

RESOLUTION NO. 2007-533

Adopted by the Sacramento City Council

July 17, 2007

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.; and
- 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 \$16,773.65 for unpaid fees and penalties is the sum set forth by the appointed third-party Hearing Examiner's findings of fact of hearing held May 23, 2007. 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 to be Liened

Adopted by the City of Sacramento City Council on July 17, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Councilmember Cohn.



Mayor, Heather Fargo

Attest:


Shirley Concolino, City Clerk

Exhibit A

Line #	Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
1	007-0343-020-0000	06-004983	2809 Q St	Richard Arthur O'Neill	\$925.00	NS070293	3	0206
2	014-0202-012-0000	06-025242	3412 San Carlos Wy	Refugio Diaz	\$630.00	GA070011	5	0206
3	022-0065-010-0000	06-012566	4981 48th St	Downey Savings & Loan Association	\$185.00	NS070267	5	0206
4	023-0184-008-0000	06-018315	7511 25th Ave	Jessie Jaramillo Sr.	\$875.00	NS070233	6	0206
5	035-0162-007-0000	06-020325	6550 23rd St	Aracely & Jose C Villanueva	\$3,219.65	NS070299	5	0206
6	040-0052-013-0000	06-010517	6408 Somis Wy	Dorothy Ruth Davis Etal	\$185.00	NS070246	6	0206
7	225-1260-054-0000	06-017285	3906 Ginko Wy	Washington Mutual Bank	\$875.00	NS070239	1	0206
8	250-0191-011-0000	C050035811	390 Silver Eagle	James & Mirella Beaver	\$2,499.00	CEAP070045	2	0206
9	250-0191-011-0000	C050035811	390 Silver Eagle	James & Mirella Beaver	\$4,000.00	CEAP070046	2	0206
10	250-0191-011-0000	C050035811	390 Silver Eagle	James & Mirella Beaver	\$875.00	NS070261	2	0206
11	252-0023-036-0000	06-023011	3917 Presidio St	Scott Moore	\$505.00	GA070010	2	0206
12	252-0112-002-0000	06-008974	3737 Jasmine St	Paul Hamilton	\$2,000.00	CEAP070050	2	0206
TOTAL TO BE LIENED					<u>\$16,773.65</u>			