



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 06/06/00  
AGENDA ITEM 10  
WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council  
**FROM:** Director of Community and Economic Development  
**SUBJECT:** Hearing on Report and Assessment for Weed Abatement Fees Past Due

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution confirming the report and assessment for overdue weed abatement fees for the 1999 calendar year, and authorizing the assessment to become a lien against the properties if not paid on or before July 24, 2000.

**BACKGROUND:**

Weed, rubbish and litter abatement is carried out for both aesthetic and fire prevention purposes. Work consists of removal of weeds, rubbish, debris, and litter from both privately-owned and City-owned properties.

For a first-time violation, there is no charge for the compliance inspection process, if corrections have been satisfactorily completed by the indicated reinspection date. However, if the violation is not corrected, then a \$200 fee is assessed based on the standard cost for staff time and materials to process a typical violation. This includes the cost of both the initial inspection and the compliance inspection, site photographs, researching property ownership records, sending abatement notices, preparing and maintaining the case file, internal vehicle charges, et cetera. For a repeated violation of the same ordinance within 12 months by the same property owner, an inspection fee of \$325 (\$200 plus a \$125 penalty fee) is charged. For those properties that are abated by the City's contractor, a City fee of \$100 is imposed, in addition to the contractor charges, to cover the City's costs of verifying the adequacy of the contractor's work and processing the invoice. If it is necessary to place a lien on a property to recover unpaid inspection or contractor's fees, an additional \$100 fee is levied to cover City costs.

As in past years, in conjunction with the annual City-wide weed survey done in April, a reminder notice was mailed to those property owners who had received a Notice to Abate the previous year, whether the owner corrected the violation or the City's contractor was required to do so. Notices were also sent throughout the year to owners of property found to be in violation that had not previously received a notice in conjunction with the annual survey.

As of this writing, overdue bills affecting 15 properties (including contractor costs) amount to approximately \$10,196. Amounts currently due include a \$5 per month late charge and 1% interest per month on charges due over thirty days.

The purpose of tonight's hearing is to consider the proposed report and assessment list, as well as any objections from property owners. After concluding the hearing, Council may choose to modify the proposed charges and assessment list as appropriate, after which the list will be officially confirmed by resolution.

The unpaid charges, plus any administrative costs of the City and County, will then become a lien on the property and will appear on the November tax bill. When the property taxes are paid, or when the property is sold or refinanced, the County remits funds to the City. Abatement charges constitute a special assessment against the property. However, sometimes it is not possible to establish a lien to collect an overdue bill because the current owner was not the party responsible for the debt. In these instances, the Finance Director pursues collection of the debt from the responsible individual through the City Collection Officer, collection agency, or litigation as appropriate.

### **Public Notice**

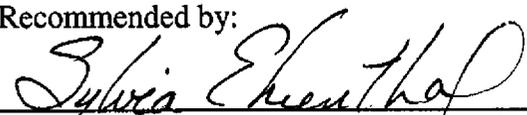
Notice of this hearing was published in the Daily Review on May 23 and May 27, 2000. A notice of this hearing was also sent by certified mail to each property owner, mortgagee or beneficiary indicated on the current assessor's roll. In addition, staff sent a courtesy letter to all those affected in April, informing them of the impending proceedings and encouraging them to pay their bills to minimize fees and be removed from the proposed assessment list.

Prepared by:



William Mork, Senior Community  
Preservation Inspector

Recommended by:



Sylvia Ehrenthal, Director of Community  
and Economic Development

Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A -1999 Proposed Weed Abatement Assessment List  
Resolution

REPORT ID: FMIS-AR851

CITY OF HAYWARD  
ACCOUNTS RECEIVABLE SYSTEM  
INVOICE PARCEL INFORMATION

REPORT PRINT DATE: 05/24/2000  
PAGE NO. 1 TIME: 14:43

DEPARTMENT: COMMUNITY PRESERVATION/WA  
INVOICES OVER 30 DAYS PAST DUE

INV #	DATE	PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
98995	07/20/1999	078C 0433 003 06	THAYER FREDERICK T P O BOX 505 COMM PRES INSPECTION FEE @ 29181 DIXON (APN078C-033-003-06)CASE#WA99-520 WEEDS, FOR BILLING QUESTIONS CALL KATHY CAMPBELL AT 583-4170.	29181 DIXON ST BELMONT CA 94002	521.83	4630 001 46
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078C 0433 003 06 THAYER FREDERICK T					TOTAL	521.83
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99008	07/26/1999	081D 1650 018 00	BANKERS TRUST COMPANY TR 400 COUNTRYWIDE WY SV-35 SIMI VALLEY CA COMM PRES INSPECTION FEE @ 2858 TRIBUNE AV (APN 81D-1650-18)CASE#WA99-609 WEEDS, FOR BILLING QUESTIONS CALL KEN JEFFERY AT 583-4173.	2858 TRIBUNE AV 93065	601.91	4630 001 46
-----						
081D 1650 018 00 BANKERS TRUST COMPANY TR					TOTAL	601.91
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98960	07/20/1999	083 0265 006 00	MARCOTTE CHARLES J & SHIRLEY TRS 29151 SIMMS CT HAYWARD CA COMM PRES INSPECTION FEE @ ALQUIRE PKWY (APN083-0265-006-00)CASE#WA99-691, WEEDS, FOR BILLING QUESTIONS CALL KATHY CAMPBELL AT 583-4170.	ALQUIRE PKWY 94544	1,535.15	4630 001 46
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083 0265 006 00 MARCOTTE CHARLES J & SHIRLEY TRS					TOTAL	1,535.15
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95579	02/11/1999	428 0056 041 00	WADA ISAO 22458 MISSION BL HAYWARD CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION @ 22458 MISSION (APN428-0056-041-00)CASE#WA98-2080 BAMBOO, FOR BILLING QUESTIONS CALL KATHY CAMPBELL AT 583-4170.	22458 MISSION BL 94541	868.55	4630 001 46
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428 0056 041 00 WADA ISAO					TOTAL	868.55
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98478	06/28/1999	431 0028 018 00	OMEARA JENNIE R 29083 MISSION BL HAYWARD CA COMM PRES INSPECTION FEE @ 391 C ST (APN431-28-18)CASE#WA99-584, WEEDS & DEBRIS, FOR BILLING QUESTIONS CALL BILL MORK AT 583-4174.	391 C ST 94544	674.00	4630 001 46
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INV #	DATE	PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL INVOICE DESCRIPTION				STAT
100484	10/18/1999	431 0028 018 00	OMEARA JENNIE R 29083 MISSION BL HAYWARD CA COMM PRES INSPECTION FEE @ 391 C ST (APN431-28-18)CASE#WA99-1835, WEEDS, FOR BILLING QUESTIONS CALL ROBBIE BIENEMANN AT 583-4171.	391 C ST 94544	916.00	4630 001 46
-----					TOTAL	1,590.00
99019	07/26/1999	444 0069 068 00	CARBONE EDWARD P O BOX 20181 CASTRO VALLEY CA COMM PRES INSPECTION FEE @ 25731 SOTO RD (APN444-69-68)CASE#WA99-1206, WEEDS, FOR BILLING QUESTIONS CALL BILL MORK AT 583-4174	25731 SOTO RD 94546	542.00	4630 001 46
-----					TOTAL	542.00
99007	07/26/1999	452 0036 009 00	BANKERS TRUST COMPANY OF CALIFORNIA NA TR 101 EAST MAIN ST LOUISVILLE KY COMM PRES INSPECTION FEE @ 26592 COLLETTE ST (APN452-36-9)CASE#WA99-1024, WEEDS, FOR BILLING QUESTIONS CALL BILL MORK AT 583-4174.	26592 COLETTE ST 40232	579.69	4630 001 46
-----					TOTAL	579.69
95261	02/04/1999	453 0060 007 07	TAYLOR SHARRON Y & BAGBY MCKINLEY & JOHN 16180 MARCELLA ST SAN LEANDRO CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION @ 542 SHEPHERD (APN453-60-7-7)CASE#WA98-1660, WEEDS, FOR BILLING QUESTIONS CALL KEN JEFFERY AT 583-4173.	542 SHEPHERD AV 94578	212.05	4630 001 46
-----					TOTAL	212.05
100287	10/06/1999	455 0048 006 00	WONG PAUL J 205 GOLDEN BAY DR PACIFICA CA COMM PRES INSPECTION FEE @ 27418 SLEEPY HOLLOW AV (APN455-48-6)CASE#WA99-1515, WEEDS. FOR BILLING QUESTIONS CALL JOANNE LACONTE AT 583-4172	27418 SLEEPY HOLLOW AV 94044	846.33	4630 001 46

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INV #	DATE	- PARCEL NUMBER-	OWNER NAME/ADDRESS	PARCEL LOCATION	BALANCE DUE	DEPT
BILLED TO	MAP BLOCK	PARCEL	INVOICE DESCRIPTION			STAT
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		455 0048 006 00	WONG PAUL J			
					TOTAL	846.33
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11	95884 03/08/1999	455 0052 060 00	SINGH KARAN 4531 ELLEN WY UNION CITY CA WEED ABATEMENT INSPECTION, LEGAL NOTIFICATION, CASE DOCUMENTATION, AND COMPLIANCE VERIFICATION @ 2018 SARASOTA (APN455-52-60)CASE#CN98-2050, OVER GROWN WEEDS, FOR BILLING QUESTIONS CALL COLLEEN GALLOWAY AT 583-4171.	2018 SARASOTA LN 94587	938.00	4630 001 46
					TOTAL	938.00
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12	96032 03/23/1999	456 0023 160 00	AZZOLINO JOSEPH F & RITA 178 LISBON ST SAN FRANCISCO CA COMM PRES INSPECTION FEE @ PORTSMOUTH AV (APN456-23-160)CASE#CPP98-2075, CASE#CP98-2075, WOOD, DEBRIS, FOR BILLING QUESTION CALL COLLEEN GALLOWAY AT 583-4171.	PORTSMOUTH AV 94112	624.13	4630 001 46
					TOTAL	938.00
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13	99958 09/20/1999	456 0023 160 00	AZZOLINO JOSEPH F & RITA 178 LISBON ST SAN FRANCISCO CA COMM PRES INSPECTION FEE @ PORTSMOUTH (APN456-23-160)CASE#WA99-513, WEEDS, FOR BILLING QUESTIONS CALL JOANNE LACONTE AT 583- 4172.	PORTSMOUTH AV 94112	612.01	4630 001 46
					TOTAL	1,236.14
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14	99959 09/20/1999	456 0066 001 01	AZZOLINO JOSEPH F & RITA 178 LISBON ST SAN FRANCISCO CA COMM PRES INSPECTION FEE @ INDUSTRIAL BL (APN456-66-1-1)CASE#WA99-1071, WEEDS, FOR BILLING QUESTIONS CALL JOANNE LACONTE AT 583-4172.	INDUSTRIAL BL 94112	513.03	4630 001 46
					TOTAL	513.03
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15	100513 10/26/1999	461 0045 020 00	MIRELES ROBERTO 3194 ARDEN RD HAYWARD CA COMM PRES INSPECTION FEE @ 3194 ARDEN RD (APN461-45-20)CASE#WA99-676, WEEDS FOR BILLING QUESTIONS CALL JOANNE LACONTE AT 583- 4172.	3194 ARDEN RD 94545	212.05	4630 001 46

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REPORT ID: FMIS-AR851

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		461 0045 020 00	MIRELES ROBERTO		212.05	
				TOTAL	212.05	
				TOTAL	10,196.73 ✓	

\*\*\*\*\* END OF REPORT \*\*\*\*\*

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**DRAFT**

HAYWARD CITY COUNCIL

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

Introduced by Council Member \_\_\_\_\_

**RESOLUTION CONFIRMING THE REPORT OF THE ENFORCEMENT OFFICER FOR WEED, RUBBISH, AND LITTER ABATEMENT FROM CERTAIN PROPERTIES IN THE CITY OF HAYWARD IN CONNECTION WITH THE WEED ABATEMENT PROGRAM FOR 1999**

WHEREAS, in connection with the 1999 Weed Abatement Program, the Enforcement Officer has rendered an itemized report in writing to this Council showing the cost of removing weeds, rubbish, refuse, and litter from certain properties in the City of Hayward described in the report, all as required by section 4-1.62 of the Municipal Code of the City of Hayward; and

WHEREAS, the hour of 8 p.m. on Tuesday, June 6, 2000, in the Council Chambers, City Hall, 777 B Street, Hayward, California, was fixed as the time and place for this Council to receive and consider the report, and a copy of the report has been posted and published in the manner required by section 4-1.63 of the Municipal Code; and

WHEREAS, the hearing was held at the time and place fixed, and the City Council has considered the report and all comments with respect thereto.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the report of the Enforcement Officer of the City of Hayward Weed Abatement Program on the cost of removing weeds, rubbish, refuse, and litter from the properties therein described, a copy of which is attached hereto, is hereby confirmed.

BE IT FURTHER RESOLVED that payments of assessments confirmed hereby may be received by the City of Hayward Finance Director up to the hour of 5 p.m. on July 24, 2000, and thereafter such official shall transmit the unpaid assessments to the County Auditor for collection on the property tax roll.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2000

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

**ABSTAIN:**

**ABSENT:**

**ATTEST:** \_\_\_\_\_  
City Clerk of the City of Hayward

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney of the City of Hayward