

RESOLUTION NO. 2026-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA CONFIRMING GARBAGE AND RECYCLING COLLECTION ASSESSMENTS AND ESTABLISHING THE METHOD OF COLLECTION

WHEREAS, the City of Eureka has adopted mandatory garbage and recycling collection requirements pursuant to Eureka Municipal Code Chapter 51; and

WHEREAS, Eureka Municipal Code section 51.20 and California Government Code sections 25831 and 38790.1 authorize the City to recover delinquent garbage and recycling collection charges by special assessment and lien against the real property receiving such services; and

WHEREAS, the Eureka City Council has directed staff to enforce said provisions in order to recover delinquent garbage and recycling collection charges incurred by property owners within the City of Eureka; and

WHEREAS, City staff and the City's franchise hauler have provided notice to property owners regarding delinquent garbage and recycling collection accounts and afforded such owners the opportunity to cure the delinquency or otherwise make payment arrangements; and

WHEREAS, a report identifying the properties subject to assessment for unpaid garbage and recycling collection charges (the "Report") was presented to the Eureka City Council on June 16, 2026, and is attached to this Resolution and incorporated herein by this reference; and

WHEREAS, following expiration of the twenty (20) day payment period provided by this Resolution, the City shall submit this Resolution together with an updated Report to the Humboldt County Auditor-Controller's Office reflecting only those delinquent garbage and recycling collection charges that remain unpaid; and

WHEREAS, Tuesday, June 16, 2026, at 6:00 p.m. in the City Council Chambers located at Eureka City Hall, 531 K Street, Eureka, California, was fixed as the time and place for hearing protests or objections to the proposed assessments; and

WHEREAS, notice of said hearing was mailed to the affected property owners and otherwise provided in the manner required by Eureka Municipal Code section 51.20, California Government Code section 25831, and other applicable provisions of California law; and

WHEREAS, the City Council has heard and considered all objections and protests, if any, regarding the proposed assessments;

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

1. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. The City Council hereby confirms and adopts the Report attached hereto identifying delinquent garbage and recycling collection charges pursuant to Eureka Municipal Code section 51.20 and California Government Code sections 25831 and 38790.1.
3. The amounts set forth in the confirmed Report are hereby assessed against the respective real properties identified therein.
4. If the assessed amounts are not paid within twenty (20) days of adoption of this Resolution, the Director of Community Services, or designee, is authorized to record a Notice of Lien against the affected real property pursuant to California Government Code sections 25831 and 38790.1.
5. The Notice of Lien may reference this Resolution and the applicable Assessor's Parcel Number (APN) and shall not require attachment of the full assessment report or identification of other affected properties.
6. The City Council further authorizes the collection of the confirmed assessments through the Humboldt County property tax roll in the manner authorized by California Government Code section 25831.
7. Administrative costs and recording costs associated with the preparation and recording of Releases of Lien shall be collected pursuant to a separately adopted City Council resolution authorizing such costs.

THIS RESOLUTION IS HEREBY PASSED, APPROVED, AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 16th day of June, 2026, by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Kim Bergel, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Miles Slattery, City Manager

Robert Black, City Attorney