



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	17-0567	Name:	PCSD Delinquent Fees -Set Public Hearing
Type:	General Agenda Item	Status:	Approved
File created:	5/25/2017	In control:	Board of Supervisors
On agenda:	6/6/2017	Final action:	6/6/2017

Title: Acting as the Board of Directors of the Pajaro County Sanitation District:
a. Set a Public Hearing on June 27, 2017, at 1:30 p.m. to hear the Report of Delinquent Sanitation Fees (Report) and consider any protests and objections to the Report by property owners liable to be assessed for delinquent fees for the Pajaro County Sanitation District;
b. Direct Resource Management Agency to prepare a final Report of Delinquent Sanitation 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 Resource Management Agency to publish the Notice of Public Hearing on June 27, 2017 at 1:30 p.m. in the Monterey County Weekly not less than ten (10) days prior to the date of hearing.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Notice of Public Hearing, 3. Attachment B - Draft Delinquent Fees Rpt for PCSD, 4. Attachment C - Location Map, 5. Completed Board Order, 6. Budget Hearing Completed Board Order

Date	Ver.	Action By	Action	Result
6/6/2017	1	Pajaro County Sanitation District	approved	Pass

Acting as the Board of Directors of the Pajaro County Sanitation District:
a. Set a Public Hearing on June 27, 2017, at 1:30 p.m. to hear the Report of Delinquent Sanitation Fees (Report) and consider any protests and objections to the Report by property owners liable to be assessed for delinquent fees for the Pajaro County Sanitation District;
b. Direct Resource Management Agency to prepare a final Report of Delinquent Sanitation 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 Resource Management Agency to publish the Notice of Public Hearing on June 27, 2017 at 1:30 p.m. in the *Monterey County Weekly* not less than ten (10) days prior to the date of hearing.

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 27, 2017, at 1:30 p.m. to hear the Report of Delinquent Sanitation Fees (Report) and consider any protests and objections to the Report by property owners liable to be assessed for delinquent fees for the Pajaro County Sanitation District;
- b. Direct Resource Management Agency to prepare a final Report of Delinquent Sanitation 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 Resource Management Agency to publish the Notice of Public Hearing on June 27, 2017 at 1:30 p.m. in the *Monterey County Weekly* not less than ten (10) days prior to the date of hearing.

SUMMARY:

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

the Pajaro County Sanitation District (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 Sanitation Fees (Report) and any protests or objections by property owners liable to be assessed for delinquent fees (Attachment A).

Certain property owners in the PCSD have accrued unpaid balances for calendar year 2016 on accounts for sixty-seven (67) parcels despite multiple billing notices. The proposed action would schedule the required hearing for the sixty-seven (67) accounts with past due balances.

On March 28, 2017 and again on May 4, 2017, property owners were notified by letter that they have delinquent accounts. The letter notices informed the property owners that the past due amount as of December 31, 2016 was subject to collection through a lien on their property. Notices of the June 27, 2017 hearing will be mailed, not less than ten (10) days prior to the hearing, to property owners listed in the Report. Notice of hearing will be published in the *Monterey County Weekly* not less than ten (10) days prior to said hearing.

OTHER AGENCY INVOLVEMENT:

The Monterey Regional Water Pollution Control Agency acts as the billing agency for the 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 2016 for the PCSD total \$33,824.07 from sixty-seven (67) parcels. Costs associated with processing the liens for the sixty-seven (67) delinquent accounts, including data processing, accounting, noticing, and control procedures, is calculated at \$60 per parcel for a total of \$4,020. 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 \$37,844.07. The main revenue for the PCSD comes from sewer fees, with additional revenues allocated from a portion of the general property tax. Additionally, revenue from the prior 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 2016 service charges and lien transfer fees collected will be deposited into Fund 151 for the PCSD. Collection of past due amounts is a normal part of doing business and; as such, is accounted for when preparing the annual budget. The average annual delinquent amount total, including lien fees, over the last five years is \$41,600. The current total lien amount is consistent with previous years' delinquent amount totals.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The collection of delinquent accounts ensures continued cash flow to fund maintenance and repairs. Responsible fiscal management allows for adequate management of sewer infrastructure needs which improves public health and safety.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services

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

Attachments:

Attachment A - Notice of Public Hearing;

Attachment B - Draft Delinquent Fees Report for the PCSD

Attachment C - Location Map

(Attachments on file with the Clerk of the Board)