City of Garden Grove INTER-DEPARTMENT MEMORANDUM

To:

Matthew Fertal

From:

Dave Bertka

Dept:

City Manager

Dept:

Fire

Subject: WEED INVOICE PROTEST HEARING

Date:

July 14, 2009

OBJECTIVE

To hold a public hearing for receipt of objections to the Weed Abatement Invoices mailed May 22, 2009 to each parcel owner whose property was cleaned by the City's contractor during the Spring 2009 Weed Abatement Program.

BACKGROUND

The City Council, at it's meeting of February 24, 2009 adopted a resolution pursuant to Section 39500 et. seq., of the State of California Government Code, titled, Weed and Rubbish Abatement. A public hearing to receive objections to the Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt was held April 14, 2009.

DISCUSSION

The weed abatement contractor has completed the work as directed by staff on all parcels not in compliance with the requirements of the Weed Abatement Notice, and has submitted his bill. Billing invoices were sent to each applicable parcel owner. Included in the text of these invoices is a Notice of Public Hearing for July 14, 2009, at which time the City Council will hear any objections to the billing invoices. An updated "Exhibit A", showing unpaid invoices, will be provided prior to the Council meeting on July 14th.

FINANCIAL IMPACTS

The action being requested will result in no financial impact to the City. To the contrary, the City will recoup its up-front expenses of \$6,209.32 paid to the Contractor by billing each property owner and collecting a 25 percent administrative fee. Invoices that remain unpaid will be attached to the property owner's next property tax bill and the County Auditor-Controller will then forward the amount collected to the City.

Weed Invoice Protest Hearing July 14, 2009 Page 2

COMMUNITY VISION IMPLEMENTATION

To protect the beauty and quality of life in Garden Grove by eliminating unsightly weeds and rubbish.

RECOMMENDATIONS

It is recommended that:

- The City Council conduct the public hearing scheduled for July 14, 2009 to receive testimony from members of the public and take the appropriate action.
- The City Council adopt the attached resolution directing the Orange County Auditor-Controller to add the designated assessments to the 2009-2010 Tax Assessment-Roll.

DAVE BERTKA Fire Chief

Matthew Fertal City Manager

Approved for Agenda Listing

BY: SABRINA SOLTIS

Salina M Solt

Senior Fire Protection Specialist/Weed Abatement Official

Attachments: Resolution

Exhibit "A" spring 09

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CONFIRMING REPORT OF COSTS OF SPRING 2009 WEED ABATEMENT AND DIRECTING THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD OUTSTANDING ASSESSMENTS TO THE 2009-2010 ASSESSMENT ROLL AS INDICATED BY SAID REPORT

WHEREAS, Section 39500 et seq., of the State Government Code provides a process for local government to abate weeds, rubbish, and other nuisances; and

WHEREAS, on February 24, 2009, the City Council adopted Resolution No. 8867-09, which required notification of certain property owner(s) to remove weeds and rubbish from the properties designated therein; and

WHEREAS, following said notice, the property owner(s) responsible for removal of said weeds and rubbish had not done so by the specified date; and

WHEREAS, the City has incurred certain expenses in connection with the abatement of weeds and rubbish from said properties to ensure the protection and safety of the community; and

WHEREAS, the City Council held a Public Hearing on July 14, 2009, all parties concerned were given the opportunity to officially protest said expenses and be heard before the City Council in connection therewith. The City Council overruled the protests as to the properties listed on the attached list.

NOW, THEREFORE BE IT RESOLVED that assessments for the Spring 2009 Weed Abatement Program be levied against the properties described in the document to be attached hereto and designated as Exhibit "A" for all outstanding weed abatement invoices as of July 14, 2009.

BE IT FURTHER RESOLVED that the Office of the Orange County Auditor-Controller is hereby directed to add these assessments to the 2009-2010 Tax Assessment Roll.

Exhibit A Weed Notices - Spring 2009

Dist, Parcel No.	*	Address	Owner	Owner Address
2315 21503207	‡	Western Ave.	Union Pacific RR (T. Gallenas)	-
2315 21503208	*	Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
2315 SBE-872301222		Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
2315 SBE-872301224		Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
2416 13346408	*	8641 Garden Grove Blvd	8641 Garden LLC	P O Box 8004
2517 09725105		13351 Yockey St	Dennis Mollison	13351 Yockey
2522 10010141		13326 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr
2522 10010140		13328 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr