

RESOLUTION NO. 2016-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
APPROVING ABATEMENT OF WEEDS, ACCUMULATION OF RUBBISH AND/OR REFUSE
UPON SPECIFIED PARCELS ON PRIVATE PROPERTY AS PUBLIC NUISANCES BY CITY
PUBLIC WORKS DEPARTMENT AND SCHEDULING PUBLIC HEARING TO CONFIRM
THE ASSESSMENT OF COSTS FOR WEED ABATEMENT

WHEREAS, at the regular meeting of May 3, 2016, the City Council approved Resolution No. 2016-60 declaring growing weeds, rubbish and/or refuse accumulations upon certain specified private property parcels to be public nuisances, and approving a "Notice to Abate" such nuisances; and

WHEREAS, during the period of May 5 through May 13, 2016, the City's Fire Department re-inspected the properties on the non-compliance list; and

WHEREAS, a second notice was mailed by the Fire Department via first class regular mail to twenty one (21) property owners still out of compliance on May 16, 2016; and

WHEREAS, the City's Fire Department conducted the third inspection during the week of May 25, 2015, and mailed certified registered letters to the affected property owners on June 1, 2016 as set forth in "**Exhibit A**"; and

WHEREAS, the City Council held a public hearing on June 21, 2016.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina hereby:

1. Approve abatement of weeds, accumulation of rubbish and/or refuse upon certain specified private property parcels as public nuisances by the City Public Works Division, and;
2. Schedule a public hearing to confirm the assessment of costs for weed abatement to be levied against any parcel not in compliance for 6:30 P.M., Wednesday, July 6, 2016, or as soon as the matter may be heard, if any abatement by the City is conducted.
3. Direct filing of such levy with Monterey County Assessor's Office

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on June 21, 2016 by the following vote:

AYES, COUNCIL MEMBERS: Amadeo, Morton, O'Connell, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: Brown

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

Exhibit A

2016 Weed Abatement List Third Inspection

(May 24 - May 31, 2016)

Map#	APN#	Date	Address	Property Owners	Mailing Address	City, State, Zip Code
6-3	33011006	4/8/2016	3320 Abdy Way	Iglesia Ni Cristo	770 Airport Blvd.	Burlingame, CA 94010
16-5	32371005	4/5/2016	470 Ferris Avenue	Carol Diane Jori	5913 Pratt Street	Alexandria, Virginia 22310
18-2	32121018	4/5/2016	355 Reservation Road	Chaisai Chakrahan dhu	P.O. Box 1893	Suwanee, GA 30024-0974

June 15, 2016

Item No. **9b**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of June 21, 2016

CITY COUNCIL CONSIDER OPENING A PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC OBJECTING TO ABATE SUCH WEEDS, RUBBISH AND/OR REFUSE, CONSIDER ADOPTING RESOLUTION NO. 2016-, APPROVING ABATEMENT OF WEEDS, ACCUMULATION OF RUBBISH AND/OR REFUSE UPON CERTAIN SPECIFIED PRIVATE PROPERTY PARCELS TO BE PUBLIC NUISANCES BY CITY PUBLIC WORKS DIVISION, SCHEDULING PUBLIC HEARING FOR TUESDAY, JULY 19, 2016, TO CONFIRM THE ASSESSMENT OF COSTS FOR WEED ABATEMENT TO BE LEVIED AGAINST ANY PARCEL NOT IN COMPLIANCE AND DIRECT FILING OF SUCH LEVY WITH MONTEREY COUNTY ASSESSOR'S OFFICE

RECOMMENDATION:

It is requested that the City Council:

1. Consider Opening a public hearing and take any testimony from the public objecting to abate such weeds, rubbish and/or refuse, and;
2. Consider adopting Resolution No. 2016-, approving abatement of weeds, accumulation of rubbish and/or refuse upon specified private property parcels to be public nuisances by the City Public Works Division, and;
3. Set public hearing for Tuesday, July 19, 2016, to confirm any assessment of costs for weed abatement to be levied against any parcel not in compliance, and;
4. Direct filing of such levy with Monterey County Assessor's Office.

BACKGROUND:

At the regular meeting of May 3, 2016, the City Council approved Resolution No. 2016-60 declaring growing weeds, rubbish and/or refuse accumulations upon certain specified private property parcels to be public nuisances, and approving a "Notice to Abate" such nuisances.

During the period of May 5 through May 13, 2016, the City's Fire Department re-inspected the properties on the non-compliance list.

A second notice was mailed by the Fire Department via first class regular mail to twenty-one (21) property owners still out of compliance on May 16, 2016.

ANALYSIS:

The affected property owners have the opportunity to voice their objections to abate the weeds and be given due consideration by the City Council.

The City's Fire Department conducted the third inspection during the week of May 25, 2016 and mailed certified registered letters to the affected property owners on June 1, 2016.

The Fire Department will coordinate with City Public Works Division to abate weeds, rubbish, etc., on June 22, 2016 if needed. As of this date, there are three (3) private properties need to comply with the weed abatement requirements ("EXHIBIT A"). This property may be in foreclosure; code enforcement will be assisting.

If a property is cleared by City Public Works, a Public Hearing Notice to confirm the assessment of costs to abate will be mailed certified, registered to affected property owners on Friday, June 24, 2016, and brought to the City Council Meeting to be held on Wednesday, July 6, 2016, at 6:30 P.M. to confirm assessments.

The City is required to submit a Resolution to be adopted July 19, 2016 confirming any abatement costs to the Monterey County Assessors Office before August 1, 2016 to levy cost to property owner(s) for 2016-17 tax year.

FISCAL IMPACT:

None

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Doug McCoun
Fire Chief
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina