

4. **PUBLIC HEARING:** Request from the Resource Management Agency to consider placement of delinquent water service fees, delinquent penalties, and Auditor's collection charges for the East Orosi Community Services District on the 2024/2025 tax roll. Direct the Tax Collector to place delinquent water service fees, delinquent penalties, and the Auditor's collection charges of the East Orosi Community Services District (as identified in Attachment A) on the 2024/2025 tax roll if still delinquent after July 31, 2024 (2/3 majority).

**ADJOURN AS THE TULARE COUNTY BOARD OF SUPERVISORS AND
CONVENE AS THE TERRA BELLA SEWER MAINTENANCE DISTRICT**



Resource Management Agency

COUNTY OF TULARE AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: July 23, 2024

Public Hearing Required	Yes
Scheduled Public Hearing w/Clerk	Yes
Published Notice Required	Yes
Advertised Published Notice	Yes
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

SUBJECT: Placement of Delinquent Water Service Fees on the 2024/2025
Tax Roll for the East Orosi Community Services District

REQUEST(S):

That the Board of Supervisors:

1. Conduct a Public Hearing on July 23, 2024, at 9:30 a.m. or soon thereafter as it can be heard, to consider placement of delinquent water service fees, delinquent penalties, and Auditor's collection charges for the East Orosi Community Services District on the 2024/2025 tax roll; and
2. Direct the Tax Collector to place delinquent water service fees, delinquent penalties, and the Auditor's collection charges of the East Orosi Community Services District (as identified in Attachment A, on the 2024/2025 tax roll if still delinquent after July 31, 2024 (2/3 majority).

SUMMARY:

The East Orosi Community Services District (EOCSD) is an independent special district that is responsible for providing water services to the residents of East Orosi. EOCSD has historically been challenged to retain a full quorum of Directors to make decisions and execute contracts for the operations of their special district. Over the past years, private organizations such as Community Water Center (CWC) and Self-Help Enterprises has assisted the EOCSD with day-to-day operations, certain maintenance efforts and a long-term project to connect the water system to the Orosi Public Utility District. On October 18, 2022, your Board approved an agreement with the California State Water Resources Control Board (SWRCB) to act as the grant funded Administrator for the East Orosi community water system, which was owned and operated by EOCSD. The agreement is in effect retroactively from September 10, 2020, through September 30, 2024, and is intended to cover the costs of administering the system and completing

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DATE: July 23, 2024

the water connection project. On October 21, 2022, the State Water Resources Control Board issued Compliance Order No. 24-E1-22R-001 (the Order), which appointed the Resource Management Agency as the full-scope administrator for the East Oroshi community water system as of November 1, 2022. A supplemental Safe and Affordable Funding for Equity and Resilience Program (SAFER), will provide additional funding for ongoing operations and maintenance of the system.

EOCSD continues to provide sewer services to the community.

Section 61115 (b) of the California Government Code (Community Services District Law) authorizes the Board of Supervisors, acting as the Administrator of the East Oroshi community water system under the Order, to place delinquent fees on the property tax roll in accordance with the provisions of Government Code Section 6066. The process requires the Board to set the matter for public hearing, provide mailed and published notices of the public hearing and provide property owners the opportunity to speak to the matter. The Resource Management Agency has provided the published and mailed notices, as required.

A notice has been mailed to every delinquent property owner advising them that their bill must be paid in full by June 19, 2024, or the County will begin the process of placing the delinquent fees on the property tax rolls by publishing their delinquency in the newspaper. Further, the delinquent property owners have until July 31, 2024, at 4:00 p.m. to pay before their delinquencies will be placed on the tax rolls. Attachment A identifies the property owners who received delinquent notices but have failed to pay their May 2024 balance in full as of July 10, 2024.

The purpose of the public hearing is to allow the Board to hear and consider all objections or protests from the affected property owners, prior to adopting the resolution to place delinquent charges and penalties on the 2024/2025 tax rolls. State law requires that the final list of delinquent property owners be submitted to the Auditor by August 12, 2024.

FISCAL IMPACT/FINANCING:

No Net County Cost to the General Fund. The costs to the County are those associated with noticing and conducting the Public Hearing as well as an Auditor's administrative charge of \$200, a \$1 fee per assessor's parcel number and a ten percent (10%) penalty fee, which are assessed to the delinquent customers and applied to the tax rolls. These costs are included in the budget.

Any costs not recovered from ratepayers, including delinquencies assessed to property owners, can be offset by SAFER grant funds that are intended for operational shortfalls.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The proposed action links with the Safety and Security Strategic Initiative through the goals of providing adequate facilities for the protection of the public, providing an adequate and safe water supply, and promoting personal accountability for public safety by helping to maintain the budgets for the water systems.

SUBJECT: Placement of Delinquent Water Service Fees on the 2024/2025 Tax Roll
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DATE: July 23, 2024

ADMINISTRATIVE SIGN-OFF:

/s/ Sherman Dix

Sherman Dix, CPA
Assistant Director Fiscal Services

/s/ Reed Schenke

Reed Schenke, P.E.
Director

Cc: County Administrative Office

Attachment: Public Hearing Notice – Exhibit A, East Oroshi CSD Delinquent Accounts

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF Placement of
Delinquent Water Service Fees on the
2024/2025 Tax Roll for the East Orosi
Community Services District

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Resolution No. 2024-0684

UPON MOTION OF SUPERVISOR TOWNSEND, SECONDED BY SUPERVISOR
VALERO, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT
AN OFFICIAL MEETING HELD JULY 23, 2024, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO AND
TOWNSEND

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY:


Deputy Clerk

* * * * *

1. Conducted a Public Hearing on July 23, 2024, at 9:30 a.m. or soon thereafter as it can be heard, to consider placement of delinquent water service fees, delinquent penalties, and Auditor's collection charges for the East Orosi Community Services District on the 2024/2025 tax roll; and
2. Directed the Tax Collector to place delinquent water service fees, delinquent penalties, and the Auditor's collection charges of the East Orosi Community Services District (as identified in Attachment A, on the 2024/2025 tax roll if still delinquent after July 31, 2024 (2/3 majority).

Attachment “A”

Exhibit A, East Orosi CSD Delinquent Accounts

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Tulare County Board of Supervisors, sitting as the Governing Board of the East Oroshi Community Water System, will hold a Public Hearing on Tuesday, July 23, 2024, at 9:30 a.m. or soon thereafter as it can be heard, in the Chambers of the Board of Supervisors, located at 2800 West Burrel Avenue, Visalia California.

The hearing will pertain to the collection and establishment on the Tax Rolls of the delinquent service fee charges for the use of the water facilities of the East Oroshi Community Water System.

SEE EXHIBIT "A"

In addition to the individual delinquent service charge assessments, the Board of Supervisors will consider and may impose an additional collection charge, per each delinquent service charge assessment placed on the tax roll, to cover the cost of the County Auditor's Service.

All interested persons may appear and be heard at said time and place.

By order of the Board of Supervisors, sitting as the Governing Board of the East Oroshi Community Water System.

If you challenge the decision of the Board of Supervisors on the foregoing matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors of the County of Tulare at, or prior to, the public hearing. Judicial review of this Board of Supervisors decision is appealable pursuant to Code of Civil Procedure section 1094.6.

Jason T. Britt, County Administrative Officer/Clerk, Board of Supervisors

768 East Orosi Water
Balances due as of 5/31/2024

Exhibit A

Account No.	Water	Name
025092008	\$34.30	IBARRA MARIA DE CARMEN
025093008	\$51.20	GONZALEZ ADAN CHAVEZ
025093010	\$33.80	DIAZ SONIA ALCARAZ
025094003	\$68.60	HEREBIA NICOL & JOEL
025103002	\$34.30	HEREBIA JOEL A & NICOL
025103006	\$68.60	ICHO LAWONA C/O Marian Perez Namoki
025104004	\$205.80	MARTINEZ ALEJANDRO H & CARMEN M
025104013	\$30.85	GUZMAN JOSE & LETICIA
025104017	\$51.45	GALVAN PADILLA LUIS & MARTHA GALVAN
025104024	\$205.80	CASTILLO HORENCIA C/O DAVID MANZANALES
025104025	\$188.65	NUNEZ VICENTE & JUVENTINA
025105005	\$205.80	CASTRO GABRIELA
025105006	\$34.30	REYNOSO DORA
025105007	\$353.70	REYNOSO HERMINIO C/O JOSEFINA REYNOSO
025106006	\$205.80	MONTELONGO JUAN & LUPE
025120005	\$205.80	RAYGOZA AMADA
025120011	\$205.80	VILLEGAS ROXANNA
025120016	\$205.80	SHAMI NASSER A
025120027	\$34.30	NUNEZ JOSE
025120033	\$25.85	NUNEZ BAUDELIO & PATRICIA
025120034	\$205.80	CAMPOS ROBERT JR
025120035	\$17.05	CANCHOLA SALVADOR
Total	\$2,673.35	



East Orosi CSD Delinquency Tax Roll

Presented by the
Tulare County Resource Management Agency
July 23, 2024 REVISED



Presentation Outline

1. BACKGROUND
2. TIMELINE
3. SUMMARY OF DELINQUENT CHARGES
4. HISTORY OF DELINQUENCIES AND COLLECTIONS
5. ADDITIONAL SERVICE CHARGES FOR DELINQUENCIES
6. REQUEST
7. DISCUSSION



Background – East Orosi CSD³

- East Orosi Community Services District (EOCSD) is administered by Tulare County and billed directly to service users.
- The County collects service fees to cover maintenance and operation costs.
- Some customers have failed to pay their service fees.
- The CA Government Code 61115 allows the Board of Supervisors as the appointed Administrator for the District, to place delinquent fees on property tax roll in accordance with Government Code Section 6066.



Timeline

- April 30, 2024 – Notices printed on April statements
- May 31, 2024 – Notices printed on May statements
- June 10, 2024 – Customers with outstanding balance were mailed notices (1st notice)
- June 26, 2024 – First publication of notice of Delinquent Accounts published
- July 1, 2024 – Customers with outstanding balance were mailed notices (2nd notice)
- July 3, 2024 – Second publication of notice of Delinquent Accounts published
- July 10, 2024 – Third publication of notice of Delinquent Accounts published
- July 23, 2024 – Board of Supervisors conducts Public Hearing
- July 31, 2024 – Payment deadline is at 4:00 P.M.
- August 12, 2024 – Delinquent customer list due to Auditor's Office for placement on Tax Roll



Summary of Delinquent Charges

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CSA	Zone of Benefit	Delinquent Customers	Total Customers	Percent of Customers Delinquent	Delinquent Charges	Expected Revenue from Service Charges	Percent of Revenue Delinquent
1	Z10 - Delft Colony Sewer	25	113	22.1%	\$6,614	\$61,641	10.7%
1	Z11 - Delft Colony Water	25	113	22.1%	\$6,381	\$55,107	11.6%
1	Z50 - Seville Sewer	22	126	17.5%	\$8,902	\$73,275	12.1%
1	Z60 - Tonyville Sewer	13	82	15.9%	\$7,969	\$44,550	17.9%
1	Z70 - Tooleville Sewer	11	80	13.8%	\$3,063	\$46,731	6.6%
1	Z80 - Traver Sewer	27	214	12.6%	\$13,868	\$88,950	15.6%
1	Z90 - Yettem Sewer	6	69	8.7%	\$17,636	\$77,112	22.9%
2	Z95 - Wells Tract Water	11	67	16.4%	\$2,232	\$22,206	10.1%
2	Z96 - Wells Tract Sewer	11	67	16.4%	\$4,498	\$46,035	9.8%
	761 - TBSMD	34	518	6.6%	\$16,698	\$117,936	14.2%
	East Orosi CSD	19	98	19.4%	\$2,407	\$21,815	11.0%
	Total	204	1547	13.2%	\$90,265	\$655,358	13.8%



History of Delinquent Charges

CSA	Zone of Benefit	FY2022		FY2023		FY2024	
		Delinquent Customers	Delinquent Amount	Delinquent Customers	Delinquent Amount	Delinquent Customers	Delinquent Amount
1	Z10 - Delft Colony Sewer	28	\$5,305	31	\$6,650	25	\$6,614
1	Z11 - Delft Colony Water	28	\$5,039	32	\$6,428	25	\$6,381
1	Z50 - Seville Sewer	30	\$11,470	39	\$11,428	22	\$8,902
1	Z60 - Tonyville Sewer	16	\$8,239	19	\$9,037	13	\$7,969
1	Z70 - Tooleville Sewer	14	\$5,203	12	\$2,740	11	\$3,063
1	Z80 - Traver Sewer	45	\$10,597	55	\$12,491	27	\$13,868
1	Z90 - Yettem Sewer	6	\$15,855	8	\$13,103	6	\$17,636
2	Z95 - Wells Tract Water	13	\$1,729	18	\$2,003	11	\$2,232
2	Z96 - Wells Tract Sewer	11	\$3,725	18	\$3,918	11	\$4,498
	761 - TBSMD	69	\$11,919	63	\$16,794	34	\$16,698
	East Orosi CSD	N/A	N/A	35	\$3,167	19	\$2,407
	Total	260	\$79,080	330	\$87,759	204	\$90,265



Additional Service Charges for Delinquencies

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- Amount rolled includes:
 - Auditor Fees
 - \$200 per Zone of Benefit
 - \$1 per assessor parcel number
 - Penalty
 - 10%



Requests

1. Conduct a Public Hearing on July 23, 2024, at 9:30 a.m. or as soon thereafter as can be heard, to consider placement of delinquent water and sewer service fees, delinquent penalties, and Auditor's collection charges for the East Orosi Community Services District on the 2024/2025 tax roll; and
2. Direct the Tax Collector to place delinquent water service fees, delinquent penalties, and the Auditor's collection charges of the East Orosi Community Services District (Exhibit A) customers on the 2024/2025 tax roll if still delinquent after July 31, 2024 (2/3 majority).



Questions, Comments, and Discussion