



APPROVED
BY THE CITY COUNCIL

JAN 19 1999

17

NEIGHBORHOODS, PLANNING
AND DEVELOPMENT SERVICES
DEPARTMENT

CODE ENFORCEMENT DIVISION

CITY OF SACRAMENTO
CALIFORNIA

OFFICE OF THE
CITY CLERK

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

January 6, 1999

City Council
Sacramento, California

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: Robert L. Rose, Chief of Code Enforcement, 264-5947

FOR COUNCIL MEETING OF: January 19, 1999

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 Services 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 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,

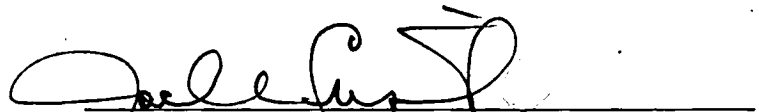


Robert L. Rose
Chief of Code Enforcement

Recommendation Approved:



WILLIAM H. EDGAR
CITY MANAGER



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

Attachment

APPROVED
BY THE CITY COUNCIL

JAN 19 1999

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 99-029

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

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 \$3,260.61 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: _____

5

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	Ila E. Sweet	\$ 494.50	3707 Knightlinger Street	2
2	Richard & Susanne Montoya	\$ 304.75	3322 Taylor Street	2
3	Richard Grecian	\$ 505.00	7958 39 th Avenue	3
4	Washington Mutual	\$ 430.00	3610 Martin Luther King Blvd.	5
5	Marsha Stamper	\$1,166.36	4801 Ortega Street	6
6	Andrew & Elea Story	\$ 360.00	7612 Bellini Way	8
		<hr/>		
		\$3,260.61		

RESOLUTION NO.

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

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 \$9455.39 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: _____

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	250-0094-013	Ila E. Sweet	\$ 494.50	3707 Knightlinger Street	2
2	250-0230-053	Richard & Susanne Montoya	\$ 304.75	3322 Taylor Street	2
3	038-0071-006	Richard Grecian	\$ 505.00	7958 39 th Avenue	3
4	013-0403-009	Washington Mutual	\$ 430.00	3610 Martin Luther King Blvd.	5
5	023-0054-024	Marsha Stamper	\$1,166.36	4801 Ortega Street	6
6	040-0133-009	Andrew & Elea Story	\$ 360.00	7612 Bellini Way	8
7	275-0073-014/015	Robert Lyon	\$6,194.78	2290/2300 Traction Avenue	2
			<hr/> \$9,455.39		

RESOLUTION NO.

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

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 \$3,260.61 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: _____

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	250-0094-013	Ila E. Sweet	\$ 494.50	3707 Knightlinger Street	2
2	250-0230-053	Richard & Susanne Montoya	\$ 304.75	3322 Taylor Street	2
3	038-0071-006	Richard Grecian	\$ 505.00	7958 39 th Avenue	3
4	013-0403-009	Washington Mutual	\$ 430.00	3610 Martin Luther King Blvd.	5
5	023-0054-024	Marsha Stamper	\$1,166.36	4801 Ortega Street	6
6	040-0133-009	Andrew & Elea Story	\$ 360.00	7612 Bellini Way	8
			<hr/> \$3,260.61		

RESOLUTION NO.

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

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 \$3,260.61 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: _____



h

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	250-0094-013	Ila E. Sweet	\$ 494.50	3707 Knightlinger Street	2
2	250-0230-053	Richard & Susanne Montoya	\$ 304.75	3322 Taylor Street	2
3	038-0071-006	Richard Grecian	\$ 505.00	7958 39 th Avenue	3
4	013-0403-009	Washington Mutual	\$ 430.00	3610 Martin Luther King Blvd.	5
5	023-0054-024	Marsha Stamper	\$1,166.36	4801 Ortega Street	6
6	040-0133-009	Andrew & Elea Story	\$ 360.00	7612 Bellini Way	8
		<hr/>	\$3,260.61		

RESOLUTION NO.

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

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 \$3,260.61 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: _____

h

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	Ila E. Sweet	\$ 494.50	3707 Knightlinger Street	2
2	Richard & Susanne Montoya	\$ 304.75	3322 Taylor Street	2
3	Richard Grecian	\$ 505.00	7958 39 th Avenue	3
4	Washington Mutual	\$ 430.00	3610 Martin Luther King Blvd.	5
5	Marsha Stamper	\$1,166.36	4801 Ortega Street	6
6	Andrew & Elea Story	\$ 360.00	7612 Bellini Way	8
		<hr/> \$3,260.61		