



CAMBRIA COMMUNITY SERVICES DISTRICT

I, Gail Robinette, President of the Cambria Community Services District Board of Directors, hereby call a Special Meeting of the Board of Directors pursuant to California Government Code Section 54956. The Special Meeting will be held: **Tuesday, July 7, 2015, 12:30 PM, 1000 Main Street Cambria, CA**. The purpose of the special meeting is to discuss or transact the following business:

AGENDA

**SPECIAL MEETING OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
Tuesday, July 7, 2015, 12:30 PM
1000 Main Street
Cambria, CA**

1. OPENING

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Establishment of Quorum**
- D. Report from Closed Session**

Timothy Carmel

2. ACKNOWLEDGEMENTS AND PRESENTATIONS

- A. Present a Proclamation to Retiring Fire Chief Mark Miller**

3. PUBLIC COMMENT (LIMITED TO 30 MINUTES)

Members of the public wishing to address the Board only on any item described in this Notice may do so when recognized by the Board President. Public Comment on this agenda will be limited to three (3) minutes per person.

4. MANAGER'S AND BOARD REPORTS (Estimated time 15 Minutes total)

- A. Ad Hoc Committee Reports and Other Related Board Member Reports (Committee Meetings and Board authorized meetings attended)**

5. HEARINGS AND APPEALS (Estimated time: 15 Minutes per item)

- A. Public Hearing to Consider Adoption of Resolution 26 2015 Ordering Abatement of Public Nuisance for Fire Hazard Fuel Reduction Program**

6. REGULAR BUSINESS (Estimated time: 15 Minutes per item)

7. ADJOURN TO CLOSED SESSION (Estimated time 60 Minutes)

- A.** PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957: Title: District Counsel
- B.** PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957: Title: General Manager
- C.** CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6 Agency Designated Representatives: General Manager Jerry Gruber; Unrepresented group, Management and Confidential Exempt Employees

CAMBRIA COMMUNITY SERVICES DISTRICT

TO: Board of Directors

AGENDA NO. **5.A.**

FROM: Jerry Gruber
Patrick O'Reilly

Meeting Date: July 7, 2015 Subject: Public Hearing to Consider Adoption of Resolution 26-2015 Ordering Abatement of Public Nuisance for Fire Hazard Fuel Reduction Program

RECOMMENDATIONS:

1. Receive staff report.
2. Open Public Hearing, consider any protests or objections.
3. Close Public Hearing and make any modifications to the parcels listed in Exhibit "A" to Resolution 26-2015.
4. Adopt Resolution 26-2015 authorizing the Fire Chief to abate the nuisance by having the weeds and debris removed from the parcels of property listed in Exhibit "A".

FISCAL IMPACT:

The fiscal impact to the CCSD is limited to paying the District's Contractor abatement charges and personnel time in processing inspections and billing. These costs are then recovered from the property owners by billing for reimbursement, plus administrative fees. Property owners that have parcels on the contract abatement list will be billed for services rendered by the District's Contractor, plus a \$100 administrative fee. Funds not recovered through this billing process will be placed on the County Tax Roll for calendar year 2016, with an administrative fee of \$200.

DISCUSSION:

In accordance with the requirements of the Health and Safety Code, a Notice to Destroy Weeds and remove debris was sent to the owners of 1,838 parcels, which were identified and noticed for weed abatement this year. Many of these parcels were abated by parcel owners and /or their personal contractors prior to the inspection deadline. Of these 1,838 parcels, 265 did not pass inspection and have been placed on the contract abatement list (Exhibit "A").

July 7, 2015 was established as the date to hold a public hearing to consider any objections or protests to the abatement of the weeds. Under the provisions of the Health and Safety Code, the Board is to consider any protest and allow or overrule any or all objections. Thereafter, the Board acquires jurisdiction to have the work of removal accomplished by the District. The Board's decision is final.

By adoption of the attached Resolution the Board will be ordering the abatement of the offending weeds and debris (Health and Safety Code Section 14900) and directing the Fire Chief to abate them. Health and Safety Code Section 14900.5 also provides that the Board may declare the weed nuisance to be “seasonal and recurrent” and thereafter weeds and debris on parcels that have been designated as having seasonal and recurrent nuisances can be abated in future years without additional hearings. For such parcels, Health and Safety Code Section 14900.6 sets forth noticing requirements in the form of a post card notice with certain required information. The attached Resolution includes language declaring the weeds and debris on the subject parcels to be seasonal and recurrent.

Attached: Resolution 26-2015

BOARD ACTION: Date _____ Approved: _____ Denied: _____

UNANIMOUS: ___ ROBINETTE ___ CLIFT ___ THOMPSON ___ BAHRINGER ___ RICE

RESOLUTION NO. 26-2015
DATED: JULY 7, 2015

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CAMBRIA COMMUNITY SERVICES DISTRICT
ORDERING ABATEMENT OF PUBLIC NUISANCE FOR
2015 FIRE HAZARD FUEL REDUCTION PROGRAM

WHEREAS, on April 23, 2015, Resolution No. 11-2015 declaring the vegetation and hazardous wildland fire fuels located on certain private property a public nuisance within the Cambria Community Services District pursuant to Health and Safety Code Section 14880 was duly adopted by the Board of Directors; and

WHEREAS, all affected property owners received a "Notice to Destroy Weeds" in conformance with Health and Safety Code Section 14890 *et seq.* and Section 14893 *et seq.*; and

WHEREAS, a public hearing to consider all objections or protests, if any, to the proposed removal of weeds pursuant to Section 14898 of the Health and Safety Code was held by the Board of the Cambria Community Services District on July 7, 2015; and

WHEREAS, pursuant to Health and Safety Code Section 14900, at the conclusion of the public hearing on July 7, 2015, the Board ordered the abatement of the public nuisance by having the weeds removed; and

WHEREAS, said public nuisance consists of noxious or dangerous vegetation and hazardous wildland fire fuels growing upon the private property parcels described on the attached document marked Exhibit "A", which is incorporated herein by reference as though here fully set forth, all of which parcels are located within said District; and

WHEREAS, it is in the public interest that said public nuisance be abated and that the District authorities be directed to remove and abate said vegetation and hazardous wildland fire fuels; and

WHEREAS, Health and Safety Code Section 14900.5 further provides that in the event the public nuisance is declared to be seasonal and recurrent by the Board, thereafter such seasonal and recurring weeds shall be abated every year without the necessity of any further hearing, subject to notice to property owners in accordance with Health and Safety Code Section 14900.6,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Cambria Community Services District as follows:

Section 1. That the recitals set forth herein above are true, correct and valid.

Section 2. That pursuant to Section 14900 of the Health and Safety Code, the District Fire Chief is hereby directed to abate said nuisance or to cause said nuisance to be abated by having the dangerous vegetation and hazardous wildland fire fuels removed from the parcels of real property described in said Exhibit "A".

Section 3. That the Board hereby declares said public nuisance of dangerous vegetation and hazardous wildland fire fuels to be seasonal and recurrent and, in future years, shall be abated pursuant to the provisions of Health and Safety Code Section 14900.6.

On the motion of _____, seconded by Director _____, Resolution No. 26-2015 is adopted at the Regular Meeting of the Cambria Community Services District this 7th day of July 2015.

Gail Robinette, President
Board of Directors

ATTEST:

APPROVED AS TO FORM:

Monique Madrid, District Clerk

Timothy J. Carmel, District Counsel

Parcel

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