

RESOLUTION NO. 2006-753

Adopted by the Sacramento City Council

October 17, 2006

ACCEPTING THE FINDINGS OF FACT OVERRULING PROTESTS AND PLACING LIENS ON PROPERTIES FOR UNPAID ASSESSMENTS FOR CODE ENFORCEMENT CASE FEES AND PENALTIES

BACKGROUND

- A. The Code Enforcement Department, in accordance with Sacramento City Code, Chapter 8.96.320 and 8.04.110 did provide a hearing before the appointed third-party Hearing Examiner to consider all protests for unpaid fees and penalties, if any.
- B. Notice of the time and place of hearing was given in accordance with Sacramento City Code, Chapter 8.96.320 and 8.04.110; and
- C. The Code Enforcement Department, established by competent evidence before the Hearing Examiner that the unpaid fees and penalties had been imposed in accordance with City Code.
- D. The Code Enforcement Department, established by competent evidence before the Hearing Examiner that in each case the unpaid fees and penalties are due.
- E. The City Council has found the unpaid fees and penalties to be a reasonable cost.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- 1. The reasonable penalties in the aggregate amount not to exceed \$13,405.00 for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact of hearing held August 23, 2006. This amount may be reduced as staff determines necessary.
- 2. As provided in Section 38773.5 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.
- 3. 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. Such lien also constitutes a personal obligation against the owner of the property.

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Exhibit A - List of Liens

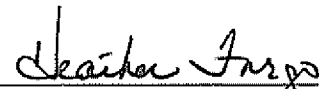
Adopted by the City of Sacramento City Council on October 17, 2006 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmember Tretheway.



Mayor, Heather Fargo

Attest:



Shirley Concolino, City Clerk

Exhibit A -List of Liens

| Line # | Parcel Number | Case Number | Property Address | Property Owner | Amount Due | Invoice Number | Council District | County ID |
|---------------------------|-------------------|-------------|---------------------|-----------------------------------|--------------------|----------------|------------------|-----------|
| 1 | 002-0086-012-0000 | C050029812 | 314 15th Street | Sacramento Cellular Telephone Co. | \$185.00 | NS0602228 | 3 | 0206 |
| 2 | 010-0114-007-0000 | C060004479 | 2518 U Street | Joseph C Ongaro | \$500.00 | NS0602387 | 4 | 0206 |
| 3 | 014-0085-024-0000 | C050032398 | 4323 2nd Av | Stockton Blvd Partners LLC | \$2,000.00 | CEAP060016 | 5 | 0206 |
| 4 | 014-0085-024-0000 | C050032398 | 4323 2nd Av | Stockton Blvd Partners LLC | \$875.00 | NS060262 | 5 | 0206 |
| 5 | 020-0061-026-0000 | C060005068 | 4009 36th St | Lucile Blanchard 1992 | \$925.00 | NS060304 | 5 | 0206 |
| 6 | 040-0051-001-0000 | C050039285 | 7438 Elder Creek | Virendra Mishra Acharya 2004 | \$1000.00 | NS060302 | 6 | 0206 |
| 7 | 040-0171-027-0000 | V050044281 | 3533 39th St | Shirley Rose Pickens | \$950.00 | NS060295 | 6 | 0206 |
| 8 | 040-0171-027-0000 | C060002961 | 6625 Rancho Pico Wy | Robert J. Vann | \$875.00 | NS060297 | 6 | 0206 |
| 9 | 049-0440-046-0000 | G050045447 | 7324 Luther Drive | Aliana W & Andrew O. Kong | \$595.00 | GA060003 | 8 | 0206 |
| 10 | 053-0093-014-0000 | C060001637 | 3657 Fallis Cr | Gustavo A. Rios | \$950.00 | NS060274 | 7 | 0206 |
| 11 | 053-0095-018-0000 | V050043840 | 7843 Detroit Blvd | Faletui Faraimo & Lillian A | \$765.00 | NS060214 | 7 | 0206 |
| 12 | 053-0151-012-0000 | C060003528 | 7904 Burlington Wy | Rafaela Smith | \$875.00 | NS060289 | 7 | 0206 |
| 13 | 250-0281-002-0000 | V060007904 | 114 Ford Rd | Samuel A & Carmen Silva | \$875.00 | NS060278 | 2 | 0206 |
| 14 | 250-0281-038-0000 | V060005786 | 120 Ford Rd | Ana Edilia Anchondo | \$875.00 | NS060285 | 2 | 0206 |
| 15 | 251-0171-011-0000 | C060005590 | 3535 Osmer Ln | Samuel Pearl | \$285.00 | NS060306 | 2 | 0206 |
| 16 | 263-0242-018-0000 | C050033555 | 679 El Camino | Dorian Freeman & Gracie Nelson | \$875.00 | NS060292 | 2 | 0206 |
| TOTAL TO BE LIENED | | | | | <u>\$13,405.00</u> | | | |