



# City of Rialto

## Legislation Details (With Text)

**File #:** CC-19-387    **Version:** 1    **Name:**  
**Type:** Resolution    **Status:** Agenda Ready  
**File created:** 3/28/2019    **In control:** City Council  
**On agenda:** 4/9/2019    **Final action:**  
**Title:** Request City Council to Conduct a Public Hearing on the 2019 Weed Abatement Program and Consider any Objections to Imposing any Abatement Cost therefore as a Lien against parcels that are not in Compliance with the Ordinance.  
(ACTION)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A.pdf, 2. RESO 7483.pdf

Date	Ver.	Action By	Action	Result
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For City Council Meeting [April 9, 2019]

**TO:** Honorable Mayor and City Council

**APPROVAL:** Sean Grayson, Interim City Administrator

**FROM:** Brian Park, Interim Fire Chief

Request City Council to Conduct a Public Hearing on the 2019 Weed Abatement Program and Consider any Objections to Imposing any Abatement Cost therefore as a Lien against parcels that are not in Compliance with the Ordinance.  
**(ACTION)**

### **BACKGROUND:**

At the City Council Meeting held on March 26, 2019, the Rialto City Council passed **Resolution No. 7483** which requires that all noticed properties be cleared of weeds and debris no later than May 1, 2019. The resolution also set a Public Hearing for April 09, 2019 to hear any objections to liens that may be placed upon properties that are not in compliance with the ordinance.

### **ANALYSIS/DISCUSSION:**

Under the authority of the California Government Code and in accordance with City Resolution No. 7483, the Fire Chief has the ability to notice property owners to abate conditions where weeds, rubbish or debris constitute a public nuisance. Additionally, the resolution authorizes the Fire Chief to arrange for a contractor to perform the abatement and place the associated fees on the County of San Bernardino Tax Rolls for collection from parcel owners who do not comply with the abatement notice.

The City's Weed Abatement Program promotes safety in the City of Rialto by reducing combustible

vegetation that may contribute to destructive fires. Approximately 707 vacant parcels exist within the boundaries of the City of Rialto. In fiscal year 2017/2018 the City abated 146 parcels. The City mails letters to all owners of vacant property in the City notifying them to abate their properties. The Fire Prevention Division then surveys the vacant properties for compliance during the months of May and October. Fire Prevention identifies the non-abated properties, and the parcel numbers are referred to a weed abatement contractor. The weed abatement contractor will begin abatement this year on May 6, 2019 and continue through July 2019 and again from October 7, 2019 through December 2019. The City pays the fees associated with the abatement and then places them on the San Bernardino County Tax Rolls for collection and reimbursement to the City.

**ENVIRONMENTAL IMPACT:**

The City has notified owners of parcels identified by the U.S. Fish and Wildlife Service as being possible habitat for the Delhi Sands Flower Loving Fly with recommendations to contact the U.S. Fish and Wildlife Service for proper abatement procedures.

**GENERAL PLAN CONSISTENCY:**

Goal 5-3: Increase the City's fire protection capabilities, and implement fire prevention regulations and standards that minimize potential fire hazards and fire losses.

**LEGAL REVIEW:**

The City Attorney has reviewed and approved this staff report

**FINANCIAL IMPACT:**

Operating Budget Impact

The cost of administering the Weed Abatement Program is fully recoverable. Revenues are accounted for in the General Fund Account No. 010-400-5173-7634. The total cost of abatement for each parcel, which includes the contractor's fees for abatement plus a City administrative fee of \$140.60, is applied to each property's tax bill and subsequently paid by the property owner. Funds in the amount of \$50,000.00 are budgeted in the General Fund Account No. 010-500-5173-2011 to pay the City contractor Kinco Weed Abatement, which is currently in year three of a three-year contract for weed abatement services with two optional one-year extensions based on satisfactory performance.

Capital Improvement Budget Impact

No impact to Capital Improvement Budget.

Licensing

City contractor currently has business license.

**RECOMMENDATION:**

Staff recommends that the City Council conduct the Public Hearing and upon its conclusion, direct staff to proceed with the 2019 Weed Abatement Program.