

RESOLUTION NO. 2017-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, REPEALING, REVISING AND REENACTING THE PROVISIONS OF RESOLUTION 2012-55, AND AUTHORIZING THE COLLECTION OF DELINQUENT SOLID WASTE CHARGES ON THE ANNUAL PROPERTY TAX ROLL.

WHEREAS, the City Council has heretofore adopted Chapter 6.02 of Title 6 of the City of Moreno Valley Municipal Code relating to refuse collection, transfer and disposal services; and

WHEREAS, Section 6.02.030 of Chapter 6.02 provides for the collection of delinquent and unpaid fees and charges on the tax roll in the same manner, by the same person, and at the same time as, together with and not separately from, its general taxes.

WHEREAS, said delinquent and unpaid fees or charges shall mean those fees and charges for which services have been rendered but which have not been paid for more than sixty (60) days after the billing date.

WHEREAS, Section 5473.10 of the Health and Safety Code provides that in addition to delinquent fees and charges, the amount collected on the tax roll may also include a ten percent basic penalty for nonpayment of those fees and charges and, in addition, a penalty of one and one-half percent per month for nonpayment of those fees, charges and the basic penalty; and

WHEREAS, it is in the best interests of the City that delinquent and unpaid fees and charges for refuse collection be collected on the tax roll; and

WHEREAS, the City Council has heretofore caused a report to be prepared, a copy of which is on file in the office of the City Clerk, which identifies each parcel of real property (without consideration of the value of said property) receiving such refuse collection services and facilities and the amount of the delinquent fees and charges for each parcel for the year which remain outstanding, computed in conformity with the charges prescribed by Chapter 6.02, and has caused public notice of said report and of a public hearing thereon to be duly given; and

WHEREAS, the City Council has held said hearing, at which all persons wishing to be heard were heard, and at which hearing the City Council heard and considered all objections and protests, if any;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct and are herein incorporated.

2. Resolution No. 2012-55, as adopted by the City Council on June 26, 2012, is hereby repealed, the repeal to be effective only upon the date of adoption of this resolution. No action commenced pursuant to the authority granted by Resolution No. 2012-55 shall be invalidated or otherwise affected by the repeal thereof.

3. Delinquent and unpaid fees and charges for solid waste collection as set forth in said report, and herein confirmed, shall be collected on the tax roll in the same manner, by the same persons as, and at the same time as, together with and not separately from, the City's general taxes, pursuant to the provisions of Chapter 6.02 of the City of Moreno Valley Municipal Code and Section 5473 of the California Health and Safety Code.

4. On or before August 10 of each year, following the final determination of the delinquent solid waste charges, the City Clerk shall file with the County of Riverside Auditor-Controller a certified copy of this resolution together with a certified copy of said report endorsed with a statement over her signature that the report has been finally adopted by the City Council.

5. The County of Riverside Auditor-Controller shall enter the amounts of the charges against the respective lots of parcels of land as they appear on the current assessment roll.

6. Said election to collect delinquent and unpaid fees and charges shall remain in effect until December 31, 2022, unless otherwise repealed or amended by the City Council.

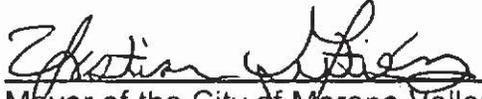
7. This Resolution shall be effective immediately upon adoption.

8. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

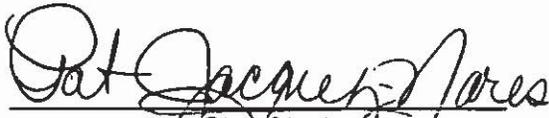
9. Severability. That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections,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

10. Repeal of Conflicting Provisions. That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this 20th day of June, 2017.


Mayor of the City of Moreno Valley

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Patricia Jacquez-Narez, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2017-41 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 20th day of June, 2017 by the following vote:

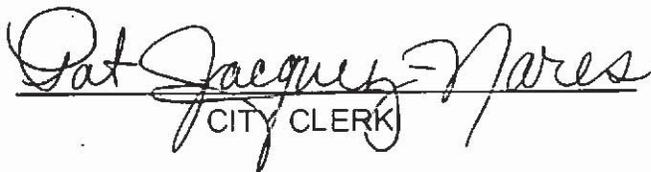
AYES: Council Members Cabrera, Giba, Marquez, Mayor Pro Tem Baca
 and Mayor Gutierrez

NOES: None

ABSENT: None

ABSTAIN: None

(Council Members, Mayor Pro Tem and Mayor)


CITY CLERK

(SEAL)