

RODEO – HERCULES FIRE PROTECTION DISTRICT MEMORANDUM

To: BOARD OF DIRECTORS, Rodeo Hercules Fire Protection District

From: David Stevens, CSG Consultants

Meeting Date: September 11, 2024

Subject: Public Hearing and Adoption of Resolution Ordering Nuisance Seasonal and Recurrent Weeds Noticing

RECOMMENDATION FOR ACTION

That the Rodeo-Hercules Fire Protection District Board of Directors hold a public hearing on and adopt a resolution ordering weed abatement notice for recurrent properties on the attached Nuisance and Recurrent Weeds List.

PREVIOUS ACTION

On May 08, 2024, the Board adopted Resolution No. 2024-12, which declared that all weeds growing upon private property or streets in the District, and all rubbish on private property or streets in the District, and such weeds are a public nuisance; that such weeds are seasonal and recurrent, and directing the Fire Chief, or designee, to provide notice to property owners to abate weeds and schedule a public hearing at subsequent Board meetings, as needed.

SUBJECT BACKGROUND AND NEXT STEPS

Due to the potential for wildland fires within the District, weed abatement is essential in the prevention and control of wildland fires. Proper abatement and installation of fuel breaks provides defensible space for emergency responders and reduces risk to life and property in the event of a wildland fire event.

In accordance with the Health and Safety Code, the District sent notices to the properties listed in Exhibit A that weeds were creating a nuisance on the properties, and that the District would abate the nuisance if private action was not taken. The notices informed recipients of their opportunity to protest the District's abatement activities at this public hearing. The notices informed owners that, if they did not protest the notice and if they failed to abate a nuisance on their properties within the required timeframe, the District will complete the work using its own contractor. Staff does not intend to recommend action for forced abatement for 2024, opting instead to educate and inform the community to improve wildfire safety. However, should property(s) emerge that pose a unique and/or overarching threat to the community, staff reserves to later return with a public hearing to forcibly abate such property.

Budget/Cost Impact

Staff/ CSG consultant time along with postage, public education materials/distribution costs were included within the 2024-25 final budget and require no amendment. Should future abatement be necessary, staff will keep an accounting of the cost of abatement for each parcel and will prepare an itemized report showing the cost of removing the weeds at a subsequent Board meeting, at which time the Board will consider the report, hear any objections, and may direct staff to place the cost of the contracted work, plus an administrative fee, on the property owner's tax bill as a tax lien. Staff anticipates that property owners may request the Board grant waivers from liens through the public hearing process due to the current economic crisis, and that the District may need to bear those costs to support our community.

Staff respectfully recommends that the Board of Directors:

1. Open the public hearing to receive public comment on the notice for Nuisance and Recurrent Weeds as initiated by the District
2. Adopt Resolution 2024-24 certifying the recurrent weed abatement list (Exhibit A).

ATTACHMENTS

1. Resolution 2024-24
2. Exhibit A