

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA ASSESSING CERTAIN DELINQUENT SOLID
WASTE SERVICE CHARGES AS RECORDED LIENS UPON
THE RESPECTIVE PARCELS OF LAND AND PLACEMENT
OF DELINQUENT CHARGES ON THE NEXT REGULAR
PROPERTY TAX BILL FOR COLLECTION BY THE COUNTY
TREASURER-TAX COLLECTOR

WHEREAS, Chula Vista Municipal Code (“CVMC”) Section 8.24.010 states that the collection of solid waste is a mandatory service and shall not be discontinued; and

WHEREAS, CVMC Section 8.24.180 allows delinquent solid waste service charges to be assessed as recorded liens upon the affected properties and ultimately placed on the next regular property tax bill for collection by the County Treasurer-Tax Collector; and

WHEREAS, CVMC Section 8.24.180 requires that, once solid waste fees become more than 10 days delinquent, the City’s authorized collector shall issue late notice to the responsible owners and occupants; and

WHEREAS, the Municipal Code further requires that, if an owner or occupant is delinquent on payment of a solid waste service bill for more than 90 days, the account shall be assigned to the City staff for collection, which must send a final notice of delinquency, including the amount owed, penalty schedule, lien procedure and associated costs and administrative fees, prior to setting the matter for hearing to consider a lien; and

WHEREAS, the Municipal Code provides that, if a solid waste service bill is not paid within 15 days after the final notice of delinquency, the matter may be set for a public hearing, at least 7 days after the 15-day period, following notification to the property owner; and

WHEREAS, City staff has identified certain properties for which solid waste service bills meet the criteria for delinquency and submission for placement of property liens; and

WHEREAS, the account status and property ownership of these accounts have been verified by both Republic Services and City staff; and

WHEREAS, property owners have been notified of their delinquencies through a series of past due notices sent by Republic Services, until they were ultimately submitted to the City for collection; and

WHEREAS, City staff has notified the property owners of the public hearing and these owners were asked to pay their delinquent solid waste service charges prior to transmittal of the delinquent account to the County to avoid a lien being placed their property; and

WHEREAS, City staff is recommending that the City Council approve the final list of delinquent solid waste service accounts as submitted, and that these charges be submitted to the County for assessment as recorded liens on the respective parcels of land and ultimately placed on the next regular property tax bill for collection; and

WHEREAS, the City Council has held the requisite public hearing and considered the delinquent accounts together with any objections or protests by interested parties; and

WHEREAS, at the conclusion of the hearing, the City Council approved the delinquency and amount owed on the accounts as submitted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it (1) has considered assessing certain delinquent solid waste service charges, as detailed in the final list of delinquent solid waste service accounts presented to the City Council for this matter, as recorded liens on the affected parcels; (2) has heard and overruled any and all protests or objections presented at the public hearing on this matter; and (3) approves, with respect to the delinquent account list submitted to the City Council and on file in the City Finance Department, assessing delinquent solid waste service charges as recorded liens upon the respective parcels of land and the placement of such delinquent solid waste service charges as special assessments on the next corresponding regular property tax bills, unless cleared prior to transmittal of the delinquent account list to the County Treasurer-Tax Collector.

Presented by

Approved as to form by

Sarah Schoen
Director of Finance/ Treasurer

Marco A. Verdugo
City Attorney