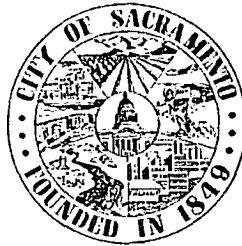


4.1



DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

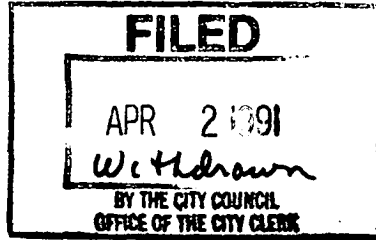
1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

March 21, 1991

City Council
Sacramento, California



Honorable Members in Session:

Subject: Report on Securement Costs for 3915 - 12th Avenue

SUMMARY:

City Council during their March 19, 1991 session, requested information and a report summarizing the procedures followed by the Building Inspections Division enforcement of the City Housing Code regulations and request for placing the costs of securement work as a lien on the property located at 3915 - 12th Avenue.

BACKGROUND:

On March 15, 1990, a member of the building inspection staff, in response to a complaint by a concerned citizen, made an inspection at the subject property and determined it to be sub-standard as set forth in Chapter 49 of the Sacramento City Code. A written correction notice was issued identifying several serious sub-standard conditions.

Corrections were not made by the owner and, on April 5, 1990, a NOTICE TO ABATE NUISANCE, REPAIR OR DEMOLISH NOTICE, and a 30-day UTILITY DISCONNECT NOTICE was sent by first class and certified mail to the owner in addition to posting these notices on the property.

On April 25, 1990, Mr. Smith, the owner, called our office and agreed to meet with the inspector after his tenants vacated the property. He still had not corrected any of the sub-standard conditions.

*Withdrawn
per staff request.
(Mary Little)
see v.*

CONTINUED
FROM 3-26-91
TO 4-2-91

4550
1
CIVIL ENGINEERING
UNIVERSITY OF TORONTO

In accordance with the aforementioned "NOTICES", a public hearing was held before the Housing Code Advisory and Appeals Board on May 9, 1990, where the subject property was declared a Public Nuisance and an Order to Repair or Demolish the building was issued.

Mr. Smith requested an extension of time beyond that specified in the Board resolution. His request was denied.

Mr. Smith appealed the Board's decision and was scheduled to appear before a hearing examiner on June 20, 1990. Mr. Smith requested and was granted a continuance. On July 16, 1990, the hearing was reconvened and Mr. Smith made a motion to disqualify the hearing examiner and the matter was again continued.

On July 20, 1990, the hearing reconvened and Mr. Smith asked for a further continuance which was denied. At that point, Mr. Smith chose to remove himself from the hearing without offering any testimony. The appeal was denied and the decision of the Housing Code Advisory and Appeals Board was upheld. Mr. Smith was ordered to comply within 15 days.

On August 6, 1990, Mr. Smith corresponded with the City Clerk's Office requesting a second hearing. His request was denied.

On October 25, 1990, our inspector notified the City Attorney's Office that the subject property was found vacant with the doors open. The City Attorney's office directed staff to board up the property in lieu of demolition. On November 3, 1990, the contract was awarded for board up.

Mr. Smith met with staff members on March 13, 1991, requesting we waive board-up fees. Staff informed Mr. Smith they had no authority to waive fees.

On March 19, 1991, Mr. Smith appeared before City Council.

FINANCIAL DATA:

The work of securement was performed by a responsible private contractor in lieu of demolishing the property. The total costs for the work of securement, \$604.00, includes the amount of the private contract; an engineering fee of 12% of the amount of the private contract to defray administrative costs incurred by the City in securing the dilapidated building; title search fees; and, where necessary, other charges which reflect any additional costs or portions of such costs incurred by the City in securing the dilapidated building.

POLICY CONSIDERATIONS:

None

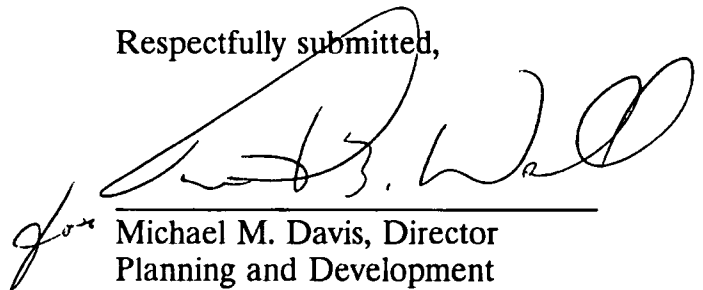
MBE/WBE EFFORTS:

None

RECOMMENDATIONS:

It is recommended that City Council adopt the Resolution placing the costs of securement work performed by Willie Jones Painting and Construction at 3915 - 12th Avenue as a line upon the property, and that the Director of Finance, the Revenue Manager, the Manger of Building Inspections Division, the County Auditor, and the property owner be so notified.

Respectfully submitted,



Michael M. Davis, Director
Planning and Development

**FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER**

Contact Persons to
Answer Questions:

Ronald Pecci/Tim Sullivan
449-5404

March 26, 1991
All Districts

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF March 26, 1991

RESOLUTION DETERMINING THE REASONABLE COSTS AND FINDINGS OF FACT FOR THE SECUREMENT OF DILAPIDATED BUILDING LOCATED AT:

3915 12th Avenue

WHEREAS, heretofore the City Council has set a public hearing for this date, March 26, 1991, to determine the costs for the securement of dilapidated building on said premises described below, pursuant to the provisions of the City Housing and Dangerous Building Code; and

WHEREAS, a public notice of the time and place of said hearing was given and published for the time and in the manner provided by law; and

WHEREAS, the City Council held a hearing thereon and it was established by competent evidence that in each case the securement work had been performed by private contract awarded to the lowest responsible bidder; and that the total cost for such securement work was determined to be the sum of the following: the amount of the private contract; an administrative fee of 12% of the amount of the private contract to defray costs incurred by the City in securing the dilapidated building; title search fees; and where necessary, other charges which reflect any actual additional costs or portion thereof incurred by the City in securing the dilapidated building; and

WHEREAS, the City Council has found the total costs for the securement to be a reasonable cost, and any protests made were overruled;

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

1. That the reasonable costs for the securing of the dilapidated building was and is the sum set forth below:

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

ADDRESS OF BUILDING:

1) 3915 12th Avenue

OWNER:

1) Joseph K. Smith

TOTAL COST:

1) \$604.00

ASSESSOR'S PARCEL NO:

1) 014-0231-029-0000

LEGAL DESCRIPTIONS:

1) The West half of the East half of Lot 1804 as shown on the official "Plat of Park Terrace", recorded in the office of the County Recorder of Sacramento County on May 15, 1904, in Book 5 of Maps, Map No. 43.

Also known as: 3915 - 12th Avenue; Sacramento, CA

2. That the City of Sacramento is entitled to and hereby attaches a lien upon the above described real property and such lien, in the amount of the Total Costs of securement listed in the preceding paragraph, and shall be collectible at the time and in the same manner as general municipal taxes are collected, and shall be subject to the same penalties and procedure in the case of delinquency, all as provided in Chapter 49 of the Sacramento City Code.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

3. That the owner of the property described herein may pay said lien at office of the Revenue Division, Room 104, City Hall, 915 "I" Street, Sacramento, California, at any time prior to July 15, 1991, and that in the event of such payment, the lien described in paragraph 2 hereof shall be satisfied and shall not be added to the next succeeding tax bill against the property.

4. That the City Clerk shall transmit a certified copy of this Resolution to the Revenue Manager, the Manager of Building Inspections Division, the County Auditor, the Director of Finance and the property owners.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____