

Meeting Date: 7/15/2014

Report Type: Public Hearing

Report ID: 2014-00438

Title: Unpaid Community Development Department Administrative Penalties and Neighborhood Code Compliance Fees (Noticed 02/25/2014 and 05/22/2014)

Location: Citywide

Recommendation: Conduct a public hearing and upon conclusion pass a Resolution making the unpaid expenses incurred by the city in abating nuisances, in the amounts listed in Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

Contact: Ron O'Connor, Operations Manager (916) 808-8183, Community Development Department

Presenter: Ron O'Connor, Operations Manager (916) 808-8183, Community Development Department

Department: Community Development Dept

Division: Neighborhood Code Compliance

Dept ID: 21001313

Attachments:

1-Description/Analysis

2-Resolution

3-Exhibit A (Report of the Department Director)

City Attorney Review

Approved as to Form

Michael Benner

6/30/2014 1:41:23 PM

Approvals/Acknowledgements

Department Director or Designee: Ryan Devore - 6/26/2014 12:50:28 PM

Description/Analysis

Issue Detail: Collection of delinquent fees and penalties are brought before the City Council to secure the debt by making the costs a personal obligation of the respective property owners and/or a special assessment against the respective properties.

Policy Considerations: Conducting the public hearing is in accordance with Section 8.04.430 of the Sacramento City Code. All property owners were afforded an opportunity to appear before the delinquency lien hearing officer and protest or object to the imposition of the charge for abatement, fees or the amount of the unpaid administrative penalty.

Prior to the assessment of fees and penalties, each property owner was issued the appropriate legal notices, as set forth in Section 8.04.390 of the Sacramento City Code, and was afforded an opportunity to appear before the delinquency lien hearing officer to protest or object. Subsequent to the hearing, the hearing officer submitted the final report, along with any revisions, corrections or modifications they deemed just, to the City Clerk to be transmitted to City Council. The City Clerk also issued and mailed to the objecting property owner the delinquency lien hearing officer decision via first class mail. Included in this notice was the date and time of the public hearing to be held by the City Council. The decision of the hearing officer is final, and judicial review must be conducted in the manner and time frame set forth in California Code of Civil Procedure Section 1094.6. Section 8.04.430 of the Sacramento City Code allows the City Council to order the expenses be made both a personal obligation of the property owner and a special assessment against the property.

Code Compliance activities, including the cost recovery process, are consistent with policies associated with the City's goal to enhance and preserve the neighborhoods.

Economic Impacts: None

Environmental Considerations: The proposed resolution will not have any adverse environmental impact.

Sustainability: There are no sustainability considerations.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Adopting this Resolution will enable the City to collect unpaid fees and penalties by making the amounts special assessments against the properties, to be collected through County property tax collections, or a personal obligation of the property owner.

Financial Considerations: Upon City Council approval, unpaid fees and penalties are attached as special assessments against the properties to be collected through County property tax collections. Subsequently, the City receives distributions from the County for property tax and assessment revenue which is deposited into the General Fund.

Local Business Enterprise (LBE): Not applicable

RESOLUTION NO. 2014-

Adopted by the Sacramento City Council

July 15, 2014

ACCEPTING COMMUNITY DEVELOPMENT DEPARTMENT ADMINISTRATIVE PENALTIES AND NEIGHBORHOOD CODE COMPLIANCE CASE FEES– FINDINGS OF FACT FOR SPECIAL ASSESSMENTS

BACKGROUND

- A. In accordance with Article VIII of Sacramento City Code Chapter 8.04, the department director of the Community Development Department prepared and filed a report of unpaid expenses incurred by the city in abating nuisances pursuant to Sacramento City Code chapter 8.04 and/or unpaid administrative penalties imposed pursuant to Sacramento City Code section 1.28.010, 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 report of the department director was transmitted to the City Clerk, along with any revisions, corrections, or modifications to the report that the delinquency lien hearing officer deemed just. The City Clerk sent the results of the hearing to the objecting owners along with notice of a public hearing to be held by the City Council pursuant to Section 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 – Report of the Department Director, the Neighborhood Code Compliance fees in the aggregate amount not to exceed \$56,487.63 and reasonable Neighborhood Code Compliance and Housing and Dangerous Building administrative penalties in the aggregate amount not to exceed \$256,408.00 are the sums set forth by the department director, along with any revisions, corrections, or modifications to the report that the delinquency lien hearing officer deemed just. 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. Such expenses incurred by the city in abating nuisances and penalties imposed for violating the Sacramento City Code constitute personal obligations against the owners of the respective properties.

Section 3. Pursuant to subsection E of Section 8.04.430 of the Sacramento City Code, the expenses incurred by the city in abating nuisances and penalties imposed for violating the Sacramento City Code are also made a special assessment upon the properties at which the services were rendered.

Section 4. 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 – Report of the Department Director

Exhibit A - Report of the Department Director
July 15, 2014

ITEM NO.	PARCEL NUMBER	CASE NUMBER	PROPERTY ADDRESS	PROPERTY OWNER	FEE AMOUNT DUE	PENALTY AMOUNT DUE	INVOICE NUMBER	CD	COUNTY CODE
1	006-0294-015-0000	13-017156	1725 16TH ST	JB MANAGEMENT LP	\$1,089		CEDCNU04907	4	0206
2	008-0431-023-0000	13-009505	1548 50TH ST	CYNTHIA S TAYLOR	\$319		CEDCVB07203	3	0629
3	008-0431-023-0000	13-009505	1548 50TH ST	CYNTHIA S TAYLOR		\$769	CEDCVB07204	3	0629
4	009-0056-002-0000	12-013865	1911 5TH ST	LILLIAN MAY KERNER	\$2,088.14		CEDCNU04866	4	0206
5	009-0062-004-0000	13-015006	1901 6TH ST	ADAM BUI	\$169		CEDCVB07185	4	0629
6	009-0062-004-0000	13-015006	1901 6TH ST	ADAM BUI		\$1,019	CEDCVB07186	4	0629
7	009-0123-002-0000	12-016809	800 U ST	THE OFFICE OF THE PRESIDING ELDER OF THE CHURCH OF EPIPHANY & COVENANT	\$319		CEDCVB07298	4	0629
8	011-0233-013-0000	13-016600	5500 2ND AVE	MARTA-BELLA M. BAUER	\$169		CEDCVB07708	6	0629
9	012-0021-014-0000	13-013310	1113 CASTRO WY	MONTEZUMA LENDING COMPANY LLU	\$919		CEDCNU04875	4	0206
10	013-0313-001-0000	13-003607	2400 9TH AVE	AIMEE M. VANFLEET/CORY KOGER	\$919		CEDCNU04843	5	0206
11	013-0401-009-0000	12-029125	3546 37TH ST	TRUSTEES OF THE FARMER SHELTER TRUST, WHOSE TRUSTEES ARE ASSET MNGT & PLANNING AND EUGENE C. MELVIN		\$6,019	CEDCVB06917	5	0629
12	014-0114-013-0000	13-010130	4109 4TH AVE	FEDERAL NATL MTG ASSOCIATION	\$1,722.40		CEDCNU04966	5	0206
13	014-0184-007-0000	13-015498	3100 SANTA CRUZ WY	AMIR ZAKI	\$1,089		CEDCNU04911	5	0206
14	014-0184-021-0000	08-090828	3031 40TH ST	GORDON LANE		\$140,019	CEDCVB07583	5	0629
15	014-0213-021-0000	11-025121	3319 SAN JOSE WY	KIMBERLEY HACKETT-KING	\$319		CEDCVB07199	5	0629
16	014-0213-021-0000	11-025121	3319 SAN JOSE WY	KIMBERLEY HACKETT-KING		\$2,019	CEDCVB07200	5	0629
17	014-0244-010-0000	13-002831	4072 11TH AVE	TURN KEY ASSET INCORPORATED		\$1,019	CEDCEA00737	5	0206
18	014-0244-010-0000	13-002831	4072 11TH AVE	TURN KEY ASSET INCORPORATED	\$4,186.27		CEDCNU04945	5	0206
19	014-0244-010-0000	13-019846	4072 11TH AVE	TURN KEY ASSET INCORPORATED	\$169		CEDCVB07629	5	0629
20	014-0244-010-0000	13-019846	4072 11TH AVE	TURN KEY ASSET INCORPORATED	\$169		CEDCVB07630	5	0629
21	014-0247-003-0000	13-014934	4220 11TH AVE	MARIA GUADALUPE SANCHEZ	\$1,089		CEDCNU04906	5	0206
22	019-0024-001-0000	13-017390	2632 SUTTERVILLE RD	MAXIM INVESTMENTS LP		\$1,019	CEDCVB07656	5	0629

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23	019-0024-001-0000	13-017390	2632 SUTTERVILLE RD	MAXIM INVESTMENTS LP	\$319		CEDCVB07718	5	0629
24	019-0121-014-0000	13-010707	2751 23RD AVE	ERINN KARPMAN	\$919		CEDCNU04842	5	0206
25	020-0131-046-0000	13-017749	3721 18TH AVE	JWO PARTNERS, LLC		\$1,019	CEDCEA00738	5	0206
26	020-0131-046-0000	13-017749	3721 18TH AVE	JWO PARTNERS, LLC	\$1,019		CEDCNU04967	5	0206
27	020-0131-055-0000	H030022628	3645 18TH AVE	JKLM TAX SERV INCORPORATED	\$919		CEDCVB04445	5	0629
28	020-0131-055-0000	H030022628	3645 18TH AVE	JKLM TAX SERV INCORPORATED	\$169		CEDCVB04446	5	0629
29	020-0211-014-0000	12-015915	3533 20TH AVE	TURN KEY ASSET INC.		\$1,019	CEDCHA01168	5	0463
30	020-0211-014-0000	12-015915	3533 20TH AVE	TURN KEY ASSET INC.		\$1,019	CEDCVB05626	5	0629
31	020-0216-001-0000	13-021987	3804 20TH AVE	EL DORADO HOLDING CO. INC	\$1,559.80		CEDCNU04964	5	0206
32	020-0266-015-0000	13-003369	3325 22ND AVE			\$44	CEDCVB06725	5	0629
33	021-0041-038-0000	13-018610	3921 55TH ST	MARK J. SCHELOSKY/CHRISTINA M	\$919		CEDCNU04909	5	0206
34	021-0092-032-0000	13-015180	3913-3915 73RD ST	DOROTHY MIKO		\$1,019	CEDCEA00739	6	0206
35	021-0092-032-0000	13-015180	3913-3915 73RD ST	DOROTHY MIKO	\$3,321.07		CEDCNU04968	6	0206
36	021-0324-014-0000	13-014856	4560 67TH ST	MARIA GROZAV	\$919		CEDCNU04846	6	0206
37	022-0023-012-0000	13-009714	3743 23RD AVE	FEDERAL NATL MTG ASSN	\$169		CEDCVB07180	5	0629
38	022-0032-002-0000	13-020604	3908 23RD AVE	PACCO PROPERTIES LP, A CALIF LIMITED PARTNERSHIP		\$1,019	CEDCHA01399	5	0463
39	022-0266-013-0000	12-002424	5465 LAWRENCE DR	TURN KEY ASSET INC		\$119	CEDCVB06852	5	0629
40	023-0134-009-0000	13-010705	5240 CABRILLO WY	SUSAN ZAVALA	\$769		CEDCNU04845	6	0206
41	023-0184-005-0000	13-011561	5020 76TH ST	DENNIS & MY-DREAM HORSLEY		\$219	CEDCVB07319	6	0629
42	023-0184-005-0000	13-011561	5020 76TH ST	DENNIS & MY-DREAM HORSLEY	\$319		CEDCVB07320	6	0629
43	025-0201-021-0000	12-014378	3191 36TH AVE	THOMAS FREDERICKS		\$2,019	CEDCVB06869	5	0629
44	025-0201-021-0000	12-014378	3191 36TH AVE	THOMAS FREDERICKS	\$169		CEDCVB06872	5	0629
45	025-0222-026-0000	13-014496	2961 38TH AVE	CARLOS & VITALINA HERRERA / MANUEL & YOLANDA PEINADO		\$1,019	CEDCHA01407	5	0463
46	027-0071-039-0000	H050014173	7717 32ND AV AKA 7713	GORDON LANE	\$169		CEDCVB07190	6	0629
47	027-0082-034-0000	13-013779	5675 79TH ST	MARTHA MARTINEZ	\$769		CEDCNU04873	6	0206

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48	031-0750-004-0000	13-017011	7407 WINDBRIDGE DR	JACQUELYN & KUUMBA MILLS	\$469		CEDCVB07699	7	0629
49	031-0750-004-0000	13-017011	7407 WINDBRIDGE DR	JACQUELYN & KUUMBA MILLS		\$2,019	CEDCVB07717	7	0629
50	035-0074-009-0000	H02000236 3	6125 MCLAREN AV	ARLEE TURNER	\$319		CEDCVB07176	5	0629
51	035-0084-011-0000	13-007463	6219 BOOTH LN	LINDA A. FULLER	\$919		CEDCNU04870	5	0206
52	035-0205-001-0000	13-010289	2366 50TH AVE	NORMA IMURA	\$1,019		CEDCNU04900	5	0206
53	036-0042-004-0000	09-035746	6212 HERMOSA ST	RUPINDER P SINGH		\$5,219	CEDCVB05257	5	0629
54	038-0071-035-0000	13-013186	7725 LEMON HILL AVE	SETSUKO HASHIGAMI	\$919		CEDCNU04901	6	0206
55	038-0141-024-0000	13-018002	7606 LEMON HILL AVE	JANAK K MEHTANI	\$3,051.16		CEDCNU04953	6	0206
56	048-0032-001-0000	13-015305	7401 CARELLA DR	MARIE A. VALERIO	\$1,089		CEDCNU04847	8	0206
57	048-0123-003-0000	10-015501	7511 EDDYLEE WY	CHASE HOME FINANCE LLC	\$319		CEDCVB07198	8	0629
58	052-0033-004-0000	13-013978	7633 22ND ST	JONATHON TORRENTE & CLARENE LEW	\$469		CEDCVB07712	8	0629
59	052-0033-004-0000	13-013978	7633 22ND ST	JONATHON TORRENTE & CLARENE LEW		\$819	CEDCVB07713	8	0629
60	052-0074-003-0000	13-014375	2138 MEADOWGLEN AVE	LARRY NAVARRO AND MARIO SALAS		\$1,019	CEDCHA01406	8	0463
61	061-0053-025-0000	12-020252	7929 18TH AVE	GUADALUPE F. & SANTOS T. RODRIGUEZ	\$119		CEDCZO00009	6	0206
62	061-0053-026-0000	12-020250	7921 18TH AVE	JESSICA A./SALVADOR J LOPEZ & JOEL T RODRIGUEZ	\$119		CEDCZO00008	6	0206
63	061-0053-027-0000	12-018960	7901 18TH AVE	JOEL T. RODRIQUEZ	\$669		CEDCZO00007	6	0206
64	062-0070-003, 002	12-014330	8511 THYS CT	DO TRINH FAMILY REVOCABLE LIVING TRUST		\$2,019	CEDCZA00005	6	0206
65	062-0070-003, 002	12-014330	8511 THYS CT	DO TRINH FAMILY REVOCABLE LIVING TRUST	\$119		CEDCZO00006	6	0206
66	078-0142-002-0000	13-017921	2881 CHIPLAY ST	JOSEPH/MICHELLE A. TROJA	\$1,089		CEDCNU04867	6	0206
67	117-0474-027-0000	12-010227	5020 VILLAGE WOOD DR	JANETTE & THOMAS DUNN	\$319		CEDCVB07294	7	0629
68	117-0581-006-0000	12-020103	4755 VALLEY HI DR	NATHAN NEWSOM		\$649	CEDCVB07316	7	0629
69	117-0840-012-0000	13-001615	5945 SAWYER CR	CHASE HOME FINANCE LLC		\$1,019	CEDCHA01341	8	0463

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70	117-0840-012-0000	13-001615	5945 SAWYER CR	CHASE HOME FINANCE LLC	\$169		CEDCVB07178	8	0629
71	118-0211-003-0000	13-009808	5795 WARDELL WY	DUTT MUNESHWAR	\$169		CEDCVB07726	8	0629
72	118-0211-003-0000	13-009808	5795 WARDELL WY	DUTT MUNESHWAR	\$469		CEDCVB07727	8	0629
73	215-0230-040-0000	13-012742	5539 RALEY BLVD	MAYANY SAM	\$1,569		CEDCZO00016	2	0206
74	225-1960-029-0000	09-010573	2971 BENEFIT WY	NATOMAS ADVANTAGE PARTNERS LLC		\$1,019	CEDCHA01177	1	0463
75	225-1960-030-0000	09-010554	2980 ADVANTAGE WAY	NATOMAS ADVANTAGE PARTNERS LLC		\$1,019	CEDCHA01176	1	0463
76	225-1960-033-0000	09-010707	2920 ADVANTAGE WAY	NATOMAS ADVANTAGE PARTNERS LLC		\$1,019	CEDCHA01178	1	0463
77	225-1960-034-0000	09-010739	2951 BENEFIT WY	NATOMAS ADVANTAGE PARTNERS LLC		\$1,019	CEDCHA01179	1	0463
78	237-0052-006-0000	13-021552	1140 MAIN AVE	FLAGSTAR BANK, FSB	\$319		CEDCVB07634	2	0629
79	237-0191-019-0000	13-020488	4191 RIO LINDA BLVD	JOSE L. & SARA F. BANDERAS	\$1,089		CEDCZO00013	2	0206
80	238-0150-015-0000	13-018998	4212 BARBARA ST	ROBERT ROBBINS	\$469		CEDCVB07715	2	0629
81	238-0150-015-0000	13-018998	4212 BARBARA ST	ROBERT ROBBINS		\$1,019	CEDCVB07716	2	0629
82	250-0091-009-0000	11-011309	632 GRAND AVE	BARRY B EKKAPHANH		\$30,019	CEDCVB07297	2	0629
83	250-0200-045-0000	08-011221	3489 TAYLOR ST	GOOD SAMARITAN CHURCH OF JESUS CHRIST	\$169		CEDCVB07556	2	0629
84	251-0052-013-0000	13-012604	921 GRAND AVE	CARITIA SINGLETON & GWENDOLYN MURPHY	\$919		CEDCNU04879	2	0206
85	251-0074-013-0000	13-022104	1305 GRAND AVE	ARNALDO & GINA L. CENTENO	\$1,089		CEDCNU04947	2	0206
86	251-0191-017-0000	06-020260	3401 RIO LINDA BL	JAVD SIDDIQUI	\$169		CEDCVB07710	2	0629
87	251-0191-017-0000	06-020260	3401 RIO LINDA BL	JAVD SIDDIQUI		\$25,019	CEDCVB07711	2	0629
88	252-0015-009-0000	13-006892	3918 LILY ST	JOHN CHAPMAN		\$2,219	CEDCHA01357	2	0463
89	252-0073-016-0000	13-008571	3808 NATOMA WY	TURN KEY ASSET INC		\$6,019	CEDCVB06788	2	0629
90	252-0073-016-0000	13-008571	3808 NATOMA WY	TURN KEY ASSET INC	\$169		CEDCVB07304	2	0629
91	252-0073-016-0000	13-008571	3808 NATOMA WY	TURN KEY ASSET INC	\$319		CEDCVB07305	2	0629
92	252-0073-016-0000	13-008571	3808 NATOMA WY	TURN KEY ASSET INC		\$5,019	CEDCVB07306	2	0629
93	252-0082-038-0000	13-018704	2145 GRAND AVE	SHERI SEPANSKI	\$919		CEDCZO00012	2	0206
94	262-0102-014-0000	13-018123	437 INDIANA AVE	SUSANA HUERTA	\$1,151.99		CEDCNU04958	3	0206
95	263-0075-004-0000	13-017264	218 REDONDO AVE	MICHAEL IYASERE	\$319		CEDCVB07645	2	0629

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96	263-0075-004-0000	13-017264	218 REDONDO AVE	MICHAEL IYASERE		\$1,019	CEDCVB07714	2	0629
97	263-0183-005-0000	13-017029	2563 NORWOOD AVE	BEVERLY ANN CRUIKSHANK	\$3,571		CEDCNU04850	2	0206
98	265-0030-024-0000	12-005589	1279 SONOMA AVE	MARLENE R AVENA, DOUGLAS E DUFFIN, GERALD R DUFFIN, & VERNA R DUFFIN	\$319		CEDCVB07291	2	0629
99	265-0052-007-0000	13-018717	1539 STRADER AVE	SADIE M CHESS	\$919		CEDCNU04942	2	0206
100	265-0081-024-0000	11-003523	3024 BRANCH ST	ALEJANDRO ESPINOZA	\$319		CEDCVB07288	2	0629
101	265-0081-024-0000	11-003523	3024 BRANCH ST	ALEJANDRO ESPINOZA	\$319		CEDCVB07289	2	0629
102	265-0273-011-0000	13-005703	2801 TAFT ST	JUNE HUGHES	\$69		CEDCNU04817	2	0206
103	265-0273-011-0000	13-018682	2801 TAFT ST	JUNE HUGHES	\$169		CEDCVB07709	2	0629
104	265-0302-016-0000	13-018535	1029 FRIENZA AVE	CONSUELO M. JONES	\$919		CEDCNU04941	2	0206
105	265-0371-004-0000	13-011416	1708 KENWOOD ST	DANIEL & JUDITH FEITAS	\$1,598.80		CEDCNU04952	2	0206
106	266-0203-018-0000	12-018830	1811 IRIS AVE	JOSE LUIS LOPEZ	\$169		CEDCVB07599	2	0629
107	274-0082-012-0000	11-005339	2309 THELMA AVE	CHARLES MONTUE		\$172	CEDCHA01056	3	0463
108	274-0082-012-0000	11-005339	2309 THELMA AVE	CHARLES MONTUE		\$128	CEDCHA01356	3	0463
109	274-0092-015-0000	13-006511	1044 AZUSA ST	GLENN MATSOMOTO	\$469		CEDCVB07719	3	0629
110	274-0092-015-0000	13-006511	1044 AZUSA ST	GLENN MATSOMOTO		\$6,519	CEDCVB07720	3	0629
111	275-0031-009-0000	13-013319	495 REDWOOD AVE	FIFTY5 LP		\$2,019	CEDCVB07705	2	0629
Totals					\$56,487.63	\$256,408	GRAND TOTAL \$312,895.63		