

RESOLUTION NO. 2018-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DESERT HOT SPRINGS, COUNTY OF RIVERSIDE, STATE
OF CALIFORNIA, ORDERING THE LEVY AND
COLLECTION OF ASSESSMENTS FOR SOLID WASTE
REFUSE SERVICES OF RESIDENTIAL PROPERTIES FOR
THE 2018-19 FISCAL YEAR**

WHEREAS, Health and Safety Code Section 5470, et. seq., and the Public Resources Code Sections 41900 et. seq. provide that waste disposal charges may be collected on the tax rolls in the same manner as, and together with, general taxes; and

WHEREAS, the City of Desert Hot Springs ("City") Municipal Code Section 8.04.040 authorizes the assessment of waste disposal charges on the tax roll; and

WHEREAS, Desert Valley Disposal, Inc. ("DVD") is the City's current solid waste refuse services provider through a franchise agreement approved March 18, 2014, pursuant to which the City and DVD have agreed that the charges for solid waste refuse services shall be billed as an assessment on the County property tax roll against certain residential parcels; and

WHEREAS, the City Council has ordered an annual report in connection with the proposed levy and collection of assessments for waste disposal charges; and

WHEREAS, DVD has prepared said report, dated April 4, 2018, incorporated herein by this reference ("Report"); and

WHEREAS, on May 1, 2018, the Report was presented to and approved by the City Council, and said Council adopted Resolution 2018-031, receiving and filing the Report in the office of the City Clerk and initiating proceedings for the levy and collection of an assessment on the County property tax roll against certain residential parcels for charges arising out of the solid waste refuse services provided by DVD for the Fiscal Year 2018-19 in the amounts set forth in the Report; and

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. That following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution, the Report, and the levy and collection of assessments, and considered all oral and written statements, protests and communications made or filed by interested persons.

Section 3. That based upon its review of the Report, a copy of which has been presented to the City Council and filed with the City Clerk, the City Council hereby confirms, approves, and adopts the assessment amounts set forth in the Report, and orders the levy of an assessment in the amounts and against the parcels set forth in the Report.

Section 4. That the assessments and the Report are on file and made available for public review in the office of the City Clerk and are hereby approved for placement on the Fiscal Year 2018-19 Riverside County tax rolls.

Section 5. That the adoption of this Resolution constitutes the setting of a levy for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019.

Section 6. That the County Auditor of the County of Riverside shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time, and in the same manner, as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 7. The City Treasurer shall deposit all money representing assessments collected by the County of Riverside for the solid waste charges to the credit of a special fund created therefore, and such money shall be expended only for the purposes set forth in the Report.

Section 8. That the adoption of this Resolution constitutes a levy for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019, and is to cover the costs of administration and servicing of residential properties within the City.

Section 9. The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

Section 10. 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. A certified copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

[SIGNATURES FOLLOW ON THE NEXT PAGE]

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

AYES:

NAYS:

ABSENT:

ATTEST:

APPROVED:

Jerryl Soriano, City Clerk

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 June 5, 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 11-711 West Drive, 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: June 5, 2018

City Clerk of the City of Desert Hot Springs

[SEAL]