

**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 9, 2008

OBJECTIVE

Staff is requesting that City Council adopt the attached Resolution regarding weed and rubbish abatement, authorizing the Fall 2008 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 2008 Weed and Rubbish Abatement Program and has thoroughly surveyed the City, compiling an inventory of those vacant lots, which qualify for the Fall 2008 Weed Abatement Program.

DISCUSSION

Under State Law as a city thereof, a resolution is required that provides a determination by the 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 2008." Upon adoption of this resolution, all property owners listed on Exhibit A, will be notified that October 15, 2008, 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 20-22, 2008, 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 25, 2008, 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

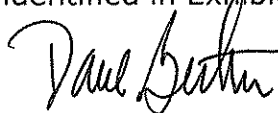
Action taken, as requested by the Fire Department, will not adversely impact the City financially, since program costs and the staff time required to administer the Weed Abatement Program have been included in the Fire Department's budget for the current fiscal year. It is anticipated that costs will 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.

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 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 9, 2008.

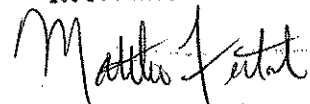


DAVE BERTKA  
Fire Chief



By: SABRINA SOLTIS  
Weed Abatement Official

Recommended for Approval



Matthew Fertal  
City Manager

Attachments: Resolution with Exhibit A—Fall 2008

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 9, 2008; 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 2008

<u>Dist. Parcel No.</u>	<u>Address</u>	<u>Owner</u>	<u>Owner Address</u>
** 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.
2315 SBE-872301222	Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
2315 SBE-872301224	Western Ave.	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2415 13167107	Lampson/ Western	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2415 13167104	Lampson/Western	Union Pacific RR (T. Gallenas)	10031 Foothills Blvd.
** 2416 13346408	8641 Garden Grove Blvd	8641 Garden LLC	P O Box 8004
2422 09015321	12783 Ninth St	Collins, Marion, Eiko	P.O. Box 15565
2422 09017207	12942 Civic Center Dr	Buccella, Franklin J.	3541 Courtside Cir.
2422 09017208	12952 Civic Center Dr	Buccella, Franklin J.	3541 Courtside Cir.
2517 09725105	13351 Yockey St	Dennis Mollison	13351 Yockey
2522 10001309	11222 Garden Grove Blvd	Albert Lissoy Trust	2922 Daimler
2522 10003238	11392 Garden Grove Blvd.	Thanh Bui	11442 Garden Grove Blvd.