




MONTARA WATER AND SANITARY DISTRICT AGENDA

For Meeting Of: **July 11, 2018**

TO: BOARD OF DIRECTORS

FROM: Clemens Heldmaier, General Manager 

SUBJECT: Review and Possible Action Concerning Resolution Overruling Protests and Confirming Reports on Sewer Service Charges, Delinquent Sewer Service Charges, Delinquent Refuse Collection Charges and Delinquent Water Charges for FY 2018-2019.

The Health and Safety Code requires that in order for sewer service charges to be placed on the property tax roll a public hearing must be held. The proposed Sewer Service Charge rate is set at \$17.41. The Code also provides for collection of delinquent water service and refuse collection charges under the tax roll. The District has adopted ordinances enabling collection of the sewer service and delinquent water and refuse collection charges under the property tax roll.

The attached notices regarding collection of the foregoing charges and delinquent charges were published in the HMB Review. The Board must now hold a public hearing at which time everyone is given the opportunity to speak regarding their proposed charges. Once the public hearing is held, the Board may then adopt the attached resolution that confirms the final charges, including any Board-directed changes, for the coming fiscal year.

RECOMMENDATION:

Open the public hearing, allow pertinent public testimony, close the public hearing, and adopt RESOLUTION NO. _____, *Resolution of the Montara Water and Sanitary District Overruling Protests and Confirming Reports on Sewer Service Charges for Fiscal Year 2018-2019 and Delinquent Sewer Service, Refuse Collection and Water Service Charges for Fiscal Year 2017-2018, Certifying List of Lots or Parcels of Land and Corresponding Charges Against Said Lots or Parcels and Directing Transmittal of Said Certified List and Charges to County Controller for Entry on the Current Assessment Roll.*

Attachments (some attachments provided at the meeting)

RESOLUTION NO. _____

RESOLUTION OF THE MONTARA WATER AND SANITARY DISTRICT OVERRULING PROTESTS, CONFIRMING REPORTS ON SEWER SERVICE CHARGES FOR FISCAL YEAR 2018-2019 AND DELINQUENT REFUSE COLLECTION AND WATER SERVICE CHARGES FOR FISCAL YEAR 2017-2018, CERTIFYING LIST OF LOTS OR PARCELS OF LAND AND CORRESPONDING CHARGES AGAINST SAID LOTS OR PARCELS AND DIRECTING TRANSMITTAL OF SAID CERTIFIED LIST AND CHARGES TO COUNTY CONTROLLER FOR ENTRY ON THE CURRENT ASSESSMENT ROLL

WHEREAS, a written Report containing a description of each parcel of real property that shall receive sewerage services and facilities from the District and the amount of the service charge for each such parcel for Fiscal Year 2018-2019 was prepared and filed with the Secretary of the District; and

WHEREAS, a written Report containing a description of each parcel of real property receiving refuse collection and recycling services from the District for which charges are delinquent and the amount of such delinquency for each designated parcel for Fiscal Year 2017-2018 was prepared and filed with the District Secretary; and

WHEREAS, a written Report containing a description of each parcel of real property receiving water services and facilities from the District for which charges are delinquent and the amount of such delinquency for each designated parcel for Fiscal Year 2017-2018 was prepared and filed with the Secretary of the District; and

WHEREAS, hearing was set for consideration of the Reports on Sewer Service Charges for Fiscal Year July 1, 2018 - June 30, 2019, Delinquent Refuse Collection Charges and Delinquent Water Service Charges for Fiscal Year July 1, 2017 - June 30, 2018 for the purpose of collecting said charges on the assessment roll of the County of San Mateo pursuant to Sections 5470 through 5473.11 of the California Health and Safety Code; and

WHEREAS, notice was given of the date, time and place of the above-mentioned hearing in accordance with the provisions of said Code; and

WHEREAS, said matter came on regularly for hearing as so noticed; and

WHEREAS, such written protests or other written communications objecting to the aforesaid Reports, or any of them, or any matter therein contained, that were submitted were considered by this Board at said hearing

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and all persons present and desiring to be heard were given the opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MONTARA WATER AND SANITARY DISTRICT, A PUBLIC AGENCY IN THE COUNTY OF SAN MATEO, CALIFORNIA, AS FOLLOWS:

1. Objections to, and protests against, the above-described Reports of Sewer Service Charges for Fiscal Year 2018-2019 and Delinquent Refuse Collection Charges and Delinquent Water Service Charges, respectively, for fiscal year 2017-2018 proposed for collection on the assessment roll of the County of San Mateo were not made by owners of a majority of the separate parcels of property described in each of said Reports against which such charges for the corresponding services and facilities provided by the District were fixed.

2. Any and all objections to, and protests against, said Reports of Sewer Service Charges, Delinquent Refuse Collection Charges and Delinquent Water Service Charges have been heard and considered by this Board and said objections and protests shall be, and each of them is, hereby overruled.

3. Said Reports of Sewer Service Charges, Delinquent Refuse Collection Charges and Delinquent Water Service Charges are hereby adopted in full without revision, change, reduction, or modification of any charge specified therein for entry of said charges on the assessment roll, and the list of the lots or parcels of land as they appear on the current assessment roll subject to such charges and the amounts of the installments of such charges and the interest to be entered against such lots or parcels on the assessment roll are hereby certified.

4. The Secretary of the District is hereby authorized and directed to file with the County Controller of the County of San Mateo, on or before the 30th day of July 2018, copies of the above-described Reports, or a document combining said Reports, upon each of which, or upon the combined Report, shall be

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endorsed over his or her signature a statement that each such Report had been finally adopted by the Board of the Montara Water and Sanitary District.

5. The County Controller of the County of San Mateo shall, upon receipt of said Reports or the document combining said Reports, enter the amounts of the charges therein described against the corresponding lots or parcels of real property therein described, as said lots or parcels appear on the current assessment roll, and the County Treasurer/Tax Collector shall include the amounts of the installments of such charges and the interest on bills for taxes levied against the said respective lots and parcels of land.

President, Montara Water and Sanitary District

COUNTERSIGNED:

Secretary, Montara Water and Sanitary District

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* * * *

I HEREBY CERTIFY that the foregoing Resolution No. _____ was duly and regularly adopted and passed by the Board of the Montara Water and Sanitary District, County of San Mateo, California, at a regular meeting thereof held on the 11th day of July 2018, by the following vote:

AYES, Directors:

NOES, Directors:

ABSENT, Directors:

Secretary, Montara Water and Sanitary District

NOTICE OF FILING REPORT ON COLLECTION OF SEWER SERVICE CHARGES AND DELINQUENT SEWER, WATER AND REFUSE COLLECTION SERVICE CHARGES ON THE TAX ROLL FOR FISCAL YEAR 2018-2019 AND OF PUBLIC HEARING THEREON

(MONTARA WATER AND SANITARY DISTRICT)

NOTICE IS HEREBY GIVEN that the General Manager of the Montara Water and Sanitary District, a public entity in the County of San Mateo, California, has filed with the District Secretary the Report On the Collection of Sewer Service Charges and Delinquent Water, Sewer Service and Refuse Collection Charges for Fiscal Year July 1, 2018 – June 30, 2019 required under California Health and Safety Code Sections 5470 and 5473 for the collection of such charges on the tax roll. The Report contains a description of each parcel of real property receiving water, sewer and refuse collection services and facilities from or through the District and the amount of the delinquent charges pertaining thereto. The Report is on file at the District Administrative Offices at the address appearing below.

NOTICE IS HEREBY FURTHER GIVEN that the District Board will hold a public hearing on the question of approval of the Report and the charges therein specified on and at the following date, time and place:

Date: July 11, 2018;
Time: 7:30 p.m., or as soon thereafter as the matter may be heard;
Place: Boardroom
District Administrative Offices
Montara Water and Sanitary District
8888 Cabrillo Highway (State Route 1)
Montara, California

Upon the conclusion of the hearing the District Board may adopt, revise, change, reduce or modify any charge or overrule any or all objections and shall make its determination upon each charge or delinquent charge as described in the Report, which determination shall be final.

/s/
General Manager