

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: May 24, 2011 - 10:30 a.m. – Special Districts	AGENDA NO.: S-3
SUBJECT: Acting as the Board of Directors of the Pajaro County Sanitation District: <ul style="list-style-type: none">a. Conduct a Public Hearing to hear the report of delinquent accounts, and consider any protests and objections to the report by landowners liable to be assessed for delinquent fees for the Pajaro County Sanitation District;b. Consider adopting a resolution confirming the report of delinquent fees for the Pajaro County Sanitation District; as identified in Exhibit A, and authorizing the delinquent fees as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected; andc. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.	
DEPARTMENT: RMA - Public Works	

RECOMMENDATIONS:

It is recommended that the Board of Supervisors acting as the Board of Directors of the Pajaro County Sanitation District:

- a. Conduct a Public Hearing to hear the report of delinquent accounts, and consider any protests and objections to the report by landowners liable to be assessed for delinquent fees for the Pajaro County Sanitation District;
- b. Consider adopting a resolution confirming the report of delinquent fees for the Pajaro County Sanitation District, as identified in Exhibit A, and authorizing the delinquent fees as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected; and
- c. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.

SUMMARY:

This hearing was set by Board action of May 3, 2011, and it has been properly noticed. The proposed actions will result in placing past due sanitation assessment service charges for the Pajaro County Sanitation District (PCSD) on the tax rolls to facilitate collections. This assessment will be in the form of a Lien placed on the property until such time that the delinquent balance is paid in full.

DISCUSSION:

In 1999, the Board of Supervisors adopted ordinances removing sanitation service charges from the tax rolls and instead provided for collection through a monthly billing system. On January 9, 2007, the Board of Supervisors adopted Ordinance No. 05054 establishing procedures for collecting delinquent fees for the PCSD. Those procedures include holding a Public Hearing once a year to hear the report of delinquent accounts and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees (Exhibit A attached). The proposed actions would fulfill the required procedures for collection of delinquent fees.

On February 24, 2011, land owners were notified by a letter that they have delinquent accounts. The letter informed land owners that the delinquent amount as of December 31, 2010 was subject to collection through a lien on their property. On May 9, 2011, Notices of the May 24, 2011 Public Hearing and Notices of Intent to Levy the Lien Transfer Fee were mailed to land owners listed on the report.

OTHER AGENCY INVOLVEMENT:

The Monterey Regional Water Pollution Control Agency (MRWPCA) acts as the billing agency for the PCSD. The accounts listed in Exhibit A and the amounts due are based on a report submitted by the MRWPCA. A certified copy of the confirmed report of delinquent fees will be filed by the Clerk of the Board with the Auditor-Controller for placement of the liens on the property tax rolls by the Treasurer-Tax Collector's Office.

FINANCING:

There is no impact to the General Fund. Collectively, past due amounts for calendar year 2010 for the PCSD currently total \$44,204.14 from 101 parcels. The report of delinquent accounts first presented to your Board on May 3, 2011 has been revised to reflect full and partial payments received to date. The cost associated with processing the liens for delinquent accounts including data processing, accounting, noticing, and control procedures is calculated at \$60 per parcel. In accordance with Ordinance No. 05054, the processing cost will be added as lien transfer fees to the delinquent amount on a per parcel basis prior to filing the report with the Auditor-Controller. All past due calendar year 2010 service charges and lien transfer fees collected will be deposited to the PCSD, Fund 151. There are sufficient appropriations available in Fund 151 to cover the processing costs until the delinquent amounts are recovered.

Prepared by:



Dirk Medema, P.E. (831) 784-5647
Environmental Services Manager

Approved by:



Yazdan T. Emrani, M.S., P.E.
Director of Public Works

Dated: May 16, 2011

cc: Auditor-Controller

Attachments: Board Resolution; Exhibit A – Past Due Accounts for the Pajaro County Sanitation District; Location Map