



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: July 8, 2008

SUBJECT: Waste Management Delinquent Garbage/ Refuse Accounts -
Call for a Public Hearing

Report in Brief

Each year there are a number of garbage/refuse accounts that become delinquent. The City's Franchise Agreement with Waste Management allows for a collection process through a lien on local properties for failure to pay for their garbage/refuse collection services. This process requires the City Council to conduct a Public Hearing and review protests prior to considering approval of a list of property liens that would be submitted to the Tax Collector of Yolo County.

Staff recommends that Council set a Public Hearing for July 15, 2008 to hear and approve the list of Delinquent Refuse Accounts and direct the Tax Collector of Yolo County to assess liens against real property to collect delinquent accounts.

Background

In 1989 the City negotiated a new Franchise Agreement for garbage/yard refuse service with Waste Management of Woodland. One of the changes to the prior Agreement was that Waste Management would assume the billing responsibilities for refuse services to Woodland customers. At that time, Waste Management requested and permission was granted to file property liens to recover delinquent accounts. Before filing a lien with the County, a Public Hearing needs to be held to allow protests of the proposed liens. It is requested that this Public Hearing be set for the Council meeting scheduled for July 15, 2008.

Discussion

The utilization of Waste Management for the issuance of service bills has saved the City a tremendous amount of time and funds to issue and collect such bills. There had been some concerns over the past several years regarding the process and cooperation between the City and Waste Management billing staff on assessing the liens, receiving adequate and prompt information from Waste Management on the lien list, and assistance in resolving customer problems and issues. City

staff and Waste Management staff had held several meetings, set up a process and timeline and established a point of contact at each entity to alleviate many of the concerns. The result of this effort is that the process has greatly improved with relatively few problems arising.

When the new Agreement was negotiated in 2007, some of the issues were addressed and the comfort level of all involved greatly enhanced. It was determined at that time to not amend the Franchise Agreement reversing the agreement for the City to handle the lien processing.

Fiscal Impact

There is little to no fiscal impact to the City to maintain the current process, other than time constraints for processing and releasing the liens. The fees for the recordings are attached to the total amount liened so the property owner assumes that cost.

Public Contact

Waste Management provides reminder bills for overdue accounts. As the billing cycle is every two months, if not paid by the end of the cycle, the property owner is two months in arrears. As well, Waste Management sends a letter to the property owners indicating to them their property will be liened if the service fee is not paid by a designated date. The Public Hearing notice is also published in the newspaper in a timely manner.

Recommendation for Action

Staff recommends that Council set a Public Hearing for July 15, 2008 to hear and approve the list of Delinquent Refuse Accounts and direct the Tax Collector of Yolo County to assess liens against real property to collect delinquent accounts.

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