

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**9.25**

9:30 p.m. being the time set for public hearing on the recommendation from Fire regarding Public Hearing on the Adoption of Resolution 2011-198, Confirming Special Assessments for the Cost of Abating Hazardous Orchards, Groves and Vineyards, the Chairman called the matter for hearing.

The chairman closed the public hearing.

On motion of Supervisor Buster, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on August 16, 2011 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: August 16, 2011  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: *Kecia Harper-Ihem* Deputy

AGENDA NO.  
9.25

xc: Fire

2 RESOLUTION NO.2011-198

3  
4 ORDERING THE CONFIRMATION OF SPECIAL ASSESSMENTS  
5 AND LIENS AGAINST PARCELS OF LAND LOCATED WITHIN  
6 THE COUNTY OF RIVERSIDE FOR COSTS OF THE ABATEMENT  
7 AND REMOVAL OF HAZARDOUS ABANDONED OR NEGLECTED  
8 ORCHARDS, GROVES AND VINEYARDS PURSUANT TO  
9 HEALTH AND SAFETY CODE SECTION 25845 AND  
10 COUNTY ORDINANCE NO. 772

11 WHEREAS, Health & Safety Code Section 25845 et seq. provides for  
12 the abatement and removal of hazardous abandoned or neglected  
13 orchards, groves and vineyards; and

14 WHEREAS, Riverside County in Ordinance No. 772 has established a  
15 methodology for the abatement and removal of hazardous abandoned or  
16 neglected orchards, groves and vineyards in various areas of the  
17 unincorporated portions of western Riverside County; and

18 WHEREAS, Section 5 of Ordinance No. 772 provides for the mailing  
19 of individual notices to the owners of such parcels advising them of  
20 their obligation to remove the hazardous abandoned or neglected  
21 orchards, groves and vineyards on such lands or be charged for the  
22 costs of such removal when the work is done by the County or by a  
23 contractor hired by the County; and

24 WHEREAS, such property owners have had the opportunity to object  
25 through filing a written request, within fifteen calendar days of the  
26 postmark on the Notice to Abate, as stated in the appeals procedure  
27 established in Section 6A of Ordinance No. 772; and

28 WHEREAS, on those parcels, where the removal was not carried out  
29 by the owners, the County, acting through various contractors, has now  
30 carried out the removal work required; and

1 WHEREAS, the charges placed upon the parcels is the cost(s) of  
2 removal where the work was not carried out by the owners and is not a  
3 charge based upon the value of the parcels; and

4 WHEREAS, pursuant to Section 7A of Ordinance No. 772 the Fire  
5 Department shall render to the Property Owner an invoice demanding  
6 payment within 15 days covering the costs of the work necessary for  
7 such abatement; and

8 WHEREAS, the billing for those parcels listed on the  
9 attached Exhibit "A" remain unpaid; now, therefore;

10 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the  
11 County of Riverside, State of California, in regular session assembled  
12 on 8/16/11, that the list of parcels and costs of abatement for  
13 removal of hazardous abandoned or neglected orchards, groves and  
14 vineyards for each parcel as shown on Exhibit "A" are hereby confirmed  
15 and that henceforth said costs shall constitute special assessments  
16 against the respective parcels of land, and are liens on said lands in  
17 the amounts of the respective assessments.

18 BE IT FURTHER RESOLVED AND ORDERED that a copy of this Resolution  
19 shall be transmitted on AUGUST 10, 2011 to the Auditor-Controller of  
20 Riverside County who shall enter the amounts of the respective  
21 assessments against the respective parcels of land as they appear on  
22 the current assessment roll. Said assessments shall be collected at  
23 the same time in the same manner as ordinary municipal ad valorem  
24 taxes as provided by Section 8B of Ordinance No. 772.

25  
26 ROLL CALL:

27 Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley  
28 Nays: None  
Absent: None

29 The foregoing is certified to be a true copy of a resolution duly  
30 adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By: \_\_\_\_\_  
Deputy

| <b>Parcel Number</b> | <b>Fund</b>               | <b>Charge</b>      |
|----------------------|---------------------------|--------------------|
| <b>Attachment A</b>  | <b>FORM 11 - 2011-174</b> | <b>Page 1 of 1</b> |
|                      | <b>Fund Number</b>        | <b>Charge</b>      |
| 927-540-006          | 68-1124                   | \$2,397.00         |
| 927-540-007          | 68-1124                   | \$2,482.00         |

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

415



**FROM: FIRE**

**SUBMITTAL DATE:  
6/20/11**

**SUBJECT: Set Public Hearing and Adoption of Resolution 2011-198. Confirming  
Special Assessments for the Cost of Abating Hazardous Orchards, Groves and Vineyards.**

**RECOMMENDED MOTION:**

- (1) Direct the Clerk of the Board to set a public hearing for \_\_\_\_\_ the list of parcels upon which the cost to abate abandoned or neglected orchards, groves and vineyards will become a special assessment.
- (2) Following a public hearing that the Board adopt Resolution 2011-198 confirming special assessments for costs incurred by the County in abating hazardous orchards, groves and vineyards.

**BACKGROUND:** Riverside County Ordinance 772 establishes an on-going program to abate abandoned or neglected orchards, groves and vineyards. A "Notice To Abate" was sent to each owner of record, advising them of their obligation to comply within thirty days from the date of notice. Parcels found not in compliance by the Riverside County Fire Department, after re-inspection, have been turned over to the County Contractors for abatement.

A list of properties that are subject to a fee assessment will be provided at the Public Hearing. This fee incorporates the contractor's costs and an administrative fee of \$126.00

*[Signature]*  
John R. Hawkins, County Chief

|                       |                               |         |                         |       |
|-----------------------|-------------------------------|---------|-------------------------|-------|
| <b>FINANCIAL DATA</b> | Current F.Y. Total Cost:      | \$ 0.00 | In Current Year Budget: | N/A   |
|                       | Current F.Y. Net County Cost: | \$ 0.00 | Budget Adjustment:      | No    |
|                       | Annual Net County Cost:       | \$ 0.00 | For Fiscal Year:        | 11/12 |

|                             |                                         |                          |
|-----------------------------|-----------------------------------------|--------------------------|
| <b>SOURCE OF FUNDS:</b> N/A | <b>Positions To Be Deleted Per A-30</b> | <input type="checkbox"/> |
|                             | <b>Requires 4/5 Vote</b>                | <input type="checkbox"/> |

**C.E.O. RECOMMENDATION:** APPROVE  
BY: *[Signature]*  
Robert Tremaine

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and is set for public hearing on Tuesday, August 16, 2011, at 9:30 a.m.

Ayes: Buster, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: July 26, 2011  
xc: Fire, Auditor, COB

Kecia Harper-Ihem  
Clerk of the Board  
By: *[Signature]*  
Deputy

**Prev. Agn. Ref.:**

**District:**

**Agenda Number:**

3.44

FORM APPROVED COUNTY COUNSEL  
BY: BRUCE G. FORDON  
DATE: 7/27/11

Departmental Concurrence

Consent  
 Policy  
 Consent  
 Policy  
 Dept's Recomm.:  
 Per Exec. Ofc.:

**Page 2**

**Form 11 - Subject: Set Public Hearing and Adoption of Resolution 2011-198 Confirming Fire Department Special Assessments for the Cost of Abating Hazardous Orchards, Groves and Vineyards.**

**The confirmation in a public hearing of the list of those parcels not in compliance and subject to the abatement fee is the final step required under the Health and Safety Code Section 25845 and County Ordinance 772 to establish assessments and liens on those parcels.**