



APPROVED
BY THE CITY COUNCIL

JUL 28 1998

OFFICE OF THE
CITY CLERK

1.13

as amended

NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

CODE ENFORCEMENT DIVISION

**CITY OF SACRAMENTO
CALIFORNIA**

1231 I STREET, SUITE 301
SACRAMENTO, CA 95814
916-264-5948
FAX-264-7722

July 1, 1998

City Council
Sacramento, California

CONTINUED
FROM 07-28-98 (a) pr Cantel
TO 08-11-98

Honorable Members in Session:

**SUBJECT: CODE ENFORCEMENT FEES AND PENALTIES - FINDINGS OF FACT FOR
SPECIAL ASSESSMENT LIENS**

LOCATION AND COUNCIL DISTRICT: City-wide

RECOMMENDATION:

It is recommended that 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, Interim Chief of Code Enforcement, 264-8733

FOR COUNCIL MEETING OF: July 28, 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 Title 61 of the Sacramento City Code.

BACKGROUND:

Prior to the assessment of fees and penalties, each property owner was issued the appropriate legal notices, as set forth in Title 61, and was afforded an opportunity to appear before the Neighborhoods, Planning and Development Department Hearing Examiner, an appointed third-party examiner. Subsequent to the hearing, a "Decision of 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 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, Titles 61.05 and 50.09 allows

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 Title 61, 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 CONSIDERATION:

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. Financial impact of these liens have been included in the approved budget.

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.

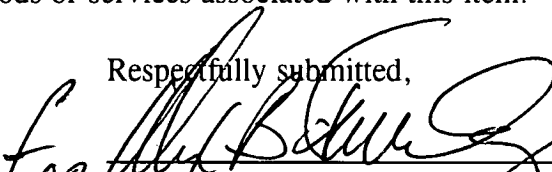
POLICY CONSIDERATIONS:

Conducting the lien hearing is in accordance with Sacramento City Code Titles 61 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 EFFORTS:

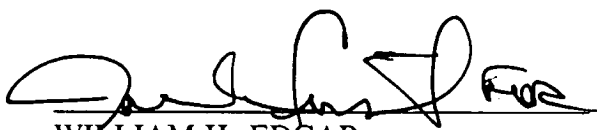
There is no requirement for purchase of goods or services associated with this item.

Respectfully submitted,

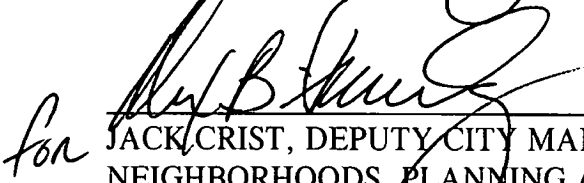
for 

Josh Pino, Interim
Chief of Code Enforcement

Recommendation Approved:



WILLIAM H. EDGAR
CITY MANAGER

for 

JACK CRIST, DEPUTY CITY MANAGER
NEIGHBORHOODS, PLANNING AND
DEVELOPMENT SERVICES DEPARTMENT

Attachment

JUL 28 1998

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 98-383 *as amended*

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**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

WHEREAS, heretofore the Neighborhoods, Planning and Development Services Department, Code Enforcement Division, in accordance with Sacramento City Code, Chapters 50.09 and 61.05 did provide a hearing before the appointed third-party Hearing Examiner to consider all protests for unpaid fees and penalties, if any; and

RESOLUTION NO.

WHEREAS, notice of the time and place of hearing was given in accordance with Sacramento City Code, Chapters 50.09 and 61.05; and

WHEREAS, the Neighborhoods, Planning and Development Services Department, Code Enforcement Division, established by competent evidence before the Hearing Examiner that in each case the unpaid fees and penalties had been imposed in accordance with City Code; and

WHEREAS, the Neighborhoods, Planning and Development Services Department, Code Enforcement Division, established by competent evidence before the Hearing Examiner 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 \$72,109.34 for unpaid fees and penalties is the sum set forth on the attachment incorporated into this resolution. (See Exhibit A)
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. 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

ATTEST:

CITY CLERK

Attachment

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

DELINQUENT CODE ENFORCEMENT FEES

EXHIBIT A

	<u>PARCEL NUMBER</u>	<u>NAME</u>	<u>AMOUNT DUE</u>	<u>PROPERTY ADDRESS</u>	<u>COUNCIL DISTRICT</u>
1	002-0123-020-0000	PG Investors-Downtown Villas	\$1,276.50	1328 D St.	3
2	011-0065-007-0000	George V. Lowell	\$6,233.13	5317 S St.	3
3	014-0023-021-0000	Khan M. Chinn	\$500.00	4046 Miller Wy	5
④	014-0053-024-0000	Clarence & Mary Cantil	\$13,168.54	3927 Y St.	5
5	014-0141-018-0000	William P. Rusher	\$250.00	2966 La Solidar Wy	5
6	014-0196-024-0000	Bob Odom	\$500.00	4441 8th Ave.	5
7	014-0203-026-0000	Lateefah Hazziez	\$3,230.07	3339 San Carlos Wy	5
8	020-0071-006-0000	Clarence Johnson	\$690.00	3946 39th St.	5
9	035-0141-031-0000	Jose Esparaza	\$115.00	2179 47th Ave.	4
10	036-0022-018-0000	Elmer Dolliver	\$4,768.25	6129 24TH St.	5
11	036-0133-011-0000	Romanita Ramos	\$644.00	6643 Carnation Ave.	5
⑫	040-0051-011-0000	Lawrence P. Jett	\$833.75	6432 75th St.	6
13	047-0125-007-0000	Rosenau Inv., Inc., c/o Danny Rodriquez	\$402.50	7317 Tilden Wy	8
14	047-0183-007-0000	Leon Dotson	\$632.50	1967 66th Ave.	8
15	049-0430-008-0000	Tevita T. Hafoka	\$804.75	7443 Crownwest Wy.	8
16	049-0530-001-0000	Keith Baker	\$115.00	3727 G Pkwy	8
17	117-0390-022-0000	Lowell Smith & Evers, Inc.	\$75.00	7907 Center Pkwy	7
18	117-0646-031-0000	Secretary of Housing & Urban Dev.	\$178.25	208 Majorca Cr.	7
19	119-0280-035-0000	William Trygg	\$120.75	7946 Deerleaf Dr.	7
20	215-0280-071-0000	Frank R. Romano	\$1,500.00	4924 Dry Creek Rd.	2
21	215-0280-077-0000	Ben Navas	\$3,486.25	1329 Main Ave	1
22	225-0469-005-0000	James G. Cochrane	\$728.00	1390 Woodside Glen Wy	1
23	225-0670-046-0000	Julio Rodriquez	\$341.50	1093 Prego St.	1
24	225-0890-060-0000	Paul Barnes	\$690.00	1640 Vallarta Cr.	1

DELINQUENT CODE ENFORCEMENT FEES

	<u>PARCEL NUMBER</u>	<u>NAME</u>	<u>AMOUNT</u> <u>DUE</u>	<u>PROPERTY ADDRESS</u>	<u>COUNCIL</u> <u>DISTRICT</u>
25	225-0890-128-0000	Kenneth E. Bartlett	\$690.00	1603 Vallarta Cr.	1
26	226-0122-021-0000	Herman & Leona McCarty	\$150.00	5139 (AKA 5145) Rio Linda Bl.	2
27	226-0273-020-0000	Valentino Polani	\$690.00	1809 Glenrose Ave.	2
28	237-0200-048-0000	Joseph R. & Sharon Ambrose Tr.	\$1,282.50	1017 North Ave.	2
29	237-0213-005-0000	Secretary of Veterans Affairs	\$690.00	1140 O'Donnell Ave.	2
30	237-0264-010-0000	Vivian H. Miller	\$735.57	305 Las Animas Cr.	2
31	237-0311-003-0000	Chase Manhattan Mortgage	\$833.75	1417 Stephanie Ave.	2
32	237-0510-060-0000	Parminder & Satinder Bola	\$1,000.00	4789 Norwood Ave.	2
33	238-0092-046-0000	Kenneth R. & Charlotte Stephens	\$150.00	300 Chennault Ct.	2
34	238-0102-026-0000	GB Enterprises c/o George Buchanan	\$328.25	200 Dewitt Ct.	2
35	238-0171-004-0000	Matthew & Lori Gibbs	\$150.00	2030 Rene Ave.	2
36	238-0172-012-0000	George L. Gower	\$3,584.60	4104 Dayton St.	2
37	250-0094-012-0000	Shannon & Shawn Evans	\$690.00	640 Lindsay Ave.	2
38	251-0023-001-0000	John Little	\$75.00	1138 North Ave.	2
39	251-0122-004-0000	D. Bibb	\$690.00	3721 Marysville Bl.	2
40	251-0204-012-0000	James A. Covey, Jr.	\$439.75	1029 Los Robles Bl	2
41	251-0212-022-0000	Marilyn Atchisson	\$715.00	3305 (AKA 3301) High St.	4
42	251-0252-025-0000	Stormy Sargent	\$328.25	1036 Los Robles Blvd.	2

DELINQUENT CODE ENFORCEMENT FEES

	<u>PARCEL NUMBER</u>	<u>NAME</u>	<u>AMOUNT</u> <u>DUE</u>	<u>PROPERTY ADDRESS</u>	<u>COUNCIL</u> <u>DISTRICT</u>
43	252-0181-016-0000	James & Dwayne Thompson	\$765.00	3612 Presidio St.	2
44	252-0213-003-0000	Norcal Properties	\$328.25	1652 Nogales St.	2
45	262-0062-013-0000	James Van Patten	\$235.75	515 Tenaya Ave.	1
46	262-0163-023-0000	PL Imex Corp	\$1,253.50	705 Haggin St.	1
47	262-0261-009-0000	Gary Ronald Perez	\$1,133.25	311 Peralta Ave.	1
48	263-0082-014-0000	Warren T. Conrad/James & Teresa Boyd	\$75.00	299 Christine Dr.	2
49	263-0132-002=0000	Gregory Broussard	\$45.00	2780 Forrest St.	2
50	263-0141-009-0000	Emma E. Dominquez	\$2,417.25	2781 Oakmont St.	2
51	263-0213-006-0000	Bonita A. Blood	\$4,293.43	129 Bay Dr.	2
52	263-0231-018-0000	Marion M. Betz	\$150.00	2503 Altos Ave.	2
53	265-0030-013-0000	Myrel & Marilyn Cissney	\$690.00	3143 Callecita St.	2
54	265-0081-038-0000	Delfina Silvia & Felipe Estrada	\$276.50	3063 Belden St.	2
55	265-0082-037-0000	George D. Barney	\$690.00	3039 Clay St.	2
56	265-0163-002-0000	Donald Wilson	\$376.50	960 Alamos Ave.	3
57	265-0222-007-0000	Robert M. & Linda K. Nook	\$690.00	2832 Del paso Bl.	3
58	265-0241-017-0000	Michael Derylo	\$1,857.25	2606 Beaumont St.	2
59	265-0262-012-0000	Sven B. & Sonja Robinson	\$894.00	2730 Clay St.	2
60	265-0371-004-0000	Daniel & Judith Frietas	\$500.00	1708 Kenwood St.	2
61	274-0071-021-0000	Robert G. Poor	\$730.75	1013 Hawk Ave.	1
62	274-0142-001-0000	Lyman Sickmeir	\$126.50	360 Cleveland Ave.	1
63	275-0034-029-0000	Kabriella Cathrina Brandt	\$75.00	1925 El Monte Ave.	2
64	275-0054-017-0000	Chemical Mtg Co. c/o Chase Man. Mtg	\$1,644.00	2402 Beaumont St.	2
65	275-0086-015-0000	Timothy E. & Peggy Carson	\$626.50	1525 Del Paso Bl.	2
			<u>\$72,109.34</u>		