City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Matthew J. Fertal From: David Barlag

Dept: City Manager Dept: Fire

Subject: WEED INVOICE PROTEST HEARING Date: February 12, 2008

OBJECTIVE

To hold a public hearing for receipt of objections to the Weed Abatement Invoices mailed January 4, 2008, to each parcel owner whose property was cleaned by the City's contractor during the Fall 2007 Weed Abatement Program.

BACKGROUND

The City Council, at its meeting of September 11, 2007, 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 27, 2007.

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 February 12, 2008, 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 February 12, 2008.

FINANCIAL IMPACT

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 \$4,465.50 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.

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COMMUNITY VISION IMPLEMENTATION

An active weed abatement program supports the community vision that Garden Grove will be a "safe, attractive city."

RECOMMENDATION

It is recommended that the City Council:

- Authorize the public hearing scheduled for February 12, 2008, 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 2008-2009 Tax Assessment-Roll.

DAVID BARLAG Interim Fire Chief

By: Sabrina Soltis

Fire Protection Specialist/Weed Abatement Official

Attachment: Resolution with Exhibit "A" Fall 07

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CONFIRMING REPORT OF COSTS OF FALL 2007 WEED ABATEMENT AND DIRECTING THE ORANGE COUNTY AUDITOR-CONTROLLER TO ADD OUTSTANDING ASSESSMENTS TO THE 2008-2009 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 11, 2007, the City Council adopted Resolution No. 8792-07, 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 2007 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 February 12, 2008.

BE IT FURTHER RESOLVED that the Office of the Orange County Auditor-Controller is hereby directed to add these assessments to the 2008-2009 Tax Assessment Roll.