DATE: July 21, 2026

TO: Mayor and Council Members

FROM: Rachel Molina, City Manager

BY: Orlando Acevedo, Director of Development Services
Jacquelyn Castillo, Management Analyst

SUBJECT: Special Assessment of Unpaid Fees for Services and Abatement Costs

RECOMMENDED ACTION

It is recommended that the City Council approve Joint Resolution No. 2026-27 and Resolution No. HWD 2026-08, confirming parcels of land upon which unpaid fees for services, and abatement costs remain, and Joint Resolution No. 2026-28 and Resolution No. HWD 2026-09, requesting that San Bernardino County place the unpaid fees for services and abatement costs on the property tax rolls.

BACKGROUND

Section 1.12.270 of the Hesperia Municipal Code (HMC), administrative proceedings, establishes the imposition of fines related to public nuisance violations. Section 14.02.080 (O)(7) establishes the procedure for Water District fees, delinquent charges, administrative costs, and fines to be placed as liens upon properties, with subsequent collection via the property tax rolls. Section 8.04.070(F) establishes the procedure for the placement of delinquent fees, fines, and charges due to the City's Franchise Waste Hauler as liens on properties, with subsequent collection via the property tax rolls.

Hesperia Municipal Code (HMC) Section 1.12.370 B1 authorizes the use of the special assessment for abatement cost for public nuisance violations that are unpaid at the end of the year. Abatement costs are only assessed after the property owner, or responsible person, has failed to comply with a Notice of Violation, and then issued a Notice of Public Nuisance and subsequent Administrative Citations, or through staff time accrued during the abatement of a property.

On July 3, 2002, the City Council adopted Resolution 2002-42, adopting an administrative fine schedule. Since the intent of Code Compliance is to gain voluntary compliance, should a property remain out of compliance and require several notices, this option allows the City to gain compliance through abatement and follow with the collection of unpaid fees.

ISSUES/ANALYSIS

There are 1,063 separate properties that have accumulated delinquent Hesperia Water District water and/or sewer fees for an approximate total of $850,864.

Additionally, the City provides assistance to Advance Disposal to assess unpaid trash bills through the special assessment process. There are 988 separate properties which have unpaid trash bills that Advance Disposal wishes to pursue through the property tax assessment process. The total Advance Disposal lien amount is $784,169, of which the City will retain $46,436 as reimbursement for administrative costs, including staff time, lien processing, and related administrative activities associated with the special assessment process.

The fine totals are approximate as payments can be made through August 3, 2026, which will reduce the total amount sent to the County as special assessments. Staff have invoiced all property owners (in addition to monthly invoices during the year) during July 2026, allowing owners the opportunity to pay abatement and administrative costs directly to the City and avoid placement on the property tax rolls. Any remaining parcels are included in the resolution for collection by the County Auditor-Controller/Recorder. Any fees paid prior to submittal to the County in August will be removed from the exhibit.

CITY GOAL SUPPORTED BY THIS ITEM

Financial Health - Maintain a balanced budget and adequate reserves

FISCAL IMPACT

The Advance Disposal delinquent account program will generate $46,436 in administrative reimbursement to the City for lien processing, staff time, and related administrative costs. These funds offset City expenses associated with administering the special assessment process.

Hesperia Water District delinquent utility accounts total approximately $850,864 and will be placed on the County property tax rolls for collection. Based on historical performance, staff estimates 80–85% will be collected in the first year and approximately 97% by year three, with remaining balances collected in subsequent tax cycles through the County.

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Joint Resolution No. 2026-27 and Resolution No. HWD 2026-08
2. Joint Resolution No. 2026-28 and Resolution No. HWD 2026-09
3. Exhibit A – Table of Enforcement and Abatement Costs with Owner Information