

RESOLUTION NO. 2018-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING THE INTENTION TO LEVY FOR ANNUAL BILLINGS FOR DESERT VALLEY DISPOSAL INC. SOLID WASTE REFUSE SERVICES OF RESIDENTIAL PROPERTIES FOR FISCAL YEAR 2018-19, AND SETTING A TIME AND PLACE FOR THE PUBLIC HEARING

WHEREAS, the City Council of the City of Desert Hot Springs (the "City Council"), California, has by previous Resolution established the procedures for billing residential customers for solid waste refuse services provided by Desert Valley Disposal, Inc., and pursuant to the provisions of Section 5470, et seq., of the Health and Safety Code of the State of California, and Sections 41900 et seq. of the Public Resources Code of the State of California, have ordered an Annual Report (the "Report") that provides for the levy and collection of residential properties receiving solid waste refuse services on the County of Riverside property tax bill; and,

WHEREAS, the billing, policies, and procedures of Desert Valley Disposal, Inc. are established by the waste disposal agreement between the City of Desert Hot Springs and Desert Valley Disposal, Inc. ("DVD") as further detailed by Resolution No. 2010-040; and

WHEREAS, DVD has prepared the Report and said Report has been filed with the City Council; and,

WHEREAS, the Health and Safety Code Section 5470, et seq., and the Public Resources Code Sections 41900 et seq. provides procedures for a waste disposal charge to be collected on the tax rolls in the same manner, by the same person, and at the same time, together with, and not separately from, its general taxes; and;

WHEREAS, the Desert Hot Springs Municipal Code Section 8.04.040 authorizes placing waste disposal accounts on the tax rolls.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Desert Hot Springs as follows:

Section 1. That the above recitals are all true and correct

Section 2. Intention: The City of Desert Hot Springs hereby declares that it is its intention to have the Fiscal Year 2018-19 solid waste refuse services for residential customers collected on the tax rolls in the same manner, by the same person, and at the same time, together with, and not separately from, its general taxes.

Section 3. Public Interest: That the City Council hereby finds the collection of the solid waste refuse service charges, together with the general taxes, is in the best interest of the users of the City of Desert Hot Springs.

Section 4. Annual Report: The Report and assessment as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.

Section 5. Special Assessment: That the cost of solid waste refuse service charges for each parcel of land shall constitute a special assessment against that parcel of land in accordance with the provisions of the Government Code of the State of California, and pursuant to Section 8.04.040 of the Desert Hot Springs Municipal Code.

Section 6. **Public Hearing(s):** The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the solid waste refuse services in accordance with the Health and Safety Code Section 5470, et seq.

Section 7. **Notice:** The City shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in the local newspaper not less than ten (10) days before the date of the Public Hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. At the Public Hearing, all interested persons shall be afforded the opportunity to hear and be heard.

Section 8. **Notice of Public Hearing:** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on **Tuesday, June 5, 2018 at 6:00 p.m.** or as soon thereafter as feasible in the City Council Chambers, located at 11-711 West Drive, Desert Hot Springs, California.

Section 9. The City Clerk is hereby authorized and directed to give notice of such hearing as provided by law.

PASSED AND ADOPTED by the City Council of the City Desert Hot Springs at a regular meeting held on this first day of May, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, 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 May 1, 2018, 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 11999 Palm Drive, Desert Hot Springs, 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: May 1, 2018

City Clerk of the City of Desert Hot Springs

[SEAL]