

RESOLUTION NO. 2023-198

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA ASSESSING CERTAIN DELINQUENT SEWER  
SERVICE CHARGES AS RECORDED LIENS UPON THE  
RESPECTIVE PARCELS OF LAND AND PLACEMENT OF  
DELINQUENT CHARGES ON THE NEXT REGULAR  
PROPERTY TAX BILL FOR COLLECTION BY THE COUNTY  
TREASURER-TAX COLLECTOR

WHEREAS, Chula Vista Municipal Code Section 13.14.150 allows delinquent sewer service charges to be assessed as recorded liens upon the affected properties and ultimately placed on the property tax bill for collection; and

WHEREAS, Section 13.14.150 requires the City to hold a public hearing no sooner than seven days after the sixty-day delinquency period has passed, with advance notice to be mailed to the affected property owners, notifying them that failure to pay the delinquent account will result in a lien upon the affected parcel and the amount owed will be charged to the property owner on the next regular property tax bill; and

WHEREAS, City staff has identified certain properties for which the sewer service charges are over sixty days delinquent; and

WHEREAS, property owners have been notified of their delinquencies within the last sixty days, were notified of the time and place of the public hearing within the last ten days, and were again asked to pay the delinquent sewer service charges to avoid a lien being placed on their property; and

WHEREAS, City staff is recommending that the City Council approve the final list of delinquent sewer service accounts as submitted and that these charges be submitted to the County for assessment as recorded liens on the respective parcels of land and ultimately placed on the next regular property tax bill for collection; and

WHEREAS, the City Council has held the requisite public hearing and considered the delinquent accounts together with any objections or protests by interested parties; and

WHEREAS, at the conclusion of the hearing, the City Council approved the delinquency and amount owed on the accounts as submitted, has held the requisite public hearing, and considered the delinquent accounts together with any objections or protests by interested parties.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it: (1) has considered assessing certain delinquent sewer service charges, as detailed in the final list of delinquent sewer service accounts presented to the City Council for this matter, as recorded liens on the affected parcels; (2) has heard and overruled any and all protests or objections presented at the public hearing on this matter; and (3) approves, with respect to the delinquent account list submitted to the City Council and on file in the City Finance Department, assessing delinquent sewer service charges as recorded liens upon the respective parcels of land and the placement of such delinquent sewer service charges as special assessments on the next corresponding regular property tax bills, unless cleared prior to transmittal of the delinquent account list to the County Treasurer-Tax Collector.

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

DocuSigned by:  
*Sarah Schoen*  
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Sarah Schoen  
Director of Finance/Treasurer

DocuSigned by:  
*Jill D.S. Maland*  
FFB949DC9B5747E...  
Jill D.S. Maland  
Lounsbury Ferguson Altona & Peak  
Acting City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of December 2023 by the following vote:

AYES: Councilmembers: Cardenas, Chavez, Gonzalez, Preciado, and McCann  
NAYS: Councilmembers: None  
ABSENT: Councilmembers: None

DocuSigned by:  
*John McCann*  
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John McCann, Mayor

ATTEST:

DocuSigned by:  
*Kerry K. Bigelow*  
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Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2023-198 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 5th day of December 2023.

Executed this 5th day of December 2023.

DocuSigned by:  
*Kerry K. Bigelow*  
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Kerry K. Bigelow, MMC, City Clerk