



# City of Rialto

## Legislation Text

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**File #:** 18-303, **Version:** 2

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For City Council Meeting [April 10, 2018]

TO: Honorable Mayor and City Council

APPROVAL: Robb R. Steel, Interim City Administrator

FROM: Sean Grayson, Fire Chief

Request City Council to Adopt **Resolution No. 7316** and Set a Public Hearing for **April 24, 2018**, to Consider Ordering the Abatement of Weeds on Various Properties within the City limits, and to hear any Objections to Imposing the Abatement Cost Therefore as a Lien Against Parcels of Property Set Forth in Exhibit A.

### **BACKGROUND:**

The California Government Code gives Cities the power to declare weeds, rubbish and refuse upon private property, and dirt upon the parkways and sidewalks in their jurisdictions a public nuisance by resolution. The attached resolution gives the Fire Chief the authority to notice property owners to abate conditions where weeds, rubbish or debris constitute a public nuisance. Additionally, the resolution authorizes the Fire Chief to approve a contractor to perform the abatement, to charge an administrative fee and to place all contractor fees plus the administrative fees on the County of San Bernardino Tax Rolls for collection from parcel owners who do not comply with the abatement notice. The resolution also sets the date for a public hearing for the Council Meeting on May 08, 2018 for any affected property owners to raise any objections to such proposed abatement and the charges for service

### **ANALYSIS/DISCUSSION:**

The Weed Abatement Program is an important fire prevention program, which promotes safety in the City of Rialto. Approximately 784 vacant parcels exist within the boundaries of the City of Rialto. In fiscal year 2016/2017, the City abated 135 parcels. The cities of Rialto, Colton, Redlands and the County of San Bernardino follow a similar weed abatement process. The City mails letters to all vacant property owners notifying them to abate their properties, and the Fire Prevention Division surveys 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 the weed abatement contractor. The weed abatement contractor will begin abatement this year on May 09, 2018 and continue through July 2018 and again from October 8, 2018 through December 2018. The City pays the fees 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 the 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 \$137.20, 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 two of a three-year contract for weed abatement services with two optional one-year extensions based on satisfactory performance.

**CAPITAL IMPROVEMENT BUDGET IMPACT**

None

**RECOMMENDATION:**

Staff recommends that City Council adopt the Resolution and Set a Public Hearing for April 24, 2018, for any objections to imposing the cost of abatement as a lien against parcels of property set forth in Exhibit "A" that are not in compliance with the 2018 Weed Abatement Program.