

APPROVED
BY THE CITY COUNCIL

JUL 29 1997

OFFICE OF THE
CITY CLERK



1.23

NEIGHBORHOODS, PLANNING
& DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET, 200
SACRAMENTO, CA
95814-2998

Housing and Dangerous Buildings
Phone 916-264-5404
FAX 916-264-7643

July 16, 1997

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: Josh Pino, Chief Building Inspector,
Neighborhoods, Planning & Development Services Department, 264-8183

FOR COUNCIL MEETING OF: July 29, 1997

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 received a hearing 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:

The collection of funds from these properties will total \$88,090.67. These funds are to be used to reimburse the General Fund for program related expenditures.

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.

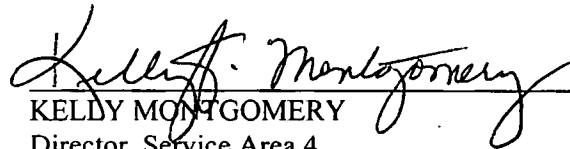
POLICY CONSIDERATIONS:

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

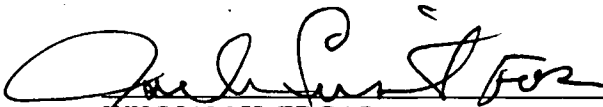
There is no requirement for purchase of goods or services associated with this item.

Respectfully submitted,

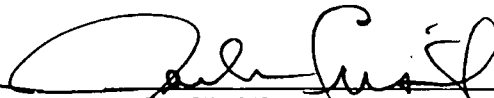


KELDY MONTGOMERY
Director, Service Area 4
Neighborhood Services Department

Approved for Council Information:



WILLIAM H. EDGAR
City Manager



JACK CRIST
Deputy City Manager

Attachment

APPROVED
BY THE CITY COUNCIL
JUL 29 1997
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-433

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 \$88,090.67 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: _____

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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, 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.: _____ 4
DATE ADOPTED: _____

Housing Case Fees & Penalties -- Attachment

July 29, 1997

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
002-0086-008-0000	1420CST01	1420 C St	Mark Haywood	\$500.00	HCE44789	4	0656
009-0056-019-0000	515TSTXX	515 T St	Victor Terra Et Al	\$10,000.00	VBAP40995	4	0629
009-0343-032-0000	2753SANL00	2753 San Luis Ct	William & Frances M. Ong	\$5,000.00	VBAP40986	4	0629
010-0235-002-0000	241126STXX	2411 26th St	Donna Dring	\$316.25	HCE44804	4	0201
014-0141-018-0000	2966LASOXX	2966 La Solidar Wy	William P. Rusher	\$977.35	HCE44793	5	0657
015-0293-015-0000	3861KROY00	3861 Kroy Wy	Robert L. & Dawn Zenz	\$8,557.15	HCE44783	5	0201
020-0053-028-0000	3925TEMP00	3925 Temple Av	Stanley Roller	\$4,478.10	HCE44768	5	0201
027-0342-029-0000	390739AV00	7907 39th Av	Shamshad & Rahat Buksh	\$809.60	HCE44790	5	0656
035-0245-011-0000	683024STYY	6830 24th St	Harold & Bernita Switzer	\$621.00	HCE44782	8	0656
041-0051-006-0000	243457AV00	2434 57th Av	Jimmie & Marie Andrews	\$1,000.00	VBAP40982	8	0629
041-0112-007-0000	7146HISP00	7146 Hispberry Ln	Graham McConnachie	\$150.00	HCE44799	5	0656
047-0014-004-0000	24STBYP00	24th St Bypass	Meadowview Community Action	\$4,950.00	HCE44819	7	0201
047-0023-010-0000	1421OAKH00	1421 Oak Hurst Wy	Robert Davila	\$1,000.00	VBAP40984	8	0629
048-0034-003-0000	7464SCHR00	7464 Schreiner St	Pacific Land & Water	\$759.00	HCE44796	8	0656
048-0205-003-0000	7537BOWE01	7537 Bowen Cr	David Gin	\$1,000.00	VBAP40992	8	0629
049-0340-011-0000	4210SAVA00	4210 Savannah Ln	Salvador & Frances Martinez	\$747.50	HCE44809	7	0201
052-0113-040-0000	1537ANOK01	1537 Anoka Av	R.B. / Diane L. Velten	\$759.00	HCE44785	7	0656
052-0121-016-0000	1724ANOK00	1724 Anoka Av	Charles & Orantha Edington	\$1,437.50	HCE44781	7	0201

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Housing Case Fees & Penalties -- Attachment

July 29, 1997

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
052-0135-022-0000	1749JANR00	1749 Janrick Av	Lynn/Elizabeth Hoag	\$5,000.00	VBAP40979	8	0629
117-0310-038-0000	46KENN01	46 Kennelford Cr	Steven & Kimra Balliet	\$1,265.00	HCE44810	7	0201
117-0390-022-0000	7907CENT00	7907 Center Pkwy	Lowell Smith & Evers, Inc.	\$2,354.05	HCE44807	7	0201
225-0582-005-0000	2866BEND00	2866 Bendmill Wy	Ray G. Hutchison	\$1,000.00	VBAP40978	1	0629
237-0040-021-0000	622MAIN00	622 Main Av	James Marcos	\$6,382.50	HCE44772	2	0201
237-0192-019-0000	4127RIOL00	4127 Rio Linda Blvd	Robert & Josephine Woods	\$5,416.50	HCE44795	2	0201
238-0072-035-0000	109TINK00	109 Tinker Wy	Roy L. & Dolores T. Anderson	\$1,000.00	VBAP40987	2	0629
250-0082-007-0000	548GRAN00	548 Grand Av	Rodolpho Perucho	\$1,000.00	VBAP40985	2	0629
250-0102-004-0000	524KESN00	524 Kesner Av	Littia Spell-Green	\$2,990.00	HCE44779	2	0201
250-0172-010-0000	115FORD00	115 Ford Rd	Margaret Duty	\$1,000.00	VBAP40990	2	0629
251-0071-016-0000	3812HAYW00	3812 Haywood St	Eugene J. Schroeder	\$759.00	HCE44787	2	0656
251-0175-007-0000	1320NOGAXX	1320 Nogales	Robert A. Rath	\$1,000.00	VBAP40996	2	0629
251-0212-022-0000	3301HIGH00	3301 High St	Marilyn Atchisson	\$3,191.25	HCE44776	2	0657
252-0173-012-0000	3600NATO00	3600 Natoma Wy	Joseph & Anne Kelly	\$816.50	HCE44803	2	0656
263-0241-002-0000	600PLAZXX	600 Plaza Av	Anh Vu Chuc Nguyen	\$1,725.00	HCE44777	2	0201
263-0241-002-0000	600PLAZXX	600 Plaza Av	Anh Yu Chuc Nguyen	\$960.25	HCE44818	2	0656
263-0283-016-0000	381LASP00	381 Las Palmas Av	Great Western Bank	\$2,817.50	HCE44805	2	0201
265-0012-008-0000	951OPAL00	951 Opal Ln	Jeffery D. Yeo	\$1,690.50	HCE44774	2	0657
265-0012-008-0000	951OPAL00	951 Opal Ln	Jeffery D. Yeo	\$114.99	HCE44775	2	0657

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Housing Case Fees & Penalties -- Attachment

July 29, 1997

Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
265-0081-022-0000	3000BRAN00	3000 Branch St	Atanacio M. Belaunzaran	\$960.25	HCE44808	2	0656
265-0291-003-0000	2573RIOL00	2573 Rio Linda Blvd	Wilshire Credit Corp.	\$1,516.08	HCE44801	2	0656
275-0027-018-0000	333BARR00	333 Barrette Av	Robin A. Peterson III	\$924.60	HCE44811	2	0201
275-0123-010-0000	1340DELPXX	1340 Del Paso Blvd	Swiss Max, Inc.	\$1,144.25	HCE44780	2	0201

TOTAL TO BE LIENED: \$88,090.67

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>
2661NORW00	Paul & Judy Ayres	HCE43266	2

4



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FROM CONTINUED
TO 7.22.97

NEIGHBORHOODS, PLANNING
& DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

125 F STREET, 200
SACRAMENTO, CA
95814-2997

Housing and Dangerous Buildings
Phone 916-264-5404
FAX 916-264-7643

July 8, 1997

City Council
Sacramento, California

Honorable Members in Session:

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LOCATION AND COUNCIL DISTRICT: Citywide

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It is recommended that the City Council:

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FOR COUNCIL MEETING OF: July 29, 1997

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BACKGROUND INFORMATION:

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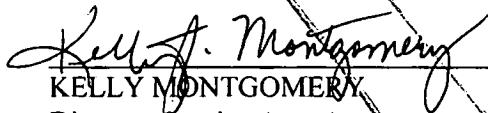
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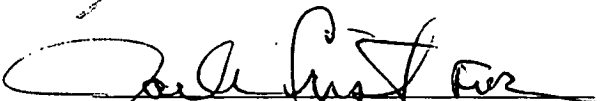
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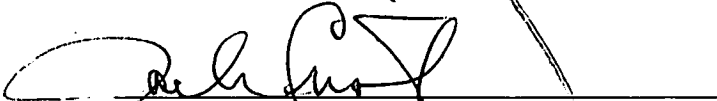
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Respectfully submitted,


KELLY MONTGOMERY
Director, Service Area 4
Neighborhood Services Department

Approved for Council Information:


WILLIAM H. EDGAR
City Manager


JACK CRIST
Deputy City Manager

Attachment

RESOLUTION NO.

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ON DATE OF _____

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FOR CITY CLERK USE ONLY

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DATE ADOPTED: _____

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CITY CLERK

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TOTAL TO BE LIENED:

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

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