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**CITY OF SACRAMENTO
CALIFORNIA**

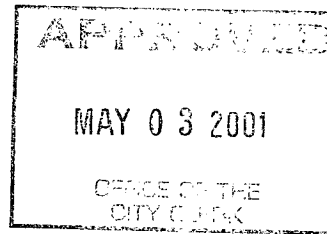
NEIGHBORHOOD SERVICES
DEPARTMENT

1231 I STREET, SUITE 301
SACRAMENTO, CA
95814-2997

Code Enforcement
916-264-5948
FAX: 264-7722

April 18, 2001

City Council
Sacramento, California



Honorable Members in Session:

**SUBJECT: CODE ENFORCEMENT 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 a lien on the property for unpaid fees and penalties and transmit the unpaid cost to the Sacramento County Auditor/Controller as a special assessment against the properties.

**CONTACT PERSON: Robert L. Rose, Chief of Code Enforcement, Neighborhood Services
Department, 264-5947**

FOR COUNCIL MEETING OF: May 3, 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 Title 8 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 Title 8, and was afforded an opportunity to appear before the Hearing Examiner, an appointed third-party examiner. Subsequent to the hearing, a "Decision of 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 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, Titles 8.96.320 and 8.04.110 allow 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 Title 8, 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.

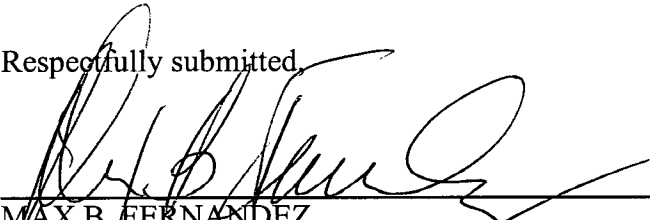
POLICY CONSIDERATIONS:

Conducting the lien hearing is in accordance with Sacramento City Code Title 8. All property owners listed in the attachment were afforded an opportunity to appear before an impartial hearing examiner 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:

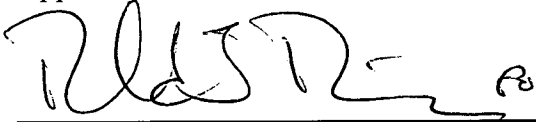
Not applicable.

Respectfully submitted,

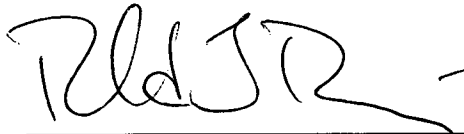


MAX B. FERNANDEZ
Director, Area 1
Neighborhood Services Department.

Approved for Council Information:



ROBERT P. THOMAS
City Manager



RICHARD RAMIREZ
Deputy City Manager

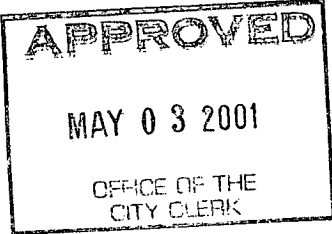
Attachment

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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RESOLUTION NO. 2001.050

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 CODE ENFORCEMENT 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, in accordance with Sacramento City Code, Chapters 8.96.320 and 8.04.110 did provide a hearing before the appointed third-party Hearing Examiner to consider the protest 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, Chapters 8.96.320 and 8.04.110; and

WHEREAS, the Neighborhood Services Department, Code Enforcement Division, established by competent evidence before the Hearing Examiner that the unpaid fees and penalties had been imposed in accordance with City Code; and

WHEREAS, the Neighborhood Services Department; Code Enforcement Division, established by competent evidence before the Hearing Examiner that 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: _____

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

1. That, the reasonable penalties in the aggregate amount of \$12,761.00 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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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Code Enforcement Case Fees & Penalties -- Attachment

May 3, 2001

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
010-0381-002-0000	C/V9804328	3512 2nd Av .	Michael Greenhalgh	1,690.00	NS60568	5	0206
013-0051-021-0000	C/V9905133	2716 Franklin St	Gerard McDonagh	256.00	NSV42554	5	0206
014-0293-007-0000	C/V9906464	3736 Stockton	Robert Philpot Taylor	256.00	NSV57134	5	0206
020-003-010-0000	C/V9900515	3702 Martin Luther King Bl	Edmundo S/Maria H Velez	256.00	NSV57151	5	0206
020-0033-043-0000	C/V9900516	3700 Martin Luther King Bl	Plaid Suits Worldwide, Inc.	512.00	NSV57079	5	0206
020-0121-003-0000	HSG9901005	3390 16th Ave	Ahmad Hooshnam	500.00	HCE54953	5	0656
020-0205-012-0000	C/V9903515	3401 21st St	Mildred F. Williams	256.00	NSV57187	5	0206
027-0081-002-0000	C/V9807511	7908 Fruitridge Rd	A Ajouny Bulus	512.00	NSV57165	6	0206
027-0081-034-0000	C/V9902871	7917 32nd Ave	Binh An Tran	256.00	NSV57176	6	0206
038-0111-014-0000	C/V9908306	6538 Lemon Hill	Cilco Properties	512.00	NSV57145	6	0206
047-0022-006-0000	C/V9907127	1500 Florin	Odell/Mary E Smith	256.00	NSV57071	8	0206
049-0350-021-0000	C/V9909610	4077 Savannah Ln	Don Harry/E.Malissa Williams	256.00	NSV57061	8	0206
052-0142-004-0000	C/V9904796	1477 Janrick	Robbin Cherry	512.00	NSV57069	8	0206
053-0092-003-0000	C/V9805294	3413 Gates Way	Charles E/Patricia C Ferrell	256.00	NSV55277	7	0206
119-0330-005-0000	C/V9808194	3755 Andros	David M Mitchell	256.00	NSV57066	8	0206
215-0280-077-0000	C/V9806877	1329 Main Ave	Ben Navas	512.00	NSV53509	2	0206

FOR CITY CLERK USE ONLY

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DATE ADOPTED: _____

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Code Enforcement Case Fees & Penalties -- Attachment

May 3, 2001

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
237-0231-018-0000	C/V9911286	1409 Rene Ave	Robert J. Wright	768.00	NSV57075	2	0206
238-0071-038-0000	C/V9807990	605 Clinger Ct	Daniela Velici	256.00	NSV56751	2	0206
238-0092-034-0000	C/V9908652	310 Chennault	Arvid Patel/Vati Prabha	512.00	NSV57053	2	0206
238-0102-042-0000	C/V9907842	207 Hills Ct	JW & SS Miller (McQueen Albert M. Jr & T)	256.00	NSV57062	2	0206
251-0034-021-0000	C/V9807176	3924 High St	Roger Shaw	512.00	NSV53164	2	0206
251-0254-004-0000	C/V9911012	1144 Los Robles	Community Housing Corporation	256.00	NSV57077	2	0206
263-0104-012-0000	C/V9911524	700 Belasco Av	Antonio & Josefina Jimenez	256.00	NSV42566	2	0206
265-0071-001-0000	C/V9806572	3049 Rio Linda Bl	Pacific Land/Water	331.00	NSV53259	2	0206
265-0071-001-0000	C/V9806614	3049 Rio Linda Bl	Pacific Land/Water	256.00	NSV53546	2	0206
275-0014-011-0000	C/V9902141	180 El Camino Ave	Bankers Trust Vendor Loan Series #1996	768.00	NSV57158	2	0206
275-0083-006-0000	C/V9902261	2263 Grove Avenue	Johnny Holmes	256.00	NSV42552	2	0206
275-0114-003-0000	C/V9904725	116 Arden Way	Robert Russo	256.00	NSV57128	2	0206
275-0114-003-0000	C/V9904574	116 Arden Way	Robert Russo	1,024.00	NSV42574	2	0206

TOTAL TO BE LIENED:**\$12,761.00****FOR CITY CLERK USE ONLY****RESOLUTION NO.:** _____**DATE ADOPTED:** _____

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NOTE: The following individual's appeals were upheld; therefore, the fees and penalties were removed:

<u>Case Number</u>	<u>Property Owner</u>	<u>Invoice Number</u>	<u>Council District</u>
C/V9902265	Leon Roy Richardson & Delores June Watson	NSV57195	2

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