



DATE: July 12, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Neighborhood Services Department
Code Enforcement Division

SUBJECT: **ADOPTION OF A RESOLUTION CONFIRMING THE COSTS OF VEGETATION (WEED) ABATEMENTS AND AUTHORIZING SPECIAL ASSESSMENTS TO RECOVER THOSE COSTS**

SYNOPSIS

Staff recommends that the City Council conduct a public hearing to adopt a resolution confirming the costs of vegetation (weed) abatements and authorizing special assessments to recover those costs.

BACKGROUND

The City contracts with Fire Prevention Services, Inc., (FPSI) to provide annual vegetation management (weed abatement) inspection and abatement services. FPSI currently contracts with 11 other governmental agencies in San Diego County. FPSI receives reimbursement for services through special assessments filed against properties which have failed to voluntarily abate hazardous conditions and which have been ordered cleared by the City.

The annual weed abatement inspection program begins in late April. An initial 30-day notice is issued for parcels with hazardous vegetation. Notices are sent by certified mail to the owners of record as listed by the County Recorder's Office. Included in this notice is detailed information outlining minimum vegetation clearance standards and a fee schedule should the property be cleared through a forced abatement, as the fees associated with a forced abatement are considerably higher than if the property was cleared voluntarily. A subsequent 15-day final notice is issued for those sites remaining in violation. An abatement order is issued after the above deadlines to clear the property have expired.

ANALYSIS

During the 2004/2006 fiscal years 1,662 initial weed abatement notices were issued. Of this, 109 parcels, or more specifically, 6.5 percent of the total parcels inspected resulted in forced abatement action. Only 29 of these parcels have outstanding abatement cost balances and, as provided for in the Oceanside City Code, a public hearing must be

conducted to confirm costs associated with these abatements prior to filing a special assessment on the County tax rolls. A list of parcels and associated abatement costs is provided as Exhibit A to the attached resolution.

FISCAL IMPACT

The City's weed abatement contractor is reimbursed directly from funds collected through special assessments. The fiscal impact to the City is the administrative cost incurred by the Code Enforcement Manager for the coordination of this program. Approximately 5 percent of the Manager's time is dedicated to this program.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The resolution has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing to adopt a resolution confirming the costs of vegetation (weed) abatements and authorizing special assessments to recover those costs.

PREPARED BY:



David L. Manley
Code Enforcement Manager

SUBMITTED BY:



Barry E. Martin
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager

Margery Pierce, Neighborhood Services Director



Attachment: Resolution

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE CONFIRMING THE COSTS OF VEGETATION
4 (WEED) ABATEMENTS AND AUTHORIZING SPECIAL
5 ASSESSMENTS TO RECOVER THOSE COSTS

6 WHEREAS, the City of Oceanside ordered the abatement of public nuisances consisting
7 of vegetation or debris which created a fire hazard on specified parcels in the City of
8 Oceanside;

9 WHEREAS, the owners of these parcels failed to voluntarily comply with the order to
10 abate the public nuisance;

11 WHEREAS, the City caused the nuisances existing on said parcels to be abated and
12 desires to assess the cost of abatement against each parcel;

13 WHEREAS, the City has given all notices as specified in Chapter 11 of the Oceanside
14 City Code in order to assess the cost of abatement against the parcels abated; and

15 WHEREAS, on July 12, 2006, the City Council of the City of Oceanside duly provided
16 the parcel owners with the opportunity to object to the weed abatement cost report.

17 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

- 18 1. The report of the cost of vegetation (weed) abatement is attached as Exhibit "A"
19 and is incorporated herein by reference. This City Council has reviewed,
20 considered public comments about, and does now confirm said report.
- 21 2. This Council hereby confirms and declares that the cost of abatement for each
22 parcel identified in the report constitutes a special assessment against that parcel.
- 23 3. The City Clerk is hereby directed to cause a certified copy of this resolution to be
24 recorded in the office of the County Recorder of San Diego.
- 25 4. The Code Enforcement Manager is directed to transmit a copy of this resolution
26 to the auditor of the County of San Diego for inclusion of the special assessments
27 on the County tax roll.

28 ///

///

1 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
2 this twelfth day of July, 2006, by the following vote:

- 3
- 4 AYES:
- 5 NAYS:
- 6 ABSENT:
- 7 ABSTAIN:

8
9
10 MAYOR OF THE CITY OF OCEANSIDE

11 ATTEST:

APPROVED AS TO FORM:

12
13 _____
14 City Clerk

13 *Mark Hamilton, ASST.*
14 City Attorney

15
16
17
18
19
20
21
22
23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE
24 CONFIRMING THE COSTS OF VEGETATION (WEED) ABATEMENTS AND
25 AUTHORIZING SPECIAL ASSESSMENTS TO RECOVER THOSE COSTS
26
27
28

EXHIBIT "A"

City of Oceanside Weed Abatement Program
Fixed Charge Special Assessments
Tax Year 2006/2007

#	APN	Site Address	Inv. Amt.	Lien Fee	Notary	Sub total	10% Int.	Release	Notary	Co. Fee	Admin.	TOTAL
1	122 160 10 00	689 Parker St.	\$1,188.40	\$40.00	\$10.00	\$1,238.40	\$141.48	\$40.00	\$10.00	\$13.00	\$275.00	\$1,717.88
2	122 470 34 00	Glendora Dr.	\$9,044.88	\$40.00	\$10.00	\$9,094.88	\$934.40	\$40.00	\$10.00	\$13.00	\$275.00	\$10,367.28
3	122 472 29 00	Glendora Dr.	\$7,376.00	\$40.00	\$10.00	\$7,426.00	\$1,214.60	\$40.00	\$10.00	\$13.00	\$275.00	\$8,978.60
4	145 131 20 00	Holly St.	\$705.20	\$40.00	\$10.00	\$755.20	\$166.96	\$40.00	\$10.00	\$13.00	\$275.00	\$1,260.16
5	146 100 43 00	Benet Rd.	\$750.00	\$40.00	\$10.00	\$800.00	\$71.44	\$40.00	\$10.00	\$13.00	\$275.00	\$1,209.44
6	146 140 22 00	Mission Ave.	\$7,612.04	\$40.00	\$10.00	\$7,662.04	\$1,078.98	\$40.00	\$10.00	\$13.00	\$275.00	\$9,079.02
7	148 192 06 00	153 Carey Rd.	\$384.40	\$40.00	\$10.00	\$434.40	\$57.96	\$40.00	\$10.00	\$13.00	\$275.00	\$830.36
8	149 142 14 00	383 Islander St.	\$6,849.20	\$40.00	\$10.00	\$6,899.20	\$894.06	\$40.00	\$10.00	\$13.00	\$275.00	\$8,131.26
9	149 252 13 00	403 Foussat Rd.	\$532.24	\$40.00	\$10.00	\$582.24	\$66.52	\$40.00	\$10.00	\$13.00	\$275.00	\$986.76
10	151 253 04 00	1338 Partridge Ln.	\$572.19	\$40.00	\$10.00	\$622.19	\$50.97	\$40.00	\$10.00	\$13.00	\$275.00	\$1,011.16
11	158 030 44 00	North River Rd.	\$899.44	\$40.00	\$10.00	\$949.44	\$164.4	\$40.00	\$10.00	\$13.00	\$275.00	\$1,451.84
12	158 212 24 00	156 Francesca Dr.	\$314.00	\$40.00	\$10.00	\$364.00	\$83.26	\$40.00	\$10.00	\$13.00	\$275.00	\$785.26
13	158 301 02 00	3513 Redwood St.	\$709.40	\$40.00	\$10.00	\$759.40	\$55.76	\$40.00	\$10.00	\$13.00	\$275.00	\$1,153.16
14	159 300 15 00	868 Oro Grande St.	\$947.84	\$40.00	\$10.00	\$997.84	\$218.98	\$40.00	\$10.00	\$13.00	\$275.00	\$1,554.82
15	161 030 19 00	Oceanside Bl.	\$797.60	\$40.00	\$10.00	\$847.60	\$109.84	\$40.00	\$10.00	\$13.00	\$275.00	\$1,295.44
16	161 481 30 00	1430 Broken Hitch Rd.	\$826.00	\$40.00	\$10.00	\$876.00	\$64.32	\$40.00	\$10.00	\$13.00	\$275.00	\$1,278.32
17	161 482 11 00	1490 Mountain Meadow	\$919.28	\$40.00	\$10.00	\$969.28	\$67.98	\$40.00	\$10.00	\$13.00	\$275.00	\$1,375.26
18	162 260 01 00	2726 Thunder Dr.	\$331.60	\$40.00	\$10.00	\$381.60	\$43.60	\$40.00	\$10.00	\$13.00	\$275.00	\$763.20
19	165 040 21 00	Eidean Ln.	\$4,765.28	\$40.00	\$10.00	\$4,815.28	\$624.00	\$40.00	\$10.00	\$13.00	\$275.00	\$5,777.28
20	165 092 18 00	Oceanview Rd.	\$1,694.00	\$40.00	\$10.00	\$1,744.00	\$232.68	\$40.00	\$10.00	\$13.00	\$275.00	\$2,314.68
21	165 092 20 00	Oceanview Rd.	\$1,122.00	\$40.00	\$10.00	\$1,172.00	\$156.36	\$40.00	\$10.00	\$13.00	\$275.00	\$1,666.36
22	165 092 21 00	Oceanview Rd.	\$1,450.00	\$40.00	\$10.00	\$1,500.00	\$200.14	\$40.00	\$10.00	\$13.00	\$275.00	\$2,038.14
23	165 120 21 00	Vista Way	\$5,996.00	\$40.00	\$10.00	\$6,046.00	\$1,070.06	\$40.00	\$10.00	\$13.00	\$275.00	\$7,454.06
24	165 350 04 00	Birdie Dr.	\$4,609.74	\$40.00	\$10.00	\$4,659.74	\$879.60	\$40.00	\$10.00	\$13.00	\$275.00	\$5,877.34
25	165 350 18 00	Calle Buena Ventura	\$2,724.48	\$40.00	\$10.00	\$2,774.48	\$294.92	\$40.00	\$10.00	\$13.00	\$275.00	\$3,407.40
26	165 592 01 00	3738 Cameo Dr	\$306.40	\$40.00	\$10.00	\$356.40	\$43.44	\$40.00	\$10.00	\$13.00	\$275.00	\$737.84
27	166 500 35 00	Waring Rd.	\$450.00	\$40.00	\$10.00	\$500.00	\$109.72	\$40.00	\$10.00	\$13.00	\$275.00	\$947.72
28	166 701 17 00	3893 Oxford Pl.	\$721.12	\$40.00	\$10.00	\$771.12	\$63.16	\$40.00	\$10.00	\$13.00	\$275.00	\$1,172.28
29	168 060 51 00	4028 Alto St.	\$399.84	\$40.00	\$10.00	\$449.84	\$54.84	\$40.00	\$10.00	\$13.00	\$275.00	\$842.68

Total Assessment:	\$85,465.00
Total Parcels:	29