

**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 13, 2011

**OBJECTIVE**

Staff is requesting that City Council adopt the attached Resolution regarding weed and rubbish abatement, authorizing the Fall 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, as 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 2011 Weed and Rubbish Abatement Program and has thoroughly surveyed the City, compiling an inventory of those vacant lots, which qualify for the Fall 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-Fall 2011." Upon adoption of this resolution, all property owners listed on Exhibit A, will be notified that October 12, 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 October 12-13, 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 October 25, 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 authorizing the Fall 2011 Weed Abatement Program; and
- Direct staff to 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 13, 2011.



DAVE BERTKA  
Fire Chief

By: SABRINA SOLTIS  
Weed Abatement Official

Attachments: Resolution with Exhibit A—Fall 2011

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 13, 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"  
September 13, 2011

<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	Yasukazu Takushi	10921 Woodward Lane	Garden Grove	CA	92840
2314	13134504		7131 Lampson Ave	Syrengras, George K.	7131 Lampson	Garden Grove	CA	92841
2315	21503207	**	Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.	Roseville	CA	95747
2315	21503208	**	Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.	Roseville	CA	95747
2315	21503209	**	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
2416	13346408	**	8641 Garden Grove Blvd	8641 Garden LLC	P O Box 8004	Newport Beach	CA	92658
2417	21509121	**	8561 Stanford Ave	A.L. Norman, Inc.	11832 Steele Dr.	Garden Grove	CA	92840
2420	08906312	**	12601 Nutwood Ave	Tuan Tran	32 St Mays Rd	Ladera Ranch/ MV CA	CA	92694
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
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