



## City Council Agenda Item

**City Council Meeting Date:** May 5, 2020

**TO:** Jim Throop, City Manager

**FROM:** Dena Paschke, Battalion Chief – Fire Marshal  
d\_paschke@ci.lompoc.ca.us

**SUBJECT:** Adoption of Resolution No. 6325(20) Related to Assessment of Charges For 2019 Weed Abatement Against Properties at 413 South O Street and 1416 East Walnut Avenue

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### **Recommendation:**

Staff recommends the City Council:

- 1) Hear objections to the assessment of weed abatement charges against the property owners of 413 South O Place and 1416 East Walnut;
- 2) Adopt Resolution No. 6325(20) assessing those charges as a lien and special municipal tax; and
- 3) Direct the City Clerk to forward the assessments to the County Tax Collector's Office for inclusion on the next cycle of property tax collection; or
- 4) Provide alternate direction.

### **Background:**

On May 7, 2019, the City Council directed the Fire Department to abate weeds at various properties in the City as part of the annual weed control process. Those abatements were completed by a contractor and the charges were invoiced to the affected property owners. Most invoices have been paid, however, two remain outstanding.

### **Discussion:**

When weed abatement is completed, Government Code sections 39574-39581 establish the process for a city to assess a lien upon a parcel as a special assessment to be collected with the property taxes for that parcel. The owners of 413 South O Place and 1416 East Walnut have not paid the invoices for weed abatement. Therefore, the City

must collect the sums due by adopting the attached resolution and submitting it to the County Tax Collector for collection with the next property tax billing cycle.

The Government Code requires the posting of this agenda item for at least three days before the meeting. That requirement has been met. In addition, copies of the staff report and resolution were mailed to the last known addresses for the two property owners.

**Fiscal Impact:**

The outstanding invoices total \$2,096.12, which were paid by the City to the weed abatement contractor. Submission to the Tax Collector will result in reimbursement to the City, even if the taxes are not collected, as the City is a "Teeter" city and Santa Barbara County has agreed to pay the taxes due to the City whether or not they are collected. In exchange, the County keeps the penalties and interest on the taxes when they are eventually collected.

**Conclusion:**

Adoption of Resolution No. 6325(20) is the last step in the annual weed abatement process and is required in order to collect the outstanding debts.

Respectfully submitted,

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Dena Paschke, Battalion Chief – Fire Marshal

**APPROVED FOR SUBMITTAL TO THE CITY MANAGER:**

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Gerald Kuras, Fire Chief

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Jim Throop, City Manager

Attachment: Resolution No. 6325(20)