

RESOLUTION NO. 2017-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, STATE OF CALIFORNIA, ORDERING CONFIRMATION OF THE SPECIAL ASSESSMENTS AGAINST PARCELS OF LAND WITHIN THE CITY OF DESERT HOT SPRINGS FOR COSTS OF DELINQUENT NUISANCE ABATEMENT FOR THE FISCAL YEAR 2017-2018

WHEREAS, Chapter 4.16.130 of the City of Desert Hot Springs Municipal Code provides for the recovery of Public Nuisance Abatement costs; and

WHEREAS, costs for abatement of unlawful acts and public nuisances have been expended by the City of Desert Hot Springs for each of the parcels as described in the attached list of parcels (Exhibit "A"), at a cost equal to the costs of abatement including administrative expenses for each parcel; and

WHEREAS, a public hearing was held on July 5, 2017, duly noticed in accordance with the requirements of Chapter 4.24.470 of the City of Desert Hot Springs Municipal Code and Government Code Section 38773.5, concerning the public nuisance abatement costs of these parcels at which time the Council heard all objections of property owners liable to be assessed for the costs of abatement.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL, AS FOLLOWS:

Section 1. Recitals

That the recitals set forth above are true and correct.

Section 2. Approval of Liens Against Parcels

That the list of parcels and costs of public Nuisance Abatement for each parcel is hereby reconfirmed and said costs shall constitute special assessments against the respective parcels of land, and are a lien of said land in the amount of the respective assessments.

Section 3. Transmittal to County

That a copy of this resolution shall be transmitted to the Riverside County Treasurer-Tax Collector who shall enter the amounts of the respective assessments against the respective parcels of land as they appear in the current assessment roll, and shall collect said assessments at the same time in the same manner as ordinary municipal ad valorem taxes as provided in Section 39577 of the Government Code.

Section 4. Discharge of Liens Upon Payment

That the costs against any parcel of land listed in Exhibit "A" assessed by this resolution and the lien created thereby shall be deemed discharged and released upon the payment for said parcel of the property taxes for the tax year above-noted.

Section 5. Severability

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 6. Effective Date

That this Resolution shall take effect upon its adoption

Section 7. Certification

That the City Clerk shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting held on this fifth day of July, 2017 by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, CMC, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer Mizrahi, City Attorney

CERTIFICATE OF CLERK

I, Jerryl Soriano, City Clerk of the City of Desert Hot Springs, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of the City of Desert Hot Springs duly and regularly held at the regular meeting place thereof on July 5, 2017, of which meeting all of the members of said City Council had due notice, and at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I do hereby further certify that an agenda of said meeting was posted at least 72 hours before said meeting at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I do hereby further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: July 5, 2017

City Clerk of the City of Desert Hot Springs

[SEAL]