



Legislation Details (With Board Report)

File #: 14-313 **Name:**
Type: General Agenda Item **Status:** Passed
File created: 4/4/2014 **In control:** Board of Supervisors
On agenda: 5/6/2014 **Final action:** 5/6/2014

Title: Acting on behalf of County Service Area 75 - Chualar:
a. Set a Public Hearing on May 20, 2014 at 10:30 a.m., to hear the report of delinquent fees and consider any protests and objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
b. Direct that a report of delinquent fees be prepared;
c. Direct RMA - Public Works to mail the notice of hearing to landowners 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 Notice of Hearing in the Monterey County Weekly.

Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Exhibit A - Past Due Accounts for CSA 75 - Chualar, 2. Location Map, 3. Completed Board Order

Date	Ver.	Action By	Action	Result
5/6/2014	1	Board of Supervisors	approved	

Acting on behalf of County Service Area 75 - Chualar:
a. Set a Public Hearing on May 20, 2014 at 10:30 a.m., to hear the report of delinquent fees and consider any protests and objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
b. Direct that a report of delinquent fees be prepared;
c. Direct RMA - Public Works to mail the notice of hearing to landowners 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 Notice of Hearing in the Monterey County Weekly.

RECOMMENDATION:

It is recommended that the Board of Supervisors, acting on behalf of County Service Area 75 - Chualar:

- a. Set a Public Hearing on May 20, 2014 at 10:30 a.m., to hear the report of delinquent fees and consider any protests and objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
- b. Direct that a report of delinquent fees be prepared;
- c. Direct RMA - Public Works to mail the notice of hearing to landowners 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 Notice of Hearing in the Monterey County Weekly.

SUMMARY:

The proposed action will result in a Public Hearing to consider placing past due sanitation service charges for County Service Area 75 - Chualar (CSA 75) on the property tax rolls to facilitate collections. This assessment will be in the form of a lien placed on the subject real 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 June 22, 2004, the Board of Supervisors adopted Ordinance No. 04225 establishing procedures for collecting delinquent fees for CSA 75. These procedures include holding a Public Hearing once a year to hear the report of delinquent fees and any protests or objections by landowners liable to be assessed for delinquent fees (Exhibit A).

Certain property owners in CSA 75 have accrued unpaid balances for calendar year 2013 on accounts for 25 parcels despite multiple billing notices. The proposed action would schedule the required hearing regarding the 25 accounts with unpaid balances.

On February 21, 2014, property owners were notified by a letter that they have delinquent accounts. The letter informed property owners that the delinquent amount as of December 31, 2013, was subject to collection through a lien on their property. Notices of the May 20, 2014, hearing will be mailed, not less than ten (10) days prior to the hearing, to property owners listed in the report.

OTHER AGENCY INVOLVEMENT:

The Monterey Regional Water Pollution Control Agency acts as the billing agency for CSA 75. Placement of the liens on the property tax rolls will be done by the Treasurer-Tax Collector's Office.

FINANCING:

There is no impact to the General Fund. Collectively, past due amounts, including basic and per month penalties through December 31, 2013 for calendar year 2013 currently total \$4,580.08 from 25 parcels. In accordance with the Monterey County Fee Schedule, Late Payment Penalties have been assessed as permitted in Section 5473.10 of the California Health and Safety Code. In accordance with Ordinance No. 04225, these penalty fees are included in the total service charge amount of \$4,648.67. All calendar year 2013 past due service charges and penalty fees collected will be deposited in Fund 093 for CSA 75.

Prepared by: Dirk J. Medema, P.E., Environmental Services Manager (831) 784-5647

Approved by:

Robert K. Murdoch, P.E., Director of Public Works

Benny J. Young, RMA Director

Dated: April 28, 2014

Attachments: Exhibit A - Past Due Accounts for the County Service Area 75 - Chualar; Location Map (Attachments on file with the Clerk of the Board)