

STAFF REPORT

SUBJECT: CONSIDER AND APPROVE A RESOLUTION AUTHORIZING THE FIRE CHIEF TO UNDERTAKE THE REMOVAL OF WEEDS AND ABATEMENT OF PUBLIC NUISANCES FOLLOWING A PUBLIC HEARING ON OBJECTIONS AND PROTESTS

RECOMMENDATION

1. That the Board of Directors accepts the report as presented and approves the Resolution authorizing the Fire Chief to abate the public nuisances by the removal of seasonal weeds.

BACKGROUND/DISCUSSION

In accordance with the action taken at the September 22, 2021, Board Meeting, notices to destroy weeds were sent to property owners of parcels identified by the Fire Chief to constitute a fire hazard. The property owners are given until November 15, 2021 to abate the fire hazard, by cutting down, mowing, discing, plowing or by any other safe means, removing the weeds.

Pursuant to Health & Safety Code Section 14898, time is to be allowed at this meeting for owners of parcels who received a "Notice to Destroy Weeds", to come before the Board during the public hearing and provide any testimony or public objections regarding the District declaring their property(s) a public nuisance. The Board, after conducting the public hearing, shall allow or overrule any and all objections from property owners. Once the Board acts, its decision is final. Upon approval of the attached Resolution, the Fire District will be authorized to proceed with actions that will abate the public nuisance and reduce the fire hazard created by the seasonal weeds, if the property owner has not already done so by November 15, 2021.

FISCAL IMPACT

There is no fiscal impact on the District. If the District is required to abate the public nuisance for the property owner, the District will pass the actual cost of the weed abatement contractor on to the property owner plus an administrative fee for code enforcement that is in accordance with the District's fee schedule. Property owners are only charged if the District must correct the public nuisance. Cost recovery is provided through a property tax lien and collected through the San Mateo County Tax Assessor's Office.

ATTACHMENTS

- A. Resolution of the Board of Directors of the Coastside Fire Protection District Authorizing the Fire Chief to Undertake the Removal of Weeds and Abatement of Public Nuisances
- B. List of parcels that require weed abatement

Respectfully submitted,

JONATHAN COX
Deputy Fire Chief

RESOLUTION NO. 2021-51

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COASTSIDE FIRE PROTECTION DISTRICT AUTHORIZING THE FIRE CHIEF TO UNDERTAKE THE REMOVAL OF WEEDS AND ABATEMENT OF PUBLIC NUISANCES

WHEREAS, on September 22, 2021, the Board of Directors adopted Resolution No. 2021-49, "Resolution of the Board of Directors of the Coastsides Fire Protection District Declaring Seasonal Weeds A Public Nuisance"; and

WHEREAS, pursuant to that Resolution and the provisions of Health & Safety Code Section 14896, a notice was mailed to all interested persons in the manner required by law of a public hearing to be conducted on October 27, 2021, at 6:00 p.m., to hear and consider protests or objections, if any, to the District's intention to abate the nuisance created by the weeds growing upon or in front of the properties identified in the Resolution; and

WHEREAS, on October 27, 2021, the Board of Directors conducted the public hearing in the manner required by law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Coastsides Fire Protection District hereby accepts the report as submitted approving the following:

1. Except as set forth in Exhibit A annexed to this Resolution, all protests and objections, if any, are disallowed and overruled.

2. The Fire Chief is directed to undertake abatement of the nuisances described in this Resolution and to cause all the weeds to be removed. In doing so, he and his employees and/or contracting agents, and/or the representatives of any of them, are authorized to enter upon the properties referred to in the Resolutions for those purposes. The expense of abatement shall be determined, noticed, heard, reported and

decided in accordance with the provisions of Health & Safety Code Sections 14905 et seq., and 14915 et seq. and such other provision of law as may be applicable.

3. To the extent superseded by or inconsistent with this Resolution, the provisions of any antecedent resolutions of the Board of Directors are hereby rescinded.

PASSED AND ADOPTED as a Resolution of the Coastside Fire Protection District at the regular meeting held on the 27th day of October 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary Burke, President

ATTEST:

Deputy Chief Jonathan Cox, District Secretary

EXHIBIT A
LIST OF PROPERTIES

APN	Street	Community
047-162-530	Highland Ave	El Granada
047-173-150	San Pedro Rd	El Granada
037-320-270	Etheldore St	Moss Beach
047-142-280	Ave Portola	El Granada
047-143-270	Ave Portola	El Granada
047-143-280	Ave Portola	El Granada
047-143-370	Ave Portola	El Granada
047-143-450	Ave Portola	El Granada
047-144-050	Ave Portola	El Granada
047-144-070	Ave Portola	El Granada
047-144-080	Ave Portola	El Granada
047-144-460	Ave Portola	El Granada
047-144-470	Ave Portola	El Granada
047-152-310	Lewis Ave	El Granada
047-161-110	Highland Ave	El Granada