

RESOLUTION NO. 2025-101

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, ADOPTING A STATEMENT OF UNPAID EXPENSES FOR WEED ABATEMENT AND IMPOSING A LIEN AGAINST PROPERTY FOR PAYMENT

WHEREAS, the City of Fontana ("City") has conducted its weed abatement program pursuant to the Fontana City Code, Chapter 28 *et seq.* and California Government Code Section 39501 *et seq.*; and

WHEREAS, California Government Code Section 39501 *et seq.* specifically authorizes the legislative body of a city to require the removal of weeds, rubbish, and other refuse from private property, and to recover the costs of abatement by imposing a special assessment against the property on the County of San Bernardino ("County") annual property tax rolls and recording a lien against the property; and

WHEREAS, the City has conducted such weed abatement for certain property in the City, certain properties remain delinquent in the payment of the weed abatement costs and now the City Council desires to record a lien against such properties pursuant to Government Code Section 39560 *et seq.*; and

WHEREAS, the City Clerk has caused to be prepared a report containing the properties and the amount of the delinquent weed abatement costs ("Written Report"), which is on file with the City Clerk, attached hereto as Exhibit "A" and incorporated herein by this reference; and

WHEREAS, the City Clerk has previously caused notice to be provided to each property owner pursuant to Section 39560 *et seq.*, and the City has posted a copy of the Written Report pursuant to Section 39575; and

WHEREAS, at the time stated in the notice being the 14th day of October, 2025, at 2:00 p.m., the City Council discussed and considered all objections to the expenses and other costs of abatement which have remained unpaid to date, as specified in the Written Report; and

WHEREAS, the City Council now desires to confirm and approve the Written Report and record a lien against such delinquent properties.

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. Written Report Approval. The Written Report filed with the City Clerk contains the description of each real property parcel which is currently delinquent in the

payment of the weed abatement costs and the amount of such costs, and the Written Report is hereby approved and adopted.

Section 3. County Recorder's Office. The City Clerk, or designee thereof, is hereby directed to file for recording with the County Recorder's Office a copy of the Written Report, with a statement endorsed thereon over his or her signature that the Written Report has been fully adopted by the City Council, together with a certified copy of this Resolution, and shall request that there be recorded a lien against the parcels contained therein.

Section 4. County Tax Roll. The delinquent weed abatement costs, shall be forwarded to the County Tax Collector for collection on the County property tax roll in the same manner, by the same person, at the same time, together with and not separate from the general taxes, against the property to which they relate, and shall constitute liens on the property in the amount of the delinquent charges, to be added to the property tax bill next levied against each property.

Section 5. Certification. The City Clerk shall certify to the adoption of this Resolution.

Section 6. 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.

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. Effective Date. This Resolution shall become effective immediately.

APPROVED AND ADOPTED this 14th day of October, 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 held on the 14th day of October, 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

EXHIBIT “A”

WRITTEN REPORT OF ASSESSOR’S PARCELS

DELINQUENT WEED ABATEMENT CHARGES

[Report Attached on Following Pages]