

RESOLUTION NO. 2023-28

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT
CONFIRMING REPORT OF DISTRICT GENERAL MANAGER OF DELINQUENT WATER CHARGES
AND DIRECTING THEIR COLLECTION IN THE FISCAL YEAR 2023/2024 TAX ROLL**

WHEREAS, the Los Osos Community Services District (“District”) Board of Directors makes the following findings of fact:

- A. The District has the major responsibility of providing water service to residents of a specific area within its boundary, including the responsibility to maintain levels of revenues adequate to provide water delivery service.
- B. The DISTRICT CODE, TITLE 2, SECTION 2.01.05 states as follows:

“The owner of the property which is furnished services is the customer and shall be responsible for the payment of all rates, charges and fees, including penalties, thereon regarding such furnished services. Unpaid obligations shall run with the land, shall create a lien on the property, and shall lead to delinquency and termination of service for the property involved without regard to any changes of residency or occupancy by persons different than the persons shown on District records as obligated to pay said bill.”
- C. The District has followed the procedures under District Code, TITLE 2, Section 2.01.08 regarding the discontinuance of service for non-payment on the accounts listed in the General Manager’s report, attached as Exhibit A.
- D. The District has attempted collection by other means, without any results.
- E. Pursuant to Government Code Section 61115(b), the General Manager has prepared a report listing parcels of real property with the corresponding amount of charges that are delinquent for each parcel and has filed it with the Board as it is the subject of a public hearing at this meeting.
- F. Pursuant to Government Code Sections 61115(b) and 6066, a notice of the public hearing on properties listed as delinquent per Exhibit A was published twice in two successive weeks before this hearing. In addition, a notice was mailed by USPS with delivery confirmation, to each affected property owner informing them of the time and date of the public hearing, the amount of the delinquency and that the amount will be collected with the FY 2023/2024 tax roll.

WHEREAS, the District Board of Directors, having heard and considered all objections and/or protests to the report as per Exhibit A;

- 1. Adopted revisions, changes and reductions to certain charges; and/or
- 2. Over-ruled any or all objections.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE LOS OSOS COMMUNITY SERVICES DISTRICT AS FOLLOWS:

- 1. Each of the above recitals is true and correct and incorporated herein by this reference.
- 2. That the written Report, as submitted by the Board of Directors (Exhibit A to this Resolution), is hereby confirmed and adopted.

3. That said charges as described in said Report shall constitute a lien on the parcel for which said charges are unpaid.
4. The General Manager is authorized to modify the Report to reflect any payments received after the date of the public hearing and prior to filing this Resolution and Report pursuant to Section 5 below.
5. The San Luis Obispo County Auditor shall enter the amount of the charges against each of the affected parcels of real property as they appear on the current assessment roll. The County Tax Collector shall include the amount of the charges on the tax bills for each affected parcel of real property and collect the charges in the same manner as property taxes pursuant to Government Code 61115(b).

On the motion of Director _____, seconded by Director _____,
and on the following roll call vote, to wit:

Ayes: _____
 Nays: _____
 Abstain: _____
 Absent: _____

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 6th day of July 2023.

 Charles L. Cesena
 President, Board of Directors
 Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

 Ron Munds
 General Manager and Secretary to the Board

 Thomas Green
 District Legal Counsel

EXHIBIT A

**REPORT OF LOS OSOS COMMUNITY SERVICES DISTRICT GENERAL MANAGER
DELINQUENT WATER COLLECTION CHARGES**

<u>PARCEL #</u>	<u>TOTAL</u>
038-392-028	\$232.93
038-271-009	\$509.82
TOTAL	\$742.75