

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



912B

FROM: Fire / Hazard Reduction

SUBMITTAL DATE:
June 16, 2014

SUBJECT: Abatement of Public Nuisance (hazardous vegetation)
Case No.: 13-275-001 and 14-099-001
Champions Club at The Retreat; 8007 Softwinds Drive, Corona CA 92883

RECOMMENDED MOTION: That the Board of Supervisors:

1. Declare the hazardous vegetation on real property located at 8007 Softwinds Drive, Corona - County of Riverside- California; APNs 282-150-018, 282-170-010, 282-170-015, 282-170-023, 282-210-072, 282210-075, 282-630-006, 282-630-007, and 282-630-020 a public nuisance and a violation of Riverside County Ordinance No. 695.4 which prohibits the maintaining of hazardous vegetation on real property.
2. Direct the Champions Club at The Rretreat, LLC, the owner of the subject real property, to abate, modify hazardous vegetation reduction, or return the subject real property to an approved plant palette as approved by the Riverside County Fire Marshal and to maintain year-round.
3. If the owner, or whoever has possession or control, of the real property does not take the above-described actions within ninety (90) days of the date of the Board's Order, that representatives of the Fire Department, Sheriff's Department, and/or a contractor, upon consent - cont. page 2

BACKGROUND:

Summary

See page 2

John R. Hawkins, County Fire Chief

FORM APPROVED COUNTY COUNSEL
BY: BRUCE G. FORDON DATE: 6/15/14
Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	

SOURCE OF FUNDS: N/A

Budget Adjustment:
For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- Positions Added
- Change Order
- A-30
- 4/5 Vote

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RECOMMENDED MOTION CONTINUES: That the Board of Supervisors:

3. ... or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, shall abate the hazardous vegetation by removing the same from the real property.
4. Any and all costs incurred by the County of Riverside to abate the hazardous vegetation or combustible material on any property, including physical abatement costs, administration fees and any additional actual costs incurred by the Riverside County Fire Department for the abatement proceedings, including attorneys' fees, if applicable, may be collected pursuant to Government Code Section 25845 and Riverside County Ordinance No. 695.4.
5. County Counsel be directed to prepare the necessary Finding of Facts and Conclusions which the aforementioned APNs is declared to be in violation of Riverside County Ordinance No. 695.4 and a public nuisance, and further, to prepare an Order to Abate or slope re-vegetation plan palette for approval by the Board of Supervisors.

BACKGROUND:

Summary

Riverside County Ordinance 695.4 establishes an on-going program to abate hazardous vegetation located on real property which protects the lives and property of Riverside County and the safety of fire and law enforcement personnel during wildfires. Therefore, all hazardous vegetation or combustible material located on real property within the territory of the County of Riverside is deemed a public nuisance.

An initial inspection was made on the real property of the APNs 282-170-015, 282-170-023, 282-210-072, 282-630-006, 282-630-007, and 282-630-020 by the Riverside County Hazard Reduction Office on January 29, 2013. The inspection revealed hazardous vegetation on the slopes adjacent to the occupied structures and in violation pursuant to Riverside County Ordinance No. 695.4. The hazardous vegetation included, but was not limited to, seasonal and recurrent weeds, stubble, brush, dry leaves, and tumbleweeds which pose a danger to the health, safety and welfare of the residents in the immediate vicinity.

The Notices of Violation and Orders to Abate (NOV) were mailed to Champions Club at The Retreat with a mailing address of 3810 Wilshire Boulevard No. 911, Los Angeles on March 30, 2013. A non-compliant re-inspection followed on May 14, 2013. During the months which followed, several citizen complaints were received. Fire Captain Special Branden Smith met with General Manager Flint Nelson on or about September 25, 2013, to discuss fuel modifications on the slopes adjacent to the golf course and structures within the Home Owners Association. Following the meeting, Smith inspected the slopes and determined the slopes were in violation of Riverside County Ordinance 695.4. The water was turned off to the sprinkler system, which caused the dead and dying vegetation and the regrowth of seasonal and recurrent weeds and brush to occur. NOV's were reissued on September 26, 2013. On October 10, 2013, the Riverside County Hazard Reduction Office received the timely appeals pursuant to 695.4 Section 6(c)(1). The appeals were not addressed immediately by the Riverside County Hazard Reduction Office.

On February 24, 2014, the Riverside County Hazard Reduction Office conducted a 2014 annual inspection, which discovered the additional APNs 282-150-018, 282-170-010, and 282-210-075 were also in violation of Riverside County Ordinance 695.4. The 2014 NOV's, which included the same APNs in 2013 and the additional APNs, were mailed to 3810 Wilshire Boulevard No. 911, Los Angeles on March 31, 2014. On April 9, 2014, the Riverside County Hazard Reduction Office received the timely appeals in pursuant to Ordinance 695.4 Section 6(c)(1). Both the 2013 and 2014 NOV's should be handled together for efficiency.

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The Fire Department with County Counsel assistance have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the administrative abatement proceedings for hazardous vegetation.

Impact on Citizens and Businesses

Of paramount importance to the Board of Supervisors and the citizens of Riverside County is the protection of lives and property from the threat of fire and the safety of fire and law enforcement personnel during wildfires. Wind events further exacerbate the fire danger and have resulted in catastrophic fire losses to life, property and the environment.

SUPPLEMENTAL:

Additional Fiscal Information

All costs will be recovered through direct billing or through special assessments, if force-abatement is required; as outlined in Riverside County Ordinance 695.4.