



## RESOLUTION NO.

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 6, 2011, a Notice of Possible Lien Proceedings for Unpaid Mandatory Garbage Collection Service was mailed to landowners; and

**WHEREAS**, on June 3, 2011, a Notice of Appeal Hearing Regarding Possible Lien Proceedings For Unpaid Mandatory Garbage Collection Service was mailed to landowners; and

**WHEREAS**, on June 21, 2011, 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 13, 2011, a Notice of Lien Proceedings for Unpaid Mandatory Garbage Collection Service and Notice of Public Hearing was mailed to the landowners; and

**WHEREAS**, on August 2, 2011, 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, 2011, 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 on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
 by the following vote of said Board:

Ayes:

**ATTEST:**  
**SUZANNE ALLEN DE SANCHEZ**  
 Clerk of the Board of Supervisors

Noes:  
 Absent:

By \_\_\_\_\_  
 Deputy Clerk

\_\_\_\_\_  
 Chair, Board of Supervisors

**I CERTIFY THAT:**  
 THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

**DATE** \_\_\_\_\_

**ATTEST: SUZANNE ALLEN DE SANCHEZ**, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By \_\_\_\_\_  
 Deputy Clerk