

## **RESOLUTION NO. 2011-479**

Adopted by the Sacramento City Council

August 16, 2011

### **ACCEPTING NEIGHBORHOOD CODE COMPLIANCE CASE FEES AND PENALTIES – FINDINGS OF FACT FOR SPECIAL ASSESSMENT LIENS**

#### **BACKGROUND**

- A. The Community Development Department's Neighborhood Code Compliance Division, in accordance with Sacramento City Code, Sections 8.04.370 through 8.04.420, 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 Section 8.04.390.
- C. The Neighborhood Code Compliance Division established by competent evidence before the Hearing Examiner that the unpaid fees and penalties had been imposed in accordance with City Code.
- D. The Neighborhood Code Compliance Division 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 fees in the aggregate amount not to exceed \$45,023 and reasonable penalties in the aggregate amount not to exceed \$14,497 are the sums set forth by the appointed third-party Hearing Examiner's findings of fact of the hearings held on May 25 and June 22, 2011. The amount of penalties may be reduced by staff for any purpose that serves to facilitate abatement of nuisance conditions upon properties within the City of Sacramento.
- 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

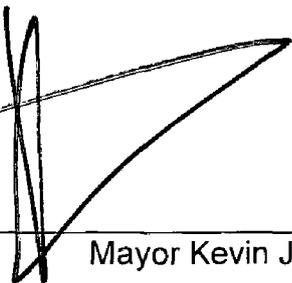
Adopted by the City of Sacramento City Council on August 16, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: Councilmembers Schenirer and Sheedy.



\_\_\_\_\_  
Mayor Kevin Johnson

Attest:

  
\_\_\_\_\_  
Shirley Concolino, City Clerk

## EXHIBIT A

| ITEM NO. | PARCEL NUMBER     | CASE NUMBER | PROPERTY ADDRESS      | PROPERTY OWNER                 | AMOUNT DUE | INVOICE NUMBER | TYPE | CD | COUNTY CODE |
|----------|-------------------|-------------|-----------------------|--------------------------------|------------|----------------|------|----|-------------|
| 1        | 009-0056-001-0000 | 10-018962   | 1915 5TH ST           | LILLIAN MAY KERNER             | \$2,939.73 | CEDCNU03422    | F    | 4  | 0206        |
| 2        | 009-0056-001-0000 | 10-018962   | 1915 5TH ST           | LILLIAN MAY KERNER             | \$1,500.00 | CEDCEA00487    | P    | 4  | 0206        |
| 3        | 019-0181-032-0000 | 09-040740   | 2737 29TH AV          | MILTON ZEDOLION/BETTY          | \$9,365.88 | CEDCNU03438    | F    | 5  | 0206        |
| 4        | 021-0077-009-0000 | 10-026611   | 4091 65TH ST          | HUYNH TRANG ANH                | \$1,098.95 | CEDCNU03419    | F    | 6  | 0206        |
| 5        | 022-0014-009-0000 | 10-025470   | 3491 24TH AV          | CAL SAFE LLC                   | \$1,989.36 | CEDCNU03421    | F    | 5  | 0206        |
| 6        | 022-0093-013-0000 | 10-016684   | 3816 24TH AV          | ODBERT JOHN P III              | \$900.00   | CEDCNU03325    | F    | 5  | 0206        |
| 7        | 022-0300-019-0000 | 10-022871   | 5251 MARTIN L KING BL | SHERYI LLC                     | \$900.00   | CEDCNU03431    | F    | 5  | 0206        |
| 8        | 025-0055-011-0000 | 10-023809   | 5629 DANA WY          | NOPP FAMILY LIVING TRUST       | \$900.00   | CEDCNU03409    | F    | 4  | 0206        |
| 9        | 025-0062-004-0000 | 10-028048   | 5612 23RD ST          | ROSEMARY J HANSEN FAMILY TRUST | \$900.00   | CEDCNU03450    | F    | 4  | 0206        |
| 10       | 025-0165-016-0000 | 10-026183   | 5741 28TH ST          | VATHIS NICK P/CHRISTINA A      | \$900.00   | CEDCNU03445    | F    | 5  | 0206        |
| 11       | 027-0323-013-0000 | 10-023358   | 5990 WILKINSON ST     | CHU COONG                      | \$900.00   | CEDCNU03457    | F    | 6  | 0206        |
| 12       | 030-0281-013-0000 | 10-025397   | 102 STARGLOW CR       | BANK OF NEW YORK MELLON        | \$1,185.89 | CEDCNU03420    | F    | 4  | 0206        |
| 13       | 036-0031-011-0000 | 10-026367   | 6115 VENTURA ST       | RODRIQUEZ JUANITA              | \$900.00   | CEDCNU03328    | F    | 5  | 0206        |
| 14       | 036-0151-020-0000 | 10-026435   | 6708 27TH ST          | JAGUR JASWANT KAUR/MEWA SINGH  | \$900.00   | CEDCNU03327    | F    | 5  | 0206        |
| 15       | 048-0103-005-0000 | 10-025533   | 1971 MATSON DR        | EVANS MICHELLE L               | \$1,439.59 | CEDCNU03456    | F    | 8  | 0206        |
| 16       | 048-0201-014-0000 | 10-028800   | 7522 BOWEN CR         | TREAT TRUST                    | \$900.00   | CEDCNU03429    | F    | 8  | 0206        |
| 17       | 049-0224-015-0000 | 10-021000   | 7581 TWILIGHT DR      | HER KHOU                       | \$385.89   | CEDCNU03418    | F    | 8  | 0206        |
| 18       | 052-0210-050-0000 | 10-027783   | 7745 MANORSIDE DR     | RAFOLS RADE D/RODNY SUSPENE    | \$900.00   | CEDCNU03428    | F    | 8  | 0206        |
| 19       | 052-0270-013-0000 | 10-022310   | 20 JEANROSS CT        | LEWALD ANN/MARTIN              | \$1237.42  | CEDCNU03313    | F    | 8  | 0206        |
| 20       | 053-0063-023-0000 | 10-022914   | 7697 DETROIT BL       | NHIAYI LY THAY                 | \$900.00   | CEDCNU03406    | F    | 8  | 0206        |
| 21       | 053-0131-018-0000 | 10-023393   | 7758 25TH ST          | TILLMAN HOSEA R/ANNIE R        | \$900.00   | CEDCNU03430    | F    | 8  | 0206        |

|    |                   |           |                      |                                  |             |             |   |   |      |
|----|-------------------|-----------|----------------------|----------------------------------|-------------|-------------|---|---|------|
| 22 | 118-0152-002-0000 | 11-000418 | 7647 TATTERSHALL WAY | COONCE CLARENCE/JANICE           | \$1,171.00  | CEDCNU03451 | F | 8 | 0206 |
| 23 | 215-0250-057-0000 | 08-090216 | 1440 VINCI AV        | BOKOCH VASILYI                   | \$931.00    | CEDCNU03435 | F | 2 | 0206 |
| 24 | 215-0250-057-0000 | 08-090216 | 1440 VINCI AV        | BOKOCH VASILYI                   | \$2,499.00  | CEDCEA00490 | P | 2 | 0206 |
| 25 | 215-0260-012-0000 | 09-047797 | 5100 JOYCE LN        | MOHAMMAD ABDALLAH<br>SHEDADEH    | \$1,550.00  | CEDCNU03453 | F | 2 | 0206 |
| 26 | 215-0260-012-0000 | 09-047797 | 5100 JOYCE LN        | MOHAMMAD ABDALLAH<br>SHEDADEH    | \$1,500.00  | CEDCEA00491 | P | 2 | 0206 |
| 27 | 226-0101-052-0000 | 09-045067 | 5209 RIO LINDA BL    | ROBERT ROBINSON                  | \$1,000.00  | CEDCNU03423 | F | 2 | 0206 |
| 28 | 226-0101-052-0000 | 09-045067 | 5209 RIO LINDA BL    | ROBERT ROBINSON                  | \$8,498.00  | CEDCEA00488 | P | 2 | 0206 |
| 29 | 226-0132-025-0000 | 09-052108 | 828 CLAIRE AV        | EVANS OLGA M/ANGELICA<br>JOHNSON | \$1,100.00  | CEDCNU03434 | F | 2 | 0206 |
| 30 | 226-0132-025-0000 | 09-052108 | 828 CLAIRE AV        | EVANS OLGA M/ANGELICA<br>JOHNSON | \$500.00    | CEDCEA00489 | P | 2 | 0206 |
| 31 | 226-0325-006-0000 | 10-022575 | 30 FIRE LEAF CT      | BROWN LATASHA R                  | \$900.00    | CEDCNU03412 | F | 2 | 0206 |
| 32 | 237-0060-054-0000 | 10-022836 | 4636 DRY CREEK RD    | CHOATE BARBARA                   | \$1,128.00  | CEDCNU03436 | F | 2 | 0206 |
| 33 | 252-0172-006-0000 | 10-020675 | 1913 SOUTH AV        | FBW PROPERTIES LLC               | \$500.00    | CEDCNU03133 | F | 2 | 0206 |
| 34 | 265-0255-003-0000 | 10-025755 | 1001 FRIENZA AV      | DOCKREY MARK E/DOLLY             | \$900.00    | CEDCNU03416 | F | 2 | 0206 |
| 35 | 275-0165-011-0000 | 10-023897 | 1119 LOCHBRAE RD     | MAXEY JOHN D                     | \$900.00    | CEDCNU03414 | F | 2 | 0206 |
|    |                   |           |                      |                                  |             |             |   |   |      |
|    |                   |           |                      | TOTAL:                           | \$59,519.71 |             |   |   |      |