

GARDEN GROVE SANITARY DISTRICT

INTER-DEPARTMENT MEMORANDUM

To: Allan L. Roeder
From: Kingsley Okereke
Dept.: Interim General Manager
Dept.: Finance Director
Subject: PUBLIC HEARING ON A REPORT OF DELINQUENT ACCOUNTS FOR REFUSE COLLECTION AND DISPOSAL SERVICE BILLS; AND ADOPTION OF RESOLUTION AUTHORIZING IMPOSITION OF LIENS ON PARCELS WITH DELINQUENT ACCOUNTS
Date: June 23, 2015

OBJECTIVE

To have the Garden Grove Sanitary District Board of Directors (1) conduct a Public Hearing on the delinquent refuse collection and disposal fees report; (2) adopt the attached Resolution approving the report identifying the unpaid bills for refuse collection and disposal services and authorizing the imposition of liens on property with delinquent accounts; and (3) direct staff to file the necessary documentation with the County for assessment on the appropriate parcels. This action requires four (4) affirmative votes in order to proceed with placing liens on the properties listed in the report.

BACKGROUND

Pursuant to the requirements of the California Health and Safety Code, the Garden Grove Sanitary District may, following notice and a public hearing, impose liens on properties for refuse collection and disposal service bills that are delinquent for a period of sixty (60) days or more.

Republic Waste Services bills customers quarterly for refuse collection and disposal services. If a billing is not paid, a reminder is mailed to the individual who is responsible for the service. In addition, if a tenant does not pay for the service, the landlord is notified of non-payment (30) days prior to the Public Hearing. If a bill for service remains unpaid for a period of sixty (60) days, at the end of the fiscal year the assessment process outlined below is implemented.

DISCUSSION

The last Republic Waste Services billing of the 2014-2015 fiscal year was prepared and mailed in February 2015, and all unpaid charges on that billing became delinquent May 1, 2015. Sixty (60) days after the delinquency date, the delinquent amount, plus the associated penalty of 10%, may be filed with the County Auditor. Upon recordation by the County Recorder, the amount submitted by parcel shall be

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collected at the same time and in the same manner as the County property taxes and shall be subject to the same penalties and to the same procedure for foreclosure and sale as provided for general County taxes.

Prior to the delinquent amount becoming a lien against the property, the individual property owner is notified of the delinquent amount and the date and time of the Public Hearing. To further ensure that all parties are aware of the potential lien, a notice announcing this hearing date is published in a local newspaper. The report of delinquent accounts is on file and available for review in the office of the City Clerk. An updated report will be available at the June 23, 2015, City Council meeting.

In order for the delinquent and unpaid charges to be collected on the tax roll, the Board is required to hold a Public Hearing on whether to approve the report detailing charges proposed to be collected on the tax roll.

FISCAL IMPACT


This action will provide for the collection of delinquent refuse collection and disposal fees.

RECOMMENDATION

It is recommended that the Garden Grove Sanitary District Board of Directors:

- Conduct the Public Hearing on the report of delinquent refuse collection and disposal fees;
- Adopt the attached Resolution adopting the report and authorizing the imposition of liens for the collection of delinquent refuse collection and disposal fees (with at least four affirmative votes); and
- Direct staff to file the necessary documentation with the County for the collection of the delinquent fees on the property tax bills.


KINGSLEY OKEREKE
Finance Director


By: Monica Neely
Revenue Manager


By: Jeff Kuramoto
Utilities Revenue Supervisor

Attachment: Resolution

Approved for Agenda Listing


Allan L. Roeder
Interim General Manager

GARDEN GROVE SANITARY DISTRICT

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, ADOPTING A REPORT AND CERTIFYING A STATEMENT OF DELINQUENT AND UNPAID CHARGES FOR REFUSE COLLECTION AND DISPOSAL SERVICES TO BE COLLECTED ON THE PROPERTY TAX ROLL

WHEREAS, the Board of Directors of the Garden Grove Sanitary District has considered the report containing a statement of delinquent and unpaid charges for refuse collection and disposal services remaining delinquent and unpaid for a period of 60 days or more presented to it at its meeting of June 23, 2015;

WHEREAS, the Board of Directors wishes to have such delinquent and unpaid charges, which remain delinquent and unpaid as of July 1, 2015, become a lien against the parcels to which such requested refuse collection and disposal services were provided and to be collected on the tax roll;

WHEREAS, at the Regular Meeting of the Garden Grove Sanitary District on June 23, 2015, held in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California, at 6:30 p.m., the Board of Directors held a duly noticed Public Hearing, at which all oral and written comments, objections, and protests to the report were heard;

WHEREAS, the Secretary has caused notice of the report and Public Hearing to be published in a newspaper of general circulation on June 3, 2015, and June 10, 2015, within the District pursuant to Section 6066 of the Government Code; and

WHEREAS, the Secretary has caused a notice in writing of the report and Public Hearing, which notice states that these delinquent and unpaid charges could become a lien on the property, to be mailed to each person owning any parcel or parcels of real property described in the report as per the last equalized assessment roll available on the date the report was prepared.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GARDEN GROVE SANITARY DISTRICT, ORANGE COUNTY, CALIFORNIA AS FOLLOWS:

1. The report presented as written at the meeting at which this Resolution was adopted, or as revised and changed, is hereby adopted.

2. The Board of Directors of the Garden Grove Sanitary District hereby certifies to the Orange County Board of Supervisors and the Orange County Auditor that the delinquent and unpaid charges for refuse collection and disposal services stated in the report adopted pursuant to this Resolution remain delinquent and unpaid for a period of sixty (60) days, and requests that such delinquent charges

unpaid as of July 1, 2015, be collected on the tax roll in the same manner, by the same person, and at the same time as, together with and not separately from, the general taxes of the District. The Interim General Manager of the Garden Grove Sanitary District, or his designee, shall file all necessary documentation with the County of Orange for the collection of the delinquent and unpaid charges on the property tax roll.

3. That the Secretary be instructed to file a copy of the report with the County Auditor in a timely manner for the purpose of adding the delinquent refuse collection and disposal service charges to the tax roll.