

**CITY OF OAKLAND**  
**AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OF OAKLAND

2005 JUN -9 AM 10: 05

TO: Office of the City Administrator  
ATTN: Deborah A. Edgerly  
FROM: Finance and Management Agency  
DATE: June 21, 2005

RE: **PUBLIC HEARING ON DELINQUENT MANDATORY GARBAGE FEES  
FOR OCT/NOV/DEC 2004, MONTHLY ACCOUNTS AND JAN/FEB/MAR  
2005 QUARTERLY ACCOUNTS**

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**SUMMARY**

On May 17, 2005, pursuant to Chapter 8.28, of the Oakland Municipal Code, an administrative hearing was held to hear protests and resolve any inconsistencies or inequities prior to the public hearing before the City Council. Each affected property owner was notified of the administrative hearing. Accordingly, three cases were resolved and two were removed from the list of delinquent properties. A resolution has been prepared confirming the placement of liens on 5,909 accounts and authorizing the subsequent assessment for all fees and charges, should they remain unpaid at the time of submission to the County Assessor.

**FISCAL IMPACT**

Waste Management of Alameda County has billed the City \$751,970.57 which represents monthly charges for October through December 2004 and quarterly charges for January through February 2005. The bill becomes payable after the public hearing is held. Property owners owe the City delinquent garbage charges and administrative fees totaling \$1,051,749.05 for this period. The City will transfer these charges to the Alameda County Tax Rolls to avoid a \$751,970.57 charge to the General Fund.

**SUSTAINABLE OPPORTUNITIES**

None

**DISABILITY AND SENIOR CITIZEN ACCESS**

None.

Item: \_\_\_\_\_  
City Council  
June 21, 2005

**RECOMMENDATION(S) AND RATIONALE**

Staff recommends that the City Council approve the resolution confirming the placement of liens on all unpaid accounts and authorize the subsequent assessments for all fees and charges should they remain unpaid as of August 10, 2005.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests that the City Council approve the resolution confirming the placement of liens on all unpaid accounts and authorize the subsequent assessments for all fees and charges should they remain unpaid as of August 10, 2005.

Respectfully submitted,

*for Angela D. James*  
\_\_\_\_\_  
William E. Noland

Director, Finance and Management Agency

Prepared by:  
Anna Lawrence, Revenue Operations Supervisor  
Revenue Division

APPROVED AND FORWARDED TO THE  
CITY COUNCIL:

*Deborah A. Edgerly*  
\_\_\_\_\_  
OFFICE OF THE CITY ADMINISTRATOR

Item: \_\_\_\_\_  
City Council  
June 21, 2005

*A. Gordon*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2005 JUN -9 AM 10:05

RESOLUTION NO. \_\_\_\_\_ C. M. S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION OVERRULING PROTESTS AND OBJECTIONS AND ACCEPTING AND CONFIRMING REPORTS OF THE CITY ADMINISTRATOR ON THE COST INCURRED BY THE CITY OF OAKLAND FOR DELINQUENT GARBAGE SERVICE FEES AND AUTHORIZING THE RECORDATION OF LIENS, ADMINISTRATIVE CHARGES AS NECESSARY - PURSUANT TO CHAPTER 8.28, OF THE OAKLAND MUNICIPAL CODE, AND DIRECTING THE NOTICE OF LIEN AND ASSESSMENT CHARGES TO BE TURNED OVER TO THE COUNTY TAX COLLECTOR FOR COLLECTION**

-oOo-

WHEREAS, pursuant to Chapter 8.28, of the Oakland Municipal Code, the City Administrator filed with the City Clerk on the 21st day of June 2005, her reports concerning the costs incurred for delinquent garbage service and recordation of liens with added administrative charges and assessment charges on the thereafter described real property; and

WHEREAS, June 21, 2005, at the hour of 7:01 p.m. was fixed as the day and hour for the Council to hear and pass upon said reports, together with any objections or protests which may be raised by any of the property owners liable to be assessed for costs incurred for delinquent garbage service fees, and any other interested person; now therefore be it

RESOLVED: That the protests are hereby overruled; and be it

FURTHER RESOLVED: That the reports which the City Administrator filed with the City Clerk on the 21st day of June 2005, concerning delinquent garbage service fees, and the recordation of liens with administrative charges for the real property described therein be and are hereby accepted and confirmed, and the assessments are hereby authorized to be levied upon the properties described in said City Administrator report, in the amounts set opposite each description for costs incurred for delinquent garbage service fees, added administrative charges, and assessment charges; and be it

FURTHER RESOLVED: That if said assessment herein levied is not paid before the 10th day of August 2005, the City Administrator shall present an itemized report to the Auditor-Controller of the County of Alameda, State of California, to be placed on the 2005-2006 County Tax Roll.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

*A. Lander*

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2005 JUN -9 AM 10:05  
C. M. S.

RESOLUTION NO. \_\_\_\_\_

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION ACCEPTING AND CONFIRMING REPORTS OF THE CITY ADMINISTRATOR ON THE COSTS INCURRED BY THE CITY OF OAKLAND FOR DELINQUENT GARBAGE SERVICE FEES AND CONFIRMING THE RECORDATION OF LIENS, ADMINISTRATIVE CHARGES, AND ASSESSMENT CHARGES AS NECESSARY - PURSUANT TO CHAPTER 8.28, OF THE OAKLAND MUNICIPAL CODE, AND DIRECTING THE NOTICE OF LIEN AND ASSESSMENT CHARGES TO BE TURNED OVER TO THE COUNTY TAX COLLECTOR FOR COLLECTION**

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WHEREAS, pursuant to Chapter 8.28, of the Oakland Municipal Code, the City Administrator filed with the City Clerk on the 21st day of June 2005 her reports concerning the costs incurred for delinquent garbage service fees and recordation of liens with added administrative charges and assessment charge on thereafter described real property; and

WHEREAS, June 21, 2005 at the hour of 7:01 p.m., was fixed as the day and hour for the Council to hear and pass said reports, together with any objections or protests which may be raised by any of the property owners liable to be assessed for costs incurred for delinquent garbage service fees, and any other interested persons; and

WHEREAS, no protest having been made at said hearing; now, therefore, be it

RESOLVED: That the reports which the City Administrator filed with the City Clerk on the 21st day of June 2005 concerning delinquent garbage service fees, the recordation of liens with administrative charges for the real property described hereinafter in the report of the City Administrator attached hereto, be and the same is hereby accepted and confirmed, and assessments are hereby authorized to be levied upon the hereinafter described properties in the amount set opposite each description for costs incurred for delinquent garbage service fees, added administrative charges and assessment charges; and be it

FURTHER RESOLVED: That if said assessment therein levied is not paid before the 10th day of August 2005, the City Administrator shall present an itemized report to the Auditor Controller of the County of Alameda, State of California, to be placed on the 2005-2006 County Tax Roll.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

*M. London*  
FILED

OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2005 JUN -9 AM 10: 05

RESOLUTION No. \_\_\_\_\_ C. M. S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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**RESOLUTION CONTINUING HEARING ON REPORTS OF THE CITY ADMINISTRATOR ON THE DELINQUENT GARBAGE SERVICES FEES AND CONFIRMING OF THE RECORDATION OF LIENS, ADMINISTRATIVE CHARGES, AND ASSESSMENT CHARGES AS NECESSARY - PURSUANT TO CHAPTER 8.28, OF THE OAKLAND MUNICIPAL CODE, AND DIRECTING THE NOTICE OF LIEN AND ASSESSMENT CHARGES TO BE TURNED OVER TO THE ALAMEDA COUNTY TAX COLLECTOR FOR COLLECTIONS**

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RESOLVED: That the hearing of the reports of the City Administrator on the delinquent garbage fees and recordation of the liens with added administrative charges which was duly noticed and held on the 21st day of June 2005, at the hour 7:01 p.m., is hereby continued for further hearing on the day of \_\_\_\_\_ in the City Hall, One City Hall Plaza, Council Chambers, Oakland, California.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California