

CITY OF GARDEN GROVE
INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal

From: Dave Bertka

Dept: City Manager

Dept: Fire

Subject: FALL WEED/RUBBISH ABATEMENT

Date: September 8, 2009

OBJECTIVE

Staff is requesting that City Council adopt the attached Resolution regarding weed and rubbish abatement, authorizing the Fall 2009 Weed Abatement Program as provided for under Government Code Section 39500 et seq.

BACKGROUND

The Fire Department administers the Weed Abatement Program for the City of Garden Grove, providing for the abatement of weeds, rubbish, and debris from vacant parcels of land within the City. The process is repeated twice a year, designated as a Fall and Spring Weed Abatement Program. The objective of the program is the removal of weeds, dirt, rubbish, and debris from vacant lots, since these represent a potential fire hazard to adjacent and surrounding properties, and the community. At this time, staff is in the process of organizing the Fall 2009 Weed and Rubbish Abatement Program and has thoroughly surveyed the City, compiling an inventory of those vacant lots, which qualify for the Fall 2009 Weed Abatement Program.

DISCUSSION

Under State Law as a city thereof, a resolution is required that provides a determination by the Council that a nuisance exists on a subject property, and which describes the parcel(s) that need to be abated. The "Declaration of Public Nuisance" Resolution is attached herewith for your review. As a required part of the Resolution, a description of qualifying parcels and information regarding the ownership of each parcel is included as "Exhibit A, Weed Notice-Fall 2009." Upon adoption of this resolution, all property owners listed on Exhibit A, will be notified that October 14, 2009, will be the final day to have their property cleared, after which an inspection by the City, for compliance on their part, will take place.

The Weed Abatement Official and the City's Contractor will again survey the City on October 19-20, 2009, making on-site inspections as to whether the listed parcel sites have been cleared. The initial Exhibit A, list of parcels, will then be updated, retaining those properties still found to be a public nuisance. This list will be distributed to non-compliant property owners prior to the November 10, 2009, City Council Meeting, notifying them of the meeting and Public Hearing during which

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protests, if any, will be heard from subject property owners. Prior to this meeting, the City Council will receive another staff report, including an updated Exhibit A, and further requests for City Council action regarding the Weed Abatement Program.

FINANCIAL IMPACTS

Action taken, as requested by the Fire Department, will not adversely impact the City financially, since program costs and the staff time required to administer the Weed Abatement Program have been included in the Fire Department's budget for the current fiscal year. It is anticipated that costs will be recaptured through future invoicing of non-compliant property owners, as well as the attachment and subsequent satisfaction of property liens, (in the case of non-payment), as required.

COMMUNITY VISION IMPLEMENTATION

An active weed abatement program supports the community vision that Garden Grove will be a "safe, attractive city."

RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution and proceed with the weed abatement process as required under Government Code Section 39500 et seq, which also requires mailing of written Weed Abatement Notices to property owners, as listed in the last Equalized Assessment Roll and as officially identified in Exhibit A, dated September 8, 2009.

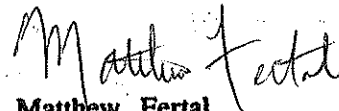


DAVE BERTKA
Fire Chief



By: SABRINA SOLTIS
Weed Abatement Official

Recommended for Approval



Matthew Ferial
City Manager

Attachments: Resolution with Exhibit A—Fall 2009

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DECLARING THAT A NUISANCE EXISTS IN CONNECTION WITH THE EXISTENCE OF WEEDS, RUBBISH, AND REFUSE ON CERTAIN PROPERTIES WITHIN THE CITY OF GARDEN GROVE AND AUTHORIZING THE CITY CLERK TO MAIL A WRITTEN NOTICE OF THE NUISANCE(S) IN ACCORDANCE WITH THE PROVISIONS OF GOVERNMENT CODE SECTION 39566 AND 39567.1.

WHEREAS, the City Council, by virtue of Government Code Section 39561, is authorized to declare by Resolution as public nuisances and abate all weeds growing on the streets, sidewalks, or private property in the City and all rubbish, refuse, and dirt upon parkways, sidewalks, or private property in the City; and

WHEREAS, under the provisions of Government Code Section 39562, the Resolution must refer to the street location by its common name and describe the property upon which or in front of which the nuisance exists by giving its parcel number and address, according to the Official or City assessment map.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDEN GROVE that a public nuisance is hereby deemed to exist and needs to be abated as a result of weeds or rubbish or refuse or dirt, growing or being stored on parcels of land described in the Exhibit "A" dated September 8, 2009; and,

BE IT FURTHER RESOLVED that the City Clerk be and hereby is directed to mail written Notices pursuant to Government Code Sections 39566 and 39567.1 to each person to whom such property described in Exhibit "A" is assessed in the last Equalized Assessment Roll available as of the date the resolution was adopted by the City Council.

Exhibit A
Weed Notice - Fall 2009

<u>Dist.</u>	<u>Parcel No.</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Address</u>
**	2121	08961339	C&W Properties	10712 Katella
**	2121	08961301	Tran, Duc	19526 S. Nicholas Ave.
	2221	8953128	Yasukazu Takushi	10921 Woodward Lane
**	2315	21503207	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
**	2315	21503208	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
**	2315	21503209	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
	2322	090-272-25	Joyce Vandereyken	505 N. Garden St
	2325	23149120	Lin, Jen Fu	PO Box 3593
**	2415	13167107	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
**	2415	13167104	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
**	2416	13346408	8641 Garden LLC	P O Box 8004
**	2417	21509121	A.L. Norman, Inc.	11832 Steele Dr.
	2422	09017207	Buccella, Franklin J.	3541 Courtside Cir.
	2422	09017208	Buccella, Franklin J.	3541 Courtside Cir.
	2522	10003238	Thanh Bui	11422 Garden Grove Blvd.
	2522	10001344	Thanh Bui	11422 Garden Grove Blvd.
	2522	10010141	Rosten, Nira	17 Harbor Ridge Dr
	2522	10010140	Rosten, Nira	17 Harbor Ridge Dr
	2721	09949135	Spengler, Donald H.	10666 Westminster Ave.