RESOLUTION NO. 2007-757

Adopted by the Sacramento City Council

October 16, 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 **$53,363.08** for unpaid fees and penalties is the sum set forth by the HCAAB and/or appointed third-party Hearing Examiners' findings of fact of hearings held July 11, 2007 and August 8, 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 October 16, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Councilmember McCarty.

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	CD	CTY CD	PMT	PD
1.	002-0122-020-0000	H050012917	1217 F St	Louis & Florence Fong	$ 1,070.00	HCE070128	3	0656	0	
2.	010-0166-036-0000	06-005618	2115 W St	Benjamin O. Ogbebor	$11,760.00	HCE070199	4	0201	0	
3.	010-0383-013-0000	H050036470	2845 35th St	Magard Investments LLC	$ 1,155.00	HCE070158	5	0656	0	
4.	013-0141-012-0000	H040029989	2956 34th St	Pamela Laura Robertson	$ 380.00	HCE070202	5	0656	0	
5.	013-0141-012-0000	H040029989	2956 34th St	Pamela Laura Robertson	$ 1,000.00	HSAP070021	5	0656	0	
6.	013-0392-016-0000	06-019611	3615 33rd St	Yarak Family Trust	$ 1,155.00	RHP070013	5	0656	0	
7.	013-0402-023-0000	06-019566	3501 37th St	Ronald Lee Starr	$ 1,155.00	RHP070002	5	0656	0	
8.	014-0188-006-0000	H050044830	4144 7th Av	Jodie Harris II	$ 1,155.00	HCE070236	5	0656	0	
9.	014-0188-006-0000	H050044830	4144 7th Av	Jodie Harris II	$ 2,380.00	HCE070237	5	0656	0	
10.	018-0044-012-0000	E050042279	4310 23rd St	Odessa Mathis	$ 2,000.00	CEAP070042	5	0206	0	
11.	027-0040-011-0000	H010011455	5749 66th St	Ilaisaane & Fepaki T Fungavaka	$ 374.80	HCE070224	6	0656	0	
12.	038-0202-002-0000	06-016620	6407 Elder Creek Rd	Fabian 1999 Revocable Trust c/o Georgia Myer	$ 775.48	HCE070248	6	0678	0	
13.	038-0202-002-0000	06-016620	6407 Elder Creek Rd	Fabian 1999 Revocable Trust c/o Georgia Myer	$18,040.00	HCE070249	6	0201	0	
14.	049-0320-039-0000	H050034303	4153 Brookfield	Terrance Tyvail Marshall	$ 1,427.00	HCE070228	8	0656	0	
15.	049-0320-039-0000	H050034303	4153 Brookfield	Terrance Tyvail Marshall	$ 492.00	HCE070229	8	0678	0	
16.	265-0171-036-0000	H040040184	2850 Branch St	Huan Chen and Bounlouei Yang	$ 672.00	HCE070097	2	0656	0	
17.	265-0171-036-0000	H040040184	2850 Branch St	Huan Chen and Bounlouei Yang	$ 221.00	HCE070098	2	0656	0	
18.	265-0171-036-0000	H040040184	2850 Branch St	Huan Chen and Bounlouei Yang	$ 1,000.00	HSAP070010	2	0656	0	
19.	265-0383-001-0000	H020034200	1726 Kenwood St. AKA 3143 Academy Wy	Rick W. McDonough	$ 1,000.00	HSAP070017	3	0656	0	
20.	266-0311-005-0000	H040025125	1634 Glenrose Av	Anastacio P Caneda Jr.	$ 591.80	HCE070209	3	0656	0	
21.	274-0172-011-0000	H050011628	480 Jefferson Av	Magdalena Gutierrez	$ 577.50	HCE070179	1	0656	0	
22.	275-0104-001-0000	06-018838	784 Dixieanne Av	Kushmira & Rattan Singh	$ 1,155.00	RHP070005	2	0656	0	
23.	275-0104-017-0000	06-018907	2342 Cambridge St	Detra Murphy	$ 1,155.00	RHP070017	2	0656	0	
24.	275-0104-018-0000	06-018901	2352 Cambridge St	Carla E Dow	$ 361.50	HCE070203	2	0278	0	
25.	275-0104-018-0000	06-018901	2352 Cambridge St	Carla E Dow	$ 1,155.00	RHP070016	2	0656	0	
26.	275-0104-021-0000	06-018874	2378 & 2384 Cambridge St	Andrea Johnson	$ 1,155.00	RHP070015	2	0656	0	
				Total to Be Liened	**$53,363.08**					