



APPROVED  
BY THE CITY COUNCIL

APR 6 1999

OFFICE OF THE  
CITY CLERK

1.5

DEPARTMENT OF  
FIRE

GARY COSTAMAGNA  
FIRE CHIEF

CITY OF SACRAMENTO  
CALIFORNIA

1231 I STREET  
SUITE 401  
SACRAMENTO, CA  
95814-2979

PH 916-264-5266  
FAX 916-264-7079

March 30, 1999

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT: FINDING OF FACT REGARDING WRITTEN OBJECTIONS RECEIVED  
AT THE WEED ABATEMENT HEARING ON MARCH 23, 1999**

**LOCATION AND COUNCIL DISTRICT:** City-wide - All Districts

**RECOMMENDATION:**

It is recommended that the City Council approve the attached Resolution regarding Finding of Fact concerning objections and ordering abatement of weeds, rubbish, litter and/or dirt.

**CONTACT PERSON:** Karen Giovanini, Administrative Analyst, 264-7146

**FOR THE COUNCIL MEETING OF:** April 6, 1999

**SUMMARY:**

In order to proceed with the yearly weed abatement program, it is necessary for the City Council to approve the attached Finding of Fact and Resolution.

**BACKGROUND INFORMATION:**

The City Council passed Resolution 99-084 on March 2, 1999, declaring that weeds of a seasonal and recurrent nature were growing on various parcels within the City of Sacramento and set a hearing for March 23, 1999, to consider any objections to the proposed weed abatement on properties within the city.

There are approximately 8,600 parcels which were surveyed during the winter months that are the subject of the Weed Abatement Program. Each of the property owners had been noticed of the hearing of March 23, 1999, by mail. Four (4) written objections were received by the City Clerk's office:

1. The objection of J.W. "Bill" Stone in regard to his property, parcel 117-0202-037, Shasta Ave, should be granted as he has given his neighbor permission to plant a farm crop on this property.
2. The objection of Kenneth E. Dailey in regard to his property, parcel 036-0115-006, 2829 51<sup>st</sup> Avenue, should be granted as the above noted property is a vacant house which is being remodeled and is now being maintained. This property has been removed from the weed abatement notice list. Mr. Dailey was contacted in regard to this matter.
3. The objection of the Beasely Estate in regards to their property, parcel 215-0260-030, 1301 Santa Ana Avenue, should be granted as they are using the above property as grazing land for horses.
4. The objection of Victor H. Campbell in regard to the April 15, 1999 deadline for abatement work set by the Sacramento Fire Department should be overruled and he should be ordered to abate the weeds on the following properties by April 15, 1999: parcel 038-0111-047, Francine Drive; parcel 038-0111-048, 6706 Lemon Hill Avenue; parcel 038-0111-049, 6712 Lemon Hill Avenue; parcel 038-0111-052, Bryce Court. An inspection on March 23, 1999 of the above mentioned parcels revealed that the weeds are already two feet high and a nuisance to the neighboring properties.

#### **FINANCIAL CONSIDERATIONS:**

The City must abate approximately 2,000 lots which property owners fail to abate. The cost of these abatements plus an administrative fee is made the obligation of the property owner.

#### **ENVIRONMENTAL CONSIDERATIONS:**

In the event the Weed Abatement Officer detects a potentially sensitive area, the condition will be reported to the Environmental Services Division for direction. Abatement will be suspended at that location until instruction is provided. This process is similar to the approach taken when potentially hazardous materials are located at an abatement site.

**POLICY CONSIDERATIONS:**

The recommendation is consistent with current City policy.

**MBE/WBE EFFORTS:**

Not applicable as no goods or services are being purchased.

Respectfully submitted,



Dennis Smith  
Acting Fire Chief

**RECOMMENDATION APPROVED:**



*RT*  
ROBERT P. THOMAS  
City Manager

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**RESOLUTION NO. 99-159**

**APPROVED**  
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

**APR 6 1999**

ON DATE OF \_\_\_\_\_

OFFICE OF THE  
CITY CLERK

**FINDING OF FACT AND RESOLUTION CONCERNING OBJECTIONS  
AND ORDERING ABATEMENT OF WEEDS, RUBBISH, LITTER  
AND/OR DIRT**

**WHEREAS**, the City Council by Resolution No. 99-084, set a Public Hearing for March 23, 1999, at 7:00 p.m., in the City Council Chambers to hear and consider all objections to the proposed removal of weeds, rubbish, refuse and dirt from various parcels of property situated within the City of Sacramento and more particularly described in Resolution 99-084; and

**WHEREAS**, the notice of the time and place of the hearing was given in the manner provided by law; and

**WHEREAS**, there were four (4) written objections received by mail; and

**WHEREAS**, the City Council, pursuant to Section 61.1403 of the Sacramento City Code has by Resolution 75-616, provided the standards for solicitation and award of contracts for the abatement of nuisances of this type.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

1. Four written objections were received:
  - A. The objection of J.W. "Bill" Stone in regard to his property, parcel, 117-0202-037, Shasta Ave, should be granted as he has given his neighbor permission to plant a farm crop on this property.
  - B. The objection of Kenneth E. Dailey in regard to his property, parcel, 036-0115-006, 2829 51<sup>st</sup> Avenue, should be granted as the above noted property is a vacant house which is being remodeled and is now being maintained. This property has been removed from the weed abatement notice list. Mr. Dailey was contacted in regard to this matter.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

- C. The objection of the Beasley Estate in regards to their property, parcel, 215-0260-030, 1301 Santa Ana Avenue, should be granted as they are using the above property as grazing land for horses.
- D. The objection of Victor H. Campbell in regard to the April 15, 1999 deadline for abatement work set by the Sacramento Fire Department should be overruled and he should be ordered to abate the weeds on the following properties by April 15, 1999: parcel 038-0111-047, Francine Drive; parcel 038-0111-048, 6706 Lemon Hill Avenue; parcel 038-0111-049, 6712 Lemon Hill Avenue; parcel 038-0111-052, Bryce Court. An inspection on March 23, 1999 of the above mentioned parcels revealed that the weeds are already two feet high and a nuisance to the neighboring properties.
2. That the Fire Chief of the Department of Fire, City of Sacramento, is hereby ordered to proceed in the manner provided by the City Code, Resolution 99-084, and Section 39500 et. seq., of the Government Code of the State of California, with the abatement of the public nuisances created by weeds, rubbish, litter, and/or dirt.
3. That before the City's contractor arrives to perform weed and rubbish abatement work, any property owner may remove the weeds, rubbish, litter and/or dirt from their property at their own expense and avoid the cost of having the work performed by the City.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

***RK Development Partners***

1.5  
RECEIVED  
CITY CLERKS OFFICE  
CITY OF SACRAMENTO  
APR 1 4 02 PM '99

March 30, 1999

City of Sacramento  
City Clerk  
915 "I" Street, Room 304  
Sacramento, CA 95814

Dear City Clerk:

In response to the abatement notice for the property located at 2128 "I" Street, parcel #007-0022-010-0000 (a copy of which is enclosed), all weeds have been cut, removed and sprayed; however, a small amount of fill dirt remains on site. We have, at this time, submitted plans for two new residences and are awaiting approvals and permits (estimate two months). At that time, dirt will be spread where needed.

Thank you for your consideration in the matter.

Sincerely,



Ted Johns  
Project Manager

**NOTICE TO DESTROY WEEDS AND REMOVE RUBBISH, REFUSE AND/OR DIRT**

Notice is hereby given that on MARCH 02, 1999 the Council of the City of Sacramento passed a resolution declaring that weeds of a seasonal and recurrent nature were growing upon or in front of the parcel(s) designated below. Any weeds, rubbish, refuse and/or dirt upon or in front of the property in Sacramento, California and more particularly described in the resolution, constitute a public nuisance which must be abated. Otherwise, the nuisance(s) will be abated by the City of Sacramento, as authorized by the California Government Code, Section 39500 et. seq., at your expense. Reference is hereby made to said resolution for further particulars. A copy of the resolution is on file in the Office of the City Clerk of the City of Sacramento, City Hall, Sacramento, California.

Resolution Number: 99-084.

**NOTE: IF THE CITY DOES THE ABATEMENT WORK ON YOUR LOT, YOU WILL BE CHARGED FOR ACTUAL COST INCURRED PLUS AN ADMINISTRATIVE CHARGE.**

All property owners having any objection to the proposed removal of such weeds, rubbish, refuse and/or dirt, may submit a written objection to the City Clerk, 915 "I" Street, Room 304, Sacramento, California 95814, or the Sacramento Fire Department, Weed Abatement Section, 1231 "I" Street, Suite 401, Sacramento, California 95814, and/or attend a meeting of the Council of the City of Sacramento at 915 "I" Street on MARCH 23, 1999 at the hour of 07:00 o'clock p.m. or as soon thereafter as the matter can be heard, when your objections will be heard and given due consideration.

**DATED:** 03/05/99

VALERIE BURROWES  
City Clerk

DENNIS SMITH, Chief  
Sacramento Fire Department

CITY OF SACRAMENTO  
FIRE DEPARTMENT  
Fire Prevention Division  
1231 I Street, Suite 401  
Sacramento, CA 95814-2979  
(Address Correction Requested)

FIRST CLASS MAIL  
U.S. POSTAGE  
PAID 1 oz.  
PERMIT No. 338  
Sacramento, CA

MICHAEL D/OLG KRAMBS  
2115 J ST  
SACRAMENTO CA 95816

*Ted - please have  
Round Up applied to lot.  
Thanks  
M*

-- THIS NOTICE PERTAINS TO THE PARCEL(S) LISTED BELOW --

PARCEL NO. 007-0022-010-0000

LOCATION: 2128 I ST

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