



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing regarding Weed Abatement Proceedings Involving Various
Parcels Within The City of Lodi To Allow Property Owners Having
Objections To The Proposed Removal Of Weeds To Be Heard And Given
Due Consideration

MEETING DATE: May 1, 1996

PREPARED BY: Fire Marshal

RECOMMENDED ACTION: That following the public hearing and receipt of public
testimony, the City Council adopt the attached Resolution
No 96-30 overruling objections and proceeding with weed
abatement.

BACKGROUND INFORMATION: At the City Council meeting of April 17, 1996, the Lodi
City Council adopted Resolution No 96-30 declaring weeds
a public nuisance and initiating abatement proceedings on
various parcels throughout the City

Pursuant to State of California Government Code Section 39500 et seq., a Notice to Destroy Weeds and Remove
Rubbish, Refuse, and Dirt was published, mailed under Declaration of Mailing to each of the involved property
owners, and posted on the subject properties as determined by the City Attorney and the Fire Inspector. The purpose
of this public hearing is for property owners having any objections to the proposed abatement to be heard and given
due consideration.

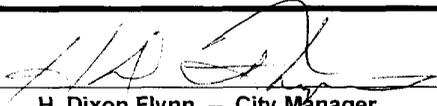
We have been advised by the Fire Department that since the adoption of Resolution No 96-30 numerous property
owners have abated the weeds on their property. We will provide Council with a list of the parcels that are not in
compliance following a final inspection by the Fire Inspector prior to the City Council meeting. This document will
then serve as the exhibit referred to in the body of Resolution No 96-30.

Following the public hearing and receipt of public testimony regarding the matter, it would be in order for the
Council to adopt the attached resolution overruling objections and proceeding with abatement.

Fire Marshal Steven Raddigan will be present at the meeting to make this report to the City Council.

ccom501.96

APPROVED: _____

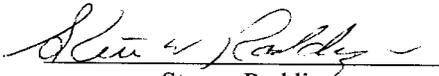

H. Dixon Flynn -- City Manager



CITY OF LODI, COUNCIL COMMUNICATION

Weed Abatement
May 1, 1996
page 2

FUNDING: None required


Steven Raddigan
Fire Marshal

SR/cs

**NOTICE TO
DESTROY AND REMOVE
WEEDS, RUBBISH, REFUSE**

Public Hearing set for MAY 1 1996
Date

On Order of The
City of Lodi
Fire Department

Under authorization of
Title 4 Government Code
Sec 39501

Parcel Number _____ Lot Number _____

RESOLUTION NO. 96-44

A RESOLUTION OVERRULING OBJECTIONS AND PROCEEDING WITH
ABATEMENT BEFORE THE CITY COUNCIL OF THE CITY OF LODI
IN THE MATTER OF WEED ABATEMENT PROCEEDINGS

Overruling Objections and
Determining to Proceed with
Abatement

RESOLUTION No. 96-44

The City Council adopted Resolution No. 96-30 on April 3, 1996, which by its terms the Council elected to proceed under Government Code Sections 39501-39588 and did declare as a public nuisance all weeds growing upon streets, sidewalks and private property in the City and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City; and

A public hearing was held on May 1, 1996 and no objections to the proposed removal of weeds, rubbish, refuse and dirt were made or presented either in writing or orally;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) On April 3, 1996, the City Council elected to proceed under Government Code Sections 39501-39588 and did declare as a public nuisance all weeds growing upon the streets, sidewalks and private property in the City and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the City, all as more particularly described in Resolution No. 96-30, adopted April 3, 1996.

(2) The Council fixed May 1, 1996 at the hour of 7:00 o'clock p.m., in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, as the time and place for hearing all objections to the proposal of removal of weeds, rubbish, refuse and dirt, and the Director of Public Works was designated as the person to perform the duties imposed by Government Code Section 39560-39588 upon the Superintendent, and he did prepare notices to destroy weeds and remove rubbish, refuse and dirt and did in the time and manner prescribed by law cause copies of the notice to be conspicuously posted on or in front of the property where the nuisance exists; the City did mail written notice of the proposed abatement to all persons owning property described in Resolution No. 96-30 in the time, form and manner prescribed by law.

(3) The City Council did hold a public hearing on May 1, 1996, and no objections, either written or oral to the proposed removal of weeds, rubbish, refuse and dirt were presented and the hearing was closed on May 1, 1996.

(4) The Superintendent is ordered to abate the nuisance declared by Resolution No. 96-30 by having the weeds, rubbish, refuse and dirt removed and for this purpose, on those parcels shown on the attached exhibit (Exhibit A), the Superintendent may enter upon private property to abate the nuisance. Before the Superintendent arrives, any property owner may remove the weeds, rubbish, refuse and dirt at his/her own expense.

(5) The Superintendent or the contractor awarded the work, as the case may be, shall keep an account of the cost of abatement in front of or on each separate parcel of land where the work is done and shall submit to the Council for consideration, hearing of objections, modification and confirmation, an itemized written report showing this cost, all as more particularly prescribed by Government Code Section 39574.

Adopted by the City Council of the City of Lodi on May 1, 1996 by the following vote:

AYES: COUNCIL MEMBERS - Davenport, Mann, Pennino, Sieglock
and Warner (Mayor)

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None


JENNIFER M. PERRIN
City Clerk

CITY OF LODI FIRE DEPARTMENT

Hank A. Howard
Fire Chief

Div. Chief Frank Ortiz
Operations

Div. Chief Steven Raddigan
Fire Marshal

217 WEST ELM STREET
LODI, CALIFORNIA 95240

ADMINISTRATION: (209) 333-6735
FIRE/LIFE SAFETY: (209) 333-6739
FAX: (209) 333-6844

Div. Chief Stan Mall
Training/Safety/P.I.O.

Batt. Chief Gary Duck
Support Services

Batt. Chief Verne Person
Resources

DECLARATION OF POSTING

The attached list of properties have been posted per Resolution No 96-30 by Fire Marshal Steven Raddigan at least five days prior to the City Council Public Hearing to be held on May 1, 1996.


Steven Raddigan

4-25-96
Date

147 1-22.0	R&P INDUSTRIES INC 220 HARDING BLVD ROSEVILLE, CA 95678	A.P.N.: 041-274-52 623 NORTH CHEROKEE LANE
6 1-25.0	D O & CAROLE FORD 639 E. LOCKEFORD ST LODI, CA 95240	A.P.N.: 041-300-03 649 EAST LOCKEFORD STREET
14 1-38.0	PLANET INSURANCE CO PO BOX 456 LODI, CA 95241	A.P.N.: 049-170-21 810 EAST BLACK DIAMOND WAY
15 1-40.0	IDA HOFFMAN 1635 EDGEWOOD DR LODI, CA 95240	A.P.N.: 049-180-25 1008 EAST BLACK DIAMOND WAY
16 1-41.0	IDA HOFFMAN 1635 EDGEWOOD DR LODI, CA 95240	A.P.N.: 049-180-24 1014 EAST BLACK DIAMOND WAY
17 1-42.0	IDA HOFFMAN TRS 1635 EDGEWOOD DR LODI, CA 95240	A.P.N.: 049-180-23 1020 EAST BLACK DIAMOND WAY
18 1-43.0	IDA HOFFMAN TRS 1635 EDGEWOOD DR LODI, CA 95240	A.P.N.: 049-180-22 1026 EAST BLACK DIAMOND WAY
20 1-47.0	K A ALIFERIS ETAL 700 VICTOR RD LODI, CA 95240	A.P.N.: 043-220-03 202 NORTH HOUSTON LANE
22 1-53.0	PINKERTON HOLDINGS INC 42 N CLUFF AVE LODI, CA 95240	A.P.N.: 049-050-55 31 NORTH CLUFF AVENUE
151 1-54.0	EDLUND J LOO 915 BLACK DIAMOND WY LODI, CA 95240	A.P.N.: 049-190-01 3 COMMERCE STREET
157 1-62.0	HERBERT PRESZLER JR 1727 TIMBERLAKE CIR LODI, CA 95242	A.P.N.: 049-190-09 167 COMMERCE STREET
158 1-63.0	DONALD AND NANCY MILLER 4071 E HARNEY LN LODI, CA 95240	A.P.N.: 049-190-10 189 COMMERCE STREET
159 1-64.0	DONALD AND NANCY MILLER 4071 E HARNEY LN LODI, CA 95240	A.P.N.: 049-190-11 203 COMMERCE STREET

160 1-65.0	DONALD AND NANCY MILLER 4071 E HARNEY LN LODI, CA 95240	A.P.N.: 049-190-12 225 COMMERCE STREET
171 1-79.0	DENNIS & C WRIGHT ETAL 88 COMMERCE ST LODI, CA 95240	A.P.N.: 049-190-27 66 COMMERCE STREET
172 1-80.0	CARLOS ALCALA ETAL 725 30TH ST #200 SACRAMENTO, CA 95816	A.P.N.: 049-190-28 44 COMMERCE STREET
30 1-104.0	RICHARD NEUMAN 910 COLOGNE LODI, CA 95242	A.P.N.: 043-140-35 527 EAST LODI AVENUE
197 1-106.0	THOMAS AND CATHY TUCKER PO BOX 1298 LODI, CA 95241	A.P.N.: 043-111-05 336 EAST LOCUST STREET
31 2-1.0	CENTRAL CALIF TRACTION 920 SE QUINCY TOPEKA, KS 66621	A.P.N.: 047-020-08 310 SOUTH MAIN STREET
33 2-2.0	GLADYS BOWLES 5828 E FAIRLANE RD ACAMPO, CA 95220	A.P.N.: 047-342-03 508 SOUTH CENTRAL AVENUE
270 2-4.0	SHIRLEY Y COPP 483 SUNSET RT 2 SAN ANDREAS, CA 95249	A.P.N.: 047-210-26 610 S WASHINGTON STREET
194 2-22.1	GEWEKE LAND DEVELOPMENT PO BOX 1210 LODI, CA 95241	A.P.N.: 049-070-77 1020 S. BECKMAN RD.- VACANT AREA
279 2-22.2	GEWEKE FAMILY TRUST 1045 S CHEROKEE LN LODI, CA 95240	A.P.N.: 049-070-29 1110 SOUTH BECKMAN ROAD
195 2-22.3	GEWEKE FAMILY TRUST 1045 S CHEROKEE LN LODI, CA 95240	A.P.N.: 049-070-29 1150 SOUTH BECKMAN ROAD
280 2-22.4	GEWEKE FAMILY TRUST 1045 S CHEROKEE LN LODI, CA 95240	A.P.N.: 049-070-29 1250 SOUTH BECKMAN ROAD
281 2-22.5	GEWEKE FAMILY TRUST 1045 S CHEROKEE LN LODI, CA 95240	A.P.N.: 049-070-29 1350 SOUTH BECKMAN ROAD

56 2-34.0	LEO & LANISE BURKE III 1098 E WOODBRIDGE RD WOODBRIDGE, CA 95258	A.P.N.: 062-410-31 2488 MAGGIO CR.
57 2-35.0	ROBERT & CAROLYN REYNOLDS 33 E TOKAY ST LODI, CA 95240	A.P.N.: 062-410-26 2459 MAGGIO CR.
46 2-51.0	TOKAY BOWL PTP 620 S CHEROKEE LN LODI, CA 95240	A.P.N.: 047-450-10 620 S. CHEROKEE LN.
70 3-20.0	KETTLEMAN II PTP 301 S HAM LN STE A LODI, CA 95242	A.P.N.: 058-160-51 2132 W. KETTLEMAN LN.
71 3-21.0	KETTLEMAN II PTP 301 S HAM LN STE A LODI, CA 95242	A.P.N.: 058-160-50 2122 W. KETTLEMAN LN.
75 3-25.0	KETTLEMAN II PTP 301 S HAM LN STE A LODI, CA 95242	A.P.N.: 058-160-52 2116 W. KETTLEMAN LN.
268 3-18.2	BROWMAN DEVELOPMENT 100 SWAN WAY STE 206 OAKLAND, CA 94621	A.P.N.: 058-140-37 2410 WEST KETTLEMAN LANE
83 4-6.0	LEOPOLDO HERNANDEZ 602 S SACRAMENTO LODI, CA 95240	A.P.N.: 045-240-07 713 S. SACRAMENTO ST.
127 4-7.0	JAMES SHERIDAN QUINN 811 S PLEASANT AVE LODI, CA 95240	A.P.N.: 045-180-19 811 SOUTH PLEASANT AVENUE
105 4-8.0	DR RANDY ROGET 510 S FAIRMONT AVE LODI, CA 95240	A.P.N.: 033-080-28 500 S. FAIRMONT AV.-508 S. FAIRMONT
93 4-18.0	LEROY DOLLINGER 101 E Hwy 12 LODI, CA 95240	A.P.N.: 031-080-30 1209 S. GLENHURST DR.
184 4-21.0	ARTURO LOPEZ 1701 S MILLS AVE #76 LODI, CA 95242	A.P.N.: 027-300-01 905 INTERLAKEN DR.
190 4-28.0	CRIS R KESZLER ETAL 317 W LODI AVE LODI, CA 95240	A.P.N.: 027-330-15 2440 ST. MORITZ DR.

202 4-37.0	ROBERT & D DAIS ETAL 2413 CORBIN LN LODI, CA 95242	A.P.N.: 027-350-10 1121 GENEVA LANE
215 4-52.0	LODI SUNWEST SENIOR PROJ PO BOX 1505 LODI, CA 95241	A.P.N.: 027-300-31 942 COLOGNE COURT
216 4-53.0	LODI SUNWEST SENIOR PROJ PO BOX 1505 LODI, CA 95241	A.P.N.: 027-300-33 926 COLOGNE COURT
217 4-54.0	LODI SUNWEST SENIOR PROJ PO BOX 1505 LODI, CA 95241	A.P.N.: 027-300-34 918 COLOGNE COURT
102 4-96.0	EMANUEL LUTHERAN CHURCH 1546 W LODI AVE LODI, CA 95242	A.P.N.: 033-040-01 1540 W. LODI AV.
109 5-1.0	JOHN AND KIMBERLY TETZ 815 TILDEN DR LODI, CA 95242	A.P.N.: 043-023-04 217 N. SCHOOL ST.
146 5-10.0	SHAHROUKH & D L BAKSHAY 2431 W MARCH LN #100 STOCKTON, CA 95207	A.P.N.: 039-271-01 1620 W. EDGEWOOD DR.
114 5-12.0	FRANCES K NEAL ETAL 1132 GREENOAKS WY LODI, CA 95240	A.P.N.: 039-112-02 1731 W. EDGEWOOD DR.
116 5-14.0	CAREY DEVELOPMENT CO 2575 GRAND CANAL BLVD 301 STOCKTON, CA 95207	A.P.N.: 015-300-09 1000 BLOCK WOODHAVEN LN.
262 5-15.0	DANA SMITH 211 AVENA AVE LODI, CA 95240	A.P.N.: 015-230-29 1245 WOODHAVEN LANE
119 5-21.0	WALTER E & G M HOWEN 512 W DAISY AVE LODI, CA 95240	A.P.N.: 035-175-13 1406 W. GRAFFIGNA AVE.
121 5-23.0	BURTON J YAMADA ETAL 1024 W ROBINHOOD DR STOCKTON, CA 95207	A.P.N.: 035-340-04 215 N. HAM LN./VACANT REAR LOT
122 5-24.0	STONE BROS & ASSOC 1024 W ROBINHOOD DR STOCKTON, CA 95207	A.P.N.: 035-110-04 101 LAKEWOOD MALL/VACANT REAR LOT

Page No. 5
04/30/96

244 IONE TAUNTON
5-26.0 1313 W LOCKEFORD ST
LODI, CA 95242

A.P.N.: 037-260-03
417 W. LOCKEFORD ST.



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: May 1, 1996

Time: 7:00 p.m.

For information regarding this notice please contact:

Jennifer M. Perrin

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, May 1, 1996** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) Declare weeds a public nuisance and initiate abatement proceedings on various parcels throughout the City

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, P.O. Box 3006, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Handwritten signature of Jennifer M. Perrin in cursive.

Jennifer M. Perrin
City Clerk

Dated: **April 3, 1996**

Approved as to form:

Handwritten signature of Randall A. Hays in cursive.

Randall A. Hays
City Attorney