



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2018-01571

November 27, 2018

Public Hearing Item 15

Title: Code Compliance Case Fees and Penalties – Findings of Fact for Special Assessment (Noticed 08/23/2018)

Location: Citywide

Recommendation: Conduct a public hearing and upon conclusion, adopt a Resolution making the unpaid expenses incurred by the City in abating nuisances, in the amount listed on Exhibit A, personal obligations of the respective property owners and special assessments against their properties.

Contact: Carl Simpson, Code and Housing Enforcement Chief, (916) 808-8183, Community Development Department

Presenter: Carl Simpson, Code and Housing Enforcement Chief, (916) 808-8183, Community Development Department

Attachments:

1-Description/Analysis

2-Resolution

3-Exhibit A – Report of the Department Director – Special Assessments

Description/Analysis

Issue Detail: Collection of delinquent fees and penalties are brought before the City Council to secure the debt by making the costs a personal obligation of the respective property owners and/or a special assessment against the respective properties.

Policy Considerations: Conducting the public hearing is in accordance with Section 8.04.430 of the Sacramento City Code. All property owners were afforded an opportunity to appear before the delinquency lien hearing officer and protest or object to the imposition of the charge for abatement, fees or the amount of the unpaid administrative penalty.

Prior to the assessment of fees and penalties, each property owner was issued the appropriate legal notices, as set forth in Section 8.04.390 of the Sacramento City Code and was afforded an opportunity to appear before the delinquency lien hearing officer to protest or object. After the hearing, the hearing officer submitted the final report, along with any revisions, corrections or modifications they deemed just, to the City Clerk to be transmitted to City Council. The City Clerk also issued and mailed to the objecting property owner the delinquency lien hearing officer decision via first class mail. Included in this notice was the date and time of the public hearing to be held by the City Council. The decision of the hearing officer is final, and judicial review must be conducted in the manner and time frame set forth in California Code of Civil Procedure Section 1094.6. Section 8.04.430 of the Sacramento City Code allows the City Council to order the expenses be made both a personal obligation of the property owner and a special assessment against the property.

Code compliance activities, including the cost recovery process, are consistent with policies associated with the City's goal to enhance and preserve the neighborhoods.

Economic Impacts: Not applicable.

Environmental Considerations: The proposed resolution will not have any adverse environmental impact.

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Adopting this Resolution will enable the City to collect unpaid fees and penalties by attaching special assessments against the properties, to be collected through County property tax collections, or a personal obligation of the property owner.

Financial Considerations: Upon City Council approval, unpaid fees and penalties become a personal obligation of the property owner or are attached as special assessments against the subject properties to be collected through Sacramento County property tax collections. If special assessments are utilized, the City receives distributions from the County for property tax and assessment revenue, which are deposited into the General Fund.

Local Business Enterprise (LBE): Not applicable.

RESOLUTION NO. 2018-

Adopted by the Sacramento City Council

November 27, 2018

ACCEPTING ALL COMMUNITY DEVELOPMENT DEPARTMENT ADMINISTRATIVE PENALTIES AND ALL NEIGHBORHOOD CODE COMPLIANCE AND VACANT BUILDING CASE FEES– FINDINGS OF FACT FOR SPECIAL ASSESSMENTS

BACKGROUND

- A. In accordance with Article VIII of Sacramento City Code Chapter 8.04, the department director of the Community Development Department prepared and filed a report of unpaid expenses incurred by the City in abating nuisances pursuant to Sacramento City Code chapter 8.04 and/or unpaid administrative penalties imposed pursuant to Sacramento City Code section 1.28.010, and scheduled a hearing before the delinquency lien hearing officer to consider the report and any protests or objections thereto.
- B. Notice of the time and place of hearing was given in accordance with Section 8.04.390 of the Sacramento City Code.
- C. Upon the day and hour fixed for the hearing, the delinquency lien hearing officer heard and passed on the reports together with any such protests or objections in accordance with Section 8.04.410 of the Sacramento City Code.
- D. The report of the department director was transmitted to the City Clerk, along with any revisions, corrections, or modifications to the report that the delinquency lien hearing officer deemed just. The City Clerk sent the results of the hearing to the objecting owners along with notice of a public hearing to be held by the City Council pursuant to Section 8.04.410 of the Sacramento City Code.
- E. A public hearing was held and the City Council found that the hearings before the delinquency lien hearing officer were conducted in accordance with applicable City ordinances.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. As more specifically described in Exhibit A to this Resolution – Report of the Department Director – Special Assessments, the Neighborhood Code Compliance and Vacant Building fees in the aggregate amount not-to-exceed \$59,945 and reasonable Neighborhood Code Compliance and Housing and Dangerous Building administrative penalties in the aggregate amount not-to-exceed \$98,696 are the sums set forth by the department director, along with any revisions,

corrections, or modifications to the report that the delinquency lien hearing officer deemed just. The amount of penalties may be reduced by staff for any purpose that serves to facilitate abatement of nuisance conditions upon properties within the City of Sacramento. Such reductions may be accomplished by removing or reducing special assessments imposed by this Resolution.

- Section 2. Pursuant to subsection E of Section 8.04.430 of the Sacramento City Code, the expenses incurred by the City in abating nuisances and penalties imposed for violating the Sacramento City Code detailed in Exhibit A are made a special assessment upon the properties at which the services were rendered.
- Section 3. Such special assessments shall be collected at the same time and in the same manner as ordinary municipal taxes and shall be subject to the same penalties and procedures as provided for ordinary municipal taxes.

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Exhibit A – Report of the Department Director – Special Assessments

Exhibit A - Report of the Department Director – Special Assessments

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LINE	PARCEL NUMBER	CASE NUMBER	PROPERTY ADDRESS	PROPERTY OWNER	FEE AMOUNT DUE	PENALTY AMOUNT DUE	INVOICE NUMBER	CD	COUNTY CODE
1	003-0104-017-0000	13-019862	2823 D ST	HERRERA FAMILY TRUST	-	\$1,019	CEDCHA02181	4	0463
2	007-0031-018-0000	18-006815	2401 I ST	JOHN T SHILSON	\$324	-	CEDCVB14129	4	0629
3	007-0113-026-0000	11-021234	2812 J ST	BVPG VENTURES LLC	-	\$5,018	CEDCZA00077	4	0206
4	009-0092-003-0000	16-000159	1500 S ST	SUTTER CAPITAL GROUP L P	-	\$1,019	CEDCHA02173	4	0463
5	009-0092-003-0000	16-000159	1500 S ST	SUTTER CAPITAL GROUP L P	\$324	-	CEDCVB14112	4	0629
6	009-0092-003-0000	16-000159	1500 S ST	SUTTER CAPITAL GROUP L P	-	\$1,519	CEDCVB14113	4	0629
7	009-0092-004-0000	16-007888	1508 S ST	SUTTER CAPITAL GROUP L P	-	\$1,019	CEDCHA02174	4	0463
8	009-0092-005-0000	16-008458	1508 S ST	SUTTER CAPITAL GROUP L P	-	\$1,019	CEDCHA02175	4	0463
9	009-0205-015-0000	17-028743	2230 15TH ST	OLD OAKEN LLC	\$744	-	CEDCNU06523	4	0206
10	009-0205-016-0000	17-024324	1427 W ST	OLD OAKEN LLC	\$744	-	CEDCNU06524	4	0206
11	010-0113-002-0000	17-026532	2011 25TH ST	FRANCISCO JOSEPH DOMINGUEZ	\$849	-	CEDCGR00063	4	0206
12	011-0323-010-0000	17-012238	2992 65TH ST	QI LLC	\$744	-	CEDCNU06567	6	0206
13	013-0044-014-0000	17-024619	2633 3RD AV	RICHARD A & MARGARET ANN MILLS	\$744	-	CEDCNU06560	5	0206
14	013-0044-014-0000	17-008090	2633 3RD AV	RICHARD A & MARGARET ANN MILLS	\$744	-	CEDCNU06564	5	0206
15	013-0104-015-0000	12-014951	2920 33RD ST	MICHAEL EDWARDS	\$629	-	CEDCVB14092	5	0629

Exhibit A - Report of the Department Director – Special Assessments

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16	014-0172-009-0000	14-004427	3040 LA SOLIDAD WY	KENNETH FRANK KRAMLICH	-	\$1,019	CEDCHA02163	5	0463
17	014-0231-024-0000	17-025823	3945 12TH AV	PROJECT MATE INC	-	\$1,019	CEDCVB14104	5	0629
18	014-0231-024-0000	17-025823	3945 12TH AV	PROJECT MATE INC	\$324	-	CEDCVB14111	5	0629
19	015-0201-012-0000	17-025761	5434 10TH AV	ROSE FAMILY TRUST	\$744	-	CEDCNU06513	6	0206
20	016-0093-016-0000	17-022669	4320 CONSTANCE LN	KAREN A PENESCHI	-	\$1,019	CEDCEA00969	4	0206
21	016-0093-016-0000	17-022669	4320 CONSTANCE LN	KAREN A PENESCHI	\$1,119	-	CEDCNU06585	4	0206
22	017-0172-010-0000	17-012779	4980 FREEPORT BL	KORNWASSER M/TR (RITE AID CORP)/ETAL	-	\$1,019	CEDCEA00962	4	0206
23	017-0172-010-0000	17-012779	4980 FREEPORT BL	KORNWASSER M/TR (RITE AID CORP)/ETAL	\$1,669	-	CEDCNU06537	4	0206
24	018-0243-021-0000	18-002404	2399 FRUITRIDGE RD	TROMPAS PROPERTY LTD	\$744	-	CEDCNU06607	5	0206
25	020-0051-012-0000	17-015112	4009 33RD ST	KARIN FRANK	\$744	-	CEDCNU06563	5	0206
26	020-0073-026-0000	11-001377	4003 WASHINGTON AV	WANDA K CLARK	-	\$519	CEDCHA02164	5	0463
27	020-0132-015-0000	14-009562	3748 18TH AV	ARLP SECURITIZATION TRUST	\$324	-	CEDCVB14150	5	0629
28	020-0213-016-0000	14-014912	3748 19TH AV	SEACOAST CAPITAL GROUP LLC	-	\$1,019	CEDCHA02166	5	0463
29	020-0213-016-0000	14-014912	3748 19TH AV	SEACOAST CAPITAL GROUP LLC	\$324	-	CEDCVB14106	5	0629
30	020-0213-016-0000	14-014912	3748 19TH AV	SEACOAST CAPITAL GROUP LLC	-	\$1,019	CEDCVB14107	5	0629
31	021-0021-020-0000	16-002637	4917 15TH AV	MARIE I MERTZ	-	\$3,019	CEDCHA02161	5	0463

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32	021-0071-002-0000	17-026723	6300 14TH AV	RONALD RUSSELL	\$844	-	CEDCNU06604	6	0206
33	021-0071-002-0000	17-022383	6300 14TH AV	RONALD RUSSELL	\$744	-	CEDCNU06605	6	0206
34	021-0272-021-0000	16-018466	4401 77TH ST	U S BANK NATL ASSOCIATION	\$1,544	-	CEDCVB14093	6	0629
35	021-0272-021-0000	16-018466	4401 77TH ST	U S BANK NATL ASSOCIATION	-	\$12,019	CEDCVB14094	6	0629
36	022-0023-019-0000	17-010861	3815 23RD AV	MARY KIETSATHIT	-	\$1,019	CEDCEA00970	5	0206
37	022-0023-019-0000	17-010861	3815 23RD AV	MARY KIETSATHIT	\$1,119	-	CEDCNU06588	5	0206
38	022-0065-018-0000	14-008300	4901 48TH ST	GEORGIA J ADAMS	-	\$400	CEDCHA02165	5	0463
39	022-0290-008-0000	18-000370	5218 MARTIN L KING BL	MALIHEH PAKZAT	\$744	-	CEDCNU06568	5	0206
40	023-0136-008-0000	14-020835	5221 CABRILLO WY	CHAN TIT TSANG	-	\$2,019	CEDCHA02167	6	0463
41	023-0152-024-0000	18-003481	4981 64TH ST	LANA M GARCIA	\$744	-	CEDCNU06572	6	0206
42	023-0211-006-0000	16-022852	5531 27TH AV	CHRISTOPHER E GUILFORD/CYNTHIA M HUNTER	-	\$3,518.99	CEDCHA02185	6	0463
43	023-0234-019-0000	17-008220	5401 60TH ST	EUGENE L DANIELS JR	\$324	-	CEDCVB14108	6	0629
44	023-0234-019-0000	17-008220	5401 60TH ST	EUGENE L DANIELS JR	-	\$3,019	CEDCVB14109	6	0629
45	025-0132-016-0000	17-025811	5653 HELEN WY	EMILY BAIME & DARIN P MICHAELS	\$324	-	CEDCVB14088	5	0629
46	027-0032-018-0000	17-023756	6361 33RD AV	HSBC BK UNITED STATES OF AMERICA TRUST	-	\$1,019	CEDCEA00967	6	0206
47	027-0032-018-0000	17-023756	6361 33RD AV	HSBC BK UNITED STATES OF AMERICA TRUST	\$1,119	-	CEDCNU06569	6	0206

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48	027-0035-002-0000	17-011118	5621 64TH ST	DONNA B MITCHELL	\$629	-	CEDCVB14098	6	0629
49	027-0035-002-0000	17-011118	5621 64TH ST	DONNA B MITCHELL	-	\$1,019	CEDCVB14099	6	0629
50	027-0114-022-0000	18-008482	6321 35TH AV	EVANGELINA A & JACK O COVERT II	\$744	-	CEDCNU06586	6	0206
51	027-0162-033-0000	15-008455	7926 34TH AV	SERGIO R MARQUINA & MARIA ELSYE	-	\$9,019	CEDCHA02190	6	0463
52	027-0162-033-0000	15-008455	7926 34TH AV	SERGIO R MARQUINA & MARIA ELSYE	\$324	-	CEDCVB14153	6	0629
53	027-0162-033-0000	15-008455	7926 34TH AV	SERGIO R MARQUINA & MARIA ELSYE	-	\$1,019	CEDCVB14154	6	0629
54	029-0391-002-0000	17-020827	7070 WESTMORELAND WY	SHU FEN MEI	-	\$1,019	CEDCEA00968	7	0206
55	030-0020-055-0000	17-015661	6573 PARK RIVIERA WY	NATALIE GARCIA & PETE A GARCIA JR	-	\$3,019	CEDCEA00963	7	0206
56	030-0020-055-0000	17-015661	6573 PARK RIVIERA WY	NATALIE GARCIA & PETE A GARCIA JR	\$1,294	-	CEDCNU06540	7	0206
57	031-0182-011-0000	17-009419	7419 GOLDEN OAK WY	LEONARD STUDDIVANT	-	\$3,019	CEDCEA00964	5	0206
58	031-0182-011-0000	17-009419	7419 GOLDEN OAK WY	LEONARD STUDDIVANT	\$1,394	-	CEDCNU06542	5	0206
59	040-0250-005-0000	16-007179	6684 SPOERRIWOOD CT	SEED OF ABRAHAM MOABITES TRUST	\$629	-	CEDCVB14138	6	0629
60	040-0250-005-0000	16-007179	6684 SPOERRIWOOD CT	SEED OF ABRAHAM MOABITES TRUST	-	\$1,019	CEDCVB14139	6	0629
61	041-0063-019-0000	13-004068	7000 CARNATION AV	JAGDEEP SINGH	\$1,239	-	CEDCVB14149	5	0629
62	047-0124-007-0000	17-006357	2119 65TH AV	KALOLAINE TENEFUFU	\$324	-	CEDCVB14114	8	0629
63	047-0254-006-0000	17-015675	1984 67TH AV	JULIE E BARNES	\$744	-	CEDCNU06587	8	0206

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64	047-0255-010-0000	17-026483	2048 NIAN TIC WY	YI D ZHENG	\$419	-	CEDCVB14105	8	0629
65	048-0051-014-0000	15-008643	7412 HENRIETTA DR	SAIA SITANI	\$324	-	CEDCVB13560	8	0629
66	048-0051-014-0000	15-008643	7412 HENRIETTA DR	SAIA SITANI	-	\$2,019	CEDCVB13561	8	0629
67	048-0164-010-0000	17-006390	7525 SCHREINER ST	CALIFORNIA FAMILY HOME BUYERS LLC	\$1,544	-	CEDCVB14115	8	0629
68	049-0265-004-0000	17-023604	3050 TRENTWOOD WY	RAFAEL G/LORRAINE M MARTINEZ	\$744	-	CEDCNU06515	8	0206
69	049-0330-050-0000	17-020684	4229 WEYMOUTH LN	GAIL AMAMIYA MAY ROE	\$629	-	CEDCVB14157	8	0629
70	049-0330-050-0000	17-020684	4229 WEYMOUTH LN	GAIL AMAMIYA MAY ROE	-	\$519	CEDCVB14158	8	0629
71	049-0380-011-0000	18-007081	7230 FRANKLIN BL	GEORGE/JENNY CHANG 2006 REV LVN	\$744	-	CEDCNU06619	8	0206
72	050-0461-035-0000	18-000666	4661 CEDARWOOD WY	RONDA LOPEZ	\$744	-	CEDCNU06614	8	0206
73	052-0043-010-0000	17-010957	2273 PIERRE AV	EST OF LORRAINE A RIEDLINGER	-	\$1,019	CEDCHA02178	8	0463
74	052-0043-010-0000	17-010957	2273 PIERRE AV	EST OF LORRAINE A RIEDLINGER	\$324	-	CEDCVB14117	8	0629
75	117-0234-002-0000	17-018258	6110 HESBY WY	KENNETH ADAM	-	\$1,019	CEDCEA00959	7	0206
76	117-0234-002-0000	17-018258	6110 HESBY WY	KENNETH ADAM	\$1,119	-	CEDCNU06529	7	0206
77	117-0350-077-0000	15-019925	6 PIVOT CT	GENARO G RAMOS	-	\$7,019	CEDCHA02168	7	0463
78	117-0370-005-0000	17-027844	7912 PEDRICK ST	DOLORES GOMEZ& JOSE VARGAS	\$744	-	CEDCNU06527	7	0206
79	117-0430-012-0000	17-028663	9 LIONEL CT	JAIN SURABHI	\$744	-	CEDCNU06615	7	0206

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80	117-0460-085-0000	17-023273	5032 N LAGUNA DR	2013 1 1H BORROWER LP	\$324	-	CEDCVB14145	7	0629
81	117-0760-079-0000	18-002257	4965 BAMFORD DR	EST OF RAYMOND FELICIANA	\$744	-	CEDCNU06613	7	0206
82	225-0847-002-0000	18-001811	3546 RIO LOMA WY	ANA G L DEGOMEZ	\$744	-	CEDCNU06576	3	0206
83	226-0161-001-0000	17-021434	600 PINEDALE AV	WESLEY BURNS	-	\$1,019	CEDCEA00977	2	0206
84	226-0161-001-0000	17-021434	600 PINEDALE AV	WESLEY BURNS	\$1,119	-	CEDCNU06611	2	0206
85	226-0220-005-0000	17-026931	4933 DRY CREEK RD	NEUBAUER FAMILY TRUST	\$744	-	CEDCNU06531	2	0206
86	226-0300-012-0000	17-014694	5323 DRY CREEK RD	MERSAL INTERNATIONAL INC	-	\$4,019	CEDCZA00078	2	0206
87	226-0300-012-0000	17-014694	5323 DRY CREEK RD	MERSAL INTERNATIONAL INC	\$1,119	-	CEDCZO00173	2	0206
88	237-0390-002-0000	16-020509	4424 AUSTIN ST	JOSE F PUGA LEDESMA	-	\$519	CEDCHA02184	2	0463
89	250-0074-024-0000	17-018367	601 GRAND AV	SABEEHA SHAHEEN	\$1,829	-	CEDCVB14100	2	0629
90	250-0074-024-0000	17-018367	601 GRAND AV	SABEEHA SHAHEEN	-	\$2,519	CEDCVB14101	2	0629
91	252-0014-003-0000	15-008635	3935 LILY ST	PATRICK E/ERALIA U SAUCEDO	\$324	-	CEDCVB14124	2	0629
92	251-0191-024-0000	17-024448	801 CARMELITA AV	NAZARITY PAVLITSKIY	\$9,957.81	-	CEDCNU06600	2	0206
93	251-0251-021-0000	15-002927	3325 MAY ST	MARY KIETSATHIT	-	\$5,519	CEDCHA02186	2	0463
94	252-0012-012-0000	17-023347	1725 HARRIS AV	SHARON TRELOAR	\$744	-	CEDCNU06571	2	0206
95	252-0064-001-0000	18-005611	3845 LILY ST	GAIL ROE	\$744	-	CEDCNU06602	2	0206

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96	252-0082-038-0000	17-025805	2145 GRAND AV	LORI BARNES	-	\$1,019	CEDCEA00974	2	0206
97	252-0082-038-0000	17-025805	2145 GRAND AV	LORI BARNES	\$1,119	-	CEDCNU06594	2	0206
98	262-0052-010-0000	17-027558	3150 NORDYKE DR	JENNY GARCIA VIEGAS	\$844	-	CEDCNU06534	3	0206
99	262-0241-010-0000	17-025189	2509 NORTHGLEN ST	RONALD H HESS/PATSY A VANSOEST	\$744	-	CEDCNU06616	3	0206
100	265-0040-014-0000	17-002577	3168 CALLECITA ST	GILDA GRANT	-	\$3,019	CEDCEA00966	2	0206
101	265-0040-014-0000	17-002577	3168 CALLECITA ST	GILDA GRANT	\$1,394	-	CEDCNU06546	2	0206
102	265-0291-007-0000	17-019697	2543 RIO LINDA BL	SHELVIN LAL	\$844	-	CEDCNU06595	2	0206
103	275-0151-007-0000	17-014873	2204 OAKMONT ST	ANTONIO TORRES & VIRGINIA NORIEGA	-	\$1,519	CEDCEA00965	2	0206
104	275-0151-007-0000	17-014873	2204 OAKMONT ST	ANTONIO TORRES & VIRGINIA NORIEGA	\$1,119	-	CEDCNU06544	2	0206
105	275-0153-003-0000	16-017892	2255 BEAUMONT ST	HERRERA FAMILY TRUST, PEINADO FAMILY TRUST	-	\$2,518	CEDCHA02183	2	0463
106	275-0153-004-0000	16-016169	2239 BEAUMONT ST	PEINADO FAMILY TRUST	-	\$3,019	CEDCHA02170	2	0463
107	295-0040-047-0000	17-023246	910 UNIVERSITY AV	910 UNIVERSITY LLC	\$744	-	CEDCNU06579	6	0206
TOTAL					\$59,944.81	\$98,695.99	GRAND TOTAL \$158,640.80		