


Agenda Report Reviewed by:
City Manager: 

CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM

Meeting Date: June 7, 2022
To: Honorable Mayor and Honorable City Councilmembers
From: Fire Chief Bill Braga
Subject: Weed Abatement Public Hearing
Recommendation: 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 to review for approval of the attached Exhibit "A" and Resolution 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 3, 2022 City Council Meeting, the Council adopted a Resolution declaring weeds a public nuisance and set a date for Public Hearing of June 7, 2022 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. _____-2022

RESOLUTION ORDERING ABATEMENT OF WEEDS EXISTING WITHIN
THE CITY OF SEBASTOPOL

WHEREAS, The City Council of the City of Sebastopol did, by Resolution No.6426-2022, adopted on May 3rd, 2022, declaring 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 7th, 2022, 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 7th day of June, 2022, by the following vote:

VOTE:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

APPROVED: _____
Mayor Patrick Slater

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

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