



CITY OF POMONA COUNCIL REPORT

July 21, 2025

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: Meg McWade, Public Works Director

SUBJECT: PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY OF LOS ANGELES AUDITOR-CONTROLLER TO INCLUDE DELINQUENT SOLID WASTE (TRASH) COLLECTION CHARGES AS A SPECIAL ASSESSMENT TO BE COLLECTED ON THE PROPERTY TAX ROLL FOR FISCAL YEAR 2025-26 AND RECORD A LIEN AGAINST SUCH DELINQUENT PARCELS OF PROPERTY

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Conduct a Public Hearing, and after consideration of public testimony;
- 2) Adopt the following resolution:

RESOLUTION NO. 2025-47: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING AND DIRECTING THE COUNTY OF LOS ANGELES DEPARTMENT OF AUDITOR-CONTROLLER TO INCLUDE DELINQUENT SOLID WASTE (TRASH) COLLECTION CHARGES AS A SPECIAL ASSESSMENT TO BE COLLECTED ON THE PROPERTY TAX ROLL FOR FISCAL YEAR 2025-26, TO RECORD A LIEN AGAINST SUCH DELINQUENT PARCELS OF PROPERTY, AND TAKING OTHER ACTIONS RELATED THERETO;
and

- 3) Approve the lien list of delinquent Solid Waste (Trash) collection accounts to be submitted to the Los Angeles County Auditor-Controller (Controller) no later than August 10, 2025, to be included as a special assessment for the respective affected parcels on the County property tax rolls.

EXECUTIVE SUMMARY:

Approval of Resolution No. 2025-47 (Attachment No. 1) will authorize and direct the County Controller to place the delinquent trash accounts as a Special Assessment on the Los Angeles County Property Tax Roll. Authorization will ensure payment for delinquent trash charges from 2024-25, owed to Athens, through the property tax roll, pursuant to the California Government Code Sections 38790.01 and 25831, and Pomona's Municipal Code Section 62-724. Upon receipt and verification of funds from LA County, the City will provide payment to Athens less the City's administrative charges for implementing the process.

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

☐ When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$500 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$500 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

The City will be reimbursed \$75 per delinquent account to cover City administrative costs for assisting Athens Services in the tax roll lien process. Of the \$376,042 in delinquent trash charges to be added to the property tax roll, \$77,475 is to be reimbursed to the Refuse Administrative Account (145-2505-40930-00000) to cover the City's administrative costs.

PREVIOUS RELATED ACTION:

On August 5, 2024, the City Council adopted Resolution 2024-107 authorizing the submittal of delinquent trash collection accounts from 2023-24 to the County Controller to be included as a special assessment on the FY2024-25 Property Tax Roll.

PUBLIC NOTICING REQUIREMENTS:

Pursuant to Sections 38790.0 and 25831 of the California Government Code, notice of the hearing was mailed to tenants and property owners on July 2, 2025, for the Public Hearing scheduled for July 21, 2025, at the City Council regular meeting, as well as posted by the City Clerk on City designated public noticing boards.

DISCUSSION:

In Pomona's Municipal Code Section 62-722 - Billing and Collection (commercial, multifamily, industrial, or institutional) and Section 62-676 - Billing (residential), the franchised hauler has the right to bill and collect fees for such services in advance and shall be directly paid to Athens Services. Per Section 62-724 - Transfer of Delinquent Debt to the City, Athens Services, as the

City's franchised hauler, and the designated entity for the collection of fees, is entitled to payment from the owner/occupant for any collection services rendered. If any account holder fails to pay for trash collection services for a 30-day period, the account shall be deemed delinquent, and the hauler shall mail the owner a final request for payment for the amount owed, plus penalties. Code Section 62-275 provides for the City to utilize the lien process to collect the outstanding charges.

In advance of the list presented this evening, there is a collection process with multiple notices. Athens mailed an initial notice on April 11, 2025, to tenants and owners with delinquent accounts from the billing period of March 2024 through February 2025. This notice also advised tenants and property owners of their right to appear before the Public Works Director at an Administrative Hearing to contest the placement of their parcel's delinquent chargers on the property tax assessment rolls. At the time of the initial notice, there were 2,694 delinquent accounts and \$707,663.90 in outstanding charges. A second delinquency notice advising again of the Administrative Hearing was sent on May 6, 2025, to both property owners and tenants. The Administrative Hearing took place on May 27, 2025. Athens Services personnel were available to provide account details, receive payments, and make payment arrangements. A third notice was mailed on July 2, 2025, again advising tenants and property owners of the outstanding charges. This request for payment included a warning notice that if the trash collection charges are not paid, the account would be turned over to the City for placement on the property tax roll pursuant to California Government Code Sections 38790.0 and 25831. The notice also informed tenants and property owners of the upcoming hearing at City Council on July 21, 2025, prior to placement on the assessor's tax rolls.

Pursuant to Sections 38790.0 and 25831 of the California Government Code, the final list of delinquent accounts will be assessed to the parcel and collected through the Property Tax Roll upon approval by City Council. The delinquent account list is filed with the City Clerk's Office. The list currently includes 1,033 accounts, totaling \$376,042, as verified by Athens Services (Attachment No. 2) and reviewed by the City. The total number of delinquent accounts could change between the time this Staff Report was prepared, and the City Council meeting should additional payments be received.

Athens Services will reimburse the City \$75 per delinquent account to cover City administrative costs, totaling approximately \$77,475. If approved by the City Council after holding tonight's Public Hearing, the City will submit the list of property owners with delinquent charges to the County of Los Angeles Department of Auditor-Controller no later than August 10, 2025, to be included on the County Property Tax Roll for FY 2025-26.

Prepared by:
Irene Madrid, Management Analyst

ATTACHMENTS:

Attachment No. 1 – Resolution No. 2025-47
Exhibit A. – Delinquent Solid Waste (Trash) Service Charges
Attachment No. 2 – Athens-Pomona Delinquent Account List
Attachment No. 3 – Notice of Filing and Public Hearing Notice