



APPROVED
BY THE CITY COUNCIL

MAR 31 1998

OFFICE OF THE
CITY CLERK

1-20

NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

DEVELOPMENT SERVICES DIVISION

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET, SUITE 200
SACRAMENTO, CA 95814

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

March 17, 1998

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: March 31, 1998

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. No budget amendment is required. No General Fund impact is expected.

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.

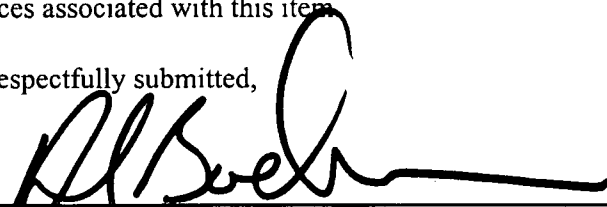
POLICY CONSIDERATIONS:

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.

MBE/WBE

There is no requirement for purchase of goods or services associated with this item.

Respectfully submitted,



BRADFORD J. BOEHM, P.E.


Building Official

Neighborhoods, Planning & Development Services Dept

Approved for Council Information:



WILLIAM H. EDGAR
City Manager



JACK CRIST
Deputy City Manager

Attachment

APPROVED
BY THE CITY COUNCIL

MAR 31 1998

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 98-102

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**

WHEREAS, heretofore the Neighborhood Services Department, Code Enforcement Division, 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 50.90; and

WHEREAS, the Neighborhood Services Department, Code Enforcement Division, 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, 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 \$100,905.94 for unpaid fees and penalties is the sum set forth on the attachment incorporated into this resolution.
2. That, as provided in Section 39577 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: _____ 3

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.

MAYOR

CITY CLERK

Attachment

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

Housing Case Fees & Penalties -- Attachment

March 31, 1998

| Parcel Number | Case Number | Property Address | Property Owner | Amount Due | Invoice Number | Council District | County ID |
|-------------------|-------------|-------------------------------|--------------------------------|------------|----------------|------------------|-----------|
| 002-0116-042-0000 | 52110ST00 | 521 10th St | Trent Levinson | 2,256.69 | HCE43391 | 1 | 0201 |
| 006-0053-008-0000 | 82614ST00 | 826 14th St | Jafar Ahmad Nassar | 759.00 | HCE43285 | 1 | 0656 |
| 006-0053-020-0000 | 81713STXX | 817 13th St | The Sterling Hotel | 1,000.00 | VBAP40998 | 1 | 0629 |
| 006-0053-020-0000 | 81713STXX | 817 13th St | The Sterling Hotel | 5,000.00 | VBAP43718 | 1 | 0629 |
| 006-0292-001-0000 | 1500QST00 | 1500 Q St | Runway Ranch Inc. | 1,759.00 | HCE43384 | 4 | 0656 |
| 007-0015-012-0000 | 2019IST02 | 2019 I St | Richard W. & Judith L. O'Brien | 363.40 | HCE39089 | 3 | 0657 |
| 009-0056-019-0000 | 515TSTXX | 515 T St | Victor Terra | 5,000.00 | VBAP43722 | 4 | 0629 |
| 009-0062-020-0000 | 607TST00 | 607 T St | David A. Scharlach | 1,759.00 | HCE43387 | 4 | 0656 |
| 009-0111-019-0000 | 20253STXX | 2025 3rd St | Gim & Pansy Wong | 5,000.00 | VBAP41000 | 4 | 0629 |
| 009-0241-004-0000 | 831BROA00 | 831 Broadway | Ray Finegold | 759.00 | HCE45225 | 4 | 0656 |
| 014-0122-018-0000 | 42454AV00 | 4245 4th Av | Bradley K. Burbridge | 1,000.00 | VBAP43721 | 5 | 0629 |
| 014-0184-013-0000 | 3200SANT00 | 3200 Santa Cruz Wy | R.B./Diane L. Velten | 1,978.00 | HCE39088 | 5 | 0657 |
| 014-0261-025-0000 | 3701MART00 | 3701 Martin Luther King Jr Bl | Nelson Phu Mai | 1,759.00 | HCE43381 | 5 | 0656 |
| 014-0294-006-0000 | 3824STOCXX | 3824 Stockton Bl | Georgia J. Adams | 1,000.00 | VBAP43726 | 5 | 0629 |
| 015-0241-021-0000 | 490912AV00 | 4909 12th Av | Donald O. Fry | 5,130.15 | HCE44769 | 5 | 0201 |
| 020-0045-010-0000 | 4054SUMA01 | 4054 Sumac Ln | Masoud Kermani | 1,650.25 | HCE43392 | 5 | 0656 |
| 023-0071-026-0000 | 4970ALCO01 | 4970 Alcott Dr | Arthur & Iva Poff | 1,587.00 | HCE43398 | 5 | 0656 |
| 036-0151-005-0000 | 263252AV00 | 2632 52nd Av | Satwant & Jayshri Verma | 1,000.00 | VBAP43703 | 5 | 0629 |
| 038-0350-030-0000 | 6239RING00 | 6239 Ring Dr | Joo Youn Woo | 1,000.00 | VBAP40980 | 6 | 0629 |

| Parcel Number | Case Number | Property Address | Property Owner | Amount Due | Invoice Number | Council District | County ID |
|-------------------|-------------|--------------------|--------------------------------|------------|----------------|------------------|-----------|
| 047-0202-001-0000 | 7401TROO00 | 7401 Troon Wy | Pedro F. & Elaine B. Cabog | 5,000.00 | VBAP43713 | 8 | 0629 |
| 048-0205-003-0000 | 7537BOWE01 | 7537 Bowen Cr | David Gin | 5,000.00 | VBAP43719 | 8 | 0629 |
| 049-0081-018-0000 | 7586TISD00 | 7586 Tisdale Wy | James Uong | 1,000.00 | VBAP43717 | 8 | 0629 |
| 049-0281-003-0003 | 7328FRAN03 | 7328 Franklin Bl | River City Investors | 1,449.00 | HCE43377 | 8 | 0656 |
| 049-0293-004-0002 | 7480FRAN02 | 7480 Franklin Bl | River City Investors | 1,449.00 | HCE43399 | 7 | 0201 |
| 049-0293-008-0002 | 7492FRAN02 | 7492 Franklin Bl | River City Investors | 1,467.40 | HCE43378 | 7 | 0656 |
| 049-0330-019-0000 | 4205BROO00 | 4205 Brookfield Dr | John A. Pearne Assoc Ltd | 1,000.00 | VBAP43706 | 8 | 0629 |
| 049-0330-020-0000 | 4207BROO00 | 4207 Brookfield Dr | John A. Pearne Assoc Ltd | 1,000.00 | VBAP43707 | 8 | 0629 |
| 049-0330-022-0000 | 4211BROO00 | 4211 Brookfield Dr | John A. Pearne Assoc Ltd | 1,000.00 | VBAP43708 | 8 | 0629 |
| 049-0340-013-0000 | 4206SAVA00 | 4206 Savannah Ln | Kayte Jones | 1,000.00 | VBAP43710 | 8 | 0629 |
| 052-0075-001-0000 | 7645MANO00 | 7645 Manorside Dr | Robert Christensen | 845.25 | HCE43343 | 8 | 0656 |
| 052-0124-006-0000 | 767718ST00 | 7677 18th St | R.B. & Diane Velten | 529.00 | HCE45213 | 8 | 0656 |
| 053-0086-002-0000 | 7645TEEK00 | 7645 Teekay Wy | DSH 4th Family Ltd Partnership | 759.00 | HCE45218 | 7 | 0656 |
| 117-0460-013-0000 | 2ELST00 | 2 Elster | Jerry Sokugawa | 1,000.00 | VBAP43731 | 7 | 0629 |
| 118-0131-029-0000 | 7770STOC00 | 7770 Stockton Bl | Hassan Ghobity | 4,203.25 | HCE45214 | 8 | 0201 |
| 237-0311-003-0000 | 1417STEP00 | 1417 Stephanie Av | Chase Manhattan Mortgage | 10,000.00 | VBAP43720 | 2 | 0629 |
| 238-0172-012-0000 | 4104DAYT00 | 4104 Dayton St | George Gower | 643.61 | HCE43269 | 2 | 0201 |
| 250-0210-041-0000 | 3408TAYL00 | 3408 Taylor St | Robert McGrath | 759.00 | HCE45215 | 2 | 0656 |
| 251-0082-007-0000 | 3825FIG00 | 3825 Fig St | Marian Kranig | 1,259.00 | HCE43383 | 2 | 0656 |

| Parcel Number | Case Number | Property Address | Property Owner | Amount Due | Invoice Number | Council District | County ID |
|-------------------|-------------|--------------------|-----------------------------|------------|----------------|------------------|-----------|
| 251-0125-010-0000 | 3617MARYXX | 3617 Marysville Bl | Mohammed/Amy Adelzadeh | 460.00 | HCE40265 | 2 | 0656 |
| 251-0191-013-0000 | 810CARM00 | 810 Carmelita Av | George Romonsky | 989.00 | HCE45211 | 2 | 0656 |
| 251-0311-009-0000 | 1285DIAM00 | 1285 Diamond Av | Allen Perez | 1,897.50 | HCE39094 | 2 | 0657 |
| 252-0064-005-0000 | 3829LILYXX | 3829 Lily Street | Donna Klinefelter | 2,968.44 | HCE43294 | 2 | 0201 |
| 252-0302-005-0000 | 3201DELP00 | 3201 Del Paso Bl | Woodside Medical Associates | 759.00 | HCE45202 | 2 | 0656 |
| 263-0131-011-0000 | 2769FORR00 | 2769 Forrest St | Raymond Sanchez | 1,955.00 | HCE43400 | 2 | 0201 |
| 263-0141-007-0000 | 672LASP00 | 672 Las Palmas | Theresa La Rosa | 1,868.75 | HCE43390 | 2 | 0201 |
| 266-0212-002-0000 | 2954CONN00 | 2954 Connie Dr | Harry Paik | 8,952.75 | HCE44849 | 2 | 0201 |
| 275-0093-004-0000 | 1825DELP00 | 1825 Del Paso Bl | Spartan Brokerage Group | 1,759.00 | HCE43385 | 2 | 0656 |
| 275-0131-001-0000 | 1604DELP00 | 1604 Del Paso Bl | Manuel & Kaye Mercado | 172.50 | HCE45203 | 2 | 0656 |

TOTAL TO BE LIENED:

\$100,905.94

NOTE: The following individual's appeals were upheld; therefore, the fees and penalties were removed:

| <u>Case Number</u> | <u>Property Owner</u> | <u>Invoice Number</u> | <u>Council District</u> |
|--------------------|------------------------|-----------------------|-------------------------|
| 598ELEA00 | Joseph & Penny Pilgrim | HCE43376 | 2 |