



Council Agenda Report

Item 5c

Department: Utilities
Cost Center: 6107
For Agenda of: 7/6/2021
Placement: Consent
Estimated Time: n/a

FROM: Aaron Floyd, Utilities Director
Prepared By: Jordan Lane, Solid Waste & Recycling Coordinator

SUBJECT: COLLECTION OF DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL ACCOUNTS

RECOMMENDATION

Adopt a Resolution entitled, "A Resolution of the City of San Luis Obispo, California, authorizing the San Luis Obispo County Assessor to assess amounts due on delinquent Solid Waste Collection and Disposal Accounts as liens against the properties."

DISCUSSION

Background

Based on the need to protect public health and safety, the Municipal Code establishes that occupants of all developed properties within the City benefit from regular periodic collection of solid waste. Section 8.04.070 of the Municipal Code states:

1. That all developed properties in the City must use the solid waste collection and disposal service provided by the City's franchisee.
2. That the franchisee is responsible for collecting all fees for the service.
3. That the owners of developed properties are ultimately responsible for paying for the service.
4. That once each year the franchisee may take actions to collect from delinquent solid waste collection and disposal accounts.
5. That, after the franchisee has completed the actions established within the Municipal Code, the City will adopt a resolution authorizing the San Luis Obispo County Assessor to assess amounts due on delinquent accounts as liens against the properties.

San Luis Garbage Company has taken the actions prescribed in the Municipal Code to collect delinquent solid waste collection and disposal accounts. In adherence to the Municipal Code, San Luis Garbage Company has presented the City with a list of property owners whose accounts were more than 120 days past due, has sent certified letters to those property owners requesting payment, and after 30 days of receipt of delivery certification for payment requests has presented the City with a final list of property owners whose accounts are still past due.

The resolution (Attachment A) authorizes the San Luis Obispo County Assessor to assess the amounts due on delinquent accounts as liens against the properties.

Previous Council or Advisory Body Action

On an annual basis the City Council authorizes the collection of past due solid waste collection and disposal accounts.

Public Engagement

San Luis Garbage Company has sent certified letters to past due property owners requesting payment.

CONCURRENCE

The Finance Department concurs with the information in this report and the process used for collecting past due amounts.

ENVIRONMENTAL REVIEW

The recommended actions are not a project as defined under the California Environmental Quality Act.

FISCAL IMPACT

Budgeted: N/A

Budget Year: N/A

Funding Identified: N/A

Funding Sources	Total Budget Available	Current Funding Request	Remaining Balance	Annual Ongoing Cost
General Fund	N/A			
State				
Federal				
Fees				
Other:				
Total	\$			

There is no direct fiscal impact to the City as the franchisee is responsible for collecting all fees for solid waste and disposal. Administration of the franchise is accounted for in the City's Solid Waste & Recycling program, included in the two-year Financial Plan on page 331.

ALTERNATIVES

The City's Municipal Code Section 8.04.070 provides a process for San Luis Obispo Garbage Company to collect payment for delinquent solid waste collection and disposal accounts. The City Council could choose not to approve the recommended action if it believes San Luis Garbage Company has not taken the actions prescribed in the Municipal Code. Based on the information provided to the City, staff has determined that San Luis Garbage Company has taken the actions prescribed in the Municipal Code to collect delinquent solid waste collection and disposal accounts.

ATTACHMENTS

A – Draft Resolution authorizing the collection of delinquent Solid Waste Collection and Disposal Accounts