

Public Hearing to Approve a Resolution
Overruling Protest,
Adopting the Delinquent Utility Service
Assessment Report, and
Directing the Assessments be Placed on the
San Joaquin County Treasurer –
Tax Collector's Property Tax Roll

City Council Meeting

July 9, 2024

Item 16.3

Background

- ▶ On March 20, 2018, Council authorized staff (Resolution 2018-03-20-1403) to collect property owner utility delinquencies through liens and assessments on the property tax roll.
- ▶ The process includes three steps:
 - Notice of Violation and Intent to Record a Lien
 - Notice of Charges to be Assessed (Tax Roll)
 - Council Public Hearing
- ▶ The City bills approximately 85,000 customers for utility services.

Notice of Violation and Intent to Record a Lien

- ▶ The City mailed certified and regular letters in Oct 2023 , Dec 2023 and Jan 2024, to the service address and the address provided by San Joaquin County of delinquent property owners
- ▶ Approximately 2,900 owners received a Notice to Lien unless a full payment was received within 30 days
- ▶ Property owners were provided the option to appeal the lien
- ▶ A total of 6 appeals were received from property owners

Notice of Charges to be Assessed (Tax Roll)

- ▶ The City and Solid Waste Haulers mailed certified and regular letters during the last week of May 2024, to the service address and the address provided by San Joaquin County of delinquent property owners
- ▶ 1,797 parcels for utilities and 1,236 parcels for solid waste received a Notice of Charges to be Assessed
 - ▶ Total utilities delinquent charges of \$ 3,404,098
 - ▶ Total solid waste delinquent charge of \$1,040,102
- ▶ Administrative hearing were provided to owners on June 17-18, 2024
- ▶ 24 appellants appeared before the Hearing Officer to present their case

Council Public Hearing Notice

- ▶ Notice of this public hearing was published in The Record on June 25, 2024, and July 2, 2024
- ▶ Customers were informed that the City Council will hear and consider all evidence, testimony and objection through written protest

Summary

- ▶ Summary of the lien/tax roll process:
 - The City and Solid Waste haulers received payments of \$832,943 that satisfied the requirements to avoid assessment of charges on the property tax roll
 - As of June 27, 2024, 2,774 accounts (1,672 City utility accounts and 1,102 solid waste accounts) with a combined balance of \$3,611,257 remain delinquent and will be referred to San Joaquin County for collection on the 2024-2025 property tax roll pending City Council approval
 - Staff will account for any payments that come in after this meeting before finalizing the assessment list that is sent to the County

Recommended Action

- ▶ At the conclusion of the Public Hearing, it is recommended Council adopt a Resolution to:
 - Overrule all protests
 - Confirm the unpaid utility and solid waste service charges set forth in the Delinquent Utility and Solid Waste Service Charges, 2024 Assessment Report
 - Adopt the Delinquent Utility and Solid Waste Service Charges, 2024 Assessment Report
 - Direct the assessments to be placed on the San Joaquin County Treasurer - Tax Collector's Property Tax Roll
 - Authorize and direct the City Manager or his designee to execute all documents
 - Authorize the City Manager to take any necessary and appropriate actions to carry out the purpose and intent of the Resolution