

TRANSMITTAL

To:

THE COUNCIL

Date:

JUL 24 2014

From:

THE MAYOR

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.

A handwritten signature in blue ink, appearing to read 'Eric Garcetti', with a long, sweeping flourish extending to the right.

(Ana Guerrero)

ERIC GARCETTI
Mayor

LOS ANGELES FIRE COMMISSION

BOARD OF
FIRE COMMISSIONERS

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COMMISSION EXECUTIVE ASSISTANT II



ERIC GARCETTI
Mayor

SUE STENGEL
INDEPENDENT ASSESSOR

EXECUTIVE OFFICE
200 NORTH MAIN STREET, ROOM 1840
LOS ANGELES, CA 90012

(213) 978-3838 PHONE
(213) 978-3814 FAX

July 16, 2014

Honorable Eric Garcetti
Mayor, City of Los Angeles
Room 303, City Hall
Attention: Mandy Morales, Legislative Coordinator

[BFC 14-071] - PROPOSED DECISION AND RECOMMENDATION FOR THE 2013 BRUSH CLEARANCE ASSESSMENT APPEALS

At the meeting of Tuesday, July 15, 2014, the Board of Fire Commissioners approved the recommendations outlined in the Fire Chief's report dated June 26, 2014 and the Proposed Decision and Recommendation for the 2013 Brush Clearance Assessment Appeals Report. Transmitted herewith for your consideration is the report. Upon completion of your review, please forward the documents to the City Council for approval.

Please note that this process is time-sensitive. The assessment documentation must be forwarded to the Los Angeles County Tax Collector's Office by the established 2014 Property Tax Roll deadline.

Should you have any question regarding this matter, please contact the Board office at 213-978-3838.

Sincerely,

Leticia Gómez
Commission Executive Assistant

Attachments

cc: Eileen Decker, Deputy Mayor, Homeland Security and Public Safety
Board of Fire Commissioners
James G. Featherstone, Interim Fire Chief (without attachment)
Carlos De La Guerra, Assistant City Attorney (without attachment)

APPROVED: 7/15/14
BOARD OF FIRE COMMISSIONERS
BY: *William Honey*
COMMISSION EXECUTIVE ASSISTANT



LOS ANGELES FIRE DEPARTMENT

JAMES G. FEATHERSTONE
INTERIM FIRE CHIEF

June 26, 2014

BOARD OF FIRE COMMISSIONERS
FILE NO. 14-071

TO: Board of Fire Commissioners
FROM: James G. Featherstone, Interim Fire Chief *[Signature]*
SUBJECT: PROPOSED DECISION AND RECOMMENDATION FOR THE 2013
BRUSH CLEARANCE ASSESSMENT APPEALS

FOR FINAL ACTION:	<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Corrections	<input type="checkbox"/> Withdrawn
	<input type="checkbox"/> Denied	<input type="checkbox"/> Received & Filed	<input type="checkbox"/> Other

SUMMARY

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, the Fire Department would scheduled them for a hearing.

The Brush Clearance Unit held the 2013 Brush Clearance Assessment Appeals at the Marvin Braude Center located in San Fernando Valley from April 21 through May 8, 2014.

This year the Fire Department received 61 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.

RECOMMENDATIONS

That the Board:

1. Approve the Hearing Officer's "Proposed Decision and Recommendations." (Attachment 1).
2. Direct the Fire Department to mail the notification letter (Attachment 2), to the property owner regarding the Board of Fire Commissioners findings, conclusion and proposed assessment.

3. Transmit the Board of Fire Commissioners approved report and proposed decision of the hearing officers to the City Attorney.
4. Transmit the Board of Fire Commissioners approved report to the Mayor for placement on the City Council calendar.
5. Upon City Council adoption of the report, direct the Fire Department to forward the report to the Los Angeles County Tax Collector for placement on the Los Angeles County 2014 Property Tax rolls.

FISCAL IMPACT

Property owners are assessed an administrative fee of \$938.00 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 2013 brush season, 61 appeal requests were received from property owners electing to appeal their assessments. Of the 61 appeals received, 20 were granted or reduced.

The Brush Clearance Assessment Hearings estimated total revenue is \$159,179.00.

DISCUSSION

The Hearing Officers have considered the evidence and they have received testimony from departmental personnel with respect to the existence of a nuisance and cost of abatement.

The report identifies and includes the name and mailing address of the owner of each parcel from which a fire nuisance was abated. In addition, the reports include the substance of protest, departmental information and proposed decision and recommendation as to whether or not the proposed assessment should be: (1) confirmed in the amount set forth in the invoice, (2) waived, or (3) confirmed in an amount less than set forth in the invoice.

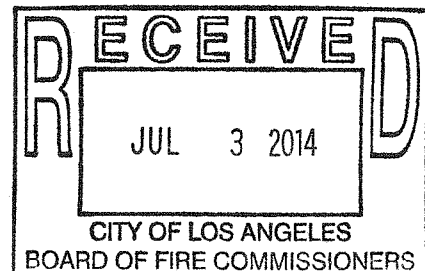
CONCLUSION

Upon approval, a transmittal to the attached "Report, Proposed Decision and Recommendations" by the Board of Fire Commissioners will be sent to the City Council for adoption and placement on the Los Angeles County 2014 Tax rolls. This will concluded the 2013 Brush Clearance Assessment Appeals.

Board report was prepared by Robert Knight, Captain II, Brush Clearance Unit.

Attachments:

- Attachment 1: Proposed Decision and Recommendation
- Attachment 2: Notification Letter



**BOARD OF FIRE
COMMISSIONERS**

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CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

FIRE DEPARTMENT

JAMES G. FEATHERSTONE
INTERIM FIRE CHIEF

6262 VAN NUYS BOULEVARD
ROOM 451
VAN NUYS, CA 91401

(800) 994-4444
FAX: (818) 778-4910

[HTTP://WWW.LAFD.ORG](http://www.lafd.org)

(DATE)

(ATTACHMENT 2)

Dear Property Owner:

The Board of Fire Commissioners has concluded its portion of the 2013 Brush Clearance Appeals process and it has approved the attached copy of the report and proposed decision of the hearing officer. The approved report will be transmitted to the City Clerk for placement on the City Council's calendar.

A copy of the hearing officer's complete 2013 report is available for review at the Brush Clearance Unit located at 6262 Van Nuys Boulevard, Suite 451, Van Nuys, California 91401. If you have questions regarding your 2014 inspections or notices you may have received, please call the Brush Clearance Unit at (800) 994-4444 for more information.

You may submit newly discovered or additional evidence that was not presented at the time of your hearing before the Board of Fire Commissioners. All newly discovered or additional evidence must be in writing, addressed and mailed to the Public Safety Committee, c/o City Clerk, 200 North Spring Street, Room 395, City Hall, Los Angeles California 90012. You will be given an opportunity to present this new or additional evidence before the Public Safety Committee of the City Council for review. The Public Safety Committee will make a recommendation for final action by the City Council based on the new or additional evidence and the recommendation of the Board of Fire Commissioners. Please provide seven (7) copies for distribution.

The Public Safety Committee meeting is scheduled for (DATE / TIME). The address is: 200 North Spring Street, Room 1010, City Hall, Los Angeles, California 90012. Please be advised that the meeting date and time are subject to change. To verify the Committee's meeting date and time, please contact John White at (213) 978-1072.

Thank you for your courtesy and patience throughout the appeal process and please remember that brush clearance is a year-round responsibility.

Very truly yours,

Delia Ibarra, President
Board of Fire Commissioners

Attachment