

CITY OF GARDEN GROVE

INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal
Dept: City Manager
Subject: SPRING WEED/RUBBISH ABATEMENT

From: Dave Bertka
Dept: Fire
Date: February 22, 2011

OBJECTIVE

Staff is requesting that City Council adopt the attached Resolution regarding weed and rubbish abatement, authorizing the Spring 2011 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 Spring 2011 Weed and Rubbish Abatement Program and has thoroughly surveyed the city, compiling an inventory of those vacant lots that qualify for the Spring 2011 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 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-Spring 2011". Upon adoption of this resolution, all property owners listed on Exhibit A, will be notified that March 23, 2011, 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 March 29, 2011, 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 April 12, 2011, City Council Meeting, notifying them of the meeting and Public Hearing during which

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 February 22, 2011.


Dave Bertka
Fire Chief


By: SABRINA SOLTIS
Senior Fire Protection Specialist
Weed Abatement Official

Recommended for Approval

Matthew Ferial
City Manager

Attachments: Resolution with Exhibit A—Spring 2011

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;

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 February 22, 2011.

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"

<u>Dist.</u>	<u>Parcel No.</u>	<u>**</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Address</u>	<u>Owner City</u>	<u>Owner St.</u>	<u>Owner Zip</u>
2221	8953128		10921 Woodward Lane		10921 Woodward Lane	Garden Grove	CA	92840
2315	SBE-872301222		Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.	Roseville	CA	95747
2315	SBE-872301224		Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.	Roseville	CA	95747
2319	13312215		9972 Catherine Ave	Joe Ledesma	5423 W 5th St	Santa Ana	CA	92703
2322	090-272-25		12011Ninth (&Chapman)	Joyce Vandereyken	505 N. Garden St	Boise	ID	83706
2415	13167107	**	Lampson/Western	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.	Roseville	CA	95747
2415	13167104	**	Lampson/Western	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.	Roseville	CA	95747
2417	21509121	**	8561 Stanford Ave	A.L. Norman, Inc.	11832 Steele Dr.	Garden Grove	CA	92840
2422	09015321		12783 Ninth St	Peter & Tanya Nguyen	17985 Cypress St	Fountain Valley	CA	92708
2422	09017207		12942 Civic Center Dr	Buccella, Franklin J.	3541 Courtside Cir.	Huntington Beach	CA	92649
2422	09017208		12952 Civic Center Dr	Buccella, Franklin J.	3541 Courtside Cir.	Huntington Beach	CA	92649
2522	10001344		11362 Garden Grove Blvd.	Thanh Bui	11422 Garden Grove Blvd.	Garden Grove	CA	92843
2522	10003238		11392 Garden Grove Blvd.	Thanh Bui	11422 Garden Grove Blvd.	Garden Grove	CA	92843
2522	10010141		13326 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr	Newport Beach	CA	92660
2522	10010140		13328 Euclid St.	Rosten, Nira	17 Harbor Ridge Dr	Newport Beach	CA	92660
2720	09917308	**	14202 Brookhurst St	Angela Sabella	853 E. Valley Blvd. #200	San Gabriel	CA	91776
2720	09917310	**	14212 Brookhurst St	Angela Sabella	853 E. Valley Blvd. #200	San Gabriel	CA	91776
2721	09949135		10666 Westminster Ave	Spengler, Donald H.	10666 Westminster Ave.	Garden Grove	CA	92843