

RESOLUTION NO. 2023 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, ACCEPTING THE NATIONAL CITY 2023-24 TAX ROLL SEWER SERVICE FEES REPORT, WHICH IDENTIFIES BY PARCEL NUMBER, EACH PARCEL OF REAL PROPERTY RECEIVING SEWER SERVICES AND THE AMOUNT OF SEWER SERVICE CHARGES FOR EACH PARCEL FOR FY 2023-24 AS REQUIRED BY THE CALIFORNIA HEALTH AND SAFETY CODE SECTION 5473, ET SEQ., PERTAINING TO COLLECTION OF SEWER CHARGES ON THE TAX ROLL, DIRECTING THE CITY CLERK TO FILE THE REPORT WITH THE COUNTY OF SAN DIEGO AUDITOR AND CONTROLLER, AND DIRECTING THE CITY ENGINEER TO SUBMIT A CERTIFICATION OF THE SEWER SERVICE CHARGES TO THE COUNTY OF SAN DIEGO AUDITOR AND CONTROLLER

WHEREAS, the City of National City ("City") provides sewer services to about 9,000 customers; and

WHEREAS, California Health and Safety Code Section 5473 requires a written report to be prepared each year and filed with the City Clerk's Office, and the Report shall contain a description of each parcel of real property receiving sewer service and the amount of the sewer service charges for each parcel for the year (the "Report"); and

WHEREAS, California Health and Safety Code Section 5473.2 requires that the City hold an annual Public Hearing where the City Council will hear and consider all objections or protests, if any, to the Report; and

WHEREAS, if the City Council finds that a protest is made by the owners of a majority of separate parcels of the property described in the Report, then the Report shall not be adopted, and the sewer service charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel or parcels of land; and

WHEREAS, upon conclusion of the Public Hearing, the City Council may adopt, revise, change, reduce or modify any charge, or overrule any or all objections and shall make its determination upon each charge as described in the Report; and

WHEREAS, California Health and Safety Code Section 5473.4 provides that on or before August 11 of each year, the City Clerk's Office shall file a copy of the Report with the County of San Diego Auditor and Controller with a statement endorsed on the Report over the City Clerk's signature that the City Council has adopted the Report.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That on June 20, 2023, the City Council held a Public Hearing where the City Council heard and considered all objections or protests, if any, to the Report.

Section 2: That the City Council finds that a protest has not been made by the owners of a majority of separate parcels of property described in the Report.

Section 3: That the City Council overrules any and all objections to the Report.

Section 4: That the City Council adopts the Report required by California Health and Safety Code Section 5473, et seq., for the Fiscal Year 2023-2024, and directs the City Clerk to keep the Report on file in their office.

Section 5: The City Council directs the City Clerk to file a copy of the Report with the County of San Diego Auditor and Controller with a statement endorsed on the Report over the City Clerk's signature that the City Council has adopted the Report.

Section 6: The City Council directs the City Engineer to submit a certification of the City sewer service charges to the County of San Diego Auditor and Controller.

Section 7: The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 20th day of June, 2023.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney