



AGENDA REPORT

CITY OF SAN CLEMENTE

CITY COUNCIL MEETING

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: February 6, 2024

Agenda Item: 8A

Submitted By: Community Development

Subject:

BILLING FOR 2023 WEED ABATEMENT PROGRAM

Fiscal Impact:

The total cost for the 2023 Weed Abatement Program was \$141,960.87. The program is funded under budget account number 001-452-4370-000-0000. The majority of the program cost is passed on to the non-compliant property owners or to City departments who have purview over parcels serviced by the program. Upon City Council approval of the proposed Resolution 24-18 (Attachment 1), staff will pursue reimbursement of expenses associated with weed abatement of private properties.

Summary:

The San Clemente City Council establishes an annual Weed Abatement Program which is administered by the Code Compliance Division to lessen the fire hazard of weeds and debris on vacant lots and unoccupied structured parcels in San Clemente. The 2023 Weed Abatement process was completed and the Code Compliance Division requests authorization to bill those property owners who did not clear their own properties after having been served notice to do so.

Background:

On May 2, 2023, the City Council held a Public Hearing and passed Resolution 23-23 authorizing the City's Weed Abatement Contractor to clear all vacant lots and unoccupied, developed properties within the City that were out in compliance with the weed abatement standards. In accordance with Section 39575 of the California Government Code, the noticing and posting of the charges has been successfully carried out by the City. In accordance with Section 39574 of the Government Code, the 2023 Weed Abatement Report is hereby submitted as Attachment 2.

Discussion:

The California Government Code outlines the process for the Weed Abatement Program. Part of the process includes a public hearing to allow citizens to express any concerns pertaining to the weed abatement process and consequent billing. In the event that the property owner does not pay the bill presented, the Accounting Division will return to the City Council during July 2024 for authorization to attach the bill amount as a special assessment (lien) against the property.

The past practice of the City Council has been to waive the City's notification costs for the property owners that have complied with weed abatement notifications.

Council Options:

- Adopt Resolution No. 24-18, which would 1) waive the City's notification costs for the compliant property owners, 2) approve the Weed Abatement Report (Attachments 2), and 3) authorize the Weed Abatement Contract Administrator to bill the amounts indicated in the report to the appropriate property owners.
- Modify and adopt Resolution No. 24-18 with changes to the provisions to waive the City's notification costs for compliant property owners or authorize the Weed Abatement Contract Administrator to bill the amounts indicated in the report to the appropriate property owners.
- Continue the item with direction to provide additional information.

Recommended Actions:

Staff Recommendation

STAFF RECOMMENDS THAT the City Council adopt Resolution No. 24-18, which will:

1. Waive the City's notification costs for the compliant property owners;
2. Approve the Weed Abatement Report; and
3. Authorize the Weed Abatement Contract Administrator to bill the amounts indicated in the report to the appropriate property owners.

Attachment:

1. Resolution No. 24-18
2. Weed Abatement Administrative Charges Report
3. Weed Abatement Expenditure Cost Breakdown Report
4. Notice that the list of non-compliant properties is on file with the City Clerk

Notification:

Ed Stewart & Associates

Public Hearing Notice published in the San Clemente Times on January, 25, 2024

ATTACHMENT 1

RESOLUTION NO. 24-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING THE 2023 WEED ABATEMENT REPORT, AUTHORIZING THE BILLING FOR THE 2023 WEED ABATEMENT PROGRAM, AND DIRECTING THE CITY MANAGER TO PURSUE REIMBURSEMENT OF EXPENSES

WHEREAS, the City of San Clemente annually establishes a Weed Abatement Program managed by the Code Compliance Division to reduce fire hazards associated with weeds and debris on vacant lots and unoccupied structured parcels; and

WHEREAS, the City Council approved Resolution 23-23 on May 2, 2023, authorizing the City's Weed Abatement Contractor to clear all non-compliant properties within the City; and

WHEREAS, the City has successfully completed the noticing and posting of charges in accordance with Sections 39574 and 39575 of the California Government Code, and the 2023 Weed Abatement Report has been duly prepared and submitted; and

WHEREAS, the total expenditure for the 2023 Weed Abatement Program was \$141,960.87, funded under the budget account number 001-452-4370-000-0000, with the intent to recover the majority of these costs from non-compliant property owners or City departments responsible for serviced parcels.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby find, determine and resolve as follows:

Section 1. That the above recitations are true and correct and incorporated herein.

Section 2. That the 2023 Weed Abatement Report, submitted as Attachment 2 of the agenda report entitled, "Billing for 2023 Weed Abatement Program," dated February 6, 2024 is hereby approved.

Section 3. That City staff is hereby authorization and directed to bill non-compliant property owners for the 2023 Weed Abatement Program expenses as detailed in the Weed Abatement Report.

Section 4. That the City Manager, or their designee, is authorized and directed to pursue the reimbursement of expenses associated with the weed abatement of private properties, in accordance with the procedures outlined in the California Government Code and consistent with the practices of the City.

Section 5. That the City Council hereby waives the City's notification costs for property owners who comply with the weed abatement notifications, in recognition of their

efforts to adhere to City regulations and to promote compliance among all property owners, which is in the best interests of the City and the public.

Section 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 24-18 was adopted at a regular meeting of the City Council of the City of San Clemente held on the ____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this ____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

Elizabeth A. Mitchell, City Attorney

ATTACHMENT 2

WEED ABATEMENT ADMINISTRATIVE CHARGES REPORT FOR 2023

ADMINISTRATIVE EXPENDITURES			
Contract Services			
Contract Weed Abatement Administration			
Charge per non-complaint parcel and inspections		\$ 200.00 X 11 properties:	\$ 2,200.00
Notifications mailed to:		544 property owners	
City Staff w/Benefit Costs	Total Hours	Total Rate w/benefits	
Code Compliance Manager	20	1883.42	\$1,883.42
Finance FAS: \$63.89 UB: \$ 45.83 CM: \$201.04 AR: \$45.83	11.2	699.83	\$699.83
City Clerk	1.5	91.28	\$91.28
Total Expenditures For Weed Abatement For Year	2023		\$4,874.53
Charges Waived for Compliant Lots			(\$2,620.45)
Total Charges for Non-Compliant Lots			\$2,254.08
Total Number of Private Lots Cleared	11		11
Administrative Cost per Non-Compliant Lot:			\$ 204.92

ATTACHMENT 3

WEED ABATEMENT EXPENDITURE COST BREAKDOWN REPORT FOR 2023

WEED ABATEMENT EXPENDITURES			
Cost to Abate/Cut fees charged to Non-Compliant Properties Without \$200 Administrative Fee	11		\$ 6,173.59
Costs to Clean City Reservoirs Sites (Costs are forwarded to Water Division for return of costs to the General Fund)	23		\$ 31,221.20
Cost to Clean City-Owned Lots/Parcels	48		\$ 87,312.00
Program Administrative Cost			\$ 15,000.00
Total			\$ 139,706.79
Administrative Charges			\$ 4,874.53
Waiver fee for Compliant Lots			(\$ 2,620.45)
Contract Services for Weed Abatement			\$ 139,706.79
Total Expenditures for Weed Abatement Program	2023		\$ 141,960.87

ATTACHMENT 4

The list of Noncompliant Properties is on file with the City Clerk.