



CITY OF SACRAMENTO

1574

DEPARTMENT OF FINANCE DIVISION OF UTILITY SERVICES

915 "I" STREET
ROOM 112

SACRAMENTO, CA 95814
TELEPHONE (916) 449-5454

LINDA TRETHEWAY
UTILITY BILLING SUPERVISOR

August 6, 1981

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 Sanitation District Ordinance No. SRSD-3, the City Council held a public hearing on July 21, 1981 to determine if the subject unpaid service charges should constitute a special assessment against the property at which the services were rendered and be collectible at the same time and in the same manner as general municipal taxes are collected. At the hearing, twenty citizens addressed the City Council.

Exhibit B provides names, requests/protest/inquiries, findings and staff's recommended disposition of each. All the customers who appeared at the hearing have been advised in writing of staff's findings.

A summary of the 1981 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	4,375	\$212,277	\$74,888	\$223,048	\$77,512	\$123,083	\$710,808
Recommended Liens on Property	<u>3,478</u>	<u>192,962</u>	<u>68,623</u>	<u>201,017</u>	<u>70,798</u>	<u>112,355</u>	<u>645,755</u>
Difference	<u>897</u>	<u>\$ 19,315</u>	<u>\$ 6,265</u>	<u>\$ 22,031</u>	<u>\$ 6,714</u>	<u>\$ 10,728</u>	<u>\$ 65,053</u>

The difference indicated above primarily results from payments received after the hearing notices were sent.

APPROVED
BY THE CITY COUNCIL

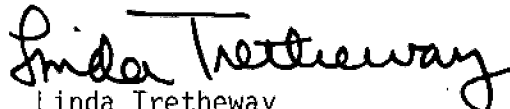
AUG 11 1981

OFFICE OF THE
CITY CLERK

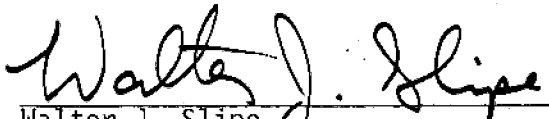
RECOMMENDATION

It is recommended that all protests/requests 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. Slipe
City Manager

August 11, 1981
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.

RESOLUTION NO. 81-604

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 service 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 21, 1981, concerning said unpaid garbage and garden refuse collections, water, sewer, and regional sewer service fees; and,

WHEREAS, on July 21, 1981, 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.

APPROVED
BY THE CITY COUNCIL

AUG 11 1981

OFFICE OF THE
CITY CLERK

MAYOR

ATTEST:

CITY CLERK

LIEN LIST, CONSISTING OF 218 PAGES,

ON FILE IN CITY CLERK'S OFFICE

The following is a summary of protests, findings, and recommendations on the Lien Hearing held July 21, 1981.

<u>Protester</u>	<u>Issue/Findings</u>	<u>Recommendations</u>
Mr. Herman Aguilar 1753 Los Robles Blvd. Sacramento, CA 95838	Issue: Customer wants to pay bill in full.	Lien property if bill is not paid.
Utility Billing Account #5133-01753-000-C 1753 Los Robles Blvd.	Findings: Bill is delinquent and due.	
Mr. Jerry Castro c/o Guadalupe Gonzales 3908 Jasmine Street Sacramento, CA 95838	Issue: Will pay by 7-31-81.	Deny request and lien property if bill is not paid.
Utility Billing Account #4445-03908-000-C 3908 Jasmine Street	Findings: Bill is delinquent and due.	
Ms. Alice Daniels 3549 42nd Street Sacramento, CA 95817	Issue: Customers wanted to know when payment was due to prevent amount from going on tax bill.	Lien property if bill is not paid.
Utility Billing Account #0142-03549-000-C 3549 42nd Street	Findings: Bill is delinquent and due. Bill must be paid by 7-31-81.	
Ms. Bobbie Greer 2200 19th Avenue Sacramento, CA 95822	Issue: Customer wants extension of time to pay bill on or before 8-3-81.	Deny request and lien property if bill not paid.
Utility Billing Account #0219-02200-000-C 2200 19th Avenue	Findings: Bill is delinquent and due.	

Protester

Issue/Findings

Recommendation

Mr. David Hendrix
1121 Pinedale Avenue
Sacramento, CA 95838

Issue: Check #151 sent to Utility Services on or about March 23, 1981. No garbage pick-up for 3 months from 1-15-81 through 4-15-81. Not billed curbside rate, requested curbside service. In repeated contact with Waste Removal Division to resolve problem.

Stop payment on check #151. Credit adjustment made for curbside service 4-15-81 through 7-15-81. Account set up for curbside service. Corrected bill sent. When paid, lien will be released.

Utility Billing Account
#6894-01121-300-C
1121 Pinedale Avenue

Findings: Check #151 never received by Utility Services. Garbage order started for January 15, 1981.

Mr. Mitchell Hightower
1542 38th Avenue
Sacramento, CA 95822

Issue: Customer wants to pay bill on or before 8-3-81.

Deny request and lien property if bill is not paid.

Utility Billing Account
#0238-01542-300-C
1542 38th Avenue

Findings: Bill is delinquent and due.

Mr. Eddie Irving
P.O. Box 5414
Sacramento, CA 95817

Issue: Customer wants extension of time to pay bill to 8-3-81.

Deny request and lien property if bill not paid.

Utility Billing Account
#0137-03092-000-C
3092 37th Street

Findings: Bill is delinquent and due.

Mr. David Jeffries
3473 38th Street
Sacramento, CA 95820

Issue: Customer has been out of work for over a year and requests an extension of time to pay bill.

Deny request and lien property if bill is not paid.

Utility Billing Account
#0138-03473-300-C
3473 38th Street

Findings: Bill is delinquent and due.

Protester

Issue/Findings

Recommendation

Ms. Frances Johns
3240 42nd Street
Sacramento, CA 95817

Issue: House was being remodelled. Customer states she contacted this office and said when she moved in she would start making payments on the account.

Deny protest and lien property if bill not paid.

Utility Billing Account
#0142-03240-301-C
3240 42nd Street

Findings: Garbage was stopped 3-24-81. No vacancy fee was paid to inactivate the account. No payment has ever been made on the account which was started 7-28-80.

Mr. Stannley Lemkuil
1940 Glenrose Avenue
Sacramento, CA 95815

Issue: Customer claims he talked to Mr. Young in Waste Removal the week of 7-13-81 and Mr. Young told him not to pay the bill and to call the Billing Department. As a result of inspection, customer was told he would be exempted from garbage service.

Deny protest and lien property if bill is not paid.

Utility Billing Account
#3888-01940-500-L
1940 Glenrose Avenue

Findings: Verified with Waste Removal as of 7-7-81, Mr. Young approved an exemption. Bill has not been paid since 2-2-81. Credit of \$3.35 has been given for period 7-7-81 through 7-15-81. No other credit to be given per Waste Removal. Balance of bill is delinquent and due.

Mr. Kevin Moore
6 Pavillion Court
Sacramento, CA 95817

Issue: Customer moved in September, 1979. No garbage pickup until April, 1981. Customer called Waste Removal several times. Customer states he was told there was no start order. Customer hauled own garbage to work.

Deny protest and lien property if bill is not paid.

Utility Billing Account
#6811-00006-302-C
6 Pavillion Court

Findings: Customer was putting out plastic bags instead of cans. Mr. Young told customer they must use cans. Customer refused and wanted exemption. No credit per Waste Removal as charges are legitimate.

Protester

Issue/Findings

Recommendation

Mr. John Nesby
1848 Florin Road
Sacramento, CA 95822

Issue: Will pay by 8-3-81.

Deny request and
lien property if
bill not paid.

Utility Billing Account
#3684-01848-301-C
1848 Florin Road

Findings: Bill is delinquent and
due.

Ms. Ana Nessim
2631 Radcliffe Court
Sacramento, CA 95826

Issue: Customer states there are
seven units. Three are
under one roof, 4 are
separate buildings. Three
are vacant, 2 of these 3
are not inhabitable. One
of the units is a laundry.
Customer doesn't feel she
should be billed for all
units.

Credit back to
last re-rating of
the account on
10-16-80 for
\$134.60. Lien
property if bal-
ance of bill is
not paid.

Utility Billing Account
#3691-00801-301-C
801-9 Ford Road

Findings: Account should be re-rated
as three two-room apartment
units and two two-room houses.
Balance of account is delinquent
and due.

Mr. Richard Pettway
3533 42nd Street
Sacramento, CA 95817

Issue: Tenant was supposed to pay
the bill.

Deny protest and
lien property if
bill is not paid.

Utility Billing Account
#0142-03533-000-C
3533 42nd Street

Findings: Legal owner is responsible
for City utilities. Bill
is delinquent and due.

Mr. Woodrow Simmons
3914 7th Avenue
Sacramento, CA 95817

Issue: Customer wanted extension
of time to pay bill.

Deny request and
lien property if
bill is not paid.

Utility Billing Account
#0207-03914-000-C
3914 7th Avenue

Findings: Bill is delinquent and
due.

Protester

Issue/Findings

Recommendation

Mr. Leroy M. White
7459 Permar Street
Sacramento, CA 95822

Issue:

Customer had no protest, he just wanted to let the City know why he hadn't paid the bill. He had been out of work for 3 months.

Lien property if bill is not paid.

Utility Billing Account
#6845-07459-300-C
7459 Permar Street

Findings:

Bill is delinquent and due.

Mr. Lawrence J. Schreindl
5050 Shooting Star Road
Pollock Pines, CA 95726

Issue:

Customer claims that house is vacant and that he has notified this office twice in writing.

Remove from lien list.

Utility Billing Account
#7866-00218-000-C
218 Santiago Avenue

Findings:

Credit had been issued on the account but document was not processed until after lien hearing notice went out. Account is paid current.

Mr. Dave Raab
8009 Lichen Drive
Citrus Heights, CA 95610

Issue:

Customer states house vacant since February 1981. He called this office to have services stopped. Garbage was not stopped nor was he informed of vacancy policy. Customer did not receive bill.

Credit of \$18.30 given for garbage from 2-16-81 through 7-16-81. Mailing address corrected in UB system. Remove from lien list to be sent to County.

Utility Billing Account
#0119-7343-300-C
7343 19th Street

Findings:

New mailing address was not recorded in UB system. Bills were going to vacant house.

Protester

Issue/Findings

Recommendation

Mr. Eugene Rippen
Mr. Ginji Mizutani
2318 G Street
Sacramento, CA 95814

Issue:

Customer claims property has been vacant for a year. States he called this office several times and was told account had to be paid in full before it could be placed on vacancy.

Deny protest and lien property if bill is not paid.

Utility Billing Account
#5601-3630-000-F
3630 Marysville Blvd.

Findings:

Customer had made no payment since 9-6-79. Field Inspector found machines are still in the building (laundromat). Account is metered and receiving minimum billing. Bill is delinquent and due.

Mr. Andrew Mackis
6438 Elvas Avenue
Sacramento, CA 95819

Following 3 Accounts

1. Utility Billing Account
#3464-06438-302-F
6438 Elvas Avenue

Issue:

Customer claims rate is too high on sewer portion of bill.

Deny protest and lien property if bill is not paid.

Findings:

Sewer rates are correct. Bill has not been paid since 6-11-80. Bill is delinquent and due.

2. Utility Billing Account
#3464-06438-504-1
6438 Elvas Avenue

Issue:

SMUD and PG&E bills are so high, customer unable to pay City utility bill. Customer wants to pay off bill in three months beginning August.

Deny request and lien property if bill is not paid.

Findings:

Bill has not been paid since 8-5-80. Bill is delinquent and due.

3. Utility Billing Account
#0134-00374-302-C
374 34th Street

Issue:

PG&E and SMUD bills so high, customer unable to pay City utility bill. Customer wants to pay off bills in three months beginning August.

Deny request and lien property if bill is not paid.

Findings:

Bill not paid since 4-16-80. Bill is delinquent and due.

CITY OF SACRAMENTO

DELINQUENT UTILITY SERVICE
LIEN PROCESS EXPERIENCE

	<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> ²	<u>Regional Sewer</u> ¹	
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
1981	4,375	212,277	74,888	223,048	77,512	123,083	710,808
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
1981	3,478	192,962	68,623	201,017	70,798	112,355	645,755

¹ 1979 first year for Regional Sewer² 1977 first year for Garden Refuse