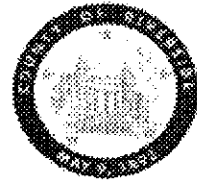


808



**SUBMITTAL TO THE BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Community Health Agency/Department of Environmental Health

SUBMITTAL DATE:
 October 3, 2008

SUBJECT: Notification Procedures for Placement of Special Assessments for Unpaid Trash Collection Fees.

RECOMMENDED MOTION:
 Receive and file this Form 11.

BACKGROUND:

On July 29, 2008, the Riverside County Board of Supervisors (Board) confirmed delinquent charges for trash collection services as special assessments and liens against parcels of land. The Board requested that the Department of Environmental Health (Department) provide a report delineating the existing and potential new notification procedures used by the waste franchise companies to advise property owners of their responsibility to assure waste collection charges are paid, explore other potential avenues for the collection of charges through County Special Districts/Areas, and explain the protocol for property owners to prove a property is vacant thus avoiding the assessment of charges.

(continued)

GR:JW

[Signature]
 Gary Root, Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	08/09

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
 BY: *[Signature]*
 Debra Cournoyer

County Executive Office Signature

- Dep't Recomm.: Consent Policy
- Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref,

District: all

Agenda Number:

3.17

NOTIFICATION PROCEDURES

The largest franchise waste collection companies currently provide the following or similar notifications to property owners of past due waste collection invoices:

1. Initial invoice sent to either tenant or property owner if they reside in the residence for the waste collection charges for the next quarter billing cycle.
2. A notice is sent 30 days after the beginning of the quarter "reminding" the tenant or property owner that the invoice has not been paid.
3. A second notice is sent 90 days after the beginning of the quarter advising the property owner and if a rental property the tenant that the invoice still has not been paid.
4. Notices continue to be sent each quarter to the owner specified in the Riverside County Assessor's records advising them of the past due charges.

The following procedures will be added to ensure property owners are aware of the requirement for solid waste collection and that they are responsible for the charges and those of their tenants.

- All invoices and notices are to be sent to both property owner and tenant (if applicable).
- Verbiage will be added to an informational flyer explaining the responsibilities of the property owner. This flyer will be distributed to new customers upon activation of the account, existing customers on an annual basis and at community meetings.

The Department will advise all the waste franchise companies of these requirements and will be provided verification that these procedures have been followed before placing liens on parcels for unpaid charges.

ALTERNATIVE METHOD FOR COLLECTION OF CHARGES

The Department, in conjunction with the County Executive Office, investigated the potential to use existing Community Service Districts or Community Service Areas to assess and collect charges for waste collection. The use of this method would require changes in the scope and purposes of these Districts/Areas. This assessment of charges appears to be considered a new tax under Proposition 218 rules requiring the item to be placed on the general election ballot for property owner approval. While these steps can be taken, the Department and the Executive Office believe the invoicing of the charges should remain with the franchise waste collection company.

VACANCY DETERMINATION AND PROCESS

The Department currently accepts an electrical utility bill indicating low power consumption of the residence to prove a vacancy. Once a vacant property has been verified, the trash collection charge assessment is stopped. It is the responsibility of the property owner to advise the waste collection company that service is no longer necessary due to the vacancy. The franchise hauler shall notify the Department if the operators of their collection vehicles notice a property that appears vacant and no containers have been set out for collection. The Department will verify if the property is vacant and follow-up with the property owner if necessary.

FISCAL

The approval of these changes will result in some additional cost to the Department to verify that the procedures are being followed. This added cost should be supported by the fees collected when a lien has been placed on the property. The actual implementation expenses associated with the increased mailings and verification procedures shall be borne by the franchisee.

SUMMARY

The Department will implement the processes described herein.