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DEPARTMENT OF  
FINANCE  
  
ACCOUNTING DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

June 23, 1992  
FAD:SD:920050

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**APPROVED**  
BY THE CITY COUNCIL

JUN 23 1992

OFFICE OF THE  
CITY CLERK

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: Lien Hearing For Delinquent Maintenance Benefit Area Fees**

**LOCATION: Council District 1**

**SUMMARY**

This report recommends the City Council conduct a hearing for protests and objections to rendering unpaid and delinquent 1991-92 maintenance benefit area fees as special assessment liens. It is further recommended that unprotested delinquent fees be processed as special assessment liens.

**COMMITTEE ACTION**

None.

**STAFF RECOMMENDATION**

It is recommended the City Council:

1. Receive testimony resulting from protests or objections to rendering delinquent and unpaid maintenance benefit area fees as special assessment liens;
2. Close the hearing for all unprotested delinquent and unpaid maintenance benefit area fees recommended to be processed as special assessment liens; and
3. Direct staff to report back findings and recommendations on July 14, 1992 regarding any protests or objections heard; or

City Council  
Maintenance Benefit Area Lien Hearing  
June 23, 1992

4. In the event no protests or objections are heard, adopt the attached resolution declaring delinquent and unpaid maintenance benefit area fees as special assessment liens on the properties which received the benefits.

**BACKGROUND**

On June 4, 1992 the City Council adopted Resolution 92-375 which:

1. Established the time, date and place for the hearing to render delinquent and unpaid maintenance benefit area fees as special assessment liens as 7:30 p.m., Tuesday, June 23, 1992, in the City Council Chambers; and
2. Directed the Assistant Accounting Manager, on behalf of the City Clerk, to notify the affected property owners of the time, date, and place of hearing of any protests or objections.

On June 5, 1992, the Assistant Accounting Manager mailed notices of the hearing to 69 delinquent property owners.

Staff is available to assist the City Council in conducting the hearing in the event any property owners protest or object to processing delinquent and unpaid maintenance benefit area fees as special assessment liens.

In the event that the City receives protests or objections, staff will conduct a thorough investigation and report findings and recommendations to the City Council on July 14, 1992. At that time, the City Council may proceed to render the delinquent and unpaid maintenance benefit area fees as special assessment liens.

**FINANCIAL CONSIDERATIONS**

The lien process will provide for further efforts to collect \$30,554.49 in delinquent 1991-92 maintenance benefit area fees. The delinquent maintenance benefit area fees are listed on the exhibit to the resolution attached.

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**POLICY CONSIDERATIONS**

The Maintenance Benefit Area lien process is in accordance with City Code and is consistent with City Council policy.

**MBE/WBE EFFORTS**

Not Applicable.

Respectfully submitted,



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BETTY RENZ  
Senior Accounting Technician

Respectfully submitted,

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BETTY MASUOKA  
Director of Finance

Recommendation Approved By:



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WALTER J. SLUPE  
City Manager

FOR COUNCIL MEETING OF:  
JUNE 23, 1992

Attachment

Contact for more information:

Betty Renz  
Senior Accounting Technician  
264-5681

# RESOLUTION NO. 92-469

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

APPROVED  
BY THE CITY COUNCIL

JUN 23 1992

OFFICE OF THE  
CITY CLERK

RESOLUTION DECLARING DELINQUENT AND UNPAID  
1991-92 MAINTENANCE BENEFIT AREA FEES AS A  
LIENON PROPERTIES WHICH RECEIVED THE BENEFITS

WHEREAS, pursuant to the provisions of the Sacramento City Code, the owners of the real properties described on the Exhibit on file in the City Clerk's office, have been notified that 1991-92 fees for maintenance benefits furnished to said properties are unpaid and delinquent and that subsequent proceedings would be taken by the Council to make the fees a lien on the real property if said fees were not paid when due; and

WHEREAS, pursuant to the Sacramento City Code, notices were mailed to the owners of said properties informing them of a public hearing to be held before the Council on June 23, 1992, concerning said unpaid and delinquent maintenance benefit fees; and

WHEREAS, on June 23, 1992, said hearing was conducted; no protests or objections were heard, and the hearing closed:

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

1. That the fees set forth on the Exhibit for the furnishing of maintenance benefits to the real properties described in said Exhibit are owing, unpaid and delinquent.
2. That the City Council, in accordance with the provisions of the Sacramento City Code, is entitled to and hereby attaches a lien upon the real properties described on said Exhibit in the amounts set forth opposite each parcel of property listed.
3. That such liens shall constitute a special assessment against the properties at which the benefits 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.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

4. That the City Clerk shall file a certified copy of the confirmed report with the Sacramento County Auditor for collection of said liens.

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MAYOR

ATTEST:

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CITY CLERK

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_