

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS CONFIRMING THE WEED & NUISANCE ABATEMENT ITEMIZED COST REPORT FOR 0 WOODLAND PKWY (A.P.N. 224-040-4000) AND AUTHORIZING PLACEMENT OF THE SAME AS A SPECIAL ASSESSMENT AND LIEN ON THE COUNTY TAX ROLLS AGAINST SUCH PROPERTY FOR THE COST OF SUCH ABATEMENT

WHEREAS, pursuant to San Marcos Municipal Code ("SMMC") Chapter 8.64, Weeds, shrubs, dead trees and other waste matter located on private property within the City of San Marcos ("City") can present a danger to the public health & safety;

WHEREAS, there were such weeds, shrubs, dead trees and other waste matter located within and upon certain real property located within the City at 0 WOODLAND PKWY, further identified as Assessor's Parcel Number 224-040-4000 ("the Property");

WHEREAS, despite repeated notices sent to the owner of the Property from January 2025 through March 2026, the Property owner took no action to clear the weeds, shrubs, dead trees and other waste matter and/or to cut back vegetation that constituted a fire hazard;

WHEREAS, after due notice and hearing as required by law, the San Marcos Fire Department ("SMFD") was authorized by order issued by the San Diego Superior Court to abate such nuisance conditions and to seek recovery of the same by such manner as may be authorized by the City Council;

WHEREAS, the SMFD has caused the weed and nuisance conditions existing within and upon the Property to be abated;

WHEREAS, an accounting of the costs and expenses associated with abating such nuisances within and upon the Property has been compiled by the SMFD and this Weed and Nuisance Abatement Itemized Cost Report is attached to this Resolution as Exhibit "A" and is presented to the Council for confirmation; and

WHEREAS, on April 27, 2026, an Administrative Cost Hearing was held and the City's abatement costs in the amount of \$5,733.67 (including \$2500.00 in anticipated costs) were confirmed by the hearing officer. This hearing has been set and noticed to confirm such compilation and to hear any and all objections to said accounting and assessment proposal; and

WHEREAS, the City Council has duly considered the Weed and Nuisance Abatement Itemized Cost Report and any objections thereto.

NOW, THEREFORE, BE IT RESOLVED:

1. The foregoing recitals are true and correct.
2. The City Council finds that the Weed and Nuisance Abatement Itemized Cost Report, reflecting the final costs and expenses totaling \$4,278.87 incurred by the Fire Department in abating nuisance conditions on the Property, as outlined in Exhibit "A" is complete and correct, that the costs and expenses set forth therein are reasonable, that

said Weed and Nuisance Abatement Itemized Cost Report is confirmed, and that the recovery of such costs and expenses is in the best interests of the City and its residents.

3. The City Council further finds that the costs and expenses set forth on the Weed and Nuisance Abatement Itemized Cost Report shall constitute a special assessment against the Property and a lien on the property for the amount of the respective assessment.
4. All written or oral protests or objections to said report, if any, are overruled or denied.
5. The unpaid amounts reflected on the Weed and Nuisance Abatement Itemized Cost Report shall be entered upon the tax roll against the Property and shall be collected at the same time and in the same manner as general City taxes, be subject to the same interest and penalties, and be subject to the same procedure and sale in case of delinquency. All laws and ordinances applicable to the levy, collection and enforcement of City taxes are hereby made applicable to this special assessment.
6. Staff is authorized to deliver this Resolution and accompanying Exhibit "A" (Weed and Nuisance Abatement Itemized Cost Report) to the County of San Diego Tax Assessor and the Treasurer- Tax Collector as applicable, with such entities being authorized and requested to impose such costs and expenses in the amount shown on Exhibit "A" against the real property located at 0 WOODLAND PKWY, San Marcos, Assessor's Parcel Number 224-040-4000, as a special assessment.

PASSED, APPROVED AND ADOPTED by the City Council of the City of San Marcos this 14th day of July, 2026 by the following roll call votes:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

Rebecca D. Jones, Mayor
City of San Marcos

ATTEST:

Phillip Scollick, City Clerk
City of San Marcos