



# City of Woodland

## REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR  
AND CITY COUNCIL

DATE May 6, 2008

SUBJECT: Delinquent Utility Account – Call for Public  
Hearing

### **Report in Brief**

The real property located at 784 Bourn Drive has been receiving City sewer service since May 2002; however, the related utility account was not billed for this service until August 2007. State law allows for recovery of unbilled amounts for a maximum of three years, and the City is seeking repayment for three years of sewer service. The Finance Department has attempted to initiate a payment plan with the property owner with respect to the unpaid fees; however the attempt has been unsuccessful and the balance remains unpaid. Additionally, current monthly utility charges are unpaid and delinquent.

Staff recommends that the City Council set a public hearing for May 20, 2008 to direct the Tax Collector of Yolo County to assess a lien against real property, located at 784 Bourn Drive, to collect the delinquent utility amounts.

### **Background**

In April of 1990, the City and certain property owners in the Gibson Ranch area signed agreements to be annexed into the City limits. A requirement of this agreement was that the property owners abandon their private septic systems and connect to the City sewer services. The sewer service was subsequently installed in May 2002; however, the Finance Department was not notified of the tie-in and therefore the utility account was not modified to include the sewer service charges.

In August 2007, the Finance Department notified the property owner of the unpaid service, and attempted to initiate a payment plan to recover \$939.09 in unpaid services rendered. The City has yet to receive any payments toward this amount. Additionally, regular monthly utility account billings are delinquent.

### **Discussion**

In May 2002, a group of residential units along Bourn Drive were connected to the City's sewer system. The Finance Department was not notified of these changes in service, and the utility accounts of six homes were not modified to reflect the additional charge. This error was discovered in August 2007 when one of the accounts became delinquent with only water utility charges. The Finance department contacted the affected

property owners and informed of the change in their accounts and of the State's allowance for three years of retroactive billings. All other property owners, with the exception of 784 Bourn Drive, have signed payment agreements.

The Finance Department has written two letters to the property owner of 784 Bourn Drive seeking resolution of a payment plan. Additionally, the property owner met with the City Manager on March 3, 2008 to discuss the retroactive payments and continued billing of sewer service charges. All attempts to reach an agreement have been unsuccessful, and the delinquent charges continue to accumulate. This account is delinquent for a total of \$1,154.64.

**Fiscal Impact**

Total delinquent charges for which the lien would be filed (\$2,093.73) include \$939.09 of retroactive sewer charges and \$1,154.64 in delinquent monthly account charges.

**Public Contact**

Posting of the City Council agenda and a letter to the property owner, dated April 15, 2008.

**Recommendation for Action**

Staff recommends that the City Council set a public hearing for May 20, 2008 to direct the Tax Collector of Yolo County to assess a lien against real property, located at 784 Bourn Drive, to collect the delinquent utility amounts.

Prepared by: Kimberly McKinney  
Senior Accountant

Reviewed by: Amber D'Amato  
Asst. Finance Director

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Mark G. Deven  
City Manager

Attachments