RESOLUTION NO. 2013-0079

Adopted by the Sacramento City Council

March 12, 2013

ACCEPTING NEIGHBORHOOD CODE COMPLIANCE CASE FEES AND PENALTIES – FINDINGS OF FACT FOR SPECIAL ASSESSMENTS

BACKGROUND

A. In accordance with Sacramento City Code Chapter 8.04 Article VIII, the Community Development Department's Neighborhood Code Compliance Division prepared and filed a report of unpaid expenses incurred by the city in abating nuisances, and scheduled a hearing before the delinquency lien hearing officer to consider the report and any protests or objections thereto.

B. Notice of the time and place of hearing was given in accordance with Section 8.04.390 of the Sacramento City Code.

C. Upon the day and hour fixed for the hearing, the delinquency lien hearing officer heard and passed on the reports together with any such protests or objections in accordance with Section 8.04.410 of the Sacramento City Code.

D. The decisions of the delinquency lien hearing officer were then transmitted to the objecting owners along with notice of a public hearing to be held by the City Council pursuant to Section 8.8.04.410 of the Sacramento City Code.

E. A public hearing was held and the City Council found that the hearings before the delinquency lien hearing officer were conducted in accordance with applicable city ordinances.

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

Section 1. As more specifically described in Exhibit A to this Resolution, the fees in the aggregate amount not to exceed $32,393 and reasonable penalties in the aggregate amount not to exceed $350 are the sums set forth by the delinquency lien hearing officer's findings of fact of the hearings held on December 12, 2012 and January 23, 2013. 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 4. Such expenses incurred by the city in abating nuisances constitute personal obligations against the owners of the respective properties.

Section 2. Pursuant to subsection E of Section 8.04.430 of the Sacramento City Code, the expenses incurred by the city in abating nuisances are also made a special assessment upon the properties at which the services were rendered.

EXHIBIT A

ITEM NO.	PARCEL NUMBER	CASE NUMBER	PROPERTY ADDRESS	PROPERTY OWNER	AMOUNT DUE	INVOICE NUMBER	TYPE	CD	COUNTY CODE
1	013-0355-006-0000	12-002300	3840 9TH AV	BAC ENTERPRISES INC	$2,132.93	CEDCNU04347	F	5	0206
2	014-0188-002-0000	12-001962	4112 7TH AV	HERBERT G NICHOLS	$2,640.66	CEDCNU04345	F	5	0206
3	014-0252-031-0000	12-009605	4619 12TH AV	MOSES T PEREZ FAMILY TRUST	$347.50	CEDCNU04381	F	5	0206
4	018-0172-011-0000	12-007596	4925 CARMEN WY	TERUKO M NAKAO	$900.00	CEDCNU04339	F	5	0206
5	020-0071-012-0000	12-004143	4020 39TH ST	AMAR PATEL	$1,065.70	CEDCNU04343	F	5	0206
6	020-0131-055-0000	11-009985	3645 18TH AV	DONALD W MARCROFT	$1,461.36	CEDCNU03745	F	5	0206
7	020-0131-055-0000	12-008924	3645 18TH AV	DONALD W MARCROFT	$347.50	CEDCNU04344	F	5	0206
8	031-0070-078-0000	11-005435	7600 GREENHAVEN DR	7600 GREENHAVEN DRIVE LLC	$1,450.00	CEDCNU04360	F	7	0206
9	035-0353-007-0000	12-007881	1431 60th AV	NORA WIENS	$900.00	CEDCNU04375	F	5	0206
10	036-0043-024-0000	12-015911	6201 HERMOSA ST	FURSOV VYACHESLAV	$900.00	CEDCNU04426	F	5	0206
11	038-0360-036-0000	12-014403	7327 LEMON HILL AV	SKYLINE ENTERPRISES INC	$500.00	CEDCNU04430	F	6	0206
12	040-0095-010-0000	11-023422	7806 50TH AV	ROSIE L KETCHUM/GLADYS SMITH	$1,674.95	CEDCNU04043	F	6	0206
13	040-0220-013-0000	12-007949	6422 63RD ST	HUNG LAM	$900.00	CEDCNU04385	F	6	0206
14	047-0053-010-0000	12-014026	2149 62nd AV	FANNIE MAE	$900.00	CEDCNU04419	F	8	0206
15	048-0041-002-0000	12-005945	7430 PUTNAM WY	ANTONIO FALCON	$900.00	CEDCNU04407	F	8	0206
16	048-0044-014-0000	12-012000	7465 CANDLEWOOD WY	LACOSTA LOAN INC	$900.00	CEDCNU04408	F	8	0206
17	237-0151-017-0000	07-035508	4224 DRY CREEK	PATTI LEIGH HENGEL	$631.00	NS080020	F	2	0206
18	237-0213-036-0000	12-007065	1100 O'DONNELL AV	MARK/MARION CASOVIA	$900.00	CEDCNU04334	F	2	0206
19	238-0012-008-0000	11-003584	1916 MAIN AV	DAVID J BADER	$350.00	CEDCEA00677	P	2	0206
20	238-0012-008-0000	11-003584	1916 MAIN AV	DAVID J BADER	$1,000.00	CEDCNU04434	F	2	0206
21	238-0092-022-0000	12-006094	406 STILLWELL CT	N VEST N REAL ESTATE SERVICES	$1,147.50	CEDCNU04346	F	2	0206

22	251-0043-003-0000	12-010553	3945 BALSAM ST	MONTGOMERY & DEBORAH CASEY	$1,710.81	CEDCNU04383	F	2	0206
23	263-0171-010-0000	12-009910	694 ELEANOR AV	ESKENDER T YEMANE	$900.00	CEDCNU04377	F	2	0206
24	265-0012-029-0000	12-003093	975 SONOMA AV	SHELTER PROPERTIES	$900.00	CEDCNU04363	F	2	0206
25	265-0012-032-0000	12-010751	961 OPAL LN	FRANZ ESPINOZA/NATALIE MADRIZ	$900.00	CEDCNU04412	F	2	0206
26	266-0271-005-0000	12-003818	1681 GLENROSE AVE	MICHAEL H VAN DAGENS	$1,732.94	CEDCNU04350	F	2	0206
				TOTAL TO BE LIENED	**$28,092.85**				

Section 3. Such special assessments shall be collected at the same time and in the same manner as ordinary municipal taxes, and shall be subject to the same penalties and procedures as provided for ordinary municipal taxes.

Table of Contents:

Exhibit A – List of Properties to be Specially Assessed

Adopted by the City of Sacramento City Council March 12, 2013 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, Hansen, McCarty, Pannell, Schenirer, and Warren.

Noes: None.

Abstain: None.

Absent: Mayor Johnson

Vice Mayor Angelique Ashby

Attest:

Shirley Concolino, City Clerk