



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Public Hearing
July 24, 2007

**Honorable Mayor and
Members of the City Council**

**Title: Delinquent Charges – Special Assessment Liens for Weed Abatement on
Private Properties and Related Costs**

Location/Council District: All

Recommendation: Conduct a public hearing and upon conclusion, adopt a **Resolution** placing special assessment liens on properties for unpaid weed abatement services.

Contact: Brad Wasson, Revenue Manager, 808-5844

Presenters: Brad Wasson, Revenue Manager, 808-5844

Department: Department of Finance

Division: Revenue Division

Organization No: 1121

Description/Analysis

Issue: This public hearing is for the City Council to confirm, reject or modify the delinquency lien reports and to confirm special assessment liens against properties with unpaid charges. This is the final step the City takes before placing liens on the property with the Sacramento County Tax Collector.

Policy Considerations: Property owners have received notice and the opportunity to protest these charges, including a hearing with a Delinquency Lien Hearing Officer (Attachment 2). State law and/or City Code require the City Council to confirm these special assessment liens after a public hearing, thus providing property owners with an opportunity to address the City Council. Should any property owner object to the special assessment, the public hearing shall be limited to the issue of whether or not the hearing before the delinquency lien hearing officer was conducted in accordance with applicable City ordinances. The City Council does not have any legal obligation to hear the objections of any property owner who did not request a hearing and thus waived

his/her right to protest.

Environmental Considerations: Pursuant to Section 15378 (b) (5) of the California Environmental Quality Act (CEQA) guidelines (administrative activities that will not result in environmental impact), this is not a project under CEQA.

Rationale for Recommendation: These special assessments are for services the City has already provided to the property owners. The property owners had been given ample opportunity to abate the weeds themselves. Consequently, the City has paid for these services and needs to recover the costs incurred.

Financial Considerations: The unpaid costs incurred by the City for services provided are as follows:

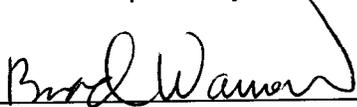
Weed Abatements \$91,571.06

A Delinquency Lien Hearing Officer was paid \$50 an hour. There were no weed abatement hearings held.

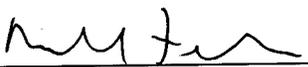
City staff time was required for scheduling the hearings, the notices to property owners, and the final noticing for hearings held. All the costs are included in the Revenue Division's operating budget and no additional funding is requested or required.

Emerging Small Business Development (ESBD): There is no requirement for purchase of goods or services associated with this item.

Respectfully Submitted by:



Brad Wasson, Revenue Manager

Approved by: 

Russell Fehr, Director of Finance

Recommendation Approved:


Ray Kerridge, City Manager

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Attachment 1

Background

The City has been utilizing a Delinquency Lien Hearing Officer to hear protests of special assessment liens for delinquent charges since 1996. The delinquent charges owing, and the properties to which such charges apply, are set forth in Exhibit A to the Resolution attached to the report (Attachment 4). As required under applicable provisions of the City Code and/or State law, all property owners were noticed of the unpaid and/or delinquent costs, were given an opportunity to resolve the issue with City staff, and were given an opportunity for a hearing before a Delinquency Lien Hearing Officer if they so requested. Attachment 2 is a summary listing of the number and total amount of unpaid costs, the number of protests received, and the number of hearings held before the Delinquency Lien Hearing Officer. Attachment 3 lists each protest received and the final disposition of each protest. The findings of the Delinquency Lien Hearing Officer for each hearing are also included.

Attachment 2

City of Sacramento

FY 2006/2007 Annual Special Assessments and Lien Summary

Unpaid costs for delinquent:	No. of Lien Notices Mailed	Total Amount Due All Notices (1)	No. of Protests Received	No. of Protests to Payment Plans	No. of Protests Removed from Lien	No. of Protests Fees Reduced	No. of Hearings Held	Total Amount Due
Weed Abatement	376	\$132,123.01	10	0	8	0	0	\$91,571.06

(1) Total amount of liens accounts for payments received after the lien notices were mailed May 1, 2007

Delinquent Charges--Special Assessment Liens for Weed Abatement July 24, 2007

Attachment 3

Name	Abatement Location	Assessor Parcel Number	Council District	Disposition	Amount
Abdallah, Emad	3815 24 th Av	022-0024-020-0000	5	Fees Waived	\$262.00
Abdallah, Emad	3617 Marysville Bl	251-0125-010-0000	2	Fees Waived	\$544.05
Allen, Ethan E	2531 36 th St	010-0323-001-0000	5	Fees Waived	\$232.00
Green Gables Inc	1335 Grace Av	237-0060-040-0000	2	Fees Waived	\$347.50
JM Management	414 8 th St	002-0105-005-0000	1	Fees Waived	\$225.00
Kiflom, Solomon F	3851 36 th St	020-0031-014-0000	5	Fees Due	\$565.00
Lone Wolfe Construction	1812 Auburn Bl	266-0203-026-0000	3	Fees Waived	\$380.00
Lourim, Daniel	3817 Altos Av	250-0073-011-0000	2	Fees Waived	\$195.00
Singh, Balwant	2527 Oakmont St	263-0241-012-0000	2	Fees Waived	\$550.00
Taunk, Sanjit	Bell Av	237-0110-010-0000	2	Fees Due	\$220.00

Attachment 4

RESOLUTION NO.

Adopted by the Sacramento City Council

**DECLARING THE DELINQUENT COSTS FOR WEED ABATEMENT WORK FOR
2006 AS LIENS ON THE PROPERTIES UPON WHICH THE ABATEMENT WERE
PERFORMED**

BACKGROUND

- A. In accordance with Sacramento City Code, Title 8, the owners of the real properties described in Exhibit A, on file in the City Clerk's office, have been noticed and informed of the opportunity to protest the placing of unpaid weed abatement fees upon the described real properties as liens.
- B. Each property owner noticed has been afforded an administrative appeal process, including a hearing before a Delinquency Lien Hearing Officer.
- C. The City Council held a hearing on this day upon those findings and it was established by competent evidence that in each case the work had been performed by private contractor.
- D. The City Council has found the total cost for such work to be reasonable and closed the public hearing.
- E. The City Council is fully advised in this matter.

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

- Section 1. The City Council finds and determines that the Background Statements A through E are true and correct.
- Section 2. That all of the protests have been considered and have been rejected, revised, or confirmed.
- Section 3. That the charges set forth in Exhibit A for the abatement of weeds to the real properties described in said Exhibit A are owing and delinquent.
- Section 4. That, as provided in Section 39577 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 5. That 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 6. The City Clerk shall transmit a certified copy of this resolution to the Sacramento County Auditor/Controller.

Section 7. Exhibit A is part of this resolution.

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Exhibit A

Exhibit A

LIEN LIST:

ON FILE AND AVAILABLE FOR PUBLIC REVIEW IN THE OFFICE OF
THE CITY CLERK, HISTORIC CITY HALL, 915 I STREET, 1ST FLOOR,
SACRAMENTO, CA