

RESOLUTION NO. 2016-54

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL,
CALIFORNIA AUTHORIZING THE RECORDING OF LIENS
AGAINST VARIOUS REAL PROPERTIES IN THE CITY OF BELL
FOR DELINQUENT RUBBISH COLLECTION CHARGES**

WHEREAS, Bell Municipal Code (BMC) Section 8.24.120 (Liability for fees), establishes the liability of each owner, occupant, or other person responsible for the day-to-day operation of the premises to make arrangement for collection of refuse; and

WHEREAS, BMC Section 8.24.120 further provides if service fees and charges (and any applicable interest or penalties) are not paid as required, the owner and occupant each shall be jointly and severally liable for their payment, and "[t]he city may collect the fees and charges (plus any interest or penalties) on the property tax roll for the property."

WHEREAS, Consolidated Disposal Service, LLC (Consolidated) is the exclusive contractor for the collection, removal and disposal for all rubbish in the City of Bell pursuant to a Franchise Agreement; and

WHEREAS, in accordance with BMC Section 8.24.082, Consolidated has assigned delinquent accounts to the City for collection by causing a report of any three-month delinquent fee reports to be sent to the City Manager.

WHEREAS, the City Manager has received a listing of properties that have delinquent rubbish charges; and

WHEREAS, after making all reasonable efforts to diligently pursue and collect all fee and charges due for providing rubbish collection services from the responsible account holders, and after notifying the property owners, Consolidated is requesting the City Council to approve the assessments and to authorize the recording of lien as indicated on Exhibit "A"; and

WHEREAS, in accordance with BMC Section 8.24.082, notices of public hearing were mailed to individual account holders and property owners on July 12, 2016 and, in addition, notice of the public hearing was published in the Press Telegram on July 13, 2016; and

WHEREAS, the City Council has sufficiently considered all evidence and testimony presented to them in order to make the following determination.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELL DOES HEREBY
RESOLVE AND DETERMINE AS FOLLOWS:**

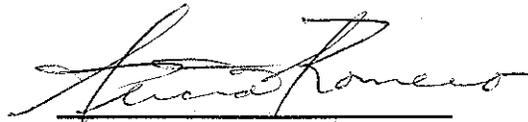
Section 1. Based on evidence, testimony and information presented during the July 27, 2016 public hearing, the rubbish collection accounts, described in the "Lien List" marked as Exhibit "A" attached hereto and incorporated by reference; are determined to be delinquent and hereby declared to constitute special assessments against the respective parcels of land.

Section 2. The City Manager, or his designee, is hereby authorized and directed to record with the LA County Recorder's Office assessment liens on the properties described in Exhibit "A" for the amount of such delinquent fees, plus legal fees and administrative cost, and to take any necessary actions related thereto to effectuate the recordation of said liens.

Section 3. Consolidated shall continue to provide collection services in the City of Bell in accordance with the Franchise Agreement regardless of the status of the delinquent accounts.

Section 4. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED, AND ADOPTED this 27th day of July 2016.



Alicia Romero, Mayor

APPROVED AS TO FORM:


David Aleshire, City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, Acting City Clerk of the City of Bell, hereby attest and certify that the above and foregoing resolution was duly adopted by the Bell City Council at a special meeting held on the 27th day of July 2016, by the following vote:

AYES: Councilmembers Quintana, Saleh, Vice Mayor Gallardo and Mayor Romero

NOES: None

ABSENT: Councilmember Valencia

ABSTAIN: None


Angela Bustamante, Acting City Clerk