



County of El Dorado

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Legislation Details (With Text)

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Type: Agenda Item **Status:** Approved
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On agenda: 8/2/2011 **Final action:** 8/2/2011
Title: HEARING - Consider adoption of Resolution establishing delinquent mandatory refuse collection fees as special assessments and providing for collection in the same manner as ad valorem property taxes for South Tahoe Refuse Co., Inc. (Est. Time: 15-20 Mins.)
Resolution 138-2011

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Solid Waste Management Ordinance, 2. B - Courtesy letter, 3. C - STR collection procedures, 4. D - Lien Resolution, 5. E - STR LIENS COUNTY 2011.pdf, 6. Fully executed Resolution 138-2011

Date	Ver.	Action By	Action	Result
8/2/2011	1	Board of Supervisors	Approved	Pass

HEARING - Consider adoption of Resolution establishing delinquent mandatory refuse collection fees as special assessments and providing for collection in the same manner as ad valorem property taxes for South Tahoe Refuse Co., Inc. (Est. Time: 15-20 Mins.)

Resolution 138-2011

BUDGET SUMMARY:		
Total Estimated Cost		\$0
Funding		
Budgeted	\$0	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$0	
Change To Net County Cost		\$0

Fiscal Impact/Change to Net County Cost: None

Background:

On December 31, 1970, the California Tahoe Regional Planning Agency (TRPA) approved an ordinance prohibiting the issuance of a building permit for any Lake Tahoe occupancy unless solid waste export is provided by a licensed or franchised solid waste hauler, or by a public agency.

In October 1972, the El Dorado County voters passed a mandatory collection ordinance for all residential units in the unincorporated area of the Lake Tahoe Basin. The goals of mandatory refuse

collection are to: a) reduce illegal disposal; b) provide for expanded disposal, recycling and yard waste programs which support the County's compliance with AB 939 that mandated 50% diversion by the year 2000; and c) institute a consolidated refuse collection rate within designated mandatory collection areas.

In January 1999, the El Dorado County Board of Supervisors adopted a Solid Waste Ordinance that authorizes the mandatory collection of fees via property tax liens that remain unpaid for period of (90) days. (Exhibit A - Solid Waste Management Ordinance section 8.42.250)

Reason for Recommendation:

A review of historical agenda items from 1999 and 2000 indicated that the lien process was developed as a result of a large number of delinquent accounts, within the South Tahoe Refuse Co, Inc. (STR) collection area, that were adversely affecting rates. Specifically, the 1998 rate review and audit of STR's financial statements revealed that a portion of the general rate increase was necessary to offset over \$300,000 in long-term unpaid solid waste collection bills from customers in both the unincorporated area of the County and the City of South Lake Tahoe. In effect, the property owners in the South Lake Tahoe Basin who were paying their solid waste collection bills in good faith were subsidizing property owners who were not.

The STR 2010 Annual Financial Summary reflects the bad debt line item with a \$0 value. This \$0 value demonstrates that the lien process is effective. The bad debt resulting from property owners not paying their solid waste collection bills has been greatly diminished through the use of the lien process and there is no longer a need for a rate increase to offset the bad debt.

The County's Solid Waste Management Ordinance provides the Board with the discretion to implement the procedure that levies a special assessment against a property for the amount of confirmed delinquent solid waste collection fees. If the Board decides not to implement the procedure, then the collection of the debts will be returned to the hauler and could result in uncollected delinquent fees that increase rates.

STR follows a process in an attempt to collect past due bills prior to initiating the lien process. This includes a combination of courtesy letters and phone calls to work with their customers to resolve past due bills. STR's process and a sample a courtesy letter are attached as Exhibits B and C.

Action to be taken following Board approval:

Upon execution, forward copies of the Resolution to County Recorder's Office for recording then forward a copy of the Recorded Resolution to Department.

Contact: Gerri Silva, MS, REHS, Environmental Management Director