



Legislation Details (With Text)

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Title: Staff Report for the Matter of Imposing Liens for Non-Payment of Delinquent 2012 Business License Tax, Solid Waste Service Charges, Sidewalk Improvements, Community Compliance Code Enforcement Violation Penalties and/or Weed Abatement Charges, False Alarm Responses, Certified Unified Program Agency (CUPA) Fees, and Sewer Service Charges

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Staff Report for the Matter of Imposing Liens for Non-Payment of Delinquent 2012 Business License Tax, Solid Waste Service Charges, Sidewalk Improvements, Community Compliance Code Enforcement Violation Penalties and/or Weed Abatement Charges, False Alarm Responses, Certified Unified Program Agency (CUPA) Fees, and Sewer Service Charges

SUMMARY AND RECOMMENDATIONS

Staff recommends City Council approval of the attached Resolutions:

- Resolution Overruling Protests
- Resolution Imposing liens for the non-payment of delinquent 2012 business license tax, solid waste service charges, sidewalk repairs, community compliance code enforcement violation penalties and/or weed abatement charges, false alarm responses, Certified Unified Program Agency (CUPA) fees, and sewer service charges

Approval of the Resolutions at the close of the public hearing will permit the City to place these delinquent charges on the applicable fiscal year 2012-13 Alameda County secured property tax bills.

BACKGROUND

The San Leandro Municipal Code provides that delinquent 2012 business license tax, solid waste service charges, sidewalk repairs, community compliance code enforcement violation penalties and/or weed abatement charges, false alarm responses, CUPA fees, and sewer service charges shall become a lien on the real property at which the service was received. A detailed listing of all delinquent accounts for each category type is attached. The accounts listed have not been paid as of July 16, 2012, for the services received, although ongoing attempts have been made to collect the

balances due.

Businesses were sent an annual business license and fee renewal notice in December 2011 and a final notice in March 2012. In May 2012, a Notice of Violation letter was sent to businesses and property owners that have not renewed their license or that have a balance due. In June, 2012, businesses and property owners were sent a final letter demanding payment and notifying them of the July 16, 2012 public hearing.

Alameda County Industries (ACI) conducts all solid waste activities on behalf of the City of San Leandro. In accordance with the San Leandro Municipal Code, ACI has provided the requisite notices regarding the conduct of a public hearing to lien delinquent accounts.

Property owners with community compliance code violation penalties and/or weed abatement charges are sent an initial invoice. Statements with overdue amounts are then sent monthly. The June and July statements included lien information and the public hearing date.

Property owners with sidewalk repairs, false alarm charges, CUPA fees and sewer service charges were sent an initial invoice. Statements with overdue amounts are then sent monthly. The June and July statements included lien information and the public hearing date.

Current City Council Policy

The City Council conducts a public hearing to lien delinquent accounts annually.

Summary of Public Outreach Efforts

The meeting and public hearing have been properly noticed in accordance with State law.

A notice of the public hearing was sent to all property owners in accordance with the provisions of the Municipal Code.

Fiscal Impact

The City will eventually collect the entire amount delinquent less any collection fees charged by the Alameda County Tax Collector. The total amount of fees and charges submitted for liens is as follows:

<u>Type</u>	<u>Amount</u>	<u>Number of</u> <u>Accounts</u>
Business License Tax	\$ 55,359.46	119
Solid Waste Service Charges	33,306.63	111
Sidewalk Repairs	456.20	1
Code Violation Penalties and/or Weed Abatement Charges	12,941.34	12
False Alarm Response Fees and Charges	572.56	2
CUPA Fees	4,187.80	10
Sewer Service Charges	5,745.44	1
TOTAL LIENS FOR 2011-12	<u>\$112,569.43</u>	<u>256</u>

Budget Authority

The City of San Leandro Charter

Attachments

- Listing of delinquent accounts as of July 16, 2012

PREPARED BY: David Baum, Finance Director, Finance Department