

**OCEANO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2014-07**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OCEANO COMMUNITY SERVICES DISTRICT AUTHORIZING THE FIVE CITIES FIRE AUTHORITY TO PERFORM WEED ABATEMENT PROGRAMS CONSISTENT WITH AUTHORITY UNDER THE JOINT EXERCISE OF POWERS AGREEMENT

WHEREAS, the Oceano Community Service District (OCSD) , along with the Cities of Arroyo Grande and Grover Beach, created the Five Cities Fire Authority under a Joint Exercise of Powers Agreement dated June 7, 2010 for the purpose of providing more efficient and effective fire protection services within each agency's respective jurisdiction; and

WHEREAS, in accordance with the Joint Exercise of Powers Agreement, since 2011 the Five Cities Fire Authority has annually administered the weed abatement programs in accordance with the ordinances and procedures for each of the three agencies; and

WHEREAS, each City and the OCSD has its own district process and timetable for the abatement of weeds and dry grasses and the Fire Chief for the Five Cities Fire Authority has recommended that standardization of the weed abatement programs of the parent agencies will provide greater efficiencies in the delivery of fire protection services; and

WHEREAS, Community Services Districts are authorized by Government Code Section 61100(t) to follow the procedures in Health and Safety Code Section 14875, et sequentes to abate weeds, and pursuant to Government Code Section 39502, the Cities of Grover Beach and Arroyo Grande have adopted an ordinance to provide for the removal of weeds and making the cost of removal a lien on the property, and

WHEREAS, based upon the foregoing, and pursuant to the authority granted in Government Code, section 6500, et sequentes, Joint Exercise of Powers Act, the Cities of Arroyo Grande and Grover Beach have determined that they should adopt and incorporate by reference the provisions of Health and Safety Code Sections 14875, et sequentes as an alternative weed abatement procedure, and provided that the Five Cities Fire Authority hold all hearings, issue all notices and otherwise implement the weed abatement programs, so that all three agencies that make up the Joint Powers Authority are using the same weed abatement process; and

WHEREAS, the OCSD in accordance with the same authority under the Joint Exercise of Powers Act, agrees that all members of the Five Cities Fire Authority should perform and implement a uniform process for weed abatement by following the same statutory authority and using the Five Cities Fire Authority for implementation of that procedure.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE OCEANO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. In accordance with the terms of the Joint Exercise of Powers Agreement which deems the Five Cities Fire Authority to be the Fire Department for the Oceano Community Services District, and the Joint Exercise of Powers Act, Government Code sections 6500 et sequentes, the Five Cities Fire Authority is hereby authorized to hold all hearings, issue all notices and take all necessary actions to implement and enforce the weed abatement procedures contained in California Health and Safety Code Sections 14875, et sequente, thus creating a uniform statutory authority and implementing agency for weed abatement procedures between OCSD and the Cities of Arroyo Grande and Grover Beach.

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On motion by Director White, seconded by Director Blackburn, and carried on the following roll call vote, to wit:

AYES: Director White, Director Blackburn, Director Angello, Vice President Lucey, President Guerrero

NOES: None

ABSENT: None

ABSTAIN: None

the foregoing Resolution is hereby passed and adopted this 23th day of April, 2014.



MATTHEW GUERRERO, PRESIDENT

ATTEST:



Marie McGrath - Office Manager