

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.A.**

FROM: Matthew McElhenie, General Manager
Justin Vincent, Fire Chief

Meeting Date: August 10, 2023 Subject: Public Hearing to Discuss and Consider Adoption of Resolution 43-2023 Ordering Abatement of Public Nuisance for the Fire Hazard Fuel Reduction Program (FHFRP)

RECOMMENDATIONS:

1. Receive staff report.
2. Open Public Hearing; consider any protests or objections.
3. Close Public Hearing and make any modifications to the parcels listed in Exhibit "A" to Resolution 43-2023.
4. Adopt Resolution 43-2023 authorizing the Fire Chief to abate the nuisance by removing the weeds and debris from the parcels listed in Exhibit "A."

FISCAL IMPACT:

The fiscal impact on the CCSD is limited to paying the District's Contractor abatement charges and personnel time in processing inspections and billing. These costs are then recovered from the property owners by billing for reimbursement, plus administrative fees. Property owners with parcels on the contract abatement list will be billed for services rendered by the District's Contractor, plus a \$100 to \$200 administrative fee, depending on when payment is received. Funds not recovered through this billing process will be placed on the County Tax Roll for the fiscal year 2023/24.

DISCUSSION:

Per the Health and Safety Code requirements, a Notice to Destroy Weeds and remove debris was sent to the owners of 1,890 parcels, which were identified and noticed for weed abatement this year. Many of these parcels were abated by parcel owners and/or their personal contractors prior to the inspection deadline. Of these 1,890 parcels, 556 did not pass inspection and have been placed on the contract abatement list (Exhibit "A").

The Board established the date of August 10, 2023, to hold a public hearing to consider any objections or protests to the abatement of the weeds. Under the provisions of the Health and Safety Code, the Board is to consider any objections or protests and allow or overrule any or all objections or protests. Thereafter, the Board acquires jurisdiction to have the abatement work accomplished by the District. The Board's decision is final.

By adoption of the attached Resolution, the Board will be ordering the abatement of the offending weeds and debris (Health and Safety Code Section 14900) and directing the Fire Chief to abate them. Health and Safety Code Section 14900.5 also provides that the Board may declare the

weed nuisance to be “seasonal and recurrent,” and thereafter, weeds and debris on parcels designated as having seasonal and recurrent nuisances can be abated in future years without additional hearings. For such parcels, Health and Safety Code Section 14900.6 sets forth noticing requirements in the form of a postcard notice with certain required information. The attached Resolution includes language declaring the weeds and debris on the subject parcels to be seasonal and recurrent.

Attachments: Resolution 43-2023
Exhibit A to Resolution 43-2023