CITY COUNCIL MEETING
AUGUST 19, 1987

PUBLIC HEARING CALLED PURSUANT TO STATE OF CALIFORNIA GOVERNMENT CODE SECTION 39576 TO RECEIVE A REPORT OF THE COST OF ABATING WEEDS IN FRONT OF OR ON EACH SEPARATE PARCEL OF LAND WHERE THE WORK WAS DONE BY THE CITY OF LODI

RES. NO. 87-110

CC-24(b)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Olson called for the public hearing called pursuant to the State of California Government Code Section 39576 to receive a report of the cost of abating weeds in front of or on each separate parcel of land where the work was done by the City of Lodi.

Council was reminded that several months ago the Council initiated weed abatement proceedings on various parcels throughout the City. According to the Government Code of the State of California legal noticing, including letters to the subject property owners, publications, and postings, were made regarding the matter. Various public hearings regarding the program were conducted by the City Council.

Ultimately, the City abated weeds on the following four parcels:

1. A5-20.87, 257 Royal Oaks Court, Lodi
   P.N. 041-290-05
   John Cope
   P. O. Box 1318
   Woodbridge, CA 95258

2. A5-21.87, 258 Royal Oaks Court, Lodi
   P.N. 041-290-04
   Rivergate Development Co.
   1517 Via Arco
   Palos Verdes, CA 90274

3. A5-22.87, 250 Royal Oaks Court, Lodi
   P.M. 041-290-03
   Roy Irick
   1517 Via Arco
   Palos Verdes, CA 90274

4. A4-03.87, 713 South Sacramento Street, Lodi
   P.N. 045-240-07
   Angelantonio DeRubis
   2755 Ordway Street, NW 406
   Washington, D. C. 20008

The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of abatement in front of or on each separate parcel of land where the work was done by the City. Council set this matter for Public Hearing at the regular meeting of August 19, 1987.

Pursuant to the State Government Code, at the time fixed for receiving and considering the report, the legislative body shall hear it with any objections of the property owners liable to be assessed for the abatement. After confirmation of the report by the Council a copy shall be forwarded to the County Assessor and Tax Collector who shall add the amount of the assessment to the next regular tax bill levied against the parcel for municipal purposes.

There being no persons in the audience wishing to address the Council on the matter, the public portion of the hearing was closed.

Following discussion, on motion of Council Member Reid, Pinkerton second, Council adopted Resolution No. 87-110 - Resolution Confirming the Cost of Weed Abatement for 1987 and Providing for Collection. The motion carried by unanimous vote of all Council Members present.

COUNCIL COMMUNICATION

TO THE CITY COUNCIL FROM: THE CITY MANAGER'S OFFICE	DATE: August 19, 1987	NO.

SUBJECT: PURSUANT TO STATE OF CALIFORNIA GOVERNMENT CODE SECTION 39576 TO RECEIVE A REPORT OF THE COST OF ABATING WEEDS IN FRONT OF OR ON EACH SEPARATE PARCEL OF LAND WHERE THE WORK WAS DONE BY THE CITY OF LODI

RECOMMENDED ACTION: Following the public hearing, Council adopt the attached resolution (see Exhibit "B" attached) Resolution No. 87-110 - Resolution Confirming The Cost Of Weed Abatement For 1987 And Providing For Collection.

Council will recall that several months ago the Council initiated weed abatement proceedings on various parcels throughout the City. According to the Government Code of the State of California legal noticing, including letters to the subject property owners, publications, and postings, were made regarding the matter. Various public hearings regarding the program were conducted by the City Council.

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   P.M. 041-290-03
   Roy Irick
   1517 Via Arco
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Notice of this hearing was published pursuant to law (see Exhibit "C" attached) and a copy of the notice was forwarded to each property owner under Declaration of Mailing.

Attached you will find the report of the Street Superintendent indicating the cost of the City Weed Abatement Program for 1987 (see Exhibit "A" attached)

Alice M. Reimche
City Clerk

AMR:jj

COUNCOM6
TXTA.02D

RESOLUTION CONFIRMING THE COST OF WEED ABATEMENT FOR 1987 AND PROVIDING FOR COLLECTION

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost of Weed Abatement for 1987 and Providing for the Collection of the Regular Tax Bill — RESOLUTION NO. 87-110

The City Council adopted Resolution No. 87-52 on May 6, 1987 electing to proceed under Government Code Sections 39501-39588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the city;

The City Council adopted Resolution No. 87-61 on June 3, 1987, following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the city;

The superintendent has abated the nuisance declared by Resolution No. 87-52 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

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

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 87-52 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code Section 39575. No objections were filed or made by the property owner liable for assessment for the abatement and the report as set forth in Exhibit "A" is confirmed.

(2) Cost of the abatement as set forth in Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor, and the State Board of Equalization on or before September 1, 1987. The County Auditor is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code Sections 39560-39587.

Adopted by the City Council of the City of Lodi on August 19, 1987 by the following vote:

Ayes: Council Members -

Noes: Council Members -

Absent: Council Members -

Alice M. Reimche
City Clerk

EXHIBIT "A"

REPORT OF THE STREET SUPERINTENDENT, CITY OF LODI, REGARDING COST OF THE CITY WEED ABATEMENT PROGRAM FOR 1987

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   Angelantonio DeRubis
   2755 Ordway Street, NW 406
   Washington, D. C. 20008

Jack L. Ronsko
Public Works Director
Street Superintendent

Dated: August 12, 1987

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL
CALLED PURSUANT TO GOVERNMENT CODE SECTION 39576
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IN FRONT OF OR ON EACH SEPARATE PARCEL OF LAND
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WHEREAS, after confirmation of the report by the legislative body, a copy shall be forwarded to the County Assessor and Tax Collector who shall add the amount of assessment to the next regular tax bill levied against the parcel for municipal purposes.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lodi does hereby set a public hearing to receive the report of the cost of the City of Lodi Weed Abatement Program for 1987 on the following parcels to be held at 7:30 p.m. on Wednesday, August 19, 1987 in the Chambers of the Lodi City Council at 221 West Pine Street, Lodi, California:

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   P.N. 041-290-05
   John Cope
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Information regarding this item may be obtained in the office of the City Clerk at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views regarding this matter.

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, 221 West Pine Street, Lodi, at or prior to, the public hearing.

By Order of the Lodi City Council

Alice M. Reimche

Alice M. Reimche
City Clerk

Dated: August 5, 1987

RECEIVED

'87 JUL -9 PM 1:58

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

LODI FIRE DEPARTMENT

MEMORANDUM

TO: Alice Reimche, City Clerk

FROM: Don Hawkinson, Fire Inspector DNH.

DATE: July 8, 1987

SUBJECT: WEEDLOTS DISCED BY THE CITY

The following properties were disced by Batch Properties of Stockton at the request of the Lodi Fire Department, as per authorization of the Lodi City Council pursuant to the government code.

Except as noted, no statement of charges have been received as of this date.

1. A2-59.87, 1721 S. Cherokee Ln., Lodi
   P.N. 062-060-20
   Darrell Fandrich
   c/o Steven Cottrell
   321 N. California St., #6
   Lodi, CA 95240
   and/or
   Darrell Fandrich
   14630 N. Beckman Rd.
   Lodi, CA 95240

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Statement #084 from Naturescape enclosed. NOTE: Due to the heavy, dry weed growth on this property and the fact that it is surrounded on three sides by houses, it was found necessary to have this lot cleared on an emergency basis. This was ordered done on May 28, 1987. The date indicated on the statement was the date the statement was issued.

DH/lm

DECLARATION OF MAILING

On August 6, 1987 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

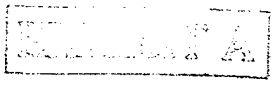
I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 6, 1987, at Lodi, California.

ALICE M. REIMCHE
City Clerk

JUDITH JOHNSON
Deputy City Clerk

DEC/01
TXTA.02D



LEGAL NOTICE

NOTICE OF PUBLIC HEARING BY THE LODI CITY COUNCIL
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By Order of the Lodi City Council

Alice M. Reimche

Alice M. Reimche
City Clerk

Dated: August 5, 1987

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Executed on August 6, 1987, at Lodi, California.

ALICE M. REIMCHE
City Clerk

JUDITH JOHNSON
Deputy City Clerk

DEC/01
TXTA.02D

EXHIBIT A

LEGAL NOTICE

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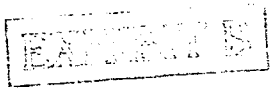
City Clerk

Dated: August 5, 1987



Jonn Cope
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Woodbridge, CA 95258

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Angelantionio DeRubis
2755 Ordway Street, NW 406
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DECLARATION OF POSTING

On August 12, 1987 I posted, pursuant to State of California Government Code Section 39575, a copy of the report of the Street Superintendent, City of Lodi, regarding cost of the City of Lodi Weed Abatement Program or 1987 near the Chamber door of the legislative body, with a copy of the Public Hearing notice, copies of which document are attached hereto and thereby made a part hereof.

Alice M. Reimche
City Clerk

by

Judith Johnson
Deputy City Clerk

EXHIBIT "A"

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CITY OF LODI, REGARDING COST OF
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Public Works Director
Street Superintendent

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By Order of the Lodi City Council

Alice M. Reimche
City Clerk

Dated: August 5, 1987

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By Order of the Lodi City Council

Alice M. Reimche
City Clerk

Dated: August 5, 1987

CITY COUNCIL

EVELYN M. OLSON, Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
DAVID M. HINCHMAN
JAMES W. PINKERTON, Jr.
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
TELECOPIER (209) 333-6795

THOMAS A. PETERSON
City Manager

ALICE M. REIMCHE
City Clerk

RONALD M. STEIN
City Attorney

August 20, 1987

Mr. Paul Heurlin
San Joaquin County Auditor-Controller
San Joaquin County Courthouse
222 East Weber Avenue, Room 103
Stockton, CA 95202

Dear Mr. Heurlin:

Enclosed herewith, please find certified copy of Resolution No. 87-110 "Resolution Confirming The Cost Of Weed Abatement For 1987 And Providing For The Collection On The Regular Tax Bill" which was adopted by the Lodi City Council at its regular meeting of August 19, 1987.

You are hereby requested to enter the assessments on the County tax roll and to collect the total amount of the assessments at the time and in the manner as other ordinary municipal taxes.

Should you have any questions, please do not hesitate to call.

Very truly yours,

Alice M. Reimche

Alice M. Reimche
City Clerk

AMR:jj
Enc.

cc: San Joaquin County Tax Assessor
San Joaquin County Tax Collector

RESOLUTION CONFIRMING THE COST OF WEED ABATEMENT
FOR 1987 AND PROVIDING FOR COLLECTION

BEFORE THE CITY COUNCIL OF THE CITY OF LODI

IN THE MATTER OF:

Resolution Confirming the Cost of Weed Abatement for 1987 and Providing for the Collection of the Regular Tax Bill — RESOLUTION NO. 87-110

The City Council adopted Resolution No. 87-52 on May 6, 1987 electing to proceed under Government Code Sections 39501-39588 and declared a public nuisance all weeds growing upon streets, sidewalks and private property in the city;

The City Council adopted Resolution No. 87-61 on June 3, 1987, following the holding of a public hearing, and did overrule objections and determined to proceed with the abatement of weeds growing upon public ways and private property in the city;

The superintendent has abated the nuisance declared by Resolution No. 87-52 and has kept an account of the cost of abatement and has submitted it to the City Council for confirmation;

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

(1) The City Council ordered the superintendent to abate the nuisance declared by Resolution No. 87-52 by having the weeds, rubbish, refuse and dirt removed and thereafter the superintendent entered upon private property more particularly hereafter described to abate the nuisance and the superintendent kept an account of the cost of abatement and has submitted it to the council for confirmation in the form of an itemized written report showing the cost and a copy of the report has been posted in the time and manner required by Government Code Section 39575. No objections were filed or made by the property owner liable for assessment for the abatement and the report as set forth in Exhibit "A" is confirmed.

(2) Cost of the abatement as set forth in Exhibit "A" constitutes a special assessment against that parcel and is a lien on the parcel.

(3) The City Clerk is directed to transmit a certified copy of this resolution to the County Assessor, County Tax Collector, County Auditor, on or before September 1, 1987. The County Auditor is requested to enter the assessment on the county tax roll and to collect the total amount of the assessment at the time and in the manner as other ordinary municipal taxes. All in the manner provided by Government Code Sections 39560-39587.

Adopted by the City Council of the City of Lodi on August 19, 1987 by the following vote:

Ayes: Council Members - Hinchman, Pinkerton, Reid and Olson

Noes: Council Members - None

Absent: Council Members - Snider

Alice M. Reimche
City Clerk

EXHIBIT "A"

REPORT OF THE STREET SUPERINTENDENT,
CITY OF LODI, REGARDING COST OF
THE CITY WEED ABATEMENT PROGRAM FOR 1987

1. A5-20.87, 257 Royal Oaks Court, Lodi — Amount $650.50
   P.N. 041-290-05
   John Cope
   P. O. Box 1318
   Woodbridge, CA 95258

2. A5-21.87, 258 Royal Oaks Court, Lodi — Amount $625.50
   P.N. 041-290-04
   Rivergate Development Co.
   1517 Via Arco
   Palos Verdes, CA 90274

3. A5-22.87, 250 Royal Oaks Court, Lodi — Amount $388.00
   P.M. 041-290-03
   Roy Irick
   1517 Via Arco
   Palos Verdes, CA 90274

4. A4-03.87, 713 South Sacramento Street, Lodi Amount $375.00
   P.N. 045-240-07
   Angelantonio DeRubis
   2755 Ordway Street, NW 406
   Washington, D. C. 20008

Jack L. Ronsko
Public Works Director
Street Superintendent

Dated: August 12, 1987

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL FROM: THE CITY MANAGER'S OFFICE	DATE: August 19, 1987	NO.

SUBJECT: PURSUANT TO STATE OF CALIFORNIA GOVERNMENT CODE SECTION 39576 TO RECEIVE A REPORT OF THE COST OF ABATING WEEDS IN FRONT OF OR ON EACH SEPARATE PARCEL OF LAND WHERE THE WORK WAS DONE BY THE CITY OF LODI

RECOMMENDED ACTION: Following the public hearing, Council adopt the attached resolution (see Exhibit "B" attached) Resolution No. 87-110 - Resolution Confirming The Cost Of Weed Abatement For 1987 And Providing For Collection.

Council will recall that several months ago the Council initiated weed abatement proceedings on various parcels throughout the City. According to the Government Code of the State of California legal noticing, including letters to the subject property owners, publications, and postings, were made regarding the matter. Various public hearings regarding the program were conducted by the City Council.

Ultimately, the City abated weeds on the following four parcels:

1. A5-20.87, 257 Royal Oaks Court, Lodi — Amount $650.50
   P.N. 041-290-05
   John Cope
   P. O. Box 1318
   Woodbridge, CA 95258

2. A5-21.87, 258 Royal Oaks Court, Lodi — Amount $625.50
   P.N. 041-290-04
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3. A5-22.87, 250 Royal Oaks Court, Lodi — Amount $388.00
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   Roy Irick
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   Palos Verdes, CA 90274

4. A4-03.87, 713 South Sacramento Street, Lodi — Amount $375.00
   P.N. 045-240-07
   Angelantonio DeRubis
   2755 Ordway Street, NW 406
   Washington, D. C. 20008

The Government Code provides that the City Council shall set a public hearing to receive a report of the cost of abatement in front of or on each separate parcel of land where the work was done by the City. Council set this matter for Public Hearing at the regular meeting of August 19, 1987.