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NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET, SUITE 200
SACRAMENTO, CA 95814

DEVELOPMENT SERVICES DIVISION

HOUSING AND DANGEROUS
BUILDINGS INSPECTIONS
PH 916-264-5404
FAX 916-264-6833

December 21, 1999

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, Neighborhoods, Planning & Development Services Department, 264-8183

FOR COUNCIL MEETING OF: January 4, 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 49 and 50 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 49 and 50, 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, Title §49.16 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 49 and 50, 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.

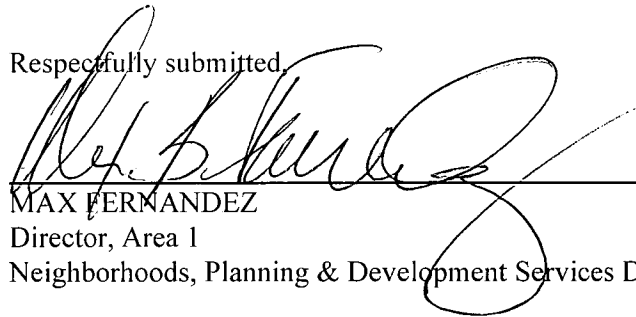
POLICY CONSIDERATIONS:

Conducting the lien hearing is in accordance with Sacramento City Code Titles 49 and 50. 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:

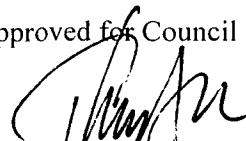
Not applicable.

Respectfully submitted,

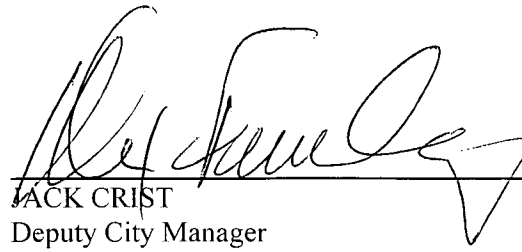


MAX FERNANDEZ
Director, Area I
Neighborhoods, Planning & Development Services Dept

Approved for Council Information:



ROBERT P. THOMAS
City Manager

for 

JACK CRIST
Deputy City Manager

Attachment

RESOLUTION NO. 2000-008

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

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

WHEREAS, heretofore the Neighborhoods, Planning & Development Services Department, Code Enforcement Division, Housing & Dangerous Buildings Inspections, in accordance with Sacramento City Code, Chapter 50.09 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 50.09; 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 \$220,179.11 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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____
DATE ADOPTED: _____

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: _____

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Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
003-0121-001-0000	41518ST01	415 18th St	Fourteenth Street Trust	1,437.50	HCE54338	1	0678
003-0125-021-0000	2005EST00	2005 E St	Ronald D. Martinez & Carmelita Martinez	816.50	HCE50733	1	0656
008-0481-012-0000	173349ST01	1733 49th St	Nancy E. Bodine	2,461.00	HCE54359	3	0678
010-0242-010-0000	252927ST00	2529 27th St	Mary A. Triboli & Robert Triboli	1,002.80	HCE54363	5	0678
010-0242-010-0000	252927ST00	2529 27th St	Mary A. Triboli & Robert Triboli	8,879.15	HCE54361	5	0201
013-0392-003-0000	351634ST00	3516 34th St	Sergey Aslanidi	809.60	HCE54374	5	0656
013-0393-008-0000	352435STXX	3524 35th St	Joseph McKinsey & Mary McKinsey	4,989.33	HCE54405	5	0656
014-0184-017-0000	3232SANT00	3232 Santa Cruz Wy	George E. Blakemore	1,851.65	HCE54354	5	0656
014-0185-008-0000	3044SANJ01	3044 San Jose Wy	Bob M. Odom	7,816.55	HCE54404	5	0201
014-0195-018-0000	3100STOC00	3100 Stockton Bl	Patino Family Trust Et Al	1,045.93	HCE54415	5	0656
014-0283-016-0000	373046ST00	3730 46th St	California Plan Inc.	931.50	HCE54336	5	0656
014-0293-012-0000	372347ST00	3723 47th St	Ommilife Inc.	11,772.58	HCE54522	5	0201
019-0211-003-0000	264429AV04	2644 29th Av	State Street Bank/Trust Company Trustee	150.00	HCE54326	5	0656
021-0021-012-0000	494214AV00	4942 14th Av	Secretary of Veterans Affairs	4,514.38	HCE54365	5	0201
022-0300-014-0000	5317MART00	5317 Martin Luther King Jr. Blvd	Harinder S. Bains	759.00	HCE54422	5	0656
023-0243-015-0000	5507ARGO01	5507 Argo Wy	Mary Joseph Nissan & Sophie Joseph	759.00	HCE54327	6	0656
023-0265-004-0000	541073ST00	5410 73rd St	Juvenal V. Padilla & Leticia Montiel	952.29	HCE54428	6	0656
025-0091-021-0000	318132AV00	3181 32nd Av	Charles L. Dent	902.75	HCE54394	5	0656

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
027-0034-008-0000	634033AV01	6340 33rd Av	Robson C. Peel	845.25	HCE54385	6	0656
027-0081-017-0000	800132AVXX	8001 32nd Av	Santos Rodriquez	373.75	HCE54366	6	0656
027-0242-024-0000	5832WILK00	5832 Wilkinson St	Leonard Bermudez & Suzanne Bermudez	820.49	HCE54351	6	0656
027-0242-024-0000	5832WILK00	5832 Wilkinson St	Leonard Bermudez & Suzanne Bermudez	2,168.40	HCE54438	6	0201
027-0251-009-0000	780435AV00	7804 35th Av	Guillermo Vidal & Ester Vidal	759.00	HCE54383	6	0656
035-0083-010-0000	1462MCAL00	1462 McAllister Av	Ford Consumer Finance Company Inc.	759.00	HCE54355	4	0656
035-0083-010-0000	1462MCAL00	1462 McAllister Av	Ford Consumer Finance Company Inc.	799.25	HCE54380	4	0678
038-0210-004-0000	6220BIBBXX	6220 Bibbs Dr	Jean V. Nelson	1,132.75	HCE54390	6	0656
048-0231-010-0000	60NEDR01	60 Nedra Ct	Paul Olson & Camrin Parsinen	2,506.68	HCE54439	8	0657
048-0231-018-0000	757024ST01	7570 24th St	Harbor Financial Mortgage Corporation	5,430.90	HCE54356	8	0656
048-0245-008-0000	7471PERM01	7471 Permar St	Phyllis A. Smith	4,784.96	HCE54406	8	0201
049-0064-002-0000	755124ST00	7551 24th St	Harpal Singh & Karnail Singh	86.25	HCE54321	8	0656
049-0142-014-0000	2715WOOD00	2715 Wood Violet Wy	Marvin K. Ramalho & Angeline Ramalho & Francisco Ramalho	4,047.03	HCE54437	8	0201
049-0302-002-0004	95CASE05	95 Caselli Cr #4	Teresa De Porcel	172.50	HCE54316	8	0656
049-0330-034-0000	4224WEYM01	4224 Weymouth Ln	Michael H. Samson	1,558.25	HCE54387	8	0656
052-0092-013-0000	2287BABE01	2287 Babette Wy	William L. Echard, Kyle W. Echard & Kurt W. Echard	2,225.25	HCE54317	8	0678

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
053-0023-017-0000	763824ST00	7638 24th St	Mohammad Haq & Abdul J. Mohammed	2,576.00	HCE54425	8	0678
226-0132-003-0000	904CLAI00	904 Claire Av	Gabriel Ballejos	250.00	HCE54429	2	0656
226-0140-046-0000	1100CLAI00	1100 Claire Av	Wendall Reid & Lorraine Reid	3,101.21	HCE54320	2	0678
237-0130-011-0000	909BLAI00	909 Blaine Av	Ora P. Lewis	138.35	HCE54343	2	0656
237-0281-004-0000	4139ENGL00	4139 Englewood St	Victoria Mortgage Corp	816.50	HCE54396	2	0656
238-0140-008-0000	2304BELL00	2304 Bell Av	Thomas Osro	7,225.99	HCE54318	4	0656
250-0093-014-0000	741MORE00	741 Morey Av	Gregory R. Theis	2,426.50	HCE54381	2	0678
250-0102-004-0000	524KESN00	524 Kesner Av	Nancy Spell-Roundtree	1,799.75	HCE54346	2	0678
250-0102-004-0000	524KESN00	524 Kesner Av	Nancy Spell-Roundtree	143.75	HCE54413	2	0656
250-0302-002-0000	62BUTT00	62 Butterworth Av	Lucile Lee & Estate of	2,167.75	HCE54409	2	0656
251-0034-014-0000	3901HURO00	3901 Huron St	Juan V. Gutierrez	3,174.00	HCE54379	2	0656
251-0034-021-0000	3924HIGH01	3924 High St	Roger Shaw	824.64	HCE54330	2	0656
251-0141-014-0000	3644MAY00	3644 3644 May St (AKA 1060 Roanoke Av)	Eugene J. Schroder	365.00	HCE54403	2	0656
251-0145-026-0000	1216ROAN00	1216 Roanoke Av	Albert Payton Jr. & Lula B. Payton	5,067.97	HCE54362	2	0656
251-0153-020-0000	3528CYPR02	3528 Cypress St	Dave Rundle	3,721.63	HCE54433	2	0656
251-0171-006-0000	1226SOUT00	1226 South Av	Rancho Plymouth L L C	845.25	HCE54371	2	0656
252-0021-004-0000	3913MAHO00	3913 Mahogany St	Stephanie A. Maynes	270.25	HCE54412	2	0656
252-0172-007-0000	1907SOUT00	1907 South Av	John Thomas Green	845.25	HCE54423	2	0656

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
252-0191-014-0000	3605ASTO00	3605 Astoria St	Surujpaul Sahdeo & Rajkumarie Sahdeo	86.25	HCE54431	2	0656
252-0261-016-0000	1640ROSA00	1640 Rosalind St	Dept of Veterans Affairs	805.00	HCE54337	2	0656
262-0081-004-0000	521POTO00	521 Potomac Av	Washington Mutual Bank	8,337.50	HCE54407	2	0201
262-0081-004-0000	521POTO00	521 Potomac Av	Washington Mutual Bank	26,596.60	HCE54348	2	0201
262-0222-015-0000	2632AMER01	2632 American Av	Terry Lee Lawson	759.00	HCE54360	2	0656
263-0131-003-0000	430LASP00	430 Las Palmas Av	Allen Curtis	3,954.94	HCE54345	2	0678
263-0131-003-0000	430LASP00	430 Las Palmas Av	Allen Curtis	4,649.20	HCE54398	2	0201
263-0141-012-0000	2777OAKM01	2777 Oakmont St	Lucy Gonzalez	5,934.00	HCE54386	2	0201
263-0291-004-0000	HSG9900372	237 Olmstead Dr	Vick G. Rodriguez, Lea K. Kwan	2,018.25	HCE54414	2	0656
265-0071-001-0000	3049RIOL00	3049 Rio Linda Bl	3049 Rio Linda Blvd Trust	37,710.51	HCE54501	2	0201
265-0291-015-0000	HSG9900099	2594/2590 Beaumont St	Albert Spence Et Al	2,916.40	HCE54410	2	0656
265-0372-022-0000	1609ELDR00	1609 Eldridge Av	Margaret E. Nichols	4,281.45	HCE54323	2	0656
275-0083-006-0000	HSG9900402	2263 Grove Av	Johnny Holmes	5,290.00	HCE54402	2	0678
275-0145-007-0000	613ARDE00	613 Arden Wy	Lucile C. Jorgenson & Trust Et Al	759.00	HCE54328	2	0656

TOTAL TO BE LIENED:**\$220,179.11**

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