


Agenda Report Reviewed by:  
City Manager: 

CITY OF SEBASTOPOLE  
CITY COUNCIL  
AGENDA ITEM

Meeting Date: May 3, 2022  
To: Honorable Mayor and Honorable City Councilmembers  
From: Fire Chief Bill Braga  
Subject: Resolution Declaring Weeds a Public Nuisance  
Recommandation : Staff recommends adoption of the attached Resolution in order to proceed with the City’s Weed Abatement Program.  
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 approve the attached Resolution declaring weeds growing upon private properties within the City a fire hazard and a public nuisance and set a public hearing date on June 7, 2022 for those who object to the proposed removal of weeds from their lots.

**BACKGROUND:**

Every year a number of private properties are declared to be a fire hazard, therefore a public nuisance and in need of abatement. The resolution is passed and adopted, and a date set for a public hearing for those owners who object to this resolution. The hearing date will provide us sufficient time to legally notice all of the affected property owners of the public hearing. This is an annual program for weed abatement in the City. City Ordinance #647 provides for an abatement procedure and hearings.

**DISCUSSION:**

The attached Resolution signifies the beginning of the City’s Annual Weed Abatement Program. The Resolution declares weeds a public nuisance and sets a date for public hearing in order to provide property owners a means of protesting the removal of weeds on their property.

The parcels of land listed on Exhibit “A” (attached) have been inspected and, at that time of inspection, were found to have weeds thereon. These weeds have the potential to become a fire hazard in the very near future as summer weather patterns cause the weeds to become dry and combustible.

If the weeds on these parcels are not removed by June 7th, 2022, the City will abate the fire hazards and bill the property owners for the cost of abatement plus administrative costs.

**PUBLIC COMMENT:**

As of the writing of this staff report, the City has not received any public comment. However, public comment from interested parties following the publication and distribution of this staff report will be provided to the City

Council as supplemental materials before or at the meeting. In addition, a consent calendar item may be requested to be removed from the consent calendar if a member of the Council or public requests to provide public comment on this item.

**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 adopts the attached Resolution in order to proceed with the City's Weed Abatement Program.

**Attachment(s):**

Resolution  
Exhibit "A"

RESOLUTION # \_\_\_\_\_

RESOLUTION DECLARING WEEDS ON PRIVATE PROPERTY TO BE A PUBLIC  
NUISANCE IN ACCORDANCE WITH ORDINANCE #647

WHEREAS, the Fire Chief has reported that certain owners of properties have not abated and removed weeds and other fire hazards from their property, and

WHEREAS, Ordinance #647 provides for an abatement procedure and hearing,

NOW THEREFORE, BE IT RESOLVED that the weeds on properties listed on the attached Exhibit "A" are hereby declared to be a Public Nuisance, and

BE IT FURTHER RESOLVED that a hearing is hereby set for 6:00 p.m., June 7th, 2022 to hear any objections to the proposed destruction and removal of said Weeds and Fire Hazards; and that the expense thereof shall be assessed upon the lot or lands from which such weeds shall have been destroyed or removed.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 3rd day of May, 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

Exhibit "A"  
Weed Abatement Listing

<u>Parcel Number</u>	<u>Street</u>	<u>Owner</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
004-211-007-000	7716 Bodega Avenue	Sebastopol Pacific Associates	430 E State Street, #100	Eagle	ID	83616
060-230-067-000	7760 Bodega Avenue	Sebastopol Pacific Associates	439 East State Street, #100	Eagle	ID	83616
004-350-024-000	7950 Bodega Avenue	Huntley Square LLC	630 Airpark Drive #A	Napa	CA	94558
004-370-017-000	7951 Bodega Avenue	Steve Lang	7136 Burnett Street	Sebastopol	CA	95472
004-350-076-000	8086 Bodega Avenue	Postcard Properties	2044 Union Street	San Francisco	CA	94123
004-281-021-000	7816 Brookside Avenue	Bettylou Niclaes	16076 Armstrong Ct.	Guerneville	CA	95446
004-052-001-000	6828 Depot Street	MV Hotel Sebastopol, LLC	580 2nd Street #260	Oakland	CA	94607
004-470-066-000	1208 Enos Avenue	Cruz Family Trust	1204 Enos Avenue	Sebastopol	CA	95472
004-124-001-000	7095 Fellers Lane	Jay Hanson	3771 Redwood Circle	Palo Alto	CA	94306
004-320-005-000	7154 Fircrest Avenue	Ellen Stortz Trust	979 Lillian Way	Sebastopol	CA	95472
004-172-017-000	763 First Street	Steve Schoch	974 Blue Bonnett Dr.	Sunnyvale	CA	94086
004-340-020-000	1020 First Street	Bryan Varnadore	1020 First Street	Sebastopol	CA	95472
004-490-046-000	215 Golden Ridge Avenue	Robert O. Beauchamp	215 Golden Ridge Ave	Sebastopol	CA	95472
004-420-030-000	220 Golden Ridge Avenue	Tommie L. Cazel	9 San Luis Pl.	Santa Rosa	CA	95409
004-102-027-000	778 Gravenstein Hwy South	Jenny Soley	5815 Yerba Buena Road	Santa Rosa	CA	95409
004-390-003-000	955 Gravenstein Hwy South	James F. Cotter	2135 E Hildebrand	San Antonio	TX	78205
004-390-009-000	995 Gravenstein Hwy South	James F. Cotter	2135 E Hildebrand	San Antonio	TX	78205
060-261-026-000	1011 Gravenstein Hwy North	Sebastopol LLC	PO Box 4976	Jackson	WY	83001
060-261-028-000	1009 Gravenstein Nwy North	Sebastopol LLC	PO Box 4976	Jackson	WY	83001
060-261-029-000	1003 Gravenstein Hwy North	H-1 Real Estate LLC	PO Box 4976	Jackson	WY	83001
004-660-031-000	Giusti Court	Lorraine Giusti	913 McFarlane Avenue	Sebastopol	CA	95472
004-660-032-000	Giusti Court	Lorraine Giusti	913 McFarlane Avenue	Sebastopol	CA	95472
004-660-033-000	Giusti Court	Lorraine Giusti	913 McFarlane Avenue	Sebastopol	CA	95472
004-312-027-000	586 Harrison Street	Diane Massey-Todd	PO Box 1603	Forestville	CA	95436
004-390-011-000	7005 Hazel Cotter Court	James F. Cotter	2135 E Hildebrand	San Antonio	TX	78205
004-470-042-000	1209 Jean Drive	Bettylou Niclaes	16076 Armstrong Ct.	Guerneville	CA	95446
004-470-043-000	1213 Jean Drive	Bettylou Niclaes	16076 Armstrong Ct.	Guerneville	CA	95446
004-340-025-000	950 McFarlane Avenue	Paul Giusti	913 McFarlane Avenue	Sebastopol	CA	95472
004-291-043-000	385 Murphy Avenue	Gus Paxinos	963 West Sierra Avenue	Cotati	CA	94931
004-670-022-000	333 North Main St	Habitat for Humanity	1201 Piner Road #500	Santa Rosa	CA	95403
004-272-052-000	Springdale Street	Donald Doherty	P O Box 2275	Santa Rosa	CA	95405
004-272-053-000	Springdale Street	Eric Valentino, Tr.	1057 Marcussen Dr.	Menlo Park	CA	94025
004-272-054-000	Springdale Street	Donald Doherty	P O Box 2275	Santa Rosa	CA	95405
004-161-029-000	530 Swain Woods Terrace	Carol Lynch	3897 MacGregor Common	Livermore	CA	94551
004-083-025-000	6732 Walker Avenue	Bryan Farrell	177 Sacramento Street	Sacramento	CA	95603
060-120-003-000	6733 Walker Avenue	Bryan Farrell	177 Sacramento Street	Sacramento	CA	95603
004-272-057-000	7836 Washington Avenue	Tracy Bryant	7836 Washington Avenue	Sebastopol	CA	95472
004-272-055-000	7850 Washington Avenue	Donald Doherty	P O Box 2275	Santa Rosa	CA	95405
004-272-060-000	7854 Washington Avenue	Donald Doherty	P O Box 2275	Santa Rosa	CA	95405
060-240-052-000	7870 Washington Avenue	Donald Doherty	P O Box 2275	Santa Rosa	CA	95405