



CITY OF SACRAMENTO

29

DIVISION OF BUILDING INSPECTIONS
927-10TH STREET
ROOM 100
SACRAMENTO, CALIFORNIA 95814

August 5, 1981

CITY MANAGER'S OFFICE
RECEIVED
AUG 6 1981

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: 1398 Nogales Street Demolition

DISCUSSION

The single-family dwelling, located at the subject address, has been damaged by a fire which occurred on February 17, 1979, and has been in a deteriorated state and open to transients and neighborhood children from that date until now.

This office and the Housing Code Advisory and Appeals Board has given the owner more than ample time and opportunities to repair the structure. Mr. Anderson has repeatedly violated agreements with the Board and members of the staff, including myself, by not repairing the building. Attached, you will find a synopsis of the occurrences surrounding the property.

The contract to demolish the structure was let by the City Engineer's Office on July 28, 1981.

Mr. Anderson addressed the Council on July 28, 1981. Mr. Anderson requested permission from the Council to bring the building to Code and to stop the demolition process. The Council agreed to delay the process until August 11, 1981. Neither Ron Parker nor myself were in the Council Chambers when Mr. Anderson spoke. Unfortunately, the wrecking contractor removed the entire front wall of the residence on Tuesday morning, August 4, 1981. Notification of the Council action failed to reach my office until the afternoon of Tuesday, August 4, 1981.

APPROVED
BY THE CITY COUNCIL

AUG 11 1981

OFFICE OF THE
CITY CLERK

August 11, 1981

Sacramento City Council

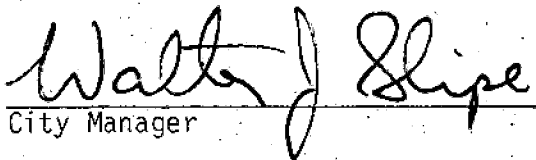
August 5, 1981

We have instructed the contractor to proceed with the demolition since the structure continues to be a hazard.

My recommendation would have been to proceed with the demolition regardless of the mis-communication during the past week. Based upon Mr. Anderson's performance during the past 22 months, I have no reason to believe he would have performed differently under the Council's direction.

Approved for Council Agenda:

Respectfully Submitted,


City Manager


Director, Building Inspections Division

SYNOPSIS OF PROCEEDINGS ON 1398 NOGALES STREET:

- 2/17/79 Fire occurred in dwelling at 1398 Nogales Street.
- 3/16/79 Repair or Demolish Notice sent by Certified Mail to owner, Raymond and Earline Hammond.
- 5/22/79 Structure secured and lot clean.
- 8/30/79 No action, so case was processed for Hearing before Housing Code Advisory and Appeals Board. Notice to Abate posted on structure.
- 9/1/79 Board adopted a Resolution ordering repairs to start within 30 days and completed within 60 days, or structure to be demolished within 30 days.
- 9/20/79 September Board Resolution sent owner by Certified Mail.
- 9/24/79 September Board Resolution posted on property.
- 9/26/79 Call from Mrs. Hammond saying property has been sold to a Herbert Anderson.
- 10/17/79 Mr. Anderson contacted Inspector Nelson. Will set time for joint interior inspection.
- 12/28/79 No action. Case processed for Referral Hearing before January, 1980, Housing Code Advisory and Appeals Board Hearing. Notice to Abate sent to owner and posted on property.
- 1/9/80 Housing Code Advisory and Appeals Board adopted Resolution ordering repairs to start within 30 days and to be completed within 60 days, or structure to be demolished within 60 days. Copy of Resolution sent to owner and interested parties by Certified Mail. Property was also posted.
- 1/10/80 Mr. Anderson came into office and said he wanted to repair structure. He was informed that interior inspection was required before any permits could be issued. He said he will contact inspector for interior inspection.
- 2/6/80 Issued permits to repair to Mr. Anderson.
- 3/6/80 No progress visible.

SYNOPSIS OF PROCEEDINGS ON 1398 NOGALES STREET (Continued):

5/7/80 No progress.

6/12/80 No work has been done on house. Weeds cut in yard.

6/18/80 No progress. Sent 15-day letter and letter cancelling permit to Mr. Anderson.

6/30/80 Call from Mr. Anderson. He wanted to complete work. He was advised to renew permits and complete work within 60 days.

7/3/80 Issued new permits to repair and work to be completed within 60 days.

10/3/80 No progress. Sent final letter and Notice of Cancellation of permits.

11/20/80 Owner met inspector at property. He now is required to submit plans because he wants to move walls. He also is required to obtain a variance from Planning Department for intrusion into front yard set back.

12/23/80 Owner called.

1/7/81 Plans submitted and checked.

1/12/81 Called owner. Busy.

1/14/81 Called owner. Busy.

1/21/81 Called owner. No answer.

1/27/81 Called owner at work. Left message.

2/4/81 Called owner at work. Left message.

2/6/81 Called owner at work. Left message.

2/18/81 No change or contact. Sent letter of cancellation to owner. Sent case file to Engineering to process for demolition.

2/25/81 Picked up file from Engineering as per Walt Thompson.

SYNOPSIS OF PROCEEDINGS ON 1398 NOGALES STREET (Continued):

- 3/4/81 Mr. Sullivan, Mr. Larsen, and Mr. French met with Mr. Anderson. It was agreed that Mr. Anderson will remove existing garage immediately and submit plans for addition by March 27, 1981.
- 3/27/81 Owner came into office and said he will submit plans and obtain permits on March 30, 1981.
- 3/30/81 Owner called Mr. Sullivan. He said he had decided against making any addition to structure and will obtain permits on April 1, 1981, to restore structure.
- 4/1/81 Issued permits to repair to be completed within 60 days.
- 5/19/81 Garage down. No other work accomplished.
- 6/1/81 Mr. Anderson called and requested a 30-day extension. It was granted and he was informed that this would be the last extension to be granted.
- 6/16/81 No change.
- 7/1/81 Sent Notice of Cancellation of permit to Mr. Anderson.
- 7/2/81 Received approval from City Attorney's Office to proceed with City demolition.
- 7/8/81 Specifications prepared and case file sent to City Engineer to obtain bids for demolition.
- 7/20/81 Specifications received from Engineer's Office. Bids to be received July 28, 1981.
- 7/28/81 Contract awarded by City Engineer.
- 7/28/81 Mr. Anderson appeared before City Council and requested a further delay. City Council referred to CM for report on August 11, 1981.
- 8/4/81 Demolition of structure began.
- 8/4/81 (9:30 PM) Mr. Wisham and Mr. Sullivan informed Mr. Anderson that, due to an oversight, the Council's request for a report had not reached the City Engineer's Office of the Building Inspections Division.

File



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

August 7, 1981

Herbert Anderson
3415 High Street
Sacramento, CA 95838

Dear Mr. Anderson:

This is to inform you that on August 11, 1981, the City Council will receive a report from City staff on the Demolition of property at 1398 Nogales Street. A copy of the report to be submitted to Council is attached for your information.

This item appears on the Council Agenda as Item Number 29. The Council meeting begins at 7:30 p.m. in the Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California. You are welcome to attend at to speak to Council when this item is heard.

Sincerely,

Lorraine Magana
Lorraine Magana
City Clerk

MM/LM/mm/29
Enclosure

cc: City Manager
Building Inspections
City Engineer
City Attorney

File



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 448-5428

LORRAINE MAGANA
CITY CLERK

August 13, 1981

Herbert Anderson
3415 High Street
Sacramento, CA 95838

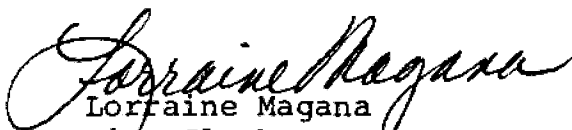
Dear Mr. Anderson:

On August 11, 1981, the City Council received and filed the report regarding the demolition of a structure at 1398 Nogales Street.

The City Council further instructed that a Claim form be sent to you. Enclosed is a set of forms with instructions. Please note that in cases of alleged real property damage a claim must be filed with the City Clerk's office within one (1) year from the date of the incident.

The City Attorney has asked me to advise you that by sending you this claim form, the City is not agreeing that you have a valid claim against the City. As you know, your housing code case was processed over a two and one-half year period during which many delays were given. The City's position is that it followed the required legal procedures and demolition of your building was legally authorized and justified. However, the Council merely asked us to send the claim forms to you in the event you wish to file a claim against the City.

Sincerely,


Lorraine Magana
City Clerk

LM/mm
Enclosure

cc: City Manager
City Attorney