

RESOLUTION NO. 2007-757

Adopted by the Sacramento City Council

October 16, 2007

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, Housing & Dangerous Buildings Inspections, in accordance with Sacramento City Code, Chapter 8.96 Article IX provided a hearing before the Housing Code Advisory and Appeals Board (HCAAB) and/or 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 Article IX
- C. The Code Enforcement Department, Housing & Dangerous Buildings Inspections, established by competent evidence before the HCAAB and/or appointed third-party 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:

- Section 1: The reasonable penalties in the aggregate amount not to exceed **\$53,363.08** for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact of hearings held July 11, 2007 and August 8, 2007. This amount may be reduced as staff determines necessary.
- Section 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.

Section 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.

Section 4: Such lien also constitutes a personal obligation against the owner of the property.

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Exhibit A – List of Properties to be Liened

Adopted by the City of Sacramento City Council on October 16, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Councilmember McCarty.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

Exhibit A

| Line # | PARCEL NUMBER | CASE NUMBER | PROPERTY ADDRESS | PROPERTY OWNER | AMOUNT DUE | INVOICE NUMBER | CD | CTY CD | P M T | P D |
|---------------------------|-------------------|-------------|--------------------------------------|--|--------------------|----------------|----|--------|-------|-----|
| 1. | 002-0122-020-0000 | H050012917 | 1217 F St | Louis & Florence Fong | \$ 1,070.00 | HCE070128 | 3 | 0656 | 0 | |
| 2. | 010-0166-036-0000 | 06-005618 | 2115 W St | Benjamin O. Ogbobor | \$11,760.00 | HCE070199 | 4 | 0201 | 0 | |
| 3. | 010-0383-013-0000 | H050036470 | 2845 35th St | Magard Investments LLC | \$ 1,155.00 | HCE070158 | 5 | 0656 | 0 | |
| 4. | 013-0141-012-0000 | H040029989 | 2956 34th St | Pamela Laura Robertson | \$ 380.00 | HCE070202 | 5 | 0656 | 0 | |
| 5. | 013-0141-012-0000 | H040029989 | 2956 34th St | Pamela Laura Robertson | \$ 1,000.00 | HSAP070021 | 5 | 0656 | 0 | |
| 6. | 013-0392-016-0000 | 06-019611 | 3615 33rd St | Yarak Family Trust | \$ 1,155.00 | RHP070013 | 5 | 0656 | 0 | |
| 7. | 013-0402-023-0000 | 06-019566 | 3501 37th St | Ronald Lee Starr | \$ 1,155.00 | RHP070002 | 5 | 0656 | 0 | |
| 8. | 014-0188-006-0000 | H050044830 | 4144 7th Av | Jodie Harris II | \$ 1,155.00 | HCE070236 | 5 | 0656 | 0 | |
| 9. | 014-0188-006-0000 | H050044830 | 4144 7th Av | Jodie Harris II | \$ 2,380.00 | HCE070237 | 5 | 0656 | 0 | |
| 10. | 018-0044-012-0000 | E050042279 | 4310 23rd St | Odessa Mathis | \$ 2,000.00 | CEAP070042 | 5 | 0206 | 0 | |
| 11. | 027-0040-011-0000 | H010011455 | 5749 66th St | Ilaisaane & Fepaki T Fungavaka | \$ 374.80 | HCE070224 | 6 | 0656 | 0 | |
| 12. | 038-0202-002-0000 | 06-016620 | 6407 Elder Creek Rd | Fabian 1999 Revocable Trust c/o Georgia Myer | \$ 775.48 | HCE070248 | 6 | 0678 | 0 | |
| 13. | 038-0202-002-0000 | 06-016620 | 6407 Elder Creek Rd | Fabian 1999 Revocable Trust c/o Georgia Myer | \$18,040.00 | HCE070249 | 6 | 0201 | 0 | |
| 14. | 049-0320-039-0000 | H050034303 | 4153 Brookfield | Terrance Tyvail Marshall | \$ 1,427.00 | HCE070228 | 8 | 0656 | 0 | |
| 15. | 049-0320-039-0000 | H050034303 | 4153 Brookfield | Terrance Tyvail Marshall | \$ 492.00 | HCE070229 | 8 | 0678 | 0 | |
| 16. | 265-0171-036-0000 | H040040184 | 2850 Branch St | Huan Chen and Bounlouei Yang | \$ 672.00 | HCE070097 | 2 | 0656 | 0 | |
| 17. | 265-0171-036-0000 | H040040184 | 2850 Branch St | Huan Chen and Bounlouei Yang | \$ 221.00 | HCE070098 | 2 | 0656 | 0 | |
| 18. | 265-0171-036-0000 | H040040184 | 2850 Branch St | Huan Chen and Bounlouei Yang | \$ 1,000.00 | HSAP070010 | 2 | 0656 | 0 | |
| 19. | 265-0383-001-0000 | H020034200 | 1726 Kenwood St. AKA 3143 Academy Wy | Rick W. McDonough | \$ 1,000.00 | HSAP070017 | 3 | 0656 | 0 | |
| 20. | 266-0311-005-0000 | H040025125 | 1634 Glenrose Av | Anastacio P Caneda Jr. | \$ 591.80 | HCE070209 | 3 | 0656 | 0 | |
| 21. | 274-0172-011-0000 | H050011628 | 480 Jefferson Av | Magdalena Gutierrez | \$ 577.50 | HCE070179 | 1 | 0656 | 0 | |
| 22. | 275-0104-001-0000 | 06-018838 | 784 Dixieanne Av | Kushmira & Rattan Singh | \$ 1,155.00 | RHP070005 | 2 | 0656 | 0 | |
| 23. | 275-0104-017-0000 | 06-018907 | 2342 Cambridge St | Detra Murphy | \$ 1,155.00 | RHP070017 | 2 | 0656 | 0 | |
| 24. | 275-0104-018-0000 | 06-018901 | 2352 Cambridge St | Carla E Dow | \$ 361.50 | HCE070203 | 2 | 0278 | 0 | |
| 25. | 275-0104-018-0000 | 06-018901 | 2352 Cambridge St | Carla E Dow | \$ 1,155.00 | RHP070016 | 2 | 0656 | 0 | |
| 26. | 275-0104-021-0000 | 06-018874 | 2378 & 2384 Cambridge St | Andrea Johnson | \$ 1,155.00 | RHP070015 | 2 | 0656 | 0 | |
| Total to Be Liened | | | | | \$53,363.08 | | | | | |