



CITY OF SACRAMENTO

DEPARTMENT OF FINANCE
DIVISION OF UTILITY SERVICES
915 J STREET
ROOM 113
SACRAMENTO, CA 95814
TELEPHONE 916 449-5454

CITY MANAGER'S OFFICE
RECEIVED
AUG 8 1980

August 8, 1980
APPROVED
CITY COUNCIL

AUG 12 1980

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

Subject: TRANSMITTAL OF DELINQUENT WATER, SEWER, REGIONAL SEWER, GARBAGE, AND GARDEN REFUSE SERVICE FEES TO THE SACRAMENTO COUNTY AUDITOR/CONTROLLER

SUMMARY

In accordance with City Code Chapters 19, 36, and 47 and Sacramento Regional County Sanitation District Ordinance No. SRSD-3, the City Council held a public hearing on July 22, 1980 to determine if the subject unpaid service charges should constitute as a special assessment against the property at which the services were rendered and shall be collectible at the same time and in the same manner as general municipal taxes are collected. At the hearing, nine citizens addressed the City Council.

Exhibit B provides the names, complaints/inquiries, findings and staff's recommended disposition of the protests. All the protesters have been advised in writing of staff's findings.

A summary of the 1980 lien process is as follows:

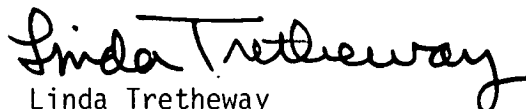
	<u>No. of Accounts</u>	<u>Amounts Delinquent</u>					<u>Total</u>
		<u>Water</u>	<u>Sewer</u>	<u>Garbage</u>	<u>Garden Refuse</u>	<u>Regional Sewer</u>	
Hearing Notices Mailed	3,693	\$165,355	\$60,649	\$140,791	\$57,279	\$78,863	\$502,937
Recommended Liens on Property	<u>2,864</u>	<u>139,974</u>	<u>51,266</u>	<u>121,258</u>	<u>49,640</u>	<u>65,981</u>	<u>428,119</u>
Difference	<u>829</u>	<u>\$25,381</u>	<u>\$9,383</u>	<u>\$19,533</u>	<u>\$7,639</u>	<u>\$12,882</u>	<u>\$74,818</u>

The difference indicated above primarily results from payments received for the services rendered.

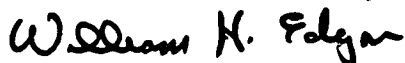
RECOMMENDATION

It is recommended that all protests be overruled and denied and that the attached resolution, declaring delinquent service fees be placed as an accessible lien upon the property to which the service was rendered, be adopted.

Respectfully submitted,


Linda Tretheway
Utility Billing Supervisor

RECOMMENDATION APPROVED:



Walter J. Slipes
City Manager

August 12, 1980
All Districts

Attachments:

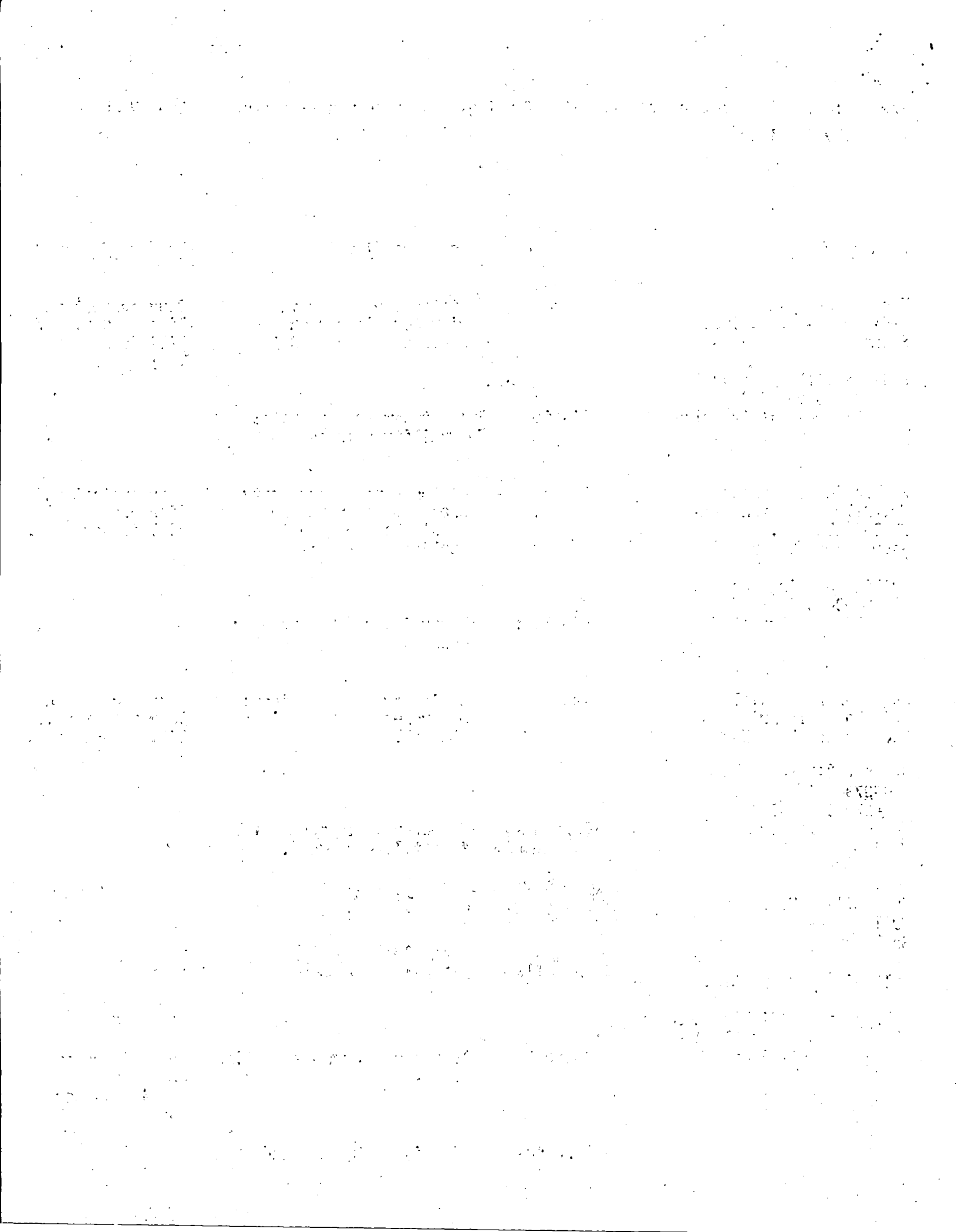
- 1) Exhibit A - Lien List to be forwarded to Sacramento Auditor/Controller.
- 2) Exhibit B - Summary of Protests, Findings, and Recommendations.
- 3) Exhibit C - Lien Process Experience.
- 4) Exhibit D - Resolution Declaring Delinquent Service Fees a Lien on Properties Where Services Rendered.

LIEN LIST, CONSISTING OF 179 PAGES,

ON FILE IN CITY CLERK'S OFFICE

The following is a summary of protests, findings, and recommendations on the Lien Hearing held July 22, 1980.

<u>Protester</u>	<u>Issue/Finding</u>	<u>Recommendation</u>
Mrs. Gladys Avara 7951 Grandstaff Drive Sacramento, CA 95823	Issue: States she is working with Council person Robie on this account.	Deny protest and lien property if bill is not paid.
Utility Billing Account #3982-07951-000-C 7951 Grandstaff Drive	Findings: Property owner responsible for utility charges.	
Mr. Kaive E. Harrentsian Mr. Dale H. Harrentsian 2701 Azalea Rd. Sacramento, CA 95825	Issue: Claims Housing Authority owes him money and he should have had that applied to his bill.	Deny protest and lien property if bill is not paid.
Utility Billing Account #0119-00613-302-C 613 19th Street	Findings: Money is owed by property owner.	
Mr. Leonard E. Hill 5609 Lonsdale Drive Sacramento, CA 95822	Issue: Claims owner of business on property never paid the bill.	Deny protest and lien property if bill is not paid.
Utility Billing Account #3733-05635-000-2 #3733-05635-000-2 5635 Freeport Blvd.	Findings: Property owner responsible for utility charges.	
Mr. William H. Jones 7941 Andora Way Sacramento, CA 95824		
Following 3 Properties _____		
1. Utility Billing Account #0648-07941-000-C 7941 Andora Way	Issue: Requested extension of time to pay bill.	Deny extension and lien property if bill is not paid.
	Findings: Bill is delinquent and due.	



<u>Protester</u>		<u>Issue/Finding</u>	<u>Recommendation</u>
2. Utility Billing Account #0206-03825-000-C 3825 6th Avenue	Issue:	Requested extension of time to pay bill.	Deny extension and lien property if bill is not paid.
	Findings:	Bill is delinquent and due.	
3. Utility Billing Account #7706-03035-000-C 3035 San Jose Way	Issue:	Requested extension of time to pay bill.	Deny extension and lien property if bill is not paid.
	Findings:	Bill is delinquent and due.	
Mrs. Mildred E. McKee C/O Guillermo RaDante McWeave International 3014 Lakeshore, Suite 205 Oakland, CA 94610	Issue:	States house has been vacant since 8/3/79.	Deny protest and lien property if bill is not paid.
Utility Billing Account #9815-07376-301-B 7376 Willowick Way	Findings:	House not put on official vacancy.	
Mr. Edward Pinero C/O Mrs. Barbara Gail Bockover 2950 Colfax Street Sacramento, CA 95815	Issue:	Requested extension of time to pay bill.	Deny extension and lien property if bill is not paid.
Utility Billing Account #2690-02950-301-C 2950 Colfax Street	Findings:	Bill is delinquent and due.	
Mrs. Mae Randolph 6771 75th Street Sacramento, CA 95828	Issue:	States Title Company said prior charges would be paid by them	Deny protest and lien property if bill is not paid.
Utility Billing Account #0175-06771-000-C 6771 75th Street	Findings:	Prior charges constitute \$42.63 at time of sale on 8/22/79. Property owner has not paid on account since purchase of property.	

Protester

Issue/Finding

Recommendation

Mr. Rod R. Reiswig
7544 San Felice Circle
Sacramento, CA 95822

Issue:

States charges incurred by previous owner. Previous liens missed in title search. Title company told them to try to collect from previous owner.

Deny protest and lien property if bill is not paid.

Utility Billing Account
#7679-07544-301-C
7544 San Felice Circle

Findings:

Two liens were recorded on 5/7/79 and 8/28/79 which was prior to 3/28/80 deed date of new owner. New owner purchased indebtedness of property at that time.

Mrs. Hilda Fae Stewart
3641 5th Avenue
Sacramento, CA 95817

Issue:

Requested duplicate bill for lien amount. She will pay it.

Lien property if bill is not paid.

Utility Billing Account
#0205-03641-301-C
3641 5th Avenue

Findings:

Bill is delinquent and due.

CITY OF SACRAMENTO

DELINQUENT UTILITY SERVICE
LIEN PROCESS EXPERIENCE

	<u>No. of Accounts</u>	<u>Amounts Delinquent</u>					<u>Regional Sewer</u> ¹	<u>Total</u>
		<u>Water</u>	<u>Sewer</u>	<u>Garbage</u>	<u>Garden Refuse</u> ²			
Hearing Notices Mailed:								
1974	18,680	\$212,566	\$172,605	\$152,197	---	---	\$537,368	
1975	5,008	44,716	42,889	85,538	---	---	173,143	
1976	6,727	85,878	42,158	134,454	---	\$78,965	341,455	
1977	6,391	90,129	33,937	108,617	\$26,102	46,927	305,712	
1978	6,559	100,456	36,650	114,198	35,192	55,257	341,753	
1979	4,303	193,856	70,470	163,790	68,833	85,732	582,681	
1980	3,693	165,355	60,649	140,791	57,279	78,863	502,937	
Recommended Liens on Property:								
1974	5,366	\$57,167	\$56,086	\$51,787	---	---	\$165,040	
1975	2,251	20,387	23,189	51,789	---	---	95,365	
1976	3,123	24,375	9,883	37,540	---	\$14,761	86,559	
1977	3,200	40,335	17,323	83,032	\$13,229	25,425	179,344	
1978	3,300	55,265	19,450	78,552	21,491	28,045	202,803	
1979	3,417	147,498	53,147	129,718	55,051	64,929	450,343	
1980	2,864	139,974	51,266	121,258	49,640	65,981	428,119	

¹ 1976 first year for Regional Sewer² 1977 first year for Garden Refuse

RESOLUTION NO. 80-527

Adopted by The Sacramento City Council on date of

RESOLUTION DECLARING DELINQUENT GARBAGE AND GARDEN REFUSE COLLECTIONS, WATER, SEWER, AND REGIONAL SEWER SERVICE FEES A LIEN ON PROPERTIES TO WHICH SUCH SERVICES WERE FURNISHED

WHEREAS, pursuant to the provisions of the Sacramento City Code, the owners of the real properties described in Exhibit "A," attached hereto, have been notified that garbage and garden refuse collections, water, sewer, or regional sewer services furnished to said properties were unpaid for a period of thirty days and that subsequent proceedings would be taken by the Council to make the charges a lien on the real property if said charges were not paid; and,

WHEREAS, pursuant to the Sacramento City Code, notices were mailed to the owners of said properties informing them of a public hearing to be held before the Council on July 22, 1980, concerning said unpaid garbage and garden refuse collections, water, sewer, and regional sewer service fees; and,

WHEREAS, on July 22, 1980, said hearing was conducted, protests heard, and the hearing closed;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. That all of the protests have been considered and have been rejected, revised or confirmed as provided in Exhibit "B".
2. That the charges set forth in Exhibit "A" for the furnishing of garbage service, garden refuse service, water service, sewer service, or regional sewer service, to the real properties described in said Exhibit "A" are owing and delinquent.
3. That the City Council, in accordance with the provisions of the Sacramento City Code, is entitled to and hereby attaches a lien upon the real properties described in said Exhibit "A" in the amounts set forth opposite each parcel of property.
4. That such liens shall constitute a special assessment against the property at which the services were rendered, and shall be collectible at the same time and in the same manner as general municipal taxes are collected, and shall be subject to the same penalties, priorities, and procedures in the case of delinquency.
5. That the City Clerk shall file a certified copy of the confirmed report with the County Auditor for collection of said liens as hereinabove provided.

 MAYOR

ATTEST:

 CITY CLERK

APPROVED
 BY THE CITY COUNCIL

AUG 12 1980

OFFICE OF THE
CITY CLERK