RESOLUTION NO. 2007-393

Adopted by the Sacramento City Council

June 12, 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 $17,013.20 for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact of hearing held April 11, 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 June 12, 2007 by the following vote:

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

Noes: None.

Abstain: Councilmember Hammond.

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	013-0292-004-0000	H060008339	3324 6th Av	Robert & Doreen Fisher	$1,330.00	HCE070115	5	0656
2	020-0275-006-0000	H040029207	3830 21st Av	Victor S Correa & Milian Maldonado	$1,155.00	HCE070122	5	0656
3	030-0422-042-0000	E050010192	598 Rivercrest	Harvey R. & Selma Zall	$1,305.00	VECT060012	7	0206
4	036-0155-007-0000	06-004603	6721 Carnation Av	J/E Real Estate Investments LLC	$1,155.00	HCE070126	5	0656
5	036-0155-007-0000	06-004603	6721 Carnation Av	J/E Real Estate Investments LLC	$270.00	HCE070127	5	0678
6	252-0112-002-0000	H060009406	3737 Jasmine St	Paul Hamilton	$1,177.00	HCE070140	2	0656
7	265-0202-042-0000	F050025506	2732 Rio Linda Bl	CJA Investments LLC	$1,625.00	HCE070117	2	0656
8	265-0202-042-0000	F050025506	2732 Rio Linda Bl	CJA Investments LLC	$6,097.20	HCE070118	2	0678
9	274-0173-028-0000	H010005043	450 Columbus Av	Nemecio & Maria R. Gutierrez	$200.00	HCE070105	1	0656
10	274-0173-028-0000	H010005043	450 Columbus Av	Nemecio & Maria R. Gutierrez	$200.00	HSAP070011	1	0656
11	274-0173-028-0000	H010005043	450 Columbus Av	Nemecio & Maria R. Gutierrez	$2,499.00	HSAP070012	1	0656
				TOTAL TO BE LIENED	$17,013.20			