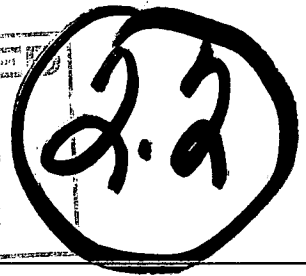




APPROVED

OCT 23 2001

OFFICE OF THE
CITY CLERK



**CITY OF SACRAMENTO
CALIFORNIA**

NEIGHBORHOOD SERVICES
DEPARTMENT

1231 I STREET, SUITE 200
SACRAMENTO, CA
95814-2997

Housing & Dangerous Buildings
916-264-5404
FAX: 264-6833

October 11, 2001

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, Neighborhood Services
Department, 264-8183**

FOR COUNCIL MEETING OF: October 23, 2001

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 8.96 and 8.100 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 8.96 and 8.100, 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, Chapter 8.100 Article XVI 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 8.96 and 8.100, 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.

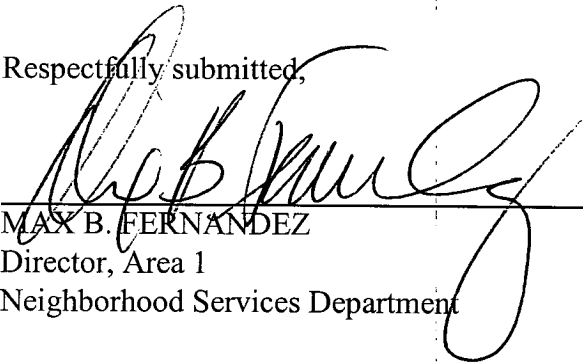
POLICY CONSIDERATIONS:

Conducting the lien hearing is in accordance with Sacramento City Code Titles 8.96 and 8.100. 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 ISSUES:

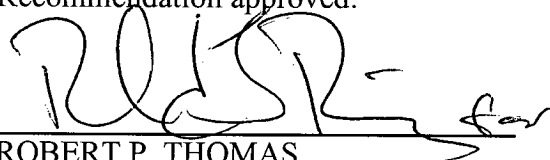
Not applicable.

Respectfully submitted,

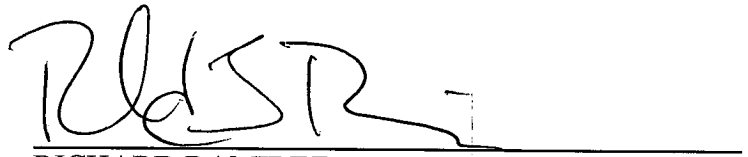


MAX B. FERNANDEZ
Director, Area 1
Neighborhood Services Department

Recommendation approved:



ROBERT P. THOMAS
City Manager



RICHARD RAMIREZ
Deputy City Manager

Attachment



RESOLUTION NO. 2001-693

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 Neighborhood Services Department, Code Enforcement Division, Housing & Dangerous Buildings Inspections, in accordance with Sacramento City Code, Chapter 8.96 Article IX did provide a hearing before the Housing Code Advisory and Appeals Board (HCAAB) and/or 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, Chapter 8.96 Article IX; and

WHEREAS, the Neighborhood Services Department, Code Enforcement Division, Housing & Dangerous Buildings Inspections, established by competent evidence before the HCAAB and/or appointed third-party Hearing Examiner 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 and/or appointed third-party 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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

4

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

1. That, the reasonable penalties in the aggregate amount of \$113,926.06 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.
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: _____

5

Line #	Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
1	001-0064-014-0000	H000008341	522 North B St	John Landgraf Trustee	4,005.00	HCE55019	1	0201
2	001-0160-010-0000	H000012148	7111 25th St	Dorothy D Brown Trust Et Al	690.00	HCE010140	3	0656
3	007-0074-001-0000	H000005304	903 Santa Ynez Wy	Estate of Evelyn B Carroll	175.00	HCE010097	3	0656
4	009-0171-027-0000	316VST01	316 V St	Jack Chang	1,106.50	HCE54562	4	0656
5	013-0341-025-0000	36247AV01	3624 7th Ave	Rosellen M & Solomon D Burke	690.00	HCE010136	5	0656
6	013-0351-062-0000	HSG9901399	3401 9th Av	Edward & Ethel Lee Love	10,100.17	HCE010033	5	0201
7	013-0354-003-0000	H000001124	4028 38th St	Andrew William Foley	3,475.70	HCE54937	5	0657
8	014-0122-022-0000	H000016900	4213 4th Av	Earlean Golston	165.00	HCE55141	5	0656
9	014-0185-035-0000	3105SANT00	3105 Santa Cruz Wy	Cynthia Miles	3,623.75	HCE54907	5	0201
10	014-0185-035-0000	3105SANT00	3105 Santa Cruz Wy	Cynthia Miles	277.00	HCE54804	5	0656
11	014-0213-018-0000	3349SANJ01	3349 San Jose Wy	Bal K & Urmil Soin Et Al	972.00	HCE010133	5	0656
12	014-0222-056-0000	H000009925	3425 44th St	Niels Trustee	2,211.00	HCE010009	5	0678
13	014-0222-057-0000	HSG9901297	3417 44th St	HS Properties LLC	5,865.60	HCE010238	5	0201
14	014-0252-003-0000	H000001425	4420 11th Av	Chandrasen & Kiran M. Dass	728.75	HCE54900	5	0656
15	015-0241-030-0000	H000009079	3631 Stockton Bl	RMS Properties LLC	1,847.60	HCE010156	6	0656

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

19

Line #	Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
16	015-0241-030-0000	H000009079	3631 Stockton Bl	RMS Properties LLC	5,788.00	HCE010157	6	0201
17	022-0032-017-0000	H000001432	4921 Mascot	William A Dollison & Donna L. Reed	2,938.94	HCE54927	5	0678
18	048-0231-019-0000	757424ST00	7574 24th St	Fort Sutter Development Corp., Inc.	75.00	HCE010179	8	0656
19	215-0260-028-0000	HSG9901318	1315 Santa Ana Av	Johnathan Eugene Kneff	7,932.56	HCE54961	2	0201
20	237-0130-011-0000	909BLAI00	909 Blaine Av	Ora P. Lewis	3,285.60	HCE55077	2	0201
21	237-0174-005-0000	H000000830	1522 Youngs Av	Martin L. Sr. & Helen M. Smith	815.60	HCE010094	2	0656
22	237-0174-005-0000	H000000830	1522 Youngs Av	Martin L. Sr. & Helen M. Smith	3,288.00	HCE010095	2	0201
23	238-0092-020-0000	407STILL01	407 Stillwell	James & Patricia Yeo	1,874.50	HCE54708	2	0678
24	251-0096-008-0000	1005ROAN00	1005 Roanoke Av	James Mathews, Jr. & Mathews, Trustees	4,110.89	HCE54558	2	0201
25	251-0221-015-0000	HSG9901069	3410 High St	James C & Yvonne Robinson	10,941.60	HCE010055	2	0201
26	252-0133-023-0000	3724DAYT00	3724 Dayton St	Rose Helen Romero	9,133.50	HCE54978	2	0201
27	252-0202-011-0000	2308ROAN01	2308 Roanoke Av	Gabriel & Monica A. Ballejos	746.25	HCE55052	2	0656
28	252-0212-006-0000	1736SOUT01	1736 South Av	Mervin D. Haugen	299.00	HCE54675	2	0656

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

X

Housing Case Fees & Penalties -- Attachment

October 23, 2001

Line #	Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
29	252-0221-001-0000	1804SOUT00	1804 South Av	Pauline Beck	671.25	HCE54798	2	0656
30	252-0242-006-0000	H990000877	2140 South Av	Belton Mouras, Jr.	690.00	HCE010088	2	0656
31	263-0163-029-0000	2681FAIR00	2681 Fairfield (aka 2671 Fairfield)	Garden Villa Property Limited	757.50	HCE54988	2	0656
32	274-0151-010-0000	441HARD01	441 Harding	HS Properties LLC	19,245.60	HCE55081	2	0201
33	275-0014-007-0000	H990000699	144 El Camino Av	Emilian Sr. & Ioana Moldovan Et Al	373.50	HCE010113	2	0656
34	275-0014-007-0000	H990000699	144 El Camino Av	Emilian Sr. & Ioana Moldovan Et Al	1,490.00	HCE010114	2	0656
35	275-0073-012-0000	H000024413	2230 Colfax St	Anselmo & Mary A Garcia	420.00	HCE010150	2	0656
36	275-0125-009-0000	HSG9900934	1438 Del Paso Blvd	Carl B. Sandow	690.00	HCE010085	2	0656
37	275-0144-006-0000	HSG9900385	2159 Fairfield	Estate of Shiela A. Humiston	326.00	HCE54738	2	0656
38	277-0042-014-0000	2461KNOLL00	2461 Knoll Street	James Everett	885.00	HCE010208	2	0656
39	277-0132-010-0000	2259ERIC00	2259 Erickson St	Nhac Van Tran	1,214.70	HCE54958	2	0656

TOTAL TO BE LIENED:

\$113,926.06

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

J