



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION CONFIRMING REPORT OF DELINQUENT MANDATORY REFUSE COLLECTION FEES AS SPECIAL ASSESSMENTS FOR THE 2014/2015 TAX YEAR

WHEREAS, on December 29, 1981, the Board of Supervisors of the County of El Dorado adopted Ordinance 3214 related to Mandatory Refuse and Garbage Collection for South Lake Tahoe; and

WHEREAS, the Board of Supervisors established the Solid Waste management Ordinance, Chapter 8.42 of County Ordinance Code, as from time to time amended, pursuant to Public Resources Code §40000, *et. seq.* (“California integrated Solid Waste Management Act of 1989” or “AB 939”); and

WHEREAS, pursuant to provisions of Government Code §25827 and County Ordinance Code Chapter 8.42, County entered into a franchise agreement for Solid Waste Collection with South Tahoe Refuse Company to provide mandatory refuse collection services and charge to customers the fees for providing the compulsory services; and

WHEREAS, South Tahoe Refuse Company has provided a list of delinquent mandatory collection fees (“fees”) to the Community Development Agency Administration and Finance Division with a request to initiate proceedings pursuant to the provisions of Government Code §25828 and County ordinance Code §8.42.250-*Lien for Ninety (90) Day Delinquencies*; and

WHEREAS, on May 7, 2014, a Notice of Possible Lien Proceeding for Unpaid Mandatory Garbage Collection Services was mailed to each landowner with fees unpaid for a period of ninety (90) days after the date upon which they were billed (“delinquent landowner”); and

WHEREAS, on June 9, 2014, a Notice of Appeal Hearing Regarding Possible Lien Proceedings for Unpaid Mandatory Garbage Collection Services for a Hearing scheduled for June 25, 2014 from 1:00 p.m. to 2:00 p.m. at the El Dorado County Library, South Lake Tahoe Branch located at 1000 Rufus Allen Boulevard, South Lake Tahoe was mailed to each delinquent landowner; and

WHEREAS, on June 25, 2014, an Appeal Hearing Regarding Possible Lien Proceedings for Unpaid Mandatory Garbage Collection Services was conducted by the Community Development Agency Administration and Finance Division on behalf of the Environmental Management Division, as noticed, at which Hearing no appeals were made; and

WHEREAS, on July 17, 2014, a Notice of Lien Proceedings for Unpaid Mandatory Garbage Collection Service fees and Notice of Public Hearing was mailed to each delinquent landowner; and

WHEREAS, on July 29, 2014, the Board held a duly noticed public hearing and received and considered documentation and any objections or protests of landowners liable to be assessed for delinquent fees.

NOW, THEREFORE, BE IT RESOLVED

1. The Report of Delinquent Fees set forth in Exhibit A is confirmed and shall constitute special assessments against the respective parcels of land for the 2014/2015 tax year, and are a lien on the property for the amount of such delinquent fees;
2. The Community Development Agency Administration and Finance Division shall file a certified copy of this Resolution and Exhibit A with the county auditor on or before August 11, 2014 for the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll;
3. The lien attaches to the respective parcels of land upon recordation of a certified copy of this Resolution and Exhibit A.
4. The Community Development Agency Environmental Management Division Director, or his or her designees, is hereby authorized to prepare and execute release of lien on behalf of the County upon confirmation of payment of delinquent fees.

BE IT FURTHER RESOLVED, that the assessments as confirmed shall appear as a separate item in the tax bill for each parcel and shall be levied and collected in the same manner as County ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in case of delinquency as provided for such taxes, as more specifically set forth and authorized by County Ordinance Code §8.42.250 and §25828 of Government Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
James S. Mitrisin
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors