

*Before the Board of Supervisors  
Acting on Behalf of County Service Area No. 75-Chualar  
in and for the County of Monterey, State of California*

**Resolution No. 22-274**

- The Board of Supervisors, acting on behalf of County Service Area No. 75-Chualar, conducted a noticed public hearing to:
- a. Accept the report of delinquent sanitation fees from twenty (20) parcels totaling \$19,355.58, including late penalties as set forth in the “Report of 2021 Delinquent Fees County Service Area 75-Chualar” (Report);
  - b. Consider any protests and objections to the Report by property owners liable to be assessed for delinquent sanitation fees for County Service Area 75-Chualar.
  - c. Adopt a Resolution to:
    - i. Confirm the Report of delinquent sanitation fees for County Service Area 75-Chualar, as identified in the “Report of 2021 Delinquent Fees County Service Area 75-Chualar”; and
    - ii. Authorize the delinquent sanitation fees from twenty (20) parcels totaling \$19,355.58, including late penalty 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
    - d. Authorize the Clerk of the Board to file a certified copy of the Report with the Auditor-Controller.

**WHEREAS**, on July 12, 2022, the Board of Supervisors set July 26, 2022, as the date for a Public Hearing to consider placing past due sanitation service charges for County Service Area 75-Chualar (CSA 75) on the property tax roll to facilitate collections. This matter has been properly noticed for the time and place to hold such a hearing. Assessments from twenty (20) parcels totaling \$19,355.58 will be in the form of a lien placed on the subject real properties until such time that the delinquent balance is paid in full.

**WHEREAS**, in 1999, the Board of Supervisors adopted ordinances removing sanitation service charges from the tax roll and instead, provided for collection through a monthly billing system. On June 22, 2004, the Board of Supervisors adopted Ordinance No. 04225 establishing procedures for collection of delinquent fees for CSA 75-Chualar. The procedures include holding a Public Hearing once a year to hear the report of delinquent fees and any protests or objections by property owners liable to be assessed for delinquent fees.

**WHEREAS**, certain property owners in CSA 75-Chualar have accrued unpaid balances for calendar year 2021 on accounts for twenty (20) parcels despite multiple billing notices.

**WHEREAS**, on June 13, 2022, and July 11, 2022, affected property owners were notified by letter notices that they have delinquent accounts. The letter notices informed each property owner that past due amounts as of December 31, 2021 are subject to collection through a lien on their property. Notice of the July 26, 2022 public hearing was mailed, not less than ten (10) days

prior to the hearing, to property owners listed in the Report. Also, a notice of public hearing was published in the Monterey County Weekly not less than ten (10) days prior to said hearing.

**WHEREAS**, the Board of Supervisors, acting on behalf of County Service Area No. 75-Chualar (CSA 75-Chualar), enacted Ordinance No. 04225 which provides for the collection of sewer service charges by use of a monthly billing system;

**WHEREAS**, twenty (20) property owners in CSA 75-Chualar were identified with past due balances totaling \$19,355.58, including late penalty fees, as identified in the "Report of 2021 Delinquent Fees County Service Area No. 75-Chualar" (Report); Exhibit A (attached);

**WHEREAS**, Ordinance No. 04225, which amends Section 16 of CSA 75-Chualar Ordinance No. 3920, allows for the collection of delinquent sanitation service fees and a lien transfer fee as special assessments constituting a lien on the property;

**WHEREAS**, it is desirable that assessments for past due sanitation service fees and late penalty fees be collected in the same manner as ordinary County ad valorem property taxes are collected; and

**WHEREAS**, the Board of Supervisors, acting on behalf of CSA 75-Chualar, conducted a noticed public hearing, heard the Report, and considered any property owner protests and objections to the Report to satisfy the requirements of Ordinance No. 04225 regarding procedures for collection of delinquent fees and corresponding late penalty fees.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Monterey County Board of Supervisors, acting on behalf of CSA 75-Chualar, does hereby adopt a Resolution to:

1. Confirm the Report of delinquent sanitation fees for County Service Area 75-Chualar, as identified in the "Report of 2021 Delinquent Fees County Service Area 75-Chualar" (Report); and
2. Authorize the delinquent sanitation fees from twenty (20) parcels totaling \$19,355.58, including late penalty 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
3. Authorize the Clerk of the Board to file a certified copy of the Report with the Auditor-Controller.

**PASSED AND ADOPTED** on this 26th day of July 2022 by roll call vote

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original resolution of said Board of Supervisors duly made and entered in the minutes thereof Minute Book 82 for the meeting on July 26, 2022.

Dated: August 4, 2022  
File ID: RES 22-139  
Agenda Item No.: 17

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California



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Emmanuel H. Santos, Deputy