

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)



DATE: July 15, 2025

TO: Honorable Mayor and Members of the City Council

FROM: Travis Sanborn, Finance Director

THROUGH: Kyle Knopp, City Manager

SUBJECT: Initiate the Lien Process for Delinquent Sewer Accounts

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Conduct a public hearing to hear and consider all objections or protests, if any, to the delinquent sewer accounts report
2. Adopt, revise, or modify the report for submission to the Humboldt County Auditor-Controller for placement of liens on the County tax rolls

BACKGROUND AND DISCUSSION:

Rio Dell Municipal Code Sections 13.10.241-246, as established by Ordinance No. 399-2023, authorize the City to collect delinquent sewer charges by placing liens or special assessments against the respective parcel(s) of land for which sewer service was provided. These liens may only be placed on active utility accounts that are registered in the property owner's name.

State law requires the City Council to conduct an annual public hearing before placing delinquent sewer charges on the County tax rolls. The public hearing to consider the final list of delinquent accounts is scheduled for July 15, 2025.

Prior to the hearing, staff will publish notice of the delinquent accounts in accordance with California Government Code Section 6066, which requires publication once a week for two successive weeks. Additionally, individual notices will be mailed to each property owner on the delinquent accounts list.

Following the public hearing and City Council action, staff will file the adopted report with the Humboldt County Auditor-Controller by August 10, 2025, as required by Municipal Code

Section 13.10.245. The County will then add the approved charges to the respective properties' tax assessments for collection.

ATTACHMENTS:

- Attachment A – List of Delinquent Sewer Accounts
- Attachment B – Sample Notice Letter
- Ordinance No. 399-2023
- Notice of Public Hearing

Attachment – List of Delinquent Sewer Accounts 7/15/2025

Parcel #	Amount
052-141-006-000	738.48
053-122-007-000	833.59
052-072-026-000	335.54
053-095-017-000	639.92
053-115-001-000	834.81
053-141-020-000	833.59
052-072-019-000	833.59
052-131-007-000	1,397.57
053-011-027-000	551.84
053-041-002-000	1,711.00
053-121-020-000	623.16
052-071-003-000	833.59
053-103-018-000	275.92
052-301-012-000	833.59
053-095-015-000	950.04
053-161-009-000	833.59
053-072-001-000	245.59
053-073-005-000	140.39
053-121-014-000	288.08
052-082-013-000	88.41
053-103-020-000	413.44

Total: 14,235.73

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July X, 2025



Customer Name

Customer Address

City, State, Zip

RE: ACTION REQUIRED - NOTICE OF FINAL DUE DATE FOR DELINQUENT UTILITY CHARGES / PENDING SPECIAL ASSESSMENT AGAINST PROPERTY

Dear Property Owner,

Our records indicate that the sewer account balance for your property has remained unpaid for more than ninety days (90) past the billing date. Pursuant to the Rio Dell Municipal Code Section 13.10.241-246, the City is instituting special assessment procedures to collect said delinquencies through the annual county property tax assessment process. Accordingly, the City Council has set July 15, 2025, at 6:00 pm, as the public hearing date for authorization to add to the property tax roll the amount of delinquent charges associated with the above-stated sewer account.

This is to notify you that your utility account was placed on a list of delinquent accounts to be presented to the City Council at the July 15, 2025, City Council meeting. Billing history indicates that this account has a past-due balance in the amount of \$XXX. The last day that payment may be made to avoid the placement of a lien against the property is Thursday, August 7, 2025. Payment can be made by cash, check, or credit card. After that date, the charges will appear on the property tax bill and payment will not be accepted by the City. Additionally, these charges will accrue penalties and interest if they remain unpaid.

If you believe this information is incorrect, please contact the City of Rio Dell Utility Billing office at (707) 764-3532 or by visiting City Hall. Customer service is available to assist you Monday through Friday between 9:00 am- 4:30 pm.

Utility Billing

City of Rio Dell



ORDINANCE NO. 399-2023

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING ORDINANCE 335-2015, CHAPTER 13.10, SECTION 241
AND ADDING CHAPTER 13.10, SECTIONS 242-246
PROPERTY TAX LIENS FOR NONPAYMENT OF DELINQUENT
SEWER BILLS FOR CUSTOMERS THAT DO NOT SUBSCRIBE
TO WATER SERVICE AND A MEANS OF COLLECTING
THE DELINQUENT CHARGES ON THE PROPERTY TAX BILL**

WHEREAS, the City of Rio Dell Municipal Code Section 13.10.240 provides that the Department of Public Works has the right to discontinue water service to any customer that is delinquent in the payment of their sewer bill, and

WHEREAS, there is no provision in the City of Rio Dell Municipal Code to discontinue sewer service to a customer that is delinquent in the payment of their bill, but does not subscribe to City water service, and

WHEREAS, the City of Rio Dell needs an incentive and procedure to enforce the collection of delinquent sewer bills from customers that use sewer services without water service, but are frequently delinquent in paying for the service, and

WHEREAS, California Government Code Section 54348 provides for the maximum penalty for delinquent utility services, and

WHEREAS, California Government Code Sections 54354 through 54357 gives local agencies the authority to place a lien on a property for delinquent utility charges and penalties, and

WHEREAS, California Health and Safety Code Sections 5473 through 5473.7 authorizes the City of Rio Dell to submit overdue sewer charges to the auditor-controller.

NOW, THEREFORE, BE IT RESOLVED, that Ordinance No. 399-2023 amends Ordinance 335-2015, Title 13, Chapter 13.10, Section 241 of the Rio Dell Municipal Code regarding the establishment of property tax liens for nonpayment of delinquent sewer bills by customers that do not subscribe to water service, and provides a means of collecting delinquent charges on the property tax and assessment rolls.

BE IT FURTHER RESOLVED, that the City Council of the City of Rio Dell does hereby ordain as follows:

The following provisions shall be added to the City of Rio Dell Municipal Code Title 13, Chapter 13.10, as Sections 13.10.242, 13.10.243, 13.10.244, 13.10.245, 13.10.246:

13.10.242 Tax roll collection – Authority – Alternative method.

- A. When the City elects to use the tax roll on which general City taxes are collected for the collection of current or delinquent sewer service charges, proceedings therefor shall be had as now or hereafter provided therefor in Article 4, Chapter 6, Part 3, Division 5 of the California Health and Safety Code.
- B. The powers authorized by this section shall be alternative to all other powers of the City and alternative to procedures adopted by the City Council thereof for the collection of such charges.

13.10.243 Tax roll collection – Report and notice.

- A. A written report shall be prepared and filed with the City Clerk which shall contain a description of each parcel of real property receiving such services and facilities and the amount of the charge for each parcel for the forthcoming year computed in conformity with the charges prescribed by this Chapter.
- B. The City Clerk shall cause notice of the filing of the report and of the time and place of hearing thereon to be published once a week for two successive weeks prior to the date set for the hearing published in a newspaper of general circulation, printed and published within Humboldt County. Prior to such hearing for the first time, the City Clerk shall mail a notice in writing of the filing of the first report proposing to have such charges for the forthcoming fiscal year collected on the tax roll and of the time and place of hearing thereon, to be mailed to each person to whom any part or parcel of real property described in the report is assessed in the last equalized assessment roll on which general City taxes are collected, at the address shown on the roll or as known to the City Clerk.

13.10.244 Tax roll collection – Hearing and determination.

- A. At the time of the hearing, the City Council shall hear and consider all objections or protests, if any, to the report referred to in the notice and may continue the hearing from time to time.
- B. Upon the conclusion of the hearing on the report, the council will adopt, revise, change, reduce, or modify any charge or overrule any or all objections and shall make its determination upon each charge as described in the report, which determination shall be final.

13.10.245 Tax roll collection – Filing of report with county auditor.

On or before the tenth day of August in each year following the final determination of the council, the City Clerk shall file with the auditor a copy of the report with a statement endorsed thereon over his signature that it has been finally adopted by the council of the City, and the auditor shall enter the amounts of the charges against the respective lots or parcels of land as they appear on the current assessment roll.

13.10.246 Tax roll collection – Parcels not in City or not on roll.

A. Where any such parcels are outside the boundaries of the City, they shall be added to the assessment roll of the entity for the purpose of collecting such charges.

B. If the property is not described on the roll, the auditor shall enter the description thereon together with the amounts of the charges, as shown on the report.

I HEREBY CERTIFY that the foregoing Amendments were duly introduced at a regular meeting of the City Council of the City of Rio Dell on June 20, 2023, and furthermore were passed, approved, and adopted at a regular meeting of the City Council of the City of Rio Dell on the 6th day of July 2023 by the following vote:


Ayes:	Garnes, Carter, Orr, Wilson and Woodall
Noes:	None
Abstain:	None
Absent:	None



Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk of the City of Rio Dell, State of California, hereby certify the above and forgoing to be a full, true, and correct copy of Ordinance No. 399-2023 adopted by the City Council of the City of Rio Dell on July 6, 2023.



Karen Dunham, City Clerk, City of Rio Dell



NOTICE OF PUBLIC HEARING

**PROPERTY TAX LIENS FOR NONPAYMENT OF DELINQUENT
SEWER BILLS FOR CUSTOMERS THAT DO NOT SUBSCRIBE
TO WATER SERVICE AND A MEANS OF COLLECTING
THE DELINQUENT CHARGES ON THE PROPERTY TAX BILL**

CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE
TUESDAY, JULY 15, 2025 AT 6:00 P.M.

NOTICE IS HEREBY GIVEN that the Rio Dell City Council will conduct a public hearing on **Tuesday, July 15, 2025, at 6:00 p.m.** or as soon thereafter as the matter can be heard, in the City Council Chamber at City Hall for property tax liens for nonpayment of delinquent sewer bills for customers that do not subscribe to water service and a means of collecting the delinquent charges on the property tax bill.

The City of Rio Dell has reopened in-person City Council and Planning Commission meetings held in City Hall Council Chambers. The public may also attend these meetings virtually through Zoom. To participate through **Zoom**, call the toll-free number at **1-888-475-4499**, enter meeting **ID 987 154-0944**.

Public Comment by Email: In balancing the health risks associated with COVID-19 and the need to conduct government in an open and transparent manner, public comment on agenda items can be submitted via email at publiccomment@cityofriodell.ca.gov. Please note the agenda item the comment is directed to (example: Public Comments for items not on the agenda) and email no later than one hour prior to the start of the meeting. Your comments will be read out loud, for up to three minutes.

Zoom Public Comment: When the Chair announces the agenda item that you wish to comment on, call the toll-free number **1-888-475-4499**, enter meeting **ID 987 154 0944** and press star (*) 9 on your phone – this will raise your hand. You will continue to hear the meeting on the call. When it is time for public comment on the item you wish to speak on, the Clerk will unmute your phone. You will hear a prompt that will indicate your phone is unmuted. Please state your name and begin your comment. You will have 3 minutes to comment. If you are unable to attend the public hearing, you may direct written comments to the **City at 675 Wildwood Avenue, Rio Dell, CA. 95562, or you may contact the Rio Dell Utility Billing Department at (707) 764-3532**. In addition, information is available for review at the above address between the hours of 8:00 am and 5:00 pm, Monday - Friday.