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PUBLIC SAFETY COMMITTEE REPORT relative to proposed decisions and recommendations for 2015 Brush Clearance Assessment Appeals.

Recommendations for Council action:

1. CONFIRM the 2015 Brush Clearance Assessments, as recommended by the Board of Fire Commissioners at its meeting held August 2, 2016, and as contained in the 2015 Brush Clearance Assessment Hearings Report, Proposed Decisions, and Recommendations, attached to the Council file, with the amendment to waive the administration fee of \$990 of the assessment for the parcel identified as Assessor Identification No. 4384029007.
2. SUBMIT WITHOUT RECOMMENDATION assessment appeals for the following properties:

| <u>APN</u> | <u>OWNER</u>                  | <u>COST OF CLEARANCE</u> | <u>ADMINISTRATIVE FEE</u> | <u>TOTAL ASSESSMENT</u> |
|------------|-------------------------------|--------------------------|---------------------------|-------------------------|
| 2184025032 | Denver Investment Group LLC   | \$3,600                  | \$990                     | \$4,590                 |
| 2552026010 | GKVM Holdings LLC             | 390                      | 990                       | 1,380                   |
| 2553014003 | Kim Loan Restaurant Inc       | 1,200                    | 990                       | 2,190                   |
| 2601026051 | Zada, Tibor and Suzanne W     | (per board action)       |                           | 4,000                   |
| 2727022051 | Mbarkeh, Elias and Kahramanah | 500                      | 990                       | 1,490                   |
| 4352011007 | Yu, Michelle                  | 1,200                    | 990                       | 2,190                   |

Fiscal Impact Statement: The Los Angeles Fire Department (LAFD) reports that property owners are assessed an administrative fee of \$990 and the cost of clearance to abate the hazard for failure to comply with brush clearance requirements. The average cost of clearance is \$800 to \$1200. For the 2015 brush season, 64 appeal requests were received from property owners electing to appeal their assessments. Of the 84 appeals received, 25 were granted or reduced. The Brush Clearance Assessment Hearings estimated total revenue is \$169,385.

Community Impact Statement: None submitted.

SUMMARY

In a report to the Board of Fire Commissioners dated July 18, 2016, the LAFD presents the proposed decision and recommendation for the 2015 Brush Clearance Assessment Appeals. The LAFD reports that invoices setting forth the cost of abatement, administrative fee, and/or a noncompliance fee were mailed to property owners. A letter was included in the invoice informing

the property owner if they wished to present evidence that shows cause why the property should not be assessed for the cost of abatement or not be assessed in the amount specified in the invoice, and that the LAFD would schedule them for a hearing. The Brush Clearance Unit held the 2015 Brush Clearance Assessment Appeals at the Marvin Braude Center located in San Fernando Valley from May 23 through June 3, 2016. This year, the LAFD received 64 requests from property owners who chose to appeal the imposed assessment. The cases were randomly distributed to the hearing officers in keeping with the recent California Supreme Court's decision regarding administrative hearings and the City Attorney's recommendation in this matter. The Board approved LAFD's recommendations. Upon Council approval, LAFD's proposed assessments will be placed on the Los Angeles County 2016 Tax rolls.

At its meeting held September 20, 2016, the Public Safety Committee considered this matter. LAFD Brush Clearance Unit staff was in attendance. Seven appellants testified before the committee. After listening to the appeals and viewing the documents submitted by the appellants in Committee, the committee moved to waive the \$990 administrative fee for the parcel identified as Assessor Identification No. 4384029007. For the parcels identified as Assessor Identification Nos. 2184025032, 2552026010, 2553014003, 2601026051, 2727022051, and 4352011007, the Committee moved to submit these without recommendation, awaiting further information from the LAFD to verify the claims made by the appellants. An opportunity for public comment was held. After further discussion of the matter, the Committee moved to confirm the 2015 Brush Clearance Assessments as amended and submit six parcels without recommendation, as detailed above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

PUBLIC SAFETY COMMITTEE



| <u>MEMBER</u> | <u>VOTE</u> |
|---------------|-------------|
| ENGLANDER:    | YES         |
| BUSCAINO:     | YES         |
| BONIN:        | YES         |
| O'FARRELL:    | YES         |
| MARTINEZ:     | ABSENT      |

ME

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**