



ITEM NUMBER:
DATE:

B - 1
06/22/10

City Council Agenda Report

Staff Report – Public Works Department

Placement of Sewer Service Charges on the 2010-2011 Property Tax Rolls

RECOMMENDATION:

Council adopt the Draft Resolution, adopting service charges to be added to the 2010-2011 property tax rolls.

DISCUSSION:

City Ordinance provides for the collection of sewer service charges on the general County tax bills. Charges have been collected in this manner since the County Sanitation District was dissolved in 1984. The attached resolution has been prepared to accomplish the necessary collection through the 2010-2011 property tax bills. There is no increase in the sewer service rates. A Notice of Public Hearing has been published noticing this action.

The relevant area of discussion during the public hearing is whether or not the property owner is responsible for all or any portion of the sewer service charge that is listed on Exhibit A of the Draft Resolution. Any questions or concerns received during the public hearing should be referred to staff for resolution prior to submitting the charges to the County Auditor by the July 23, 2010 deadline.

FISCAL IMPACT:

The City will bill \$1,740,334.24 in sanitation service charges for Fiscal Year 2010-2011.

ATTACHMENTS: Draft Resolution

DRAFT RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ATASCADERO ADOPTING SERVICE CHARGES TO BE ADDED TO
THE 2010-2011 PROPERTY TAX ROLLS**

WHEREAS, the City Council of the City of Atascadero (hereafter referred to as City Council) has duly held a public hearing concerning the addition of the 2010-2011 service charges to the 2010-2011 property tax bills; and,

WHEREAS, due notice was given to the public in accordance with Section 5473 of the Health and Safety Code; and,

WHEREAS, at said hearing the attached report marked "Exhibit A" containing such charges was duly received by said council; and,

WHEREAS, at said public hearing opportunity was given for filing objections and protests and for presentation of testimony of other evidence concerning same; and,

WHEREAS, it is in the public interest that this body adopt the charges and determine and confirm the report presented at the hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Atascadero, as follows:

Section 1. That the recitals set forth hereinabove are true, correct and valid.

Section 2. That the City Council hereby adopts the service charges set forth on the attached report marked "Exhibit A" which is hereby expressly incorporated herein by reference as though here fully set forth; and the City Council hereby determines and confirms the report containing such charges as set forth in said "Exhibit A" and hereby further determines and confirms that each and every service charge set forth in said report is true and accurate and is in fact owed.

Section 3. That the charges as so confirmed and determined and adopted shall appear as separate items on the tax bill of each parcel listed in said report, and such charges shall be collected at the same time and in the same manner as ordinary County ad valorem taxes are collected, and are subject to the same penalties in the same procedure and sale in case the delinquency is provided for such taxes.

Section 4. The City Clerk shall file a certified copy of this resolution and said Exhibit A with the County Auditor upon its adoption.

Section 5. This resolution is approved by at least a two-thirds vote of said Council.

On motion by Council Member _____ and seconded by Council Member _____, the foregoing resolution is hereby adopted in its entirety by the following vote:

AYES:

NOES:

ABSENT:

ADOPTED:

ATTEST:

CITY OF ATASCADERO

Marcia McClure Torgerson, C.M.C.
City Clerk

Roberta Fonzi
Mayor

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

EXHIBIT A

Due to the length of this document, it has not been reproduced as an attachment, however, it may be reviewed in the office of the City Clerk.