



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Treasurer-Tax Collector
Department No.: 065
For Agenda Of: 2/19/13: Set Hearing
Placement: 3/5/13: First Reading
3/12/13: Second Reading
Estimated Tme: 5 minutes on Departmental Agenda
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Harry E. Hagen, CPA, CPFO, CPFIM
Director(s) Treasurer-Tax Collector-Public Administrator-Public Guardian
Contact Info: Clinton P. Donati,
Asst Treasurer-Tax Collector-Public Administrator-Public Guardian
SUBJECT: Amend Fee Ordinance to Recover Certain Tax Auction Mandated Costs

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors consider recommendations for adopting an Ordinance to amend Section 2-10.8 of Article 1 of Chapter 2 of the Santa Barbara County Code, as follows:

- a) Set a public hearing on the departmental agenda for March 5, 2013 to:
- i) Consider the introduction (first reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish fees for the Treasurer-Tax Collector's Office (read title and waive further reading beyond the title); and
 - ii) Receive a report on costs related to certain fees charged by the Treasurer-Tax Collector (available for public inspection at least ten (10) days prior to the hearing date at the Treasurer-Tax Collector's Office, 105 E. Anapamu Street, Room 109, Santa Barbara, CA; week days 8:00 am - 5:00 pm).
- b) Set a public hearing on the administrative agenda for March 12, 2013 to:
- i) Consider the adoption (second reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish fees for the Treasurer-Tax Collector's Office; and
 - ii) Determine that the above action(s) are not a "project" under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines because they consist of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Summary Text:

The Treasurer-Tax Collector is requesting hearings to consider fees for mandated services provided by the Treasurer-Tax Collector in conjunction with the collection of delinquent secured property taxes through the sale process. These fees are required by California Revenue and Taxation Code Sections 3704.7(c) and 4112. The proposed fees allow the Treasurer-Tax Collector to recover the costs incurred to perform required parties of interest searches to locate individuals having an interest in properties with an impending tax sale to recover delinquent taxes, contact parties of interest to advise them of their right to any excess proceeds, and to provide the personal contact required to notice owners who reside in properties being sold as required by California Revenue and Taxation Code.

Background: Government Code 54985 provides the County with the authority to increase or decrease a fee or charge in the amount reasonably necessary to recover the cost of providing any product of service or the cost of enforcing any regulation for which the fee or charge is levied.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Implementation of these fees will allow the Treasurer-Tax Collector to recover the \$160 actual cost of performing mandated parties of interest research, and the \$220 cost to perform the mandated personal contact notification of owner occupied property, for those tax defaulted parcels that may be sold to recover delinquent taxes.

Special Instructions:

The Clerk of the Board is to provide any notice required under Government Code section 54986 and to publish notice and post in accordance with Government Code section 25124.

Attachments:

Report

Ordinance

County Code Section 2-10.8 showing changes

Authored by:

Clinton P. Donati, Assistant Treasurer-Tax Collector-Public Administrator-Public Guardian

cc:

Auditor-Controller

County Counsel