

## **RESOLUTION NO. 2007-026**

Adopted by the Sacramento City Council

January 16, 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, Chapter 8.96.320 and 8.04.110 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, Chapter 8.96.320 and 8.04.110; 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 \$17,412.16 for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact of hearing held November 8, 2006. 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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Adopted by the City of Sacramento City Council on January 16, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

  
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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	010-0384-002-0000	C060005522	3600 2nd Ave	John Oscar & Porfirio Rodriguez	\$875.00	NS070026	5	0206
2	015-0182-007-0000	06-009111	4850 10th Av	Rebecca D Crawford & Pablo H. Mejia	\$875.00	NS070054	5	0206
3	020-0031-012-0000	C060009095	3833 36th St	Michael Candelerio	\$875.00	NS070021	3	0206
4	031-0890-016-0000	06-005037	7401 Delawind Dr	Jaime Gonzalez	\$1,012.16	NS070042	7	0206
5	038-0350-040-0000	06-003496	7025 Elder Creek Rd	Raj K & Maya W Narayan	\$185.00	NS070051	6	0206
6	237-0120-071-0000	G050042173	601 Regginald Wy	Jose Garcia	\$430.00	GA070004	2	0206
7	263-0103-006-0000	C060006722	644 Alamos	Carl & Michelle Renowisky/Frank Sargent	\$185.00	NS070018	2	0206
8	266-0321-007-0000	C050043518	2645 Plover	Dennis Darrell Darnitz	\$2,000.00	CEAP070005	3	0206
9	266-0321-007-0000	C050043518	2645 Plover	Dennis Darrell Darnitz	\$9,545.00	NS070055	3	0206
<b>TOTAL TO BE LIENED</b>					<u>\$15,982.16</u>			