

CITY COUNCIL AGENDA ITEM NO. 2

Meeting Date: January 11, 2022

Subject/Title: A Resolution Amending City Council/Administrative Policy No. 10-15, Collection Policy to update the Small Claims and Uncollectible sections as well as minor changes for clarity to referenced authority and readability

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Submitted by: Kerry Breen, Director of Finance and Information Systems

PURPOSE & RECOMMENDATION

The Collection Policy ("Policy") provides for the authority for collections of delinquent accounts. The recommended changes to the Collections Policy are to provide authority to the Risk Manager to file and settle relevant claims relating to Risk Manager functions. Additionally, the Policy was found to have minor inconsistencies and in need of clarity in citations of relevant Brentwood Municipal Code.

Staff recommends updating the Small Claims section and Uncollectible sections to give Risk Manager Authority for collection actions as well as minor changes for clarity to referenced authority and readability as detailed in the attached Exhibit "A". In order to facilitate your review, changes to the Collection Policy have been displayed in red.

CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable

PREVIOUS ACTION

On February 12, 2008, the City Council approved Ordinance 856 amending Chapter 1.08 of the Brentwood Municipal Code to add Section 1.08.115 (Recordation of Notices and Assessments) and to amend section 1.08.30 (Recovery of Administrative Fines and Costs).

On May 13, 2008, the City Council approved Resolution 2008-113 adopting the City Council/Administrative Policy No. 10-15, Collection Policy.

On November 18, 2008, the City Council approved Resolution 2008-267 amending City Council/Administrative Policy No. 10-15, Collection Policy allowing the Director of Finance and Information Systems to Approve, File and Release Liens for Past Due Property Related to Administrative Citations.

On May 12, 2009, The City Council approved Ordinance No. 867 amending Brentwood Municipal Code Titles 1 and 8 to clarify methods of administrative citation fines and nuisance abatement cost collections; distinguish administrative citation procedures from other enforcement procedures; provide for an appeal of an administrative citation by enforcement officer; declare graffiti and the disposal or spill of materials, both hazardous and otherwise, to be public nuisances; and to delete outdated provisions from the Municipal Code.

On May 26, 2009, The City Council adopted Resolution 2009-115 amending City Council/Administrative Policy No. 10-15, Collection Policy to update those sections related to

Citations and Abatement Orders.

On July 24, 2012, The City Council adopted Resolution 2012-110 amending City Council/Administrative Policy No. 10-15, Collection Policy, to update the section related to procedures, make minor clarifications throughout, and to include new sections for the Franchise Tax Board Interagency Intercept Collections Program and Small Claims.

On April 14, 2017, The City Council adopted Resolution 2017-17 of the City Council of the City of Brentwood approving and authorizing city staff, in consultation with the City Attorney, to make revisions to certain City Council/Administrative Policies, contained in sections: 00-Administration, 10-Finance, 20-Personnel, 70-Public Safety, and 80-Community Promotion to reflect the separation and reorganization of the Administrative Services Department into the Finance and Information Systems and Human Resources Department.

BACKGROUND

On May 13, 2008, the City Council adopted a collection policy that set forth the procedures and methods utilized to collect amounts owed to the City. The Collection Policy ("Policy") provides for the authority for collections of delinquent accounts. Staff recommends updating the Small Claims section and Uncollectible sections to give Risk Manager Authority for collection actions as well as minor changes for clarity to referenced authority and readability as detailed in the attached Exhibit "A". In order to facilitate your review, changes to the Collection Policy have been displayed in red.

FISCAL IMPACT

There is no fiscal impact associated with the amendment of City Council/Administrative Policy No. 10-15, Collection Policy.

Attachments:

Resolution Collection Policy 10-15
Exhibit "A" Collection Policy 10-15 DRAFT