

City of Garden Grove
INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal
Dept: City Manager
Subject: WEED INVOICE PROTEST HEARING

From: Dave Bertka
Dept: Fire
Date: January 26, 2010

OBJECTIVE

To hold a public hearing for receipt of objections to the Weed Abatement Invoices mailed December 10, 2009 to each parcel owner whose property was cleaned by the City's contractor during the Fall 2009 Weed Abatement Program.

BACKGROUND

The City Council, at its meeting of September 08, 2009 adopted a resolution pursuant to Section 39500 et. seq., of the State of California Government Code, entitled, Weed and Rubbish Abatement. A public hearing to receive objections to the Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt was held November 11, 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 January 26, 2010, 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 City Council meeting on January 26, 2010.

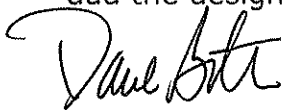
FINANCIAL IMPACTS

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 \$1,662.90 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.

RECOMMENDATIONS

It is recommended that the City Council:


- Conduct the public hearing scheduled for January 26, 2010 to receive testimony from members of the public and take the appropriate action.
- Adopt the attached resolution directing the Orange County Auditor-Controller to add the designated assessments to the 2010-2011 Tax Assessment-Roll.



DAVE BERTKA
Fire Chief



BY: SABRINA SOLTIS
Senior Fire Protection Specialist/Weed Abatement Official

Approved for Agenda Listing

Matthew Fertal
City Manager *for*

Attachments: Resolution with Exhibit "A" Fall 09

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
CONFIRMING REPORT OF COSTS OF FALL 2009 WEED ABATEMENT AND DIRECTING
THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD OUTSTANDING
ASSESSMENTS TO THE 2010-2011 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 September 08, 2009, the City Council adopted Resolution No. 8924-09, 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, all parties concerned have had an opportunity to officially protest said expenses and be heard before the City Council in connection therewith.

NOW, THEREFORE BE IT RESOLVED that assessments for the Fall 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 January 26, 2010.

BE IT FURTHER RESOLVED that the Office of the Orange County Auditor-Controller is hereby directed to add these assessments to the 2010-2011 Tax Assessment Roll.

Exhibit A
Weed Notice - Fall 2009

<u>Dist. Parcel No.</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Address</u>
** 2315 21503207	** Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2315 21503208	** Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2315 21503209	** Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2415 13167107	** Lampson/Western	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2415 13167104	** Lampson/Western	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2416 13346408	** 8641 Garden Grove Blvd	8641 Garden LLC	P O Box 8004