

RECORDING REQUESTED BY:

Board of Supervisors

WHEN RECORDED MAIL TO:

**Board of Supervisors
330 Fair Lane
Placerville, CA 95667**

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08/07/2012, 20120038880

SPACE ABOVE THIS LINE RESERVED FOR
RECORDER'S USE

TITLE (S)

RESOLUTION 105-2012
RESOLUTION ESTABLISHING DELINQUENT MANDATORY
REFUSE COLLECTION FEES AS SPECIAL ASSESSMENTS AND
PROVIDING FOR COLLECTION AS AD VALOREM PROPERTY TAXES



RESOLUTION NO. 105-2012

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION ESTABLISHING DELINQUENT MANDATORY
REFUSE COLLECTION FEES AS SPECIAL ASSESSMENTS AND
PROVIDING FOR COLLECTION AS AD VALOREM PROPERTY TAXES

WHEREAS, the Board of Supervisors has previously adopted, on January 26, 1999, an Ordinance section 8.42.250, which authorizes delinquent mandatory garbage collection fees to be set forth in a report and the placement of a special assessment against the respective parcels of land and a lien on the property for the amount of such delinquent fees; and

WHEREAS, South Tahoe Refuse Co., Inc., forwarded a confirmed list of customers delinquent in their mandatory garbage collection fees and requested Environmental Management Department to initiate the *Lien for Ninety (90) Day Delinquencies* as in accordance with El Dorado County Ordinance section 8.42.250; and

WHEREAS, the Environmental Management Department has prepared a written Report describing each parcel of property which will be charged for delinquent fees; and

WHEREAS, on May 7, 2012, a Notice of Possible Lien Proceedings for Unpaid Mandatory Garbage Collection Service was mailed to landowners; and

WHEREAS, on June 7, 2012, a Notice of Appeal Hearing Regarding Possible Lien Proceedings For Unpaid Mandatory Garbage Collection Service was mailed to landowners; and

WHEREAS, on June 27, 2012, an Appeal Hearing Regarding Possible Lien Proceedings For Unpaid Mandatory Garbage Collection Service was held by the El Dorado County Environmental Management Department; and

WHEREAS, on July 16, 2012, a Notice of Lien Proceedings for Unpaid Mandatory Garbage Collection Service and Notice of Public Hearing was mailed to the landowners; and

WHEREAS, on July 31, 2012, the Board of Supervisors held a duly noticed public hearing, and received and considered documentation and testimony of landowners liable to be assessed for delinquent fees; and

WHEREAS, the Board determined that delinquent mandatory garbage collection fees should be considered as a special assessment and collection will be provided in the same manner as ad valorem property taxes.

NOW, THEREFORE, BE IT RESOLVED that the El Dorado County Board of Supervisors determines that:

1. The Report of Delinquent Fees shall become a Special Assessment.
2. The Environmental Management Department shall file the attached certified copy of Ordinance section 8.42.250 Lien List Exhibit A with the County Auditor, on or before August 10, 2012, for the amounts of the respective assessments against the respective parcels of land as they

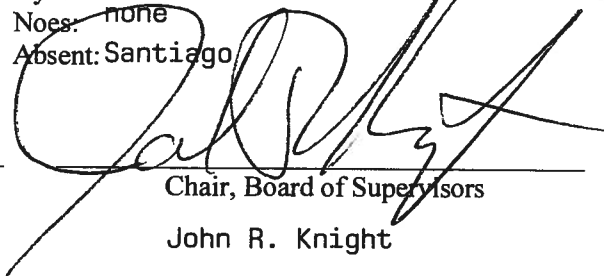
- appear on the current assessment roll.
- 3. The assessment may be collected as the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided as such taxes.
- 4. On behalf of the County, authorize the Environmental Management Department Director, or their designee, to prepare and execute release of lien upon payment of delinquent fees.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 31 day of July, 2012 by the following vote of said Board:

Attest:
Terri Daly
Acting Clerk of the Board of Supervisors

Ayes: Knight, Nutting, Sweeney, Briggs
Noes: none
Absent: Santiago

By: 
Deputy Clerk


Chair, Board of Supervisors
John R. Knight

South Tahoe Refuse		Exhibit A			
Acct	Last Name	First Name	Service Address	APN#	Delinquent Amount
11160886	ALAE	ALI & WILMA	1165 PROSPECTOR TRL	080-155-14-100	\$161.82
10200691	ANDERSEN	NORENE	673 KIOWA DR	033-422-30-100	\$320.74
10258989	ARONOFF	LLOYD	1325 PINE VALLEY RD	081-141-24-100	\$320.74
10202689	BERNARD	ANTHONY T & JEAN	1709 N UPPER TRUCKEE RD	033-821-08-100	\$320.74
10233706	BLANK	CARMEN	2998 KOKANEE TRAIL	080-193-14-100	\$279.80
11225174	BOREK	THOMAS	1741 CRYSTAL AIR DR	081-103-01-100	\$170.74
10257958	BOTTINI	GEOFFREY R	1145 ACOMA CIR	033-661-12-100	\$247.18
10274464	BOWERS	KENNETH	1243 APACHE AVE	034-295-03-100	\$161.82
10233277	BOWMAN	WALTER MICHAEL	2531 ALICE LAKE RD	025-645-05-100	\$320.74
11231817	BRACKETT	CHRISTIAN	1504 BEL AIRE CIR	033-201-10-100	\$80.31
11141297	BROSS	LARRY	2381 SUTTER TRAIL	025-733-04-100	\$80.31
10244244	BROWN	JOHN	1837 GUADALUPE ST	080-083-03-100	\$320.74
10228672	BROWN	JUDY	1530 MEADOW VALE DR	033-231-01-100	\$320.74
10238805	BROWNELL	MICHAEL	2465 COUGAR TR	080-113-06-100	\$320.74
11146961	CARLSON	DAVID	1468 APPLE VALLEY DR	033-216-04-100	\$320.74
11131097	CARLSON	LEO	1577 PLAYER DR	081-121-06-100	\$220.74
10247677	CARR	WENDY T	1995 CHEROKEE ST	034-253-10-100	\$320.74
11001906	CASH SR	JONATHAN	2641 LIPAN ST	035-283-21-100	\$320.74
10248625	CHEAH	TONG C	316 HEATHER CIR	032-353-13-100	\$320.74
10255307	CHIARPOTTI	ROXANNE	1461 CHERRY HILLS CIR	033-213-06-100	\$320.74
10279414	CLARK	ERIC	3400 PANORAMA DR	036-541-08-100	\$320.74
10213637	COLEMAN	ALEST	1657 TIONONTATI ST	081-092-12-100	\$320.74
10214027	COOK	BRUCE M & BEATRICE A	1915 BLACKFOOT RD	034-083-03-100	\$320.74
11035550	COSTER	ALAN R	2843 SAINT NICK WAY	036-422-06-100	\$200.05
11048697	COWAN	CAROL	1650 CHERRY HILLS CIR	033-302-02-100	\$320.74
11123621	CRANSTON	KENNETH	872 MULE DEER CIR	033-273-21-100	\$320.74
11222864	DALO	JULIA	1902 KOYUKON DR	033-861-05-100	\$320.74
10250015	DANDREA	ANTHONY	1946 APACHE AVE	034-083-13-100	\$272.53
11189405	DAVIS	BRUCE	1878 BAKERSFIELD ST	034-371-05-100	\$320.74

South Tahoe Refuse				Exhibit A	
Acct	Last Name	First Name	Service Address	APN#	Delinquent Amount
11120271	DELGADO	RENE	2710 ELATI ST	035-284-02-100	\$320.74
10001111	DEUTSCHE BANK NATL TR		3672 S UPPER TRUCKEE RD	036-462-06-100	\$320.74
12122800	DEUTSCHE BANK NATL TR		2000 HIGH MEADOW TRL	025-755-04-100	\$80.31
10254086	DI ROSARIO	NAT & THELMA	1463 ORMSBY DR	025-272-18-100	\$243.71
10221449	EARNEST	SUSAN	1857 BELLA COOLA DR	034-101-05-100	\$161.82
10252727	EDISON	TIM	2494 BLITZEN RD	035-251-04-100	\$80.31
10245001	FALZONE	JOHN ROGER	1421 BLACK BART AVE	025-331-01-100	\$320.74
10211813	FELLOWS	JOHN W	1946 TOPPEWETAH ST	034-513-27-100	\$161.82
10220698	FIGARI	RICK	2332 BLITZEN RD	035-233-33-100	\$320.74
10256412	FISHER	KENT NAMY	1339 MEADOW CREST DR	025-341-14-100	\$320.74
10001147	FITZSIMMONS	SEAMUS	3340 PIONEER TRAIL	025-670-06-100	\$320.74
10228028	FULWILER	CURTIS & DIANE	2696 GENOA AVE	025-353-07-100	\$320.74
10235512	GATIEN	LANCE & CAROL	1109 APACHE AVE	034-242-01-100	\$320.74
11250594	GAVIN	PATRICK J	958 IRON MOUNTAIN CIR	033-571-02-100	\$320.74
10248815	GAY	LESLIE A	2180 SHAWNEE ST	034-593-02-100	\$320.74
10234095	GIGUERE	GEORGE & SUZANNE	1470 ORMSBY DR	025-271-53-100	\$80.31
10214528	GRECH	CHARLES & JOAN E	1455 SEMINOLE DR	034-481-02-100	\$320.74
10229687	HAMILTON	WILLIAM E & RENEE	1997 WASHOE ST	034-265-07-100	\$164.22
11051043	HANNAH	STEPHANIE A	1136 E SAN BERNARDINO AVE	034-232-17-100	\$85.89
11115684	HARRIS	MARJORIE	2035 ARROWHEAD AVE	034-321-03-100	\$319.74
11109340	HECKERT	MARK	1544 CRYSTAL AIR DR	081-072-20-100	\$321.24
10237752	HIGGINBOTHAM	WILLIAM	1505 ORMSBY DR	025-272-13-100	\$321.24
11158496	KANG	JATINDER	3025 HWY 50	034-342-11-100	\$80.31
11186204	KELLY	JASON	2609 HENDERSON ST	035-281-05-100	\$80.31
10231452	LINDSTROM	AMY	2859 SAINT NICK WAY	036-422-04-100	\$321.24
11117216	LOANE	KAREN	1630 MERION DR	033-312-12-100	\$319.74
10270447	MARGARETICH	ED	1767 MANDAN ST	081-113-05-100	\$321.24
10255448	MARTIN	MARY	1510 ZAPOTEC DR	034-683-08-100	\$321.24
11218965	MARTINEZ	MELODY	2595 COPPER WAY	025-442-28-100	\$319.74

South Tahoe Refuse Lien List		Exhibit A			
Acct	Last Name	First Name	Service Address	APN#	Delinquent Amount
10278846	MARX	PHILIP K	1279 MOUNTAIN MEADOW DR	033-504-03-100	\$319.74
10287235	MARX	PHILIP K	1266 MOUNTAIN MEADOW DR	033-503-13-100	\$319.74
10253294	MARX	PHILLIP KIM & SUSAN	1284 MOUNTAIN MEADOW DR	033-503-15-100	\$319.74
11045361	MC CREADY	JESSE T	1619 ARROWHEAD AVE	034-202-04-100	\$219.74
10210463	MC NUTT	REX	1829 BAKERSFIELD ST	034-811-04-100	\$321.24
10251437	MEYERS	EDWARD J	3486 S UPPER TRUCKEE RD	036-473-03-100	\$164.22
10240419	MORGAN	BRENDA	1527 TAMOSHANTER DR	033-233-18-100	\$321.24
10226050	MORLETT	ALICE	1242 APACHE AVE	034-294-20-100	\$145.75
12044000	MORRISSEY JR	JOHN	1842 GUADALUPE ST	080-082-06-100	\$314.42
11024045	MULLEN	FRANCES A	1034 WASHOAN BLVD	033-792-04-100	\$321.24
10245968	MUNEVAR	MARIA CONSTANZA	1211 PROSPECTOR TRL	080-155-34-100	\$213.22
11008220	NINKOVIC	SLOBADAN	1178 KULOW ST	033-863-13-100	\$161.82
10222747	NORRIS	AARON L & BARBARA	1104 ACOMA CIR	033-673-06-100	\$321.24
10216828	NOWOTNY	REGINA	1888 GUADALUPE ST	080-102-08-100	\$321.24
11215352	PARKER	TRAVIS	626 NAHANE DR	035-291-07-100	\$320.74
11146972	PARKER	DONALD	1592 PLUMAS CIR	034-121-03-100	\$319.74
10278929	PARKS	MICHAEL & WANDA	2515 COLD CREEK TR	025-432-03-100	\$320.24
10257345	PETERSON	PAULA	1417 MEADOW CREST DR	025-351-11-100	\$251.05
11205381	PONTICELLI	CYNTHIA	986 HAN ST	035-255-01-100	\$249.53
11227222	QUINLAN	BRENDAN	2289 CHIAPA DR	035-171-11-100	\$320.24
10228826	RIGGS	ESTHER	2328 BLITZEN RD	035-233-11-100	\$91.85
11006846	ROHRER	MICHAEL	1920 OSAGE CIR	034-734-16-100	\$250.53
10263160	ROMO III	JOHN	1648 CHOCTAW ST	034-222-02-100	\$320.24
10232694	SACCOMAN	NEIL & KATHLEEN	1515 OJIBWA ST	034-692-17-100	\$320.24
11081894	SCHWINDT	TOBY & AIMEE	1760 THUNDERBIRD DR	081-042-04-100	\$320.24
10227242	SCOTT	KENNETH & PATRICIA	2001 ARROWHEAD AVE	034-822-05-100	\$253.68
10234484	SIGNOR	RUSSELL F	1675 CHOCTAW ST	034-221-34-100	\$320.24
10234542	SILVA	ANTHONY R	730 LITTLE BEAR LN	033-491-03-100	\$319.74
10279471	STEPHENS	TIMOTHY	1771 SAWMILL RD	033-180-33-100	\$1,280.96

South Tahoe Refuse		Exhibit A			
Acct	Last Name	First Name	Service Address	APN#	Delinquent Amount
10237639	THOMAS	TODD & JOAN	1084 SUNDOWN TRAIL	080-152-16-100	\$250.53
11049821	TINNELL	ERIK G	1505 CHERRY HILLS CIR	033-201-25-100	\$320.24
11128503	TRNKA	LILLIAN	1137 SIOUX ST	034-242-09-100	\$320.24
10262576	VASQUEZ	SALVADOR & G	2795 SAINT NICK WAY	036-412-04-100	\$93.11
11148707	VASS	ALEX	1485 CRYSTAL AIR DR	081-064-21-100	\$320.24
10274324	VELTEN	REGINALD & DIANE	1921 ARROWHEAD AVE	034-294-26-100	\$320.24
11019061	WILCOX	MARRIOTT	2692 GENOA AVE	025-301-20-100	\$320.24
12049300	WILSON	JEREMY	1061 EAGLE LN	033-252-13-100	\$164.22
10240796	WONG	WILLIAM N & ALICE	1099 TOMAHAWK LN	034-261-02-100	\$319.74
				Total	\$26,754.58

8.42.250 Lien for Ninety (90) Day Delinquencies.

Mandatory collection fees authorized pursuant to this article which remain unpaid for a period of ninety (90) or more days after the date upon which they were billed may be collected thereafter by El Dorado County as provided herein.

- A. Once a year the board of supervisors shall cause to be prepared a report of delinquent fees. The Board shall fix a time, date and place for hearing the report and any objections or protests thereto.
- B. The board shall cause notice of the hearing to be mailed to the landowners listed on the report not less than ten (10) days prior to the date of the hearing.
- C. At the hearing, the board shall hear any objections or protests of landowners liable to be assessed for delinquent fees. The board may make such revisions or corrections to the report as it deems just, after which by resolution, the report shall be confirmed.
- D. The delinquent fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such delinquent fees. A certified copy of the confirmed report shall be filed with the county auditor, on or before August 10, for the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll. The lien created attaches upon recordation, in the office of the county recorder of the county in which the property is situated, of a certified copy of the resolution of confirmation. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of county ad valorem property taxes shall be applicable to such assessment, except that if any real property to which such lien would attach has been transferred or conveyed to a bonafide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the delinquency fees, as confirmed, relating to such property shall be transferred to the unsecured roll for collection.