



RESOLUTION 2024-12

RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON FIRE PROTECTION DISTRICT CONFIRMING THE REPORT OF THE COSTS OF ABATEMENT OF PUBLIC NUISANCE CONDITIONS, WEEDS AND FLAMMABLE MATERIALS AND AUTHORIZING RELATED ACTIONS

WHEREAS, Health and Safety Code Sections 14875 et. Seq. and Government Code Sections 39560 et. Seq. provides a method by which a local legislative body may abate on private property public nuisance conditions relating to weeds, rubbish, litter or other flammable material which creates a fire hazard, a menace to the public health or which is otherwise noxious or dangerous; and

WHEREAS, at the conclusion of the September 18, 2024, public meeting, the Kensington Fire Protection Board of Directors directed the Fire Chief or his designee through Resolution No. 2024-08, to remove the public nuisance conditions on a property deemed by the Board to constitute a public nuisance according to the provisions of Health and Safety Code Section 14900, which were and are identified in Exhibit A; and

WHEREAS, the Kensington Fire Protection District Board of Directors further directed that the Fire Chief or his designee keep an account of the cost of abatement of the property in question on which work was performed in accordance with Health and Safety Code Section 14905. The report shall be prepared and presented to the Board of Directors so that, after notice and hearing, these abatement costs could be confirmed as a special assessment on the property in question; and

WHEREAS, as required by Health and Safety Code Section 14910 and Government Code Section 39576, the Kensington Fire Protection District Board of Directors conducted a hearing on December 18, 2024, at which objections were heard regarding the report and the assessment of the abatement costs for the property identified in Exhibit A of this Resolution. Notice of the hearing was provided to the owner of the subject property; and

WHEREAS, at the hearing, Fire Department staff presented evidence for the subject property for which there were no objections concerning the abatement costs and administrative expenses contained in the report; and

WHEREAS, such testimony included a description of the public nuisance conditions which existed at the property prior to abatement, a description of the services required to abate those conditions, the staff and machinery necessary to achieve abatement, the costs to the District in abating those conditions, and such other matter deemed relevant by the Board of Directors; and

Resolution 2024-12
December 18, 2024
Page 2

WHEREAS, the Kensington Fire Protection District Board of Directors does hereby conclude that the abatement costs for the property in question identified in Exhibit A, as such costs may have been modified by the Board of Directors after a review of the evidence, are fair and reasonable. This determination is based on the evidence submitted by the property owner, the evidence submitted by Fire Department staff, the evidence concerning the nuisance conditions which existed on the property in question prior to abatement, the evidence concerning the scope of services required to abate those conditions, and such other matter deemed relevant by the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED that the Kensington Fire Protection District Board of Directors does hereby confirm the report of costs of abatement as contained in Exhibit B of this Resolution.

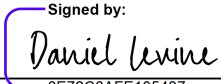
BE IT FURTHER RESOLVED that the costs of abatement shall be levied as a special assessment against the property in question and that these costs shall be certified to the auditor of Contra Costa County so that the costs of abatement shall be collected at the same time and in the same manner as ordinary county taxes.

BE IT FURTHER RESOLVED that a certified copy of this Resolution confirming the abatement costs for the property in question identified in Exhibit A of this Resolution shall be immediately filed with the County Auditor.

BE IT FURTHER RESOLVED that the Fire Chief or designee shall take such action necessary to record the abatement costs for the property in question as identified in Exhibit A of this Resolution with the County Recorder as a lien against the property in question provided for in Health and Safety Code Section 14912.

The foregoing resolution was duly adopted at a regular meeting of the Board of Directors of the Kensington Fire Protection District on the 18th Day of December 2024, by the following vote of the Board:

AYES:	BOARD MEMBERS:	Levine, Madugo, Artis, Stein, Watt
NOES:	BOARD MEMBERS:	None
ABSENT:	BOARD MEMBERS:	None
ABSTAIN:	BOARD MEMBERS:	None

Signed by:

Daniel Levine, President

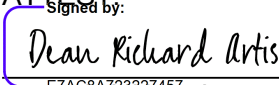
ATTEST:
Signed by:

Dean (Rick) Artis, Secretary

EXHIBIT A

12/18/2024

Kensington Fire Protection District
List of Real Property Constituting Public Nuisances

<u>APN</u>	<u>Street Address</u>
570-041-015-1	208 Stanford Ave

Exhibit B

KENSINGTON FIRE PROTECTION DISTRICT
ADMINISTRATIVE COST WORK SHEET

208 Stanford Ave. APN: 570-041-015-1

08/26/2024 - Initial inspection and notice.....	\$0.00
09/17/2024 - Re-inspection	\$0.00
09/18/2024 - Office work and attend Fire Board meeting Abatement Hearing 60 min@139.00/hr.....	\$139.00
09/19/2024 - Second notice..... 15 min @139.00/hr.....	\$34.75
11/04/2024 – Posting of Property.....15 min @ 9.00/hr.....	\$34.75
11/05/2024 - Vendor bid 30 min @ 139.00/hr.....	\$69.50
11/17/2024 - Vendor observation/inspection....15 min @ 139.00/hr.....	\$34.75
12/18/2024 - Office work and attend City Council Meeting Cost Hearing..... 60 min @ 139.00/hr.....	\$139.00
8/10/2025 - County Record Abatement.....60 min @ 139.00/hr.....	\$139.00
TOTAL ADMINISTRATIVE COST.....	\$590.75
TOTAL CONTRACTOR’S INVOICE	\$2,350.00
TOTAL COST OF ABATEMENT	\$2,940.75

FIRE SAFETY CLEARING.

510-541-2130. Nov. 25, 2024

Invoice # 21043-4

To: El Cerrito Fire Dept.

10900 San Pablo Ave. El Cerrito, CA. 94530

**Address: 208 Stanford Ave. Kensington, CA.
94708**

**Scope of Work: reduce hazardous
fuel load. Clear violations.**

**Back yard area: -remove black berry,
-acacia sprouts, weed abatement,
brush control**

-clear driveway, trim juniper

Front areas: create separation, limb up Hollywood juniper, clear walkway. Clear lower branches

-weed abatement, brush control

-remove deadwood -Hauling

Total....\$2350.00 -

Teo Carlone

1224 Masonic Ave. Berkeley, CA. 94706.

FIRE SAFTEY CLEARING. 510-541-2130

Additional Information

Invoice # 21043-4

To: El Cerrito Fire Dept.

**10900 San Pablo Ave. El Cerrito, CA. 94530
Address: 208 Stanford Ave. Kensington, CA.
94708**

Scope of Work: reduce hazardous fuel load. Clear violations.

Remove small trees, create separation, limb up lower branches,

Clear backyard area , this with brush and sprouts.

Tools used: Chain saw, brush clearing saw, weed whacker, power pole saw, pole pruner, wood chipper, blower.

Work done from Wed. Nov. 13, 2024 to Sun. Nov. 17, 2024

Total hours worked: 36

Crew members: Only me, Teo Carlone

This includes: drive time, chipping, cutting, organizing brush, emptying chips from truck, loading wood, clean up.

**-Teo Carlone
1224 Masonic Ave.
Berkeley, CA. 94706.**

Thanks for the work. It was much appreciated.



