

RESOLUTION NO. 2021-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN  
REQUESTING THE COLLECTION OF SPECIAL ASSESSMENTS ON THE 2021-2022 TAX ROLL  
(DELINQUENT REFUSE COLLECTION FEES)

WHEREAS, the City of Rocklin has awarded to Recology Auburn Placer Service (“Recology”) a franchise for collection of solid waste within the City of Rocklin under Rocklin Municipal Code Chapter 13.08 and under the terms of the franchise agreement, the City may at the request of Recology, assist in collecting delinquent refuse bills in accordance with Government Code sections 25831 and 38790.1, for which special assessments are collected on behalf of the City by the County of Placer on the annual property tax roll; and

WHEREAS, the County of Placer has required, as a condition of the collection of taxes, assessments, liens, and other charges on behalf of the City that the City warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof.

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

Section 1. The Auditor-Controller of Placer County is requested to attach for collection on the County 2021-2022 tax rolls special assessments against certain parcels for delinquent refuse collection fees, as set forth in Rocklin City Council Resolution No. 2021-xx.

Section 2. The City warrants and represents that the special assessments comply with all requirements of state law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218).

Section 3. The City releases and discharges County, and its officers, agents, and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any of the special assessments on behalf of City.

Section 4. The City agrees to and shall defend, indemnify, and hold harmless the County, its officers, agents and employees (the “Indemnified Parties”) from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments in any manner arising out of the collection by County of any of the special assessments requested to be collected by the County for the City, or in any manner arising out of City establishment and imposition of said assessments. City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties

as a result of the collection of one of the assessments, the County may offset the amount of the judgment from any other monies collected by the County on behalf of the City, including property taxes.

Section 5. The City agrees that its officers, agents, and employees will cooperate with the County in answering questions referred to the City by the County from any person concerning the City's special assessments, and that City will not refer such persons to County officers and employees for response.

Section 6. The City agrees to pay such reasonable and ordinary charges as the County may prescribe to recoup its costs of placing on the tax rolls and collecting the assessments at the agreed upon rate of 1% of the special assessment, as provided by Government Code sections 29304 and 51800.

PASSED AND ADOPTED this 22nd day of June, 2021, by the following vote:

AYES: Councilmembers:  
NOES: Councilmembers:  
ABSENT: Councilmembers:  
ABSTAIN: Councilmembers:

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Jill Gayaldo, Mayor

ATTEST:

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Hope Ithurnburn, City Clerk