

**CITY OF GARDEN GROVE**

**INTER-DEPARTMENT MEMORANDUM**

To: Matthew J. Fertal

From: Dave Bertka

Dept: City Manager

Dept: Fire

Subject: FALL WEED/RUBBISH ABATEMENT

Date: September 14, 2010

OBJECTIVE

Staff is requesting that City Council adopt the attached Resolution regarding weed and rubbish abatement, authorizing the Fall 2010 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 2010 Weed and Rubbish Abatement Program and has thoroughly surveyed the city compiling an inventory of those vacant lots that qualify for the Fall 2010 Weed Abatement Program.

DISCUSSION

Under State Law as a city thereof, a resolution is required that provides a determination by the City 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 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 2010." Upon adoption of this Resolution, all property owners listed on Exhibit A, will be notified that October 14, 2010, 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 18-19, 2010, 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 9, 2010, 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.

### 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 14, 2010.



DAVE BERTKA  
Fire Chief



By: SABRINA SOLTIS  
Weed Abatement Official

Attachments: Resolution with Exhibit A—Fall 2010

**Recommended for Approval**



**Matthew Ferial**  
City Manager

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 14, 2010; 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 2010

<u>Dist. Parcel No.</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Address</u>
** -- 2221 8953128	10921 Woodward Lane		10921 Woodward Lane
2314 13134504	7131 Lampson Ave	Synglas, George K.	7131 Lampson
2315 21503108	Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
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.
2417 21509121	8561 Stanford Ave	A.L. Norman, Inc.	11832 Steele Dr.
2422 09015321	12783 Ninth St	Peter & Tanya Nguyen	17985 Cypress St
2517 09725105	13351 Yockey St	Dennis Mollison	13351 Yockey
2522 10001344	11362 Garden Grove Blvd.	Thanh Bui	11422 Garden Grove Blvd.
2522 10003238	11392 Garden Grove Blvd.	Thanh Bui	11422 Garden Grove Blvd.
2522 10010141	13326 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr.
2522 10010140	13328 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr
2617 097-574-02	13501 Magnolia St	Best California Gas Ltd.	13116 Imperial Hwy
2721 09949135	10666 Westminster Ave	Spengler, Donald H.	10666 Westminster Ave.