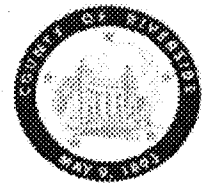


FORM APPROVED COUNTY COUNSEL  
 BY: JINNY Yang 6/17/10  
 DATE

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

364



**FROM:** Community Health Agency/Department of Environmental Health

**SUBMITTAL DATE:**  
 June 14, 2010

**SUBJECT:** Public Hearing and Adoption of Resolution 2010-202 Confirming Special Assessments for Unpaid Trash Collection Fees.

**RECOMMENDED MOTION:**

1. That the Board receive the attached report in accordance with Section 12 of Riverside County Ordinance No. 745;
2. That the Board set a public hearing for July 27, 2010 (Clerk to advertise), listing parcels upon which the unpaid trash collection fees will become a special assessment; and
3. That following a public hearing, the Board adopt Resolution 2010-202 confirming special assessments for the amount incurred in unpaid trash collection fees.

**BACKGROUND:** Riverside County Ordinance No. 745 and Resolution Nos. 04-298, 05-154, 06-063, 06-159 and 06-389 establish a Tax Lien Guaranteed Comprehensive Collection area for the residential properties located within the unincorporated county. The franchise waste haulers mailed bills and statements of nonpayment to each owner of record in accordance with Section 9 of Riverside County Ordinance 745. In addition, new notification procedures, as approved by the (Continued)

*Steve Van Stockum*

Steve Van Stockum, Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	10/11

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

**C.E.O. RECOMMENDATION:** APPROVE  
 BY: *Debra Cournoyer*  
 County Executive Office Signature  
 Debra Cournoyer

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

3.22

Board, were 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. The franchise waste haulers forwarded a list of properties with unpaid trash collection fees to the Department of Environmental Health (Department) for special assessment.

A list of parcels that are subject to fee assessment are provided on the attached Exhibit "A." Mailed notice of the public hearing will be sent to the subject property owners by the Department pursuant to Section 12 of Ordinance No. 745.

Upon confirmation by the Board of Supervisors, the cost of unpaid trash collection fees and applicable surcharges will be processed by the Department to make such outstanding fees a special assessment on those parcels listed on the attached Exhibit "A." Upon the property owner's payment of the special assessment, the outstanding trash collection fees will be paid to the franchise waste haulers from the fund account "Payment of Property Owner's Delinquencies for Solid Waste Collection Service."

2  
3 RESOLUTION NO. 2010-202

4 A RESOLUTION OF THE COUNTY OF RIVERSIDE ORDERING THE CONFIRMATION OF  
5 SPECIAL ASSESSMENTS AND LIENS AGAINST PARCELS OF LAND FOR UNPAID AND  
6 DELINQUENT CHARGES FOR TRASH COLLECTION SERVICES

7  
8 WHEREAS, Riverside County Ordinance 745 has established the authority of the Board of  
9 Supervisors to designate areas of the County as comprehensive collection areas in which waste collection  
10 services are compulsory;

11 WHEREAS, Riverside County Resolution Nos. 04-298, 05-154, 06-063, 06-159 and 06-389 have  
12 established a Tax Lien Guaranteed Comprehensive Collection area for the residential properties located  
13 within portions of unincorporated communities within the First, Second, Third and Fifth Districts;

14 WHEREAS, certain parcels maintained unpaid and delinquent charges for waste collection services,  
15 which will be paid by the County to the Waste Hauler upon the property owner's payment of the  
16 assessment, from the fund entitled, "Payment of Property Owner's Delinquencies for Solid Waste  
17 Collection Service," established under Section 14 of Ordinance 745;

18 WHEREAS, the charges placed upon the parcels are the cost of the service already provided by the  
19 Waste Hauler and any applicable surcharges are not a charge based upon the value of the parcels; and

20 WHEREAS, pursuant to Section 9 of Ordinance No. 745 the Waste Hauler has sent individual  
21 billing notices to the various parcel owners for the cost of service;

22 WHEREAS, such property owners have had the opportunity to appeal through the procedure  
23 established in Section 10 of Ordinance 745;

24 WHEREAS the property owners have been notified pursuant to Ordinance 745; and

25 WHEREAS, the billing for those parcels listed on the attached Exhibit "A" remains unpaid; now,  
therefore;

1 BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Riverside,  
2 State of California, in regular session assembled on July 27, 2010, that the list of parcels upon which the  
3 unpaid trash collection fees for each parcel as shown on Exhibit "A" are hereby confirmed and that  
4 henceforth, said delinquent charges shall constitute special assessments against the respective parcels of  
5 land, and are liens on said lands in the amount of the respective assessments, as authorized by  
6 Government Code section 25828. In addition, the surcharge as allowed by Riverside County Ordinance  
7 640 shall take effect when the lien is applied to the property tax bill.

8 BE IT FURTHER RESOLVED AND ORDERED that a certified copy of this Resolution and the  
9 attached Exhibit "A" shall be transmitted to the Auditor-Controller of Riverside County on or before  
10 August 10, 2010, who shall enter the amounts of the respective assessments against the respective parcels  
11 of land as they appear on the current assessment roll. Said assessments shall be collected at the same time  
12 and in the same manner as ordinary municipal ad valorem taxes as provided by Section 13 of Ordinance  
13 No. 745.

14  
15  
16  
17 FORM APPROVED COUNTY COUNSEL

18 BY: JINNY HERRA Yang 6/17/10  
DATE