



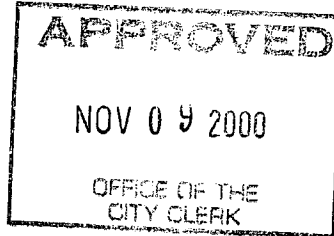
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**CITY OF SACRAMENTO  
CALIFORNIA**

NEIGHBORHOOD SERVICES  
DEPARTMENT

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

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



October 4, 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, Neighborhood Services Department, 264-8183

**FOR COUNCIL MEETING OF:** November 9, 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 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 CONSIDERATIONS:**

Not applicable.

Respectfully submitted,

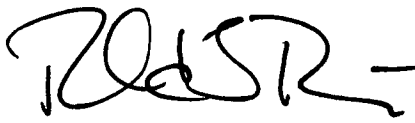


MAX B. FERNANDEZ  
Director, Area 1  
Neighborhood Services Department

Approved for Council Information:

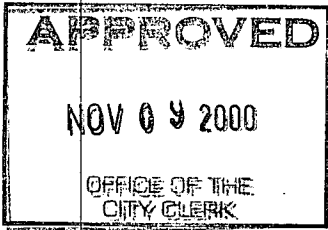


ROBERT P. THOMAS  
City Manager



RICHARD RAMIREZ  
Deputy City Manager

Attachment



**RESOLUTION NO. 2870-640**

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) 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 8.96 Article IX; 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 \$30,123.90 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.

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_  
DATE ADOPTED: \_\_\_\_\_

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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.

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MAYOR

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CITY CLERK

Attachment

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FOR CITY CLERK USE ONLY

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
003-0125-023-0000	42120ST00	421 20th St	Maria C. A. Martinez & Dennis G. Martinez	872.00	HCE54434 (Default)	3	0656
012-0131-013-0000	HSG9900122	2880 18th Av	Jimmie Louie	596.25	HCE54878	4	0656
020-0044-018-0000	3931FRAN01	3931 Franklin Bl	John S. Bailey	201.25	HCE54752	5	0656
020-0044-018-0000	3931FRAN01	3931 Franklin Bl	John S. Bailey	17,068.30	HCE54839	5	0201
020-0044-018-0000	3931FRAN01	3931 Franklin Bl	John S. Bailey	1,499.60	HCE54912	5	0201
020-0121-003-0000	HSG9901005	3390 16th Av	Ahmad Hooshnam	2,045.50	HCE54797	5	0656
023-0251-010-0000	6345FRUI00	6345 Fruitridge Rd	Manuela Gonzales	718.75	HCE50668 (Default)	6	0656
237-0192-007-0000	HSG9900865	648 Granger Av	Bhagautii Prasad & Malti Prasad	3,313.25	HCE54512 (Default)	2	0678
250-0191-038-0000	366SILV00	366 Silver Eagle Rd	Bianca Cooper Johnson	3,500.00	HCE50581 (Default)	2	0656
251-0221-015-0000	3410HIGH00	3410 High St	James C. Robinson & Yvonne Robinson	309.00	HCE50619 (Default)	2	0656

**TOTAL TO BE LIENED:****\$30,123.90**