



County of Monterey

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

Legislation Details (With Board Report)

| | | | |
|----------------------|----------------|----------------------|-----------------------|
| File #: | RES 13-044 | Name: | CSA 75 Public Hearing |
| Type: | BoS Resolution | Status: | Passed |
| File created: | 5/9/2013 | In control: | Board of Supervisors |
| On agenda: | 5/21/2013 | Final action: | 5/21/2013 |

Title: Acting on behalf of County Service Area 75 - Chualar adopt a Resolution to:
a. Conduct a Public Hearing to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
b. Consider confirming the report of delinquent fees for County Service Area 75 - Chualar, as identified in Exhibit A, and authorizing the delinquent 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
c. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.

Sponsors: Public Works / RMA

Indexes:

Code sections:

Attachments: 1. Board Resolution, 2. Notice of Public Hearing County of Monterey CSA 75 - Chualar, 3. Exhibit A - Past Due Accounty for County Service Area 75 Chualar, 4. Location Map, 5. Completed Board Order and Resolution

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|---------|--------|
| 5/21/2013 | 1 | Board of Supervisors | adopted | Pass |

Acting on behalf of County Service Area 75 - Chualar adopt a Resolution to:
a. Conduct a Public Hearing to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
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c. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.

RECOMMENDATION:

It is recommended that the Board of Supervisors acting on behalf of County Service Area 75 - Chualar adopt a Resolution to:

- a. Conduct a Public Hearing to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
- b. Consider confirming the report of delinquent fees for County Service Area 75 - Chualar, as identified in Exhibit A, and authorizing the delinquent 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

c. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.

SUMMARY:

The hearing was set by Board action of May 7, 2013, and it has been properly noticed. The proposed actions will result in placing due sanitation assessment service charges for County Service Area 75 - Chualar on the tax rolls to facilitate collections. This assessment will be in the form of a Lien placed on the 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. Those 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 attached). The proposed action would fulfill the required procedures for collection of delinquent fees. Certain property owners in CSA 75 have accrued significant unpaid balances for calendar year 2012 on accounts for 16 parcels despite multiple billing notices. On March 8, 2013, property owners were notified by letter that they have delinquent accounts.

The notice informed property owners that the delinquent amount as of December 31, 2012 was subject to collection through a lien on their property. On May 8, 2013, notices of the May 21, 2013, Public Hearing were mailed to property owners listed on the report.

OTHER AGENCY INVOLVEMENT:

The Monterey Regional Water Pollution Control Agency (MRWPCA) acts as the billing agency for County Service Area 75 - Chualar. The accounts listed in Exhibit A and the amounts due are based on information provided by MRWPCA. A certified copy of the report of delinquent fees confirmed by the Board will be filed by the Clerk of the Board with the Auditor-Controller for placement of the liens on the property tax rolls 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, 2012, for calendar year 2012 currently total \$3,355.92 from 16 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 charges amount of \$3,355.92. All calendar year 2012 past due service charges and penalty fees collected will be deposited in CSA 75 (Fund 093). The report of delinquent accounts first presented to the Board on May 7, 2013 has been revised to reflect full and partial payments received to date.

Prepared by: Dirk J. Medema, P.E., Environmental Services Manager (831) 784-5637

Approved by:

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

Approved by:

Benny J. Young, RMA Director

Dated: May 10, 2013

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