



Legislation Details (With Board Report)

File #: 16-708 **Name:** Pajaro County Sanitation District-Delinquent Fees Report
Type: General Agenda Item **Status:** Consent Agenda
File created: 5/31/2016 **In control:** Board of Supervisors
On agenda: 6/14/2016 **Final action:**

Title: a. Set a Public Hearing on June 28, 2016, at 10:30 a.m. to hear the Report of Delinquent Fees and consider any protests and objections to the report by property owners liable to be assessed for delinquent fees for Pajaro County Sanitation District;
b. Direct Resource Management Agency to prepare a final Report of Delinquent Fees;
c. Direct Resource Management Agency to mail the Notice of Public Hearing to property owners listed in the report not less than ten (10) days prior to the date of hearing; and
d. Direct the Clerk of the Board to publish the Notice of Public Hearing on June 28, 2016 at 10:30 a.m. in the Monterey County Weekly.

Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Notice of Public Hearing PCSD 2016, 3. Draft Delinquent Fees Report for PCSD, 4. PCSD LAFCO Map - 20130502, 5. Completed Board Order

Date	Ver.	Action By	Action	Result
6/14/2016	1	Board of Supervisors	continued	Pass

a. Set a Public Hearing on June 28, 2016, at 10:30 a.m. to hear the Report of Delinquent Fees and consider any protests and objections to the report by property owners liable to be assessed for delinquent fees for Pajaro County Sanitation District;
b. Direct Resource Management Agency to prepare a final Report of Delinquent Fees;
c. Direct Resource Management Agency to mail the Notice of Public Hearing to property owners listed in the report not less than ten (10) days prior to the date of hearing; and
d. Direct the Clerk of the Board to publish the Notice of Public Hearing on June 28, 2016 at 10:30 a.m. in the Monterey County Weekly.

RECOMMENDATION:

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

a. Set a Public Hearing on June 28, 2016, at 10:30 a.m. to hear the Report of Delinquent Fees and consider any protests and objections to the report by property owners liable to be assessed for delinquent fees for Pajaro County Sanitation District (PCSD); and
b. Direct Resource Management Agency (RMA) to prepare a final Report of Delinquent Fees; and
c. Direct RMA to mail the Notice of Public Hearing to property owners listed in the report not less than ten (10) days prior to the date of hearing; and
d. Direct the Clerk of the Board to publish the Notice of Public Hearing for June 28, 2016 at 10:30 a.m. in the *Monterey County Weekly*.

SUMMARY:

The proposed actions will result in a Public Hearing to consider placing past due sanitation service charges for

the PCSD on the property tax rolls to facilitate collections. This assessment will be in the form of a lien placed on the property owners' real property until such time that the delinquent balance is paid in full.

DISCUSSION:

The PCSD provides wastewater collection services to 1,047 customers in the Pajaro and Las Lomas communities. The Monterey Regional Water Pollution Control Agency acts as the billing agency for the PCSD.

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 June 9, 2007, the Board of Supervisors adopted Ordinance No. 05054 establishing procedures for collection of delinquent fees for the PCSD. 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 (Attachment 2).

Certain property owners in the PCSD have accrued unpaid balances for calendar year 2015 on accounts for sixty-three (63) parcels despite multiple billing notices. The proposed action would schedule the required hearing for the sixty-three (63) accounts with past due balances.

On March 4, 2016 and again on May 9, 2016 property owners were notified by letter that they have delinquent accounts. The letters informed the property owners that the past due amount as of December 31, 2015 was subject to collection through a lien on their property. Notices of the June 28, 2016 hearing will be mailed, not less than ten (10) days prior to the hearing, to property owners listed in the report and noticed in the *Monterey County Weekly*.

OTHER AGENCY INVOLVEMENT:

The Monterey Regional Water Pollution Control Agency acts as the billing agency for PCSD. Placement of the liens on the property tax rolls will be done by the Treasurer-Tax Collector's Office.

FINANCING:

Collectively, past due amounts for calendar year 2015 for the PCSD total \$30,243.32 from sixty-three (63) parcels. Costs 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 costs will be added as lien transfer fees to the delinquent amount on a per parcel basis prior to forwarding the accounts to the Treasurer-Tax Collector's office, for a total lien amount of \$34,023.32. The main revenue for the PCSD comes from sewer fees, with additional revenues allocated from a portion of the general property tax, as well as revenue from the Redevelopment Property Tax Trust Fund. Additionally, revenue from the previous year's delinquent accounts is collected when property tax payments are made in December and April of the following year. All past due calendar year 2015 service charges and lien transfer fees collected will be deposited to Fund 151 for the PCSD. There are sufficient appropriations available in Fund 151 to cover the processing costs until the delinquent amounts are recovered. However, there is currently approximately \$110,186 available in the Unassigned Fund Balance should an appropriation be necessary to cover any costs until delinquent fees are collected on the FY 2016-17 tax rolls.

Prepared by: Lynette Redman, Management Analyst III, (831)796-6038

Approved by: Benny J. Young, Interim Director of Public Works and Facilities

Approved by: Carl P. Holm, AICP, Resource Management Agency Director

Dated: May 10, 2016

Attachment(s): Attachment 1- Notice of Public Hearing; Attachment 2- Draft Delinquent Fees Report for the PCSD; Attachment 3- Location Map (On file with the Clerk of the Board)