

# City of Sacramento

## Legislation Text

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**File #:** 2020-01290, **Version:** 1

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**Title:**

**Housing and Dangerous Buildings Case Fees - Findings of Fact for Special Assessment  
(Noticed 10/15/2020)**

File ID: 2020-01290

**Location:** Citywide

**Recommendation:**

Conduct a public hearing and upon conclusion, adopt a Resolution making the unpaid expenses incurred by the City in abating nuisances, in the amount not to exceed \$176,673 as listed on Exhibit A, personal obligations of the respective property owners and special assessments against the properties.

**Contact:** Peter Lemos, Code and Housing Enforcement Chief, (916) 808-8183, Community Development Department

**Presenter:** Peter Lemos, Code and Housing Enforcement Chief, (916) 808-8183, Community Development Department

**Attachments:**

- 1-Description/Analysis
- 2-Resolution
- 3-Exhibit A - Expense Report of the Building Official

**Description/Analysis**

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

**Policy Considerations:** Conducting the public hearing is in accordance with Section 8.96.360 of the Sacramento City Code.

Prior to the assessment of fees, each property owner was issued the appropriate legal notices, as set

forth in Section 8.96.330 of the Sacramento City Code and was afforded an opportunity to appear before the Housing Code Advisory and Appeals Board (HCAAB) to protest or object. After the hearing, the City Clerk transmitted the HCAAB report to the City Council and sent the decision to the objecting property owner 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 HCAAB is final and conclusive, and judicial review must be conducted in the manner and time frame set forth in California Code of Civil Procedure Section 1094.6. Section 8.96.360 of the Sacramento City Code allows the City Council to order the costs be made both a personal obligation of the property owner and a special assessment against the property.

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

**Economic Impacts:** Not applicable.

**Environmental Considerations:** The Housing and Dangerous Buildings Case Fees - Findings of Fact for Special Assessment that is the subject of this report is a fiscal activity of the local government that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is not a project under the California Environmental Quality Act (CEQA). (Public Resources Code sections 21065 and 21080 and CEQA Guidelines section 15378(b)(4).) No CEQA review is required. CEQA Guidelines section 15060(c)(3).

**Sustainability:** Not applicable.

**Commission/Committee Action:** Not applicable.

**Rationale for Recommendation:** Adopting this Resolution will enable the City to collect unpaid fees by attaching special assessments against the respective 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 in the aggregate amount not to exceed \$176,673 are attached as special assessments against the properties to be collected through Sacramento County property tax collections. If special assessments are utilized, the City receives distributions from the County for property tax and assessment revenue that is then deposited into the General Fund.

**Local Business Enterprise (LBE):** Not applicable to these actions.