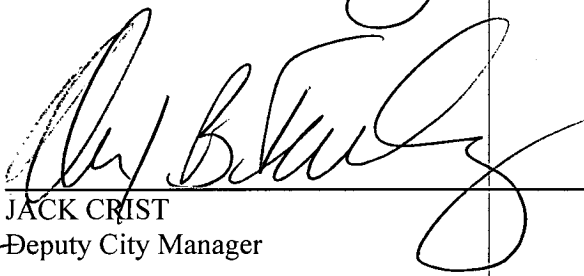


MAX FERNANDEZ
Director, Area 1
Neighborhoods, Planning & Development Services Dept

Approved for Council Information:



ROBERT P. THOMAS
City Manager



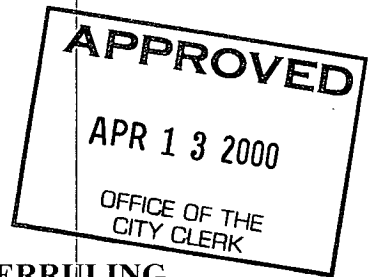
for JACK CRIST
Deputy City Manager

Attachment

RESOLUTION NO. 2000-139

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 Neighborhoods, Planning & Development Services Department, Code Enforcement Division, Housing & Dangerous Buildings Inspections, in accordance with Sacramento City Code, Chapter 50.09 did provide a hearing before the Housing Code Advisory and Appeals Board (HCAAB) to consider all protests for unpaid fees and penalties, 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, Code Enforcement Division, Housing & Dangerous Buildings Inspections, established by competent evidence before the HCAAB 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 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 \$137,890.62 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: _____

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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

RESOLUTION NO.: _____

DATE ADOPTED: _____

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Housing Case Fees & Penalties -- Attachment

April 13, 2000

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
002-0084-006-0000	HSG9900095	1331 D St	Betty McGrath	759.00	HCE54473	1	0656
002-0126-012-0000	52815STXX	528 15th St	Sybil Koester	1,145.40	HCE54475	1	0656
003-0202-012-0000	HSG9900009	719 27th St	Robert H. Nielsen & Patricia Nielsen	172.50	HCE54503	3	0656
006-0175-016-0000	1717CAPI00	1717 Capitol Av	Paul S. Mueller, Ann H. Mueller	454.25	HCE54514	1	0656
006-0284-023-0000	162113ST00	1621 13th St	Ruthmary Cordon-Cradler	1,018.63	HCE54489	4	0656
007-0245-005-0000	2008NST00	2008 N St	Paul S. Mueller & Ann H. Mueller	5,594.75	HCE54544	3	0678
008-0321-020-0000	6401ELVA00	6401 Elvas Av	Grau Hall	172.50	HCE54479	3	0656
008-0334-031-0000	147048ST00	1470 48th St	Assunta Gabrielli	902.75	HCE54507	5	0656
008-0481-012-0000	173349ST01	1733 49th St	Nancy E. Bodine	4,672.45	HCE54541	3	0201
010-0385-017-0000	HSG9900101	3645 4th Av	Dolores M. Rivers	6,743.29	HCE54519	5	0201
013-0051-019-0000	2700FRAN00	2700 Franklin Bl	Henry Preiss	814.20	HCE54449	5	0656
013-0355-006-0000	38409AV00	3840 9th Av	Helen Patterson Et Al	5,568.55	HCE54520	5	0656
014-0093-022-0000	38634AV00	3863 4th Av	Jerrell Watt c/o Linda Moore-Miller	2,472.50	HCE54513	5	0678
014-0188-009-0000	321042ST00	3210 42nd St	Jellether M. Moore & Marilyn Ann Moore	1,000.00	HCE54468	5	0656
014-0252-029-0000	463312AV00	4633 12th Av	Jim Kay-Ping Chu	4,611.50	HCE54499	5	0201
015-0074-009-0000	324062ST00	3240.62nd St	Scott W. O'Brien	845.25	HCE54447	6	0656
015-0181-043-0000	3435STOC00	3435 Stockton Bl	Carl A. Martinez Sr & Kristina Martinez	172.50	HCE54462	5	0656
018-0061-014-0000	440123ST01	4401 23rd St	Juan J. Guzman & Olga Guzman	1941.50	HCE54424	5	0678

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Housing Case Fees & Penalties -- Attachment

April 13, 2000

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
019-0171-028-0000	244127AVXX	2441 27th Av	Eddie Amuneke, Rebecca Dukes, Walter J. White	3,604.00	HCE54521	5	0656
020-0033-043-0000	3700MART00	3700 Martin Luther King bl	Plad Suits Worldwide Inc., Larry Odbert	655.50	HCE54472	5	0678
020-0044-018-0000	3931FRAN01	3931 Franklin Bl	John S. Bailey	1,040.75	HCE54478	5	0656
025-0163-003-0000	579028ST00	5790 28th St	Henry Lewis	86.25	HCE54441	5	0656
027-0081-001-0000	7900FRUI00	7900 Fruitridge Rd	Paul A. Ajlouny	759.00	HCE54494	6	0656
027-0081-002-0000	7908FRUI00	7908 Fruitridge Rd	Bulus A. Ajouny	2,880.75	HCE54452	5	0656
027-0081-034-0000	HSG9900498	7917 32nd Av	Binh An Tran	2,448.09	HCE54484	6	0678
027-0341-007-0000	800037AV00	8000 37th Av	Phillip Medina & Margaret Medina	845.25	HCE54505	6	0656
038-0101-001-0000	6450LEMO00	6450 Lemon Hill Av	Barbara Leach & James R. Leach	937.25	HCE54477	6	0656
038-0111-014-0000	6538LEMO00	6538 Lemon Hill Av	Cilco Properties, c/o Daggett	201.25	HCE54456	6	0656
041-0085-003-0000	HSG9900046	7110/7114 Indian Ln	Nhac Van Tran	8,465.38	HCE54490	5	0656
047-0131-012-0000	219763AV00	2197 63rd Av	Rarkhanda Rana & Haseeb Rana	172.50	HCE54508	8	0656
049-0064-022-0000	7596SANF00	7596 San Felice Cr	Doris A. Blueford	250.00	HCE54533	8	0656
049-0330-019-0000	4205BROO00	4205 Brookfield Dr	John A. Pearne Associates	2,500.00	HCE54465	8	0656
049-0330-020-0000	4207BROO00	4207 Brookfield Dr	John A. Pearne Associates	1,000.00	HCE54466	8	0656
049-0330-022-0000	4211BROO00	4211 Brookfield Dr	John A. Pearne Associates Ltd	25,000.00	HCE54517	8	0656
052-0092-014-0000	2285BABE00	2285 Babette Wy	Jonathan Ives & Julie Barnes	3,896.20	HCE54492A	8	0201
052-0122-057-0000	HSG9900758	1615 Neihart Av	Patsy B.S. Becker	2,328.75	HCE54543	8	0656
061-0053-009-0000	8004BUTT00	8004 Butte Av	Melvin John Cox	845.25	HCE54528	6	0656

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Housing Case Fees & Penalties -- Attachment

April 13, 2000

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
237-0214-001-0000	1100JEAN00	1100 Jean Av	Mark Timothy Haywood	759.00	HCE54451	2	0656
251-0024-006-0000	HSG9900225	3929 Dry Creek Rd	George Cale & Florence E. Cale	759.00	HCE54463	2	0656
251-0034-010-0000	3919HURO00	3919 Huron St	George W. Romonsky & Kathy A. Romonsky	4,532.73	HCE54485	2	0201
251-0141-014-0000	1060ROAN00	1060 Roanoke Av	Eugene J. Schroder	1,393.80	HCE54450	2	0656
251-0175-009-0000	1328NOGA00	1328 Nogales St	Willie J. Mincey	851.00	HCE54476	2	0656
251-0212-022-0000	3301HIGH00	3301 High St	Marilyn Atchisson	6,040.95	HCE54453	2	0201
252-0021-004-0000	3913MAHO00	3913 Mahogany St	Stephanie A. Maynes	6,095.00	HCE54542	2	0201
263-0291-004-0000	HSG9900372	237 Olmstead Dr	Vick G. Rodriquez & Lea K. Kwan	3,910.00	HCE54525	2	0201
274-0141-023-0000	HSG9900326	241 Cleveland Av	Nicholas T. Perez & Lupe Perez	5,014.00	HCE54448	1	0201
274-0171-011-0000	521JEFF00	521 Jefferson St	Warren & Karen Adams, Revocable Living Trust	172.50	HCE54539	1	0656
275-0083-006-0000	HSG9900402	2263/2261 Grove Av	Johnny Holmes	4,973.75	HCE54511	2	0201
275-0114-003-0000	116ARDE01	116 Arden Wy	Robert Russo	5,537.20	HCE54509	2	0201
277-0072-016-0000	HSG9900059	2324 Boxwood St	United Six Corp	874.00	HCE54443	2	0656

TOTAL TO BE LIENED:**\$137,890.62**

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