


Agenda Report Reviewed by:
City Manager: 

**CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM**

Meeting Date: June 6, 2023
To: Honorable Mayor and Honorable City Councilmembers
From: Interim Fire Chief Jack Piccinini
Subject: Weed Abatement Public Hearing
Recommandation: All parcels on Exhibit "A" attached be included under the enclosed Resolution allowing the City to abate weeds.
Funding: Currently Budgeted: _____ Yes _____ No X N/A
Net General Fund Cost: None

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

INTRODUCTION/PURPOSE:

This item is to request City Council approve the Resolution and attached Exhibit "A" for the abatement of weeds.

BACKGROUND:

City Ordinance #647 requires notification to property owners that they have the right to protest, during a public hearing, their being included on the list of properties scheduled for weed abatement by the City.

DISCUSSION:

At the May 16, 2023 City Council Meeting, the Council adopted a Resolution declaring weeds a public nuisance and set a date for Public Hearing of June 6, 2023 in order to provide property owners a means of protesting the removal of weeds on their property.

If after hearing any and all objections from property owners, the City Council may remove any parcels it deems appropriate from the weed abatement program.

After those properties are removed, if any, then the attached Resolution may be acted upon. This Resolution empowers City Staff to enter upon identified properties and abate weeds/fire hazards and invoice the property owners for the cost of abatement plus administrative costs.

GOALS:

This action supports the following City Council Goals and General Plan Actions:

- Goal 4 - Maintain and Enhance the City of Sebastopol as a Walkable/Bike-able Community and Enhance the City's Commitment to Promotion of our public's health by Creating and Participating in City and Community Programs, Services and Policies.
 - 4.1 - Create a Safe, Healthy and Attractive Environment for Residents and Visitors
 - Circulation (CIR)
 - Community Health and Wellness (CHW)
 - Chapter 10: Goals CHW 1 thru CHW 6 [Pg.10-1 thru 10-8]

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, if staff receives public comment from interested parties following the publication and distribution of this staff report, such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public hearing.

PUBLIC NOTICE:

This agenda item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

FISCAL IMPACT:

There is no fiscal impact with this item tonight, however, if the property owner fails to abate their lots, a contractor hired by the Fire Department will abate the lots and the property owner will be billed for the cost of abatement plus administrative costs.

RECOMMENDATION:

That the City Council conduct the public hearing and adopt the attached resolution.

Attachment(s):

Resolution

Exhibit "A"

RESOLUTION NO. _____-2023

RESOLUTION ORDERING ABATEMENT OF WEEDS EXISTING WITHIN THE CITY OF SEBASTOPOL

WHEREAS, The City Council of the City of Sebastopol did, by Resolution No.6532-2023, adopted on May 16th, 2023, declare that all weeds growing upon any private property or in any public street or alley, constitute a public nuisance; and

WHEREAS, pursuant to Ordinance No. 647 of the City of Sebastopol due notice has been given to certain owners of properties upon which, or in front of which, such weeds are growing; and

WHEREAS, on June 6th, 2023, a public hearing was held by the City Council of the City of Sebastopol to consider all protests to the proposed removal of weeds and such protests have been given due consideration.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sebastopol that all objections, if any, presented to said City Council at said public hearing are herewith overruled.

BE IT FURTHER RESOLVED that the City Manager, Fire Chief, employees or agents, are hereby expressly authorized to enter upon private property and abate such nuisances by having all weeds referred to, which have not heretofore been removed, removed from said properties as set forth on Exhibit A attached hereto, provided, however, that the property owner shall have the right to destroy or remove at his own expense such weeds prior to the arrival of the City Manager or his authorized representatives.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 6th day of June 2023.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor Neysa Hinton

ATTEST: _____
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
Larry McLaughlin, City Manager/Attorney

Exhibit "A"
Weed Abatement Listing

<i>Parcel Number</i>	<i>Street</i>		
004-211-007-000	7716 Bodega Avenue		
060-230-067-000	7760 Bodega Avenue		
004-350-024-000	7950 Bodega Avenue		
004-370-017-000	7951 Bodega Avenue		
004-350-076-000	8086 Bodega Avenue		
004-281-021-000	7816 Brookside Avenue		
004-052-001-000	6828 Depot Street		
004-470-066-000	1208 Enos Avenue		
004-320-005-000	7154 Fircrest Avenue		
004-172-017-000	763 First Street		
004-340-020-000	1020 First Street		
004-490-046-000	215 Golden Ridge Avenue		
004-420-030-000	220 Golden Ridge Avenue		
004-102-027-000	778 Gravenstein Hwy South		
004-390-003-000	955 Gravenstein Hwy South		
004-390-009-000	995 Gravenstein Hwy South		
060-261-026-000	1011 Gravenstein Hwy North		
060-261-028-000	1009 Gravenstein Nwy North		
060-261-029-000	1003 Gravenstein Hwy North		
004-660-031-000	Giusti Court		
004-660-032-000	Giusti Court		
004-660-033-000	Giusti Court		
004-312-027-000	586 Harrison Street		
004-390-011-000	7005 Hazel Cotter Court		
004-470-042-000	1209 Jean Drive		
004-470-043-000	1213 Jean Drive		
004-340-025-000	950 McFarlane Avenue		
004-291-043-000	385 Murphy Avenue		
004-670-022-000	333 North Main St		
004-272-052-000	Springdale Street		
004-272-053-000	Springdale Street		
004-272-054-000	Springdale Street		
004-161-029-000	530 Swain Woods Terrace		
004-083-025-000	6732 Walker Avenue		
060-120-003-000	6733 Walker Avenue		
004-272-057-000	7836 Washington Avenue		
004-272-055-000	7850 Washington Avenue		
004-272-060-000	7854 Washington Avenue		
060-240-052-000	7870 Washington Avenue		