



County of Monterey

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

Board Report

File #: 14-517, **Version:** 1

- 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 adopting a resolution 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.

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 adopting a resolution 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:

This hearing was set by Board action on May 6, 2014, and has been properly noticed. The proposed actions 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. 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).

The proposed actions would fulfill the required procedures for collection of delinquent fees. Certain property owners in CSA 75 have accrued unpaid balances for calendar year 2013 on accounts for 25 parcels despite multiple billing notices. 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. On May 06, 2014, Notices of the May 20, 2014, 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 CSA 75. The accounts listed in Exhibit A and the amounts due are based on a report provided by MRWPCA. A certified copy of the report of delinquent fees 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. Due to the late submission of this Board Report, the CAO Budget and Analysis Division was not provided adequate time to fully review for potential fiscal, organizational, policy, or other implications to the County of Monterey.

FINANCING:

Delinquent fees further compound the continuation of funding shortfalls in CSA 75. Collectively, past due amounts, including basic and per month penalties through December 31, 2013, for calendar year 2013, currently total \$4,034.38 for 21 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 \$4,094.80. All calendar year 2013 past due service charges and penalty fees collected will be deposited in Fund 093 for CSA 75. The report of delinquent accounts first presented to the Board on May 6, 2014 has been revised to reflect full and partial payments received to date.

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

Approved by:

Robert K. Murdoch, Director of Public Works

Approved by:

Benny J. Young, RMA Director

Dated: May 13, 2014

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