

June 20, 2005

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
June 28, 2005

**HEARING TO REVIEW DELINQUENT REFUSE CHARGES FOR
CONSIDERATION OF PLACING SAID CHARGES ON THE TAX ROLLS AS A
SPECIAL ASSESSMENT**

Recommendation:

That the City Council:

1. Receive testimony from affected property owners regarding their delinquent refuse bills.
2. Approve Consolidated Disposal Service's administrative fee in the amount of \$25.00 to be included as part of each property tax assessment.
3. Adopt the attached resolution authorizing and directing the County Assessor to include delinquent refuse charges, which remain ten days following this hearing, as a special assessment for collection as part of the County tax collection process.

Background:

Pursuant to Section 8.12.36(A)(5) of the Municipal Code, a public hearing is required prior to establishing a special assessment for property owners delinquent in payment of refuse collection fees.

Analysis:

The attached listing of properties have been reported by Consolidated Disposal Service (CDS) as delinquent in payment of refuse collection fees as of March 31, 2005.

Notices were sent to affected property owners advising them of the opportunity to appear before the Administrative Appeals Board to dispute unpaid charges at a meeting held on June 14, 2005. The attached list was compiled following the hearing of the Administrative Appeals Board. The Administrative Appeals Board recommends that the properties remaining on the list have the delinquent charges added to the tax bill as a special assessment.

Notices were sent to the property owners on the attached list advising them of the opportunity to appear before the City Council at the hearing scheduled for June 28, 2005 to appeal the matter prior to the City proceeding with the special assessment.

The attached resolution directs the County Assessor to place delinquent refuse charges on the tax bill as a special assessment. Exhibit "A" of the attached resolutions will be modified by CDS to delete any delinquent refuse charges which are paid within ten days following this hearing as provided for by Section 8.12.360(A)(6) of the Municipal Code.

CDS includes an administrative fee of \$25.00 to each assessment amount to cover their costs for processing. This fee has been approved by City Council annually since 2002 and staff has no objection to the administrative fee.

Respectfully submitted,

Stephen R. Burrell
City Manager

Attachments:
Resolution with Lists of Delinquent Refuse Charges

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH AUTHORIZING AND DIRECTING THE COUNTY ASSESSOR TO INCLUDE DELINQUENT REFUSE BILLS FROM CONSOLIDATED DISPOSAL SERVICE AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS COUNTY TAXES (168.86 – HERMOSA BCH DEL REFUSE CDS).

WHEREAS, Section 38790.1 of the California Government Code authorizes cities to collect delinquent refuse bills via a special assessment to be collected with county taxes; and,

WHEREAS, the City Council adopted Ordinance No. 86-840 which provides for collection of delinquent refuse bills in accordance with California Government Code Section 38790.1; and,

WHEREAS, in accordance with Ordinance No. 86-840, property owners have ten days from the date of the hearing to pay the delinquent refuse bill to avoid the special assessment;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Each delinquent refuse bill shall be increased by ten dollars (\$10.00) to compensate for the administrative costs incurred by collecting delinquent refuse bills via a special assessment.

Section 2. The list of properties and the amount to be collected, attached as Exhibit "A", shall be forwarded to the county assessor for posting on the tax bill as a special assessment. Exhibit "A" may be modified by the City Manager to delete those parcels where delinquent refuse charges are paid within ten (10) days following the City Council hearing.

PASSED, APPROVED and ADOPTED this 28th day of June, 2005.

President of the City Council and Mayor of the City of Hermosa Beach, California

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney