RESOLUTION NO. 2007-235

Adopted by the Sacramento City Council

April 17, 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, 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,; and

C. The Code Enforcement Department, established by competent evidence before the 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 $19,215.16 for unpaid fees and penalties is the sum set forth by the appointed third-party Hearing Examiner's findings of fact of hearing held February 28, 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 April 17, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

Heather Fargo

Mayor Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk

Exhibit A

Line #	Parcel Number	Case Number	Property Address	Property Owner	Amount Due	Invoice Number	Council District	County ID
1	009-0253-002-0000	06-009609	2401 13th St	Fuji Sukiyaki Enterprises LP	$223.16	NS070036	4	0206
2	015-0192-018-0000	C060008239	3548 53rd St	Daisie M. Ardds	$875.00	NS070134	5	0206
3	021-0023-012-0000	06-011548	5022 15th Av	Le Tat	$875.00	NS070092	5	0206
4	021-0334-014-0000	C060007191	4601 69th St	Nicholas William Pontliana III	$1,325.00	NS070122	6	0206
5	023-0251-039-0000	06-015574	5400 64th St	Paul Magana	$185.00	NS070145	6	0206
6	030-0231-011-0000	06-018099	755 Clipper Wy	Borris & Vera Bebikh	$350.00	NS070142A	7	0206
7	035-0053-012-0000	06-012691	1507 Kitchner Rd	Tammy Smith/Charles Letricia	$430.00	GA070007	4	0206
8	036-0155-007-0000	C060008784	6721 Carnation Av	J/E Real Estate Investors LLC	$7,497.00	CEAP070016	5	0206
9	036-0155-007-0000	C060008784	6721 Carnation Av	J/E Real Estate Investors LLC	$950.00	NS070136	5	0206
10	038-0310-059-0000	06-003577	6070 Wilkinson St	Jose Lopez/Jose G. Alvarado	$185.00	NS070072	6	0206
11	117-0072-002-0000	06-004094	6775 Bodine Cr	James A & Tari E Gregory	$875.00	NS070105	8	0206
12	250-0341-008-0000	C050030330	325 aka 351 Morey Av	Lewis C & Mary Lou Johnson	$875.00	NS070126	2	0206
13	252-0121-011-0000	06-015128	3700 Kern St	Adrian V Preciado	$605.00	GA070005	2	0206
14	252-0221-010-0000	C020001028	1860 South	Robert Scott Thoke	$690.00	NS020190	2	0206
15	252-0230-018-0000	C060000308	3541 Del Paso Bl	James E II and Adriane Rosemond	$2,000.00	CEAP070008	3	0206
16	252-0230-018-0000	C060000308	3541 Del Paso Bl	James E II and Adriane Rosemond	$1,275.00	NS070075	3	0206
				TOTAL TO BE LIENED	$19,215.16			