



Legislation Details (With Board Report)

File #: 15-0413 **Name:** CSA75 Set Hearing Delinquent Fees
Type: General Agenda Item **Status:** Passed
File created: 4/22/2015 **In control:** Board of Supervisors
On agenda: 5/5/2015 **Final action:** 5/5/2015

Title: Acting on behalf of County Service Area No. 75 - Chualar:
a. Set a Public Hearing on June 9, 2015, 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 No. 75 - Chualar;
b. Direct that a report of delinquent fees be prepared;
c. Direct Resource Management Agency - Public Works to mail the Notice of Public 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 Public Hearing on June 9, 2015 in the Monterey County Weekly.

Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Notice of Public Hearing, 3. CSA75 Past Due Accounts, 4. LOCATION MAP, 5. Completed Board Order, 6. Corrected Board Order

Date	Ver.	Action By	Action	Result
5/5/2015	1	Board of Supervisors	approved	

Acting on behalf of County Service Area No. 75 - Chualar:
a. Set a Public Hearing on June 9, 2015, 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 No. 75 - Chualar;
b. Direct that a report of delinquent fees be prepared;
c. Direct Resource Management Agency - Public Works to mail the Notice of Public 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 Public Hearing on June 9, 2015 in the Monterey County Weekly.

RECOMMENDATION:

It is recommended that the Board of Supervisors acting on behalf of County Service Area No. 75 - Chualar:
a. Set a Public Hearing on June 9, 2015, 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 No. 75 - Chualar;
b. Direct that a report of delinquent fees be prepared;
c. Direct Resource Management Agency - Public Works to mail the Notice of Public 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 Public Hearing on June 9, 2015 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 No. 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 collection delinquent fees for CSA 75. The 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 2014 on accounts for 23 parcels despite multiple billing notices. The proposed action would schedule the required hearing regarding the 23 accounts with unpaid balances.

On March 4, 2015, property owners were notified by a letter that they have delinquent accounts. The letter informed the property owners that the delinquent amount as of December 31, 2014 was subject to collection through a lien on their property. Notices of the June 9, 2015 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 Pollutions 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, 2014 for calendar year 2014 currently total \$4,443.41 from twenty three (23) parcels. In accordance with the Monterey County Fee Schedule, Late Payment Penalties have been assessed pursuant to the California Health and Safety Code, Section 5473.10. In accordance with Ordinance No. 04225, these penalty fees are included in the total service charge amount of \$4,510.06. All calendar year 2014 past due service charges and penalty fees collected will be deposited to Fund 093 for CSA 75.

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

Approved by:

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

Carl P. Holm, RMA Acting RMA Director

Dated: April 24, 2015

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