

RESOLUTION NO. 2025-039

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, DIRECTING THE PLACEMENT OF RUBBISH CHARGES ON THE PROPERTY TAX BILLS FOR COLLECTION.

WHEREAS, Section 24-85 of the Municipal code of the City of Fontana provides for the collection of rubbish charges more than ninety days delinquent by recording real property liens, and further by annually forwarding amounts remaining unpaid to the County of San Bernardino for addition to the property tax rolls as a special assessment; and

WHEREAS, California Health and Safety Code Section 5473 specifically authorizes the City to levy and collect rubbish charges through County administered and enforced property tax billing and collection procedures; and

WHEREAS, the Auditor-Controller of San Bernardino County is authorized, if so directed by the City, to place rubbish charges on property tax bills; and

WHEREAS, the City Council has elected to place annual rubbish charges on the property tax rolls for accounts subject to lien action because of delinquency.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fontana, California, as follows:

Section 1. Recitals. The above recitals are true, correct and by this reference incorporated herein.

Section 2. Findings/ Approvals. That rubbish service charges for the period of July 1, 2025, through June 30, 2026, for those residential properties whose owners have elected tax roll billing, be forwarded to the County of San Bernardino for addition to the 2025/2026 property tax rolls as a special assessment. Additionally, that rubbish service charges for July 1 through June 30 of each subsequent year be forwarded in the same manner.

Section 3. Findings/ Approvals. That rubbish service charges for the period of July 1, 2025, through June 30, 2026, for all residential properties be forwarded to the County of San Bernardino for addition to the 2025/2026 property tax rolls as a special assessment. Additionally, that rubbish service charges for July 1 through June 30 of each subsequent year be forwarded in the same manner.

Section 4. Findings/ Approvals That rubbish service charges for the period of July 1, 2025, through June 30, 2026, for those properties that have unpaid liens for delinquent rubbish charges as of June 30, 2025, together with the amount of unpaid liens, be forwarded to the County of San Bernardino for addition to the 2025/2026 property tax rolls as a special assessment.

Section 5. Findings/ Approvals That whenever a rate change occurs during the assessment year, the City shall prepare a pro-rated adjustment to the assessment file which shall be added to the subsequent annual assessment.

Section 6. Effective Date. This resolution shall take effect upon adoption.

Section 7. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 8. Certification. The City Clerk shall certify to the adoption of this Resolution.

Section 9. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Resolution is based are located at the City Clerk's office located at 8353 Sierra Avenue, Fontana, CA 92335. The custodian of records is the City Clerk.

APPROVED AND ADOPTED this 24th day of June, 2025.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting on the 24th day of June, 2025, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

Mayor of the City of Fontana

ATTEST:

City Clerk