

CITY OF GARDEN GROVE

INTER-DEPARTMENT MEMORANDUM

To: Matthew J. Fertal

From: David R. Barlag

Dept: City Manager

Dept: Fire

Subject: SPRING WEED/RUBBISH ABATEMENT

Date: February 26, 2013

OBJECTIVE

Staff is requesting that City Council adopt the attached Resolution regarding weed and rubbish abatement, authorizing the Spring 2013 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, 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 Spring 2013 Weed and Rubbish Abatement Program and has thoroughly surveyed the city, compiling an inventory of those vacant lots, which qualify for the Spring 2013 Weed Abatement Program.

DISCUSSION

Under State Law, 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 2013." Upon adoption of this Resolution, all property owners listed on Exhibit A, will be notified that March 27, 2013, is 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 28, 2013, 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 9, 2013, 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

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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. Program costs and 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 Spring 2013 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 February 26, 2013.

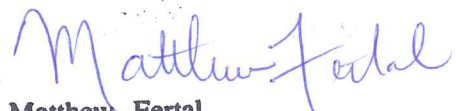
DAVID R. BARLAG
Fire Chief



By: SABRINA SOLTIS
Weed Abatement Official

Attachment: Resolution with Exhibit A—Spring 2013

Recommended for Approval



Matthew Fertal
City Manager

GARDEN GROVE CITY COUNCIL

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".

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.

Weed Abatement Exhibit A

as of 02/13/2013

District	Parcel No.	Address	Owner	Owner Address	Owner CSZ
2721	09849135	10666 Westminster Ave	Donald Spengler	10666 Westminster Ave	Garden Grove, CA 92843
2522	10010140	13328 EUCLID ST	Elana Rosten	17 Harbor Ridge Dr	Newport Beach, CA 92660
2522	10010141	13326 EUCLID ST	Nira Rosten	17 Harbor Ridge Dr	Newport Beach, CA 92660
2522	10003238	11392 GARDEN GROVE BLVD	Thanh Bui	11422 Garden Grove Blvd	Garden Grove, CA 92843
2522	10001344	11362 GARDEN GROVE BLVD	Thanh Bui	11422 Garden Grove Blvd	Garden Grove, CA 92843
2422	09017208	12952 CIVIC CENTER DR	Franklin Buccella	3541 Courtside Circle	Huntington Beach, CA 92649
2422	09017207	12942 CIVIC CENTER DR	Franklin Buccella	3541 Courtside Circle	Huntington Beach, CA 92649
2422	09015321	12783 Ninth St	Peter and Tanya Nguyen	17985 Cypress St	Fountain Valley, CA 92708
2322	090-272-25	12011 9TH ST	William Roell C/O Joyce Vandereyken	505 N. Garden St	Boise, ID 83706
2319	13312215	9972 CATHERINE AVE	Joe Ledesma	5423 W 5th St	Santa Ana, CA 92703
2314	13134504	7131 LAMPSON AVE	George K. Syrenglas	7131 Lampson	Garden Grove, CA 92841