

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



ITEM: 19.1
(ID # 25009)

MEETING DATE:
Tuesday, July 30, 2024

FROM : FIRE DEPARTMENT

SUBJECT: FIRE DEPARTMENT: Public Hearing and Adoption of Resolution No. 2024-120: Ordering the Confirmation of Special Assessments and Liens Against Parcels of Land Located in the County of Riverside for Costs of the Abatement and Removal of Hazardous Weeds for Calendar Year 2023, Pursuant to Health and Safety Code section 14912 and County Ordinance No. 695 Requiring the Abatement of Hazardous Vegetation; All Districts [\$359,287 Total Cost]; 100% Property Owner Special Assessment to Reimburse the General Fund.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2024-120 ordering the confirmation of special assessments and liens against parcels of land located within the County of Riverside for costs of the abatement and removal of hazardous weeds pursuant to Health and Safety Code section 14912 and County Ordinance No. 695; Fire Department shall transmit adopted assessments to the Auditor Controller Office for lien on August 5, 2024.

ACTION:

Geoff Pemberton
Geoff Pemberton, Chief Deputy County Fire

5/21/2024

Bill Weiser
Bill Weiser, Fire Department Chief

5/21/2024

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: July 30, 2024
xc: Fire, Auditor Controller

Kimberly A. Rector
Clerk of the Board
By: *Maomy A.*
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 359,287	\$ 0	\$ 359,287	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Property Owner Assessment to Reimburse the General Fund – 100%			Budget Adjustment: No	
			For Fiscal Year: 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Riverside County Ordinance No. 695 Requiring the Abatement of Hazardous Vegetation established an on-going program to abate hazardous vegetation, while at the same time, protecting rare and sensitive plant and animal species and the environment. The purpose of the Hazard Reduction program is to reduce or eliminate fire hazards created by vegetative growth and the accumulation of combustible debris, which poses a danger to the health, safety and welfare of the residents in the vicinity of any real property, as well as irreparable harm to sensitive habitat and species. Fire Prevention Technicians annually inspect unimproved parcels within the unincorporated areas of the County of Riverside, as defined by Ordinance No. 695.

Once inspections are completed, an "Order to Abate" is sent to each owner of record. The order advises the parcel owner of their obligation to comply within 30 days from the date of notice. Upon re-inspection, the Riverside County Hazard Reduction program turns over any parcel found to be non-compliant to the County contractors for abatement. At the conclusion of the abatement, a bill is issued to the parcel owner of record, in order to reimburse the County for the expense of abatement, along with an administrative fee of \$254.00. This administrative fee was approved by the Board of Supervisors by Resolution No. 2011-080 with a public hearing on June 28, 2011. If not paid, then the County has the ability to recover abatement costs by assessing real property. This assessment incorporates the contractor's costs and the administrative fee. The County is then able to recover costs through the property tax process.

The properties that are subject to this assessment are attached as Attachment "A" to the resolution. The resolution and attachment A will also be included in the presentation for the public hearing on July 30, 2024. The adoption of Resolution No. 2024-120 in the public hearing on July 30, 2024, 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 14910 and Ordinance No. 695 to establish assessments and liens on those parcels.

The property owner can appeal an "Order to abate" to question the requirement to clear hazardous vegetation from their property. If an owner has a concern with the invoice sent after hazardous vegetation has been abated by a County contractor, they can contact the Hazard Reduction office. The Hazard Reduction office has an administrative process to address concerns or errors regarding invoices. This process includes the Assistant Fire Marshal

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explaining the abatement process, answering questions, verifying the before and after pictures match the property, and with concurrence of the Deputy Fire Marshal correcting any errors found within the process.

CEQA

As part of the amendment to Ordinance No. 695 (Requiring the Abatement of Hazardous Vegetation), an Environmental Assessment leading to a Mitigated Negative Declaration (State Clearinghouse No. 2009041105; EA/MND) was completed as required by the California Environmental Quality Act (CEQA). The final EA/MND was approved as part of the adoption of the amended ordinance on June 16, 2009. There were no legal challenges to the approved EA/MND. As part of the project description, the EA/MND included the changes to the ordinance, as well as a detailed discussion as to how the Hazardous Reduction Office conducts annual inspections, identifies hazardous vegetation and combustible material, and executes the Notice to Abate process. The description also includes detailed procedures as part of the compliance manual as to how to proceed in areas of biological sensitivity. This Form 11 is merely executing the County's compliance with Ordinance No. 695 as it relates to the cost and reimbursement of weed abatement.

Impact on Residents and Businesses

The Hazard Reduction program is designed to protect life, property and the environment. Voluntary compliance is the primary goal of the program. Each parcel owner is provided the opportunity to abate the property prior to the county conducting the abatement. The owner also has an opportunity to reimburse the county the cost of abatement prior to the lien process being initiated.

Additional Fiscal Information

The abatement charges for any work performed by the contractor and the county administrative fee will be included in the property owner's property tax statement as a special assessment. The Board of Supervisors approved the administrative fee of \$254 by Resolution No. 2011-080 with a public hearing on June 28, 2011. The current total parcels are 526 and the total amount to be assessed is \$359,287. The assessments will reimburse the department costs, which are included in the Department's budget and funded by the General Fund.

ATTACHMENTS:

Resolution No. 2024-120 Ordering Confirmation of Special Assessments and Liens
Attachment A to Resolution No. 2024-120
Letter of Compliance with Proposition 218

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Rebecca S Cortez
Rebecca S Cortez, Principal Management Analyst

7/22/2024

Michelle Paradise
Michelle Paradise, ACEO

7/22/2024

George Trindle
George Trindle, Chief ASST COUNTY COUNSEL

6/17/2024

2 RESOLUTION NO. 2024-120

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 WEEDS FOR CALENDAR YEAR 2023
8 PURSUANT TO HEALTH AND SAFETY CODE SECTION 14912 AND
9 COUNTY ORDINANCE NO. 695

10 WHEREAS, Health & Safety Code Section 14875 et seq. provides for the abatement and
11 removal of hazardous weeds; and

12 WHEREAS, Riverside County in Ordinance No. 695 has established a methodology for
13 the removal of hazardous weeds in various areas of the unincorporated portions of western
14 Riverside County; and

15 WHEREAS, Ordinance No. 695 was amended and adopted on June 16th, 2009, after an
16 evaluation of all potential physical environmental impacts pursuant to the California
17 Environmental Quality Act; and

18 WHEREAS, the CEQA document (State Clearinghouse No. 2009041105) was provided
19 for public review from April 22nd, 2009 to May 21st, 2009; and

20 WHEREAS, Resolution No. 2024-120 is only related to the actual implementation of
21 Ordinance No. 695, which was previously evaluated as part of the overall project under CEQA
(State Clearinghouse No. 2009041105); and

22 WHEREAS, Section 6A of Ordinance No. 695 provides for the mailing of individual
23 notices to the owners of such parcels advising them of their obligation to remove the weeds on
24 such lands or be charged for the costs of such removal when the work is done by the County or
25 by a contractor hired by the County; and

26 WHEREAS, such property owners have had the opportunity to object through filing a
27 written request, within fifteen calendar days of the postmark on the Notice to Abate, as stated in
28 the appeals procedure established in Section 6C of Ordinance No. 695; and

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

FORM APPROVED COUNTY COUNSEL
BY: *Melissa R. Cushman* 5/16/2024
MELISSA R. CUSHMAN DATE

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

3 WHEREAS, pursuant to Section 6F of Ordinance No. 695 the Fire Department shall
4 render to the Property Owner an invoice demanding payment within 15 days covering the costs
5 of the work necessary for such abatement; and

6 WHEREAS, the billing for those parcels listed on the attached "Attachment A" remain
7 unpaid; now, therefore;

8 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of
9 Riverside, State of California, in regular session assembled on July 30, 2024, that the list of
10 parcels and costs of abatement for removal of hazardous weeds for each parcel as shown on
11 "Attachment A" for calendar year 2023 are hereby confirmed and that henceforth said costs
12 shall constitute special assessments against the respective parcels of land and are liens on said
13 lands in the amounts of the respective assessments.

14 BE IT FURTHER RESOLVED AND ORDERED that a copy of this Resolution shall be
15 transmitted on August 5, 2024, to the Auditor-Controller of Riverside County who shall enter the
16 amounts of the respective assessments against the respective parcels of land as they appear
17 on the current assessment roll. Said assessments shall be collected at the same time in the
18 same manner as ordinary municipal ad valorem taxes as provided by Section 6G of Ordinance
19 No. 695.

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2
3 RESOLUTION NO. 2024-120

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 WEEDS FOR CALENDAR YEAR 2023

8 PURSUANT TO HEALTH AND SAFETY CODE SECTION 14912 AND

9 COUNTY ORDINANCE NO. 695

10
11 ROLL CALL:

12
13 Ayes: Jeffries, Washington, Spiegel, Perez, and Gutierrez

14 Nays: None

15 Absent: None

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

20
21 KIMBERLY A. RECTOR, Clerk of said Board

22
23 By:  _____

24 Deputy



CAL FIRE – RIVERSIDE UNIT RIVERSIDE COUNTY FIRE DEPARTMENT

BILL WEISER - FIRE CHIEF

210 WEST SAN JACINTO AVENUE, PERRIS, CA 92570-1915
BUS: (951) 940-6900 FAX: (951) 940-6373 WWW.RVCFIRE.ORG

PROUDLY SERVING THE
UNINCORPORATED
AREAS OF RIVERSIDE
COUNTY AND THE CITIES
OF:

BANNING

BEAUMONT

COACHELLA

DESERT HOT SPRINGS

EASTVALE

INDIAN WELLS

INDIO

JURUPA VALLEY

LAKE ELSINORE

LA QUINTA

MENIFEE

MORENO VALLEY

NORCO

PALM DESERT

PERRIS

RANCHO MIRAGE

RUBIDOUX CSD

SAN JACINTO

TEMECULA

WILDOMAR

**BOARD OF
SUPERVISORS:**

KEVIN JEFFRIES
DISTRICT 1

KAREN SPIEGEL
DISTRICT 2

CHARLES WASHINGTON
DISTRICT 3

V. MANUEL PEREZ
DISTRICT 4

DR. YXSTIAN GUTIERREZ
DISTRICT 5

TO: Ben J. Benoit
Riverside County Auditor-Controller

FROM: Riverside County Fire Department

SUBJECT: Compliance with Proposition 218

DATE: May 9, 2024

The County of Riverside Fire Department represents that the charges associated with property tax district number 68-1124 identified on the County Tax Roll as is in compliance with the articles of Proposition 218 cited below.

The County Auditor-Controller/County of Riverside agrees to enter all assessments, fees, charges, or taxes for the County of Riverside Fire Department upon receipt of such roll on or about August 10, 2024, based upon such certification.

The County of Riverside Fire Department shall be solely liable and responsible, and will defend, indemnify and hold the County and this office harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the County of Riverside Fire Department by the County.

The County of Riverside Fire Department understands and agrees that the Auditor Controller's Office shall not be held responsible for processing claims for refund that fall outside of the normal correction processing outlined within the procedures in the Fixed Charge Processing packet. Notwithstanding the foregoing, the Auditor Controller's Office may, at its sole discretion, agree by a separate, written agreement to process such refunds. All associated costs and fees shall be charged to the district.

Article XIII C. Sec. 2 (c) "Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b)."

Article XIII D. Sec. 5 "...this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article."

Article XIII D. Sec. 6 (d) "Beginning July 1, 1997, all fees or charges shall comply with this section."

DocuSigned by:
Diane Sinclair
2B21EF60B9F54A7...

5/9/2024

Diane Sinclair,
County of Riverside Fire Department Deputy Director

Date



Junta de Supervisores del Condado de Riverside
Solicitud de uso de la palabra

Presentar la solicitud al Secretario de la Junta (a la derecha del podio), Los oradores tienen derecho a tres (3) minutos, sujeto a de las Reglas de la Junta enumeradas en el reverso de este formulario. La Junta Directiva puede limitar la opinión del público sobre cualquier tema, según el número de personas que soliciten hablar y los asuntos de la junta.

NOMBRE DEL ORADOR: ED LUNA

Dirección: MECCA CA
(solo si se solicita respuesta por correo electrónico de seguimiento)

Cuidad y Código postal: 92254

Teléfono #: (760) 702-7876

Fecha: 30 July 2024 Agenda # (19) 19.1 25009

POR FAVOR, INDIQUE SU POSTURA A CONTINUACIÓN:

Postura sobre el tema del orden del día "ordinario" (no apelado):

Apoyo Oposición Neutral

Nota: Si está aquí para un tema de la agenda que se presentó para "Apelación", indique por separado su postura sobre la apelación a continuación:

Apoyo Oposición Neutral

Le doy mis 3 minutos a: _____

¿Necesitas traductor de español? Sí _____ No _____

Si desea escuchar la reunión en español, los auriculares están disponibles en el área del Secretario de la Junta.

Las validaciones de estacionamiento están disponibles solo para oradores: consulte al Secretario de la Junta.

County
Roadway

Private
Property



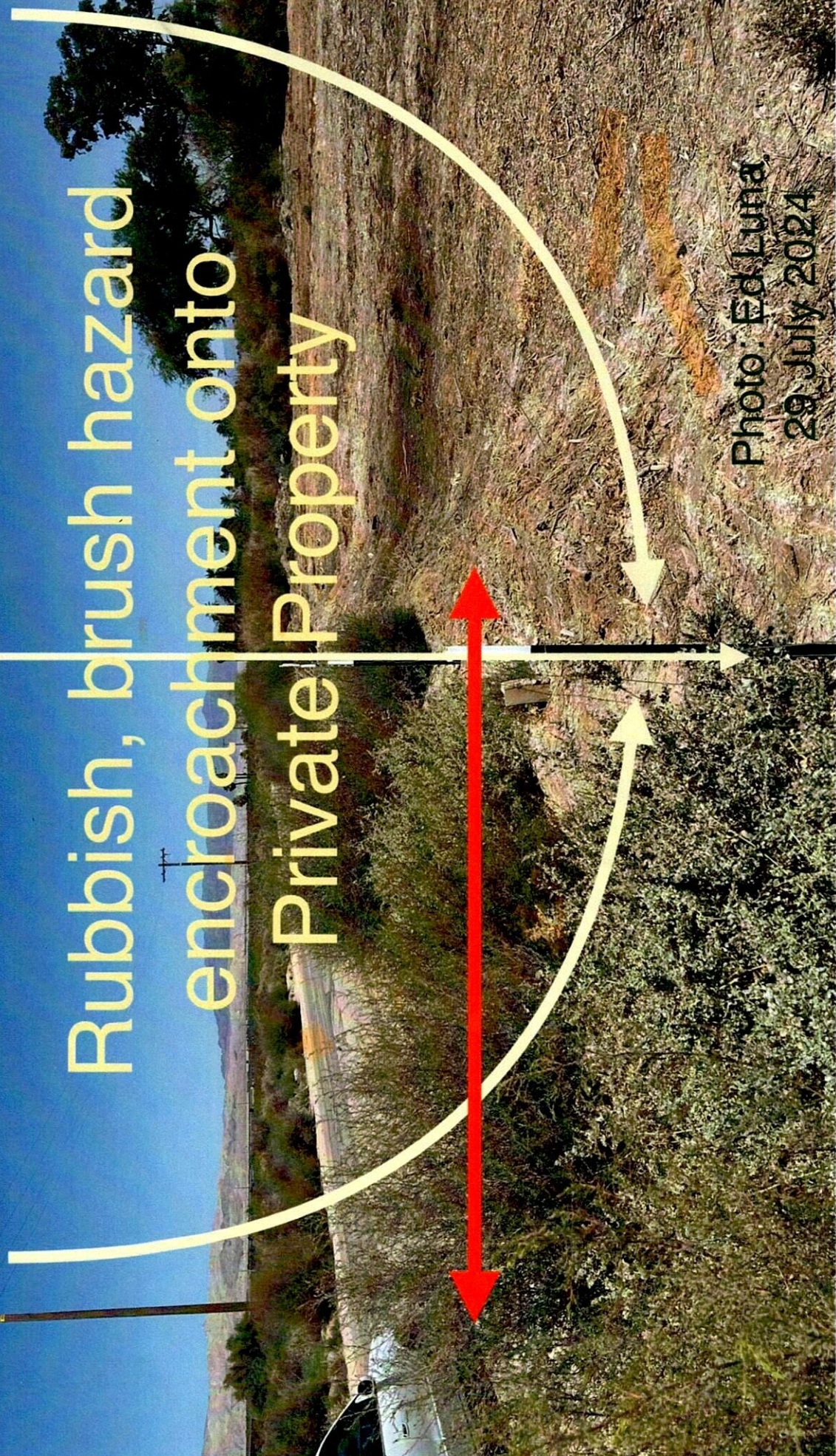
Photo: Ed Luna
4 July 2024

County
Roadway

Private
Property

Rubbish, brush hazard
encroachment onto
Private Property

Photo: Ed Luma
29 July 2024



County
Roadway

Private
Property

Roadway Hazard Overflow
Onto Private Property

Photo: Ed Luna
29 July 2024

