

RESOLUTION NO. 2023-149

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING AND CONFIRMING THE REPORT OF DELINQUENT SIDEWALK
REPAIR AND NUISANCE ABATEMENT COSTS SPECIAL ASSESSMENT AND
REQUESTING SACRAMENTO COUNTY TO COLLECT SUCH CHARGES ON THE
FISCAL YEAR 2023-24 TAX ROLL**

WHEREAS, the City of Elk Grove (the “City”) has adopted the Elk Grove Municipal Code (EGMC) to establish standards for property maintenance; and

WHEREAS, the EGMC standards are intended to maintain public health and safety and quality of life for Elk Grove’s residents; and

WHEREAS, violations of the EGMC must sometimes be corrected by the City’s Code Enforcement Division through direct abatement actions, which carry direct costs; and

WHEREAS, California Streets and Highways Code section 5625 grants cities the authority to make costs related to sidewalk repair and replacement a special assessment against a parcel; and

WHEREAS, California Government Code section 38773.5 grants cities the authority to make costs related to abatement of nuisances a special assessment against a parcel; and

WHEREAS, EGMC sections 12.05.160 and 16.18.1521 allow for the City Clerk to file with the Sacramento County Recorder’s Office a special assessment against the title of properties delinquent on payment of sidewalk repair and abatement costs and fees; and

WHEREAS, the properties listed on the Delinquent Properties Report (the “Report”), attached as Exhibit A and incorporated herein by this reference, are delinquent in the payment of said special assessment and a notice of intention to levy the special assessment has been mailed to the landowners listed in the Report detailing such charges not less than ten days prior to the date of the City Council considering the item; and

WHEREAS, the City Council has considered the Report and duly considered all protests related thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elk Grove as follows:

Section 1. Confirming the Report. The City Council hereby approves, confirms, and adopts the Report, as may be amended as authorized herein, and as attached hereto and incorporated herein by reference, and determines that each such charge is proper and correct. The City Council directs the Code Enforcement Division to make any amendments to the Report as necessary, removing parcels from the Report for which full payment has been made on or before July 21, 2023.

Section 2. Authorization. The City Council hereby directs the City Clerk to effectuate the delivery of a certified copy of the finalized Report to the Sacramento County Auditor and to submit a certified copy of the Resolution (with attachments) to the County Recorder for recordation.

Section 3. Services of Sacramento County. The offices of the Sacramento County Auditor and Sacramento County Recorder are requested to do any and all things necessary to provide for the placement of the charges on the tax roll and collecting said charges with the general taxes.


Section 4. General Authorization. The members of the City Council, the City Clerk, and the other officers of the City are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution. All actions heretofore taken by the officers and agents of the City that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 28th day of June 2023



BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:


JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

Exhibit A- REPORT OF DELINQUENT NUISANCE ABATEMENT AND SIDEWALK REPAIR COSTS FY 23-24

DATE OPENED	CASE_NO	ABATED FEES	APN	ADDRESS	CITY	STATE	ZIP
Nuisance Abatement							
05/23/2022	22-0918	\$ 2270.00	11901330380000	FRANKLIN BLVD	ELK GROVE	CA	95758
08/10/2022	22-1514	\$ 119.26	13405100380000	ELKGROVE BLVD	ELK GROVE	CA	95624
Subtotal		\$ 2389.26					

Sidewalk Repair							
04/11/2022	PW-6245	\$ 601.12	11708200230000	5105 TANA COURT	ELK GROVE	CA	95758
09/16/2021	PW-3692	\$ 3827.04	11912300680000	4121 BABSON DRIVE	ELK GROVE	CA	95758
06/2/2021	PW-8233	\$ 1872.70	11917400520000	2637 BABSON DRIVE	ELK GROVE	CA	95758
Subtotal		\$6,300.86					

TOTAL \$8,690.12

CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2023-149

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss
CITY OF ELK GROVE)

I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 28, 2023 by the following vote:

AYES: **COUNCILMEMBERS:** *Singh-Allen, Spease, Brewer, Robles, Suen*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *None*



Jason Lindgren, City Clerk
City of Elk Grove, California