



## Legislation Text

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Staff Report for City of San Leandro City Council Approval of Resolutions Regarding the Matter of Imposing Liens for Non-payment of Delinquent 2021 Solid Waste Service Charges, Certified Unified Program Agency Fees, Code Compliance Administrative Penalties and Charges, Planning Permit Fees, and Sidewalk Repairs.

### **SUMMARY AND RECOMMENDATIONS**

Staff recommends City Council approval of the attached Resolutions:

- Resolution Overruling Protests; and
- Resolution Imposing liens for the non-payment of delinquent solid waste service charges, Certified Unified Program Agency (CUPA) fees, code compliance administrative penalties and charges, planning permits, and sidewalk repairs

Approval of the Resolutions will permit the City to place these delinquent charges on the applicable Fiscal Year 2021-2022 Alameda County secured property tax bills.

### **BACKGROUND**

The San Leandro Municipal Code provides that delinquent 2021 solid waste service charges, Certified Unified Program Agency (CUPA) fees, code compliance administrative penalties and charges, planning permit fees, and sidewalk repairs 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 19, 2021, for the services received, although ongoing attempts have been made to collect the balances due.

A list of unpaid business license accounts is usually included in the July report to the City Council. San Leandro businesses have been adversely impacted by the COVID-19 pandemic. Staff and the City's business license consultant continue to work with businesses to help them achieve compliance. The City will also continue to waive the penalties if requested by businesses. Special assessments will be included in the fiscal year 2022-2023 tax rolls if there remain unpaid accounts from 2021 business license renewals.

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

Property owners with CUPA fees, code compliance administrative penalties and charges, planning permit fees, and sidewalk repairs were sent an initial invoice. Statements with overdue amounts are then sent monthly. The May, June and July statements included lien information and the public hearing date.

## CONCLUSION

Staff recommends City Council approval of the Resolution Overruling Protests and the Resolution Imposing Liens for non-payment of delinquent solid waste service charges, CUPA fees, code compliance administrative penalties and charges, planning permit fees, and sidewalk repairs in order to collect the amounts due on the applicable fiscal year 2021-2022 Alameda County secured property tax bills.

### 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 City of San Leandro's Municipal Code.

### Budget Authority

The City of San Leandro Charter

### Fiscal Impact

The City will eventually collect the entire delinquent amount 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># of Accounts</u> |
|-----------------------------|-----------------|----------------------|
| Solid Waste (ACI)           | \$17,188        | 40                   |
| CUPA fees                   | 3,381           | 7                    |
| Code compliance             | 8,543 8         |                      |
| Planning permits            | 2,974 1         |                      |
| Sidewalk repairs            | 887 2           |                      |
| <b>Total liens for 2021</b> | <b>\$32,972</b> | <b>58</b>            |

### Attachment

Summary of Delinquent Accounts as of July 19, 2021

**PREPARED BY:** Susan Hsieh. Finance Director