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APPROVED
BY THE CITY COUNCIL

JAN 1 1 1994

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
FINANCE

REVENUE DIVISION

CITY OF SACRAMENTO
CALIFORNIA

December 30, 1993
RA93128:MLF:ldm

CITY HALL
ROOM 104
915 I STREET
SACRAMENTO, CA
95814-2696

REVENUE
ADMINISTRATION
916-264-5724

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: UTILITY CHARGES SPECIAL ASSESSMENT LIEN HEARING FOR
2814 5TH STREET**

LOCATION AND COUNCIL DISTRICT: District 4

RECOMMENDATION

It is recommended that the City Council:

- 1a. Receive testimony regarding any protests or objections to making unpaid delinquent utility charges for 2814 5th Street (APN: 012-0010-026-0000) a special assessment lien against the property, and;
- 1b. Direct staff to report back on Tuesday, February 1, 1994 findings and recommendations regarding any protests or objections heard concerning the placement of a special assessment lien for unpaid delinquent utility service charges for 2814 5th Street, or;
- 2a. Close the hearing if there is no protest or objection made of the unpaid delinquent utility service charges for 2814 5th Street recommended for a special assessment lien, and;
- 2b. Adopt the attached resolution (page 4) declaring delinquent water, sewer, regional sewer, garbage refuse and storm drainage fees for 2814 5th Street (APN: 012-0010-026-0000) as a special assessment on the property.

CONTACT PERSON

Margaret L. Freeman, Revenue Manager, 264-5724

FOR COUNCIL MEETING OF

January 11, 1994

SUMMARY

This report recommends the City Council conduct a hearing to make unpaid delinquent utility service charges for 2814 5th Street a special assessment lien against the property and to receive protests or objections, if any, thereto. The special assessment lien is to be recorded into the Official Records Of Sacramento County and transmitted to the Sacramento Auditor/Controller as special assessment against the property at which the services were rendered.

COMMITTEE/COMMISSION ACTION

None

BACKGROUND INFORMATION

On December 14, 1993, the City Council adopted Resolution No.93-705 which:

1. Established January 11, 1993 at 7:30 pm in the City Council Chambers, 915 I Street, Sacramento, California as the date, time and place for hearing any protests or objections to the placing of delinquent utility service charges for 2814 5th Street (APN: 012-0010-026-0000) as a special assessment lien on the property.
2. Directed the Revenue Manager to mail a notice of the hearing to the property owners of 2814 5th Street.

On December 17, 1993 staff mailed the notice of the hearing to the owners of the property, as directed by City Council. Staff is available to assist the City Council in receiving any protests or objections. Should there be any protests or objections made, staff will make a thorough investigation and report its findings and recommendations to the City Council on February 1, 1994. At that time, City Council must make a final determination of the unpaid delinquent utility service charges for 2814 5th Street as a special assessment lien against that property.

Delinquent utilities charges are brought before the City Council annually to secure the debt by placing liens on the properties with delinquent utility charges. This process occurs during June and July each year. The utility charges for the property located at 2814 5th Street were delinquent at the time of the 1993 special assessment lien process but were not included in the final assessments. The charges are still delinquent and due to the large delinquent balance and other extraordinary circumstances involving the property, it is in the best interest of the City for the City Council to levy and record a special assessment at this time. The special assessment is to be collected at the same time and in the same manner as the secured property taxes are collected.

FINANCIAL CONSIDERATIONS

The lien process provides for the collection of unpaid delinquent utilities charges for 2814 5th Street in the amount of \$61,764.55.

POLICY CONSIDERATIONS

This report is in accordance with the provisions of the City Code to hear protests or objections and to affirm or reject the assessment.

MBE/WBE

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

Respectfully submitted,



Margaret L. Freeman
Revenue Manager

RECOMMENDATION APPROVED:


WILLIAM H. EDGAR, City Manager

Attachment

JAN 1 1 1994

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 94-031

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION DECLARING DELINQUENT WATER, SEWER, REGIONAL SEWER, GARBAGE, GARDEN REFUSE, AND STORM DRAINAGE SERVICE FEES A LIEN ON 2814 5TH STREET (APN: 012-0010-026-0000) TO WHICH SUCH SERVICES WERE FURNISHED

WHEREAS, pursuant to the provisions of the Sacramento City Code, the owners of the real property described in Attachment I have been notified that water, sewer, regional sewer, garbage, garden refuse, and storm drainage services furnished to said property were unpaid for a period of sixty days and that subsequent proceedings would be taken by the Council to make the charges a lien on the real property if said charges were not paid; and

WHEREAS, pursuant to the Sacramento City Code, notices were mailed to the owners of said property informing them of a public hearing to be held before the Council on January 11, 1994, concerning said unpaid water, sewer, regional sewer, garbage, garden refuse and storm drainage service fees; and

WHEREAS, on January 11, 1994, said hearing was conducted, and the hearing closed:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That the charges set forth in Attachment I for the furnishing of water, sewer, regional sewer, garbage, garden refuse and storm drainage service, to the real property described in said Attachment I are owing and delinquent.
2. That the City Council, in accordance with the provisions of the Sacramento City Code, is entitled to and hereby attaches a lien upon the real property described in said Attachment I in the amount set forth.

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RESOLUTION NO.: _____

DATE ADOPTED: _____

3. That the lien shall constitute a special assessment against the property to 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 the City Clerk shall file a certified copy of the confirmed report with the Sacramento County Auditor/Controller for collection of said lien as hereinabove provided.
5. That the lien shall be recorded in the office of the County Recorder of the County of Sacramento.

/ MAYOR

ATTEST:

CITY CLERK

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RESOLUTION NO.: _____

DATE ADOPTED: _____

5

Delinquent Utility Charges

Property Owners:

Benioff, Robert A.
Ferdinand, George L.
Holmes, Diana D.
Taylor, John Bruce
Sahadeo, Dhanaraj

Address:

2814 5th Street

Parcel Number:

012-0010-026-0000

Amount:

\$61,764.55

Council District:

4