



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
PETE VANDER POEL
District Two
PHILLIP A COX
District Three
J STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: July 13, 2010

Public Hearing Required	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010						

SUBJECT: Placement of Delinquent Sewer Service Charges on the 2010/2011 Tax Roll for the Terra Bella Sewer Maintenance District

REQUEST(S):
That the Board of Supervisors:
Sitting as the Governing Board for Terra Bella Sewer Maintenance District (TBSMD):

1. Hold a Public Hearing to consider placement of TBSMD delinquent sewer service charges, delinquent penalties and Auditor's collection charges on the 2010/2011 tax roll; and
2. Approve the placement of TBSMD delinquent sewer service charges, delinquent penalties and Auditor's collection charges on the 2010-2011 tax roll as identified in Attachment A.

SUMMARY:
The Terra Bella Sewer Maintenance District was created in 1942. The County administers the maintenance of the District through contracted services. In an attempt to cover the annual operation and maintenance costs, the County bills and collects monthly fees from each service user. Unfortunately, some property owners are not paying for the service(s) they receive. Many do not make any payments throughout the year.

On June 8, 2010, a notice was mailed to every delinquent account advising them that their bill must be paid in full by June 30, 2010 or the County would begin the process of placing the delinquent fees on the property tax roll. Attached Exhibit A identifies the property owners that did not make full payment within the prescribed

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time frame.

Tulare County Ordinance, Number 2924, (Uncodified) allows the Board of Supervisors (BOS) to place delinquent fees on the property tax roll in accordance with the provisions of the Health and Safety Code, Section 547a and Government Code, Section 6066. The process requires the Board of Supervisors to set the matter for public hearing, provide mailed and published notices of the public hearing and provide property owners the opportunity to speak to the matter. The Resource Management Agency did provide published and mailed notices, as required by Ordinance 2924, the Health and Safety Code and Government Code.

The purpose of the public hearing is for the Board to hear and consider all objections or protests from the affected property owners, prior to adopting the resolution to place delinquent charges and penalties on the 2010/2011 tax roll. The hearing is provided early in the process to allow property owners to make payments on their delinquent accounts. If full payment is received by 11:30 a.m., Friday, July 30, 2010, their name will be removed from the final list of delinquent property owners filed with the Auditor. State law requires that the final list of delinquent property owners must be submitted to the Auditor by August 10, 2010 to be included on the 2010/2011 tax roll.

FISCAL IMPACT/FINANCING:

The only costs to the County are those associated with noticing and conducting the public hearing. These costs are included in the proposed budget. There is a net County cost associated with the County Service Area program. Any shortfall in revenue in the CSA Zones of Benefit (ZOB) is covered by a revolving loan in the General Fund. There is an administrative charge associated with placing the delinquent charges on the property tax roll. This charge is \$50 per Zone of Benefit plus \$1 per assessor parcel number. In addition to the administrative charge, there is a ten percent (10%) penalty assessed. As this amount is dependent on the final number of delinquent accounts, it will be calculated and included in the final exhibits at the time of the public hearing. This amount will be calculated and included in the final exhibits submitted to the Board at the time of the public hearing as it is dependent on the final number of delinquent accounts. Staff will often receive payments on the accounts once the property owner is notified of the public hearing.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The proposed action would assist the County in its efforts to provide for the safety and security of the general public by insuring an adequate revenue source to provide and maintain a secure water supply.

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ALTERNATIVES:

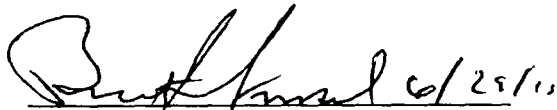
1. File a civil action for the collection of any delinquent accounts due and unpaid.
2. Forfeit revenue by not pursuing the collection of the delinquent accounts.

Staff does not recommend either of these alternatives as they are more costly to pursue than placing the delinquent charges on the property tax roll.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

Submittal of delinquent accounts to be placed on the tax roll are being coordinated with the Auditor/Controller's office.

ADMINISTRATIVE SIGN-OFF:


Britt L. Fussey, P.E.
Assistant Director—Public Works
County Surveyor

BF:PA:CM

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s) Exhibit A, Terra Bella Sewer Maintenance District Delinquency List

**BEFORE THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BODY OF THE
TERRA BELLA SEWER MAINTENANCE DISTRICT
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF PLACEMENT OF)
DELINQUENT SEWER SERVICE CHARGES)
ON THE 2010/2011 TAX ROLL FOR THE) RESOLUTION NO. _____
TERRA BELLA SEWER MAINTENANCE)
DISTRICT)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JULY 13, 2010, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Sitting as the Governing Board for Terra Bella Sewer Maintenance District (TBSMD):

1. Held a Public Hearing to consider placement of TBSMD delinquent sewer service charges, delinquent penalties and Auditor's collection charges on the 2010/2011 tax roll; and
2. Approved the placement of TBSMD delinquent sewer service charges, delinquent penalties and Auditor's collection charges on the 2010-2011 tax roll as identified in Attachment A.

**TERRA BELLA SEWER
MAINTENANCE DISTRICT**

EXHIBIT A

#	APN	TOTAL DUE		OWNERS NAME
		05/31/2010		
1	320-141-020	\$	5,451.21	** CAL VALLEY INVESTMENT LLC
2	321-142-003	\$	253.26	** LOPEZ, DEMESIO & MARJA
3	320-142-007	\$	83.42	HERNANDEZ, GABRIEL & ROSA
4	320-142-009	\$	253.26	** RODRIGUEZ, JOSE & AUDELIA
5	320-142-014	\$	126.00	BEDOLLA, BONIFACIO & SYLVIA
6	320-143-005	\$	253.26	** PADILLA, MARIA
7	320-143-014	\$	211.26	SEVILLA, SERVANDO & ROSALBA
8	320-151-001	\$	228.00	GODOY, ROBERT & GLORIA
9	320-151-006	\$	84.00	PENA, MARTIN
10	320-151-011	\$	53.26	VALENCIA, JOSE ELIAS
11	320-151-016	\$	506.53	** FERRER, GUSTAVO & MARIZA
12	320-152-002	\$	168.00	LOPEZ, ALFREDO & MARIA E
13	320-152-003	\$	83.67	RUIZ, JOSE & QUINTERO, MARIA
14	320-152-016	\$	253.26	** THALMAN, JOHN & MARTHA
15	320-152-017	\$	296.53	** ANDRADE, ERACLIO & EFIGENIA
16	320-152-019	\$	253.26	** RUIA, MARIA FE
17	320-153-018	\$	126.00	TORRES, FRANCISCO
18	320-154-002	\$	262.31	** BANKERS TRUST OF CALIF
19	320-154-011	\$	253.26	** QUEZAD, HERLINDO & EMILIA
20	320-154-019	\$	83.18	ZUNIGA, FERNANDEZ, TERESA
21	320-161-004	\$	826.07	** CURZ, VICTOR JESUS & JUANITA
22	320-161-010	\$	253.26	** FERRER, GUSTAVO
23	320-161-015	\$	70.68	HERNANDEZ, LUCIO JR & ADRIANA
24	320-161-024	\$	702.00	** CAVALOS, LUIS & ROSA
25	320-161-025	\$	393.24	AVALOS, LUIS & ROSA
26	320-162-013	\$	252.00	LOPEZ, IGNACIO & MARIA
27	320-162-015	\$	470.35	** HERNANDEZ, JOSE & YOLANDA
28	320-162-020	\$	253.26	** TENPENNY, JOHN & HELEN
29	320-162-021	\$	506.53	** CARRASCO, LENOR
30	320-163-004	\$	84.00	LOPEZ, MARIO & DEL CARMEN LOPEZ
31	320-163-006	\$	358.08	VALENCIA, GERARDO CHAVEZ
32	320-163-010	\$	84.00	PEREZ, MARTIN & GACIELA
33	320-163-013	\$	84.00	LOPEZ, ALFREDO & MARIA E
34	320-163-015	\$	253.26	** SERVIN, JUAN & HERNANDEZ, OLGA
35	320-164-004	\$	228.00	GODOY, ROBERT & MARJTA
36	320-164-009	\$	168.00	HERNANDEZ-OZUNA, JOSEFINA
37	320-171-007	\$	470.35	** CABELLO Y MARIA M
38	320-172-013	\$	253.26	** ROMAN, GUADALUPE
39	320-172-015	\$	253.26	** ROMAN, GUADALUPE
40	320-173-013	\$	253.26	** SALINAS, NORA
41	320-173-018	\$	312.00	GARCIA, SERGIO & LIZARDE, ROSARIO
42	320-174-009	\$	174.00	AVALOS, LUIS & ROSA
43	320-180-018	\$	98.84	DEANS, VIVIAN
44	320-180-020	\$	211.22	MARRERO, MARINA
45	320-380-007	\$	158.26	CORDOVA, JOSEFA D
46	320-380-008	\$	210.42	CARDOVA, SUSIE & GAMBOA, ROBERTO
47	320-380-011	\$	168.00	ACUNA, ANGELINA
48	320-380-015	\$	253.26	** RUIZ, GILBERTO & ROSA, LEON
49	320-380-018	\$	84.00	PEREZ, HUMBERTO & ANGELITA
50	320-400-001	\$	705.51	** CORTEZ, MIGUEL M & DELIA V
51	320-400-004	\$	253.22	** CORTEZ, MIGUEL M & DELIA V
		\$	18,128.52	Total Terra Bella Sewer

No Payments Made All Fiscal Year **