

RESOLUTION NO. 2023-12

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE CALAVERAS PUBLIC UTILITY DISTRICT
ADOPTING REPORT OF DELINQUENT UTILITY
CHARGES AND AUTHORIZING COLLECTION ON
COUNTY TAX ROLL**

WHEREAS, the Calaveras Public Utility District (District) levies and collects water service charges from District utility customers to pay for the operation, maintenance and related costs of the District water systems and services; and

WHEREAS, District water service charges are calculated and levied based on the rate schedules adopted by the District Board and they are not levied based on the value of the customer's real property; and

WHEREAS, District water service charges have been adopted in compliance with applicable laws, including California Constitution article XIII D, section 6 (Proposition 218) and the relevant provisions of the California Public Utilities Code, with notice duly provided to the address of record of each parcel on the last equalized assessment roll prior to the date the rates were set, as required by law; and

WHEREAS, some District customers from time to time become delinquent in their payment of water service charges, and in such instances the District has recorded individual liens on properties having delinquent accounts; and

WHEREAS, the process of recording individual liens is expensive and burdensome, given limited District staffing resources; and

WHEREAS, California Public Utilities Code Sections 16469 through 16472 authorize the District to report certain delinquent utility charges and authorizes collection of same on the tax roll of the county in which the District is located; and

WHEREAS, District has by resolution, identified all delinquent accounts that may be lawfully collected via the tax roll and enforced as liens under Public Utilities Section 16472 and Government Code Section 53755(a)(3) and requested that Calaveras County include the District's delinquent accounts on the tax roll annually pursuant to resolutions authorizing such inclusion after notice and hearing as required by law; and

WHEREAS, the General Manager has prepared and filed the Written Report for Delinquent Water Service Charges for Fiscal Year Prior to 2023-2024 (the "Report") and published and mailed notice of filing of the Report in accordance with the requirements of the California Health and Safety Code; and,

WHEREAS, the District Board of Directors has conducted a duly noticed public hearing concerning the Report and considered any comments or protests received at the hearing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Calaveras Public Utility District as follows:

1. The Board adopts the Report (Exhibit A) as presented. The Board authorizes and directs that the delinquent utility charges listed in the Report be collected on the Calaveras County

property tax roll.

2. The Board authorizes and directs the Secretary/Clerk of the Board to file a copy of the Report, together with a statement that the Board has adopted the Report, with the Calaveras County Auditor and request the Auditor to enter the delinquent charge amounts against the respective parcels of land as they appear on the property tax assessment roll and collect the delinquent amounts at the same time and in the same manner as general property taxes.

The foregoing resolution was duly approved and adopted by the Board of Directors of the Calaveras Public Utility District at a special meeting on the 1st day of August, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Signed: _____
Richard Blood, President of the Board of Directors

Attest: _____
Carissa Bear, Secretary/Clerk of the Board

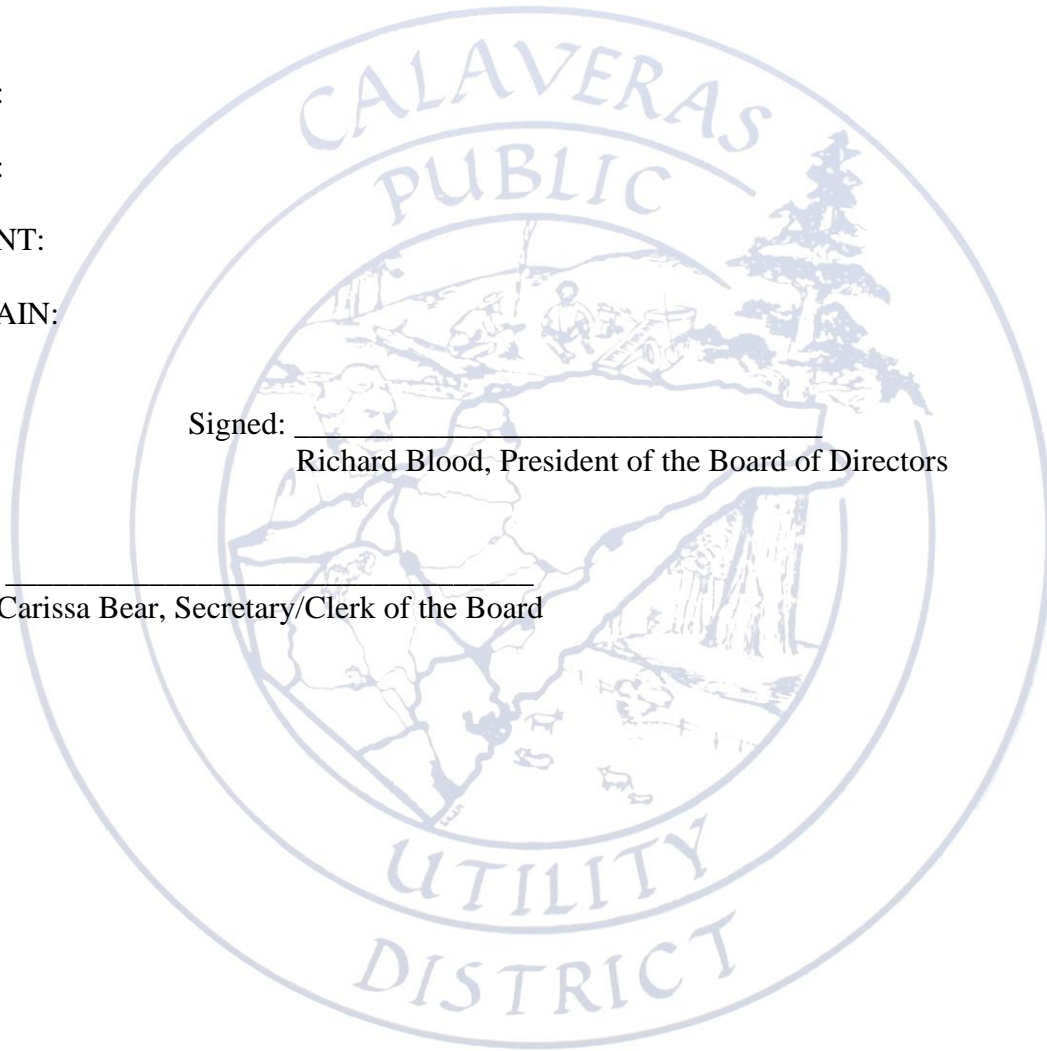


EXHIBIT A

WRITTEN REPORT FOR DELINQUENT WATER SERVICE CHARGES FOR FISCAL YEAR PRIOR TO 2023-2024

CALAVERAS PUBLIC UTILITY DISTRICT, Calaveras County, California, presents herewith its written report on delinquent water service charges to be collected on the County Tax Roll of Calaveras County, California, for the fiscal year 2023-2024.

Said charges were imposed and collected pursuant to and at the rates established therefore in resolutions therefore which were heretofore duly passed and adopted by the Board of Directors of the District. These charges were levied without regard to property valuation.

This report contains a description of each parcel of real property receiving such services and facilities with respect to which charges are delinquent and the amount of the delinquent charges for each parcel, computed in conformity with the charges prescribed by said resolutions.

NOTICE OF THE HEARING on this report has been duly given in the manner provided by law, and after having made such revision, changes, reductions or modifications of any charge or charges deemed necessary or proper, the Board of Directors has made its determination on each charge as now described herein and has finally adopted this report.

The names and addresses of the owners of said properties, or the names of the owners where no addresses are available, and the description of said properties as shown on the last equalized assessment roll of the County of Calaveras, State of California, together with the amount of the delinquent water charges set opposite each, are as hereinafter set forth, to wit:

