

Agenda Report



Watsonville
CALIFORNIA

MEETING DATE: Tuesday, April 9, 2024

TO: City Council

FROM: COMMUNITY DEVELOPMENT DIRECTOR MERRIAM
BUILDING OFFICIAL DESANTE
SENIOR CODE ENFORCEMENT OFFICER VARGAS

THROUGH: CITY MANAGER MENDEZ

SUBJECT: HEARING FOR THE ABATEMENT OF A NUISANCE AT PARCEL
(014-021-01) IN THE CITY OF WATSONVILLE

RECOMMENDED ACTION:

Staff recommends that the City Council adopt a Resolution directing the Building Official to abate the public nuisance at parcel (014-021-01) without delay.

BACKGROUND:

The property (Parcel 014-021-01) is a vacant lot within district 3 that has been allowed to be used as a homeless encampment. Currently the property is housing anywhere between 20-40 un-housed people and the property has accumulated a tremendous amount of abandoned personal property, trash, and debris creating a blighting factor for the surrounding area, as well as an environmental hazard to Corralitos Creek.

DISCUSSION:

On March 26, 2024, the Building Official reported to the City Council the existence of a Nuisance at parcel (014-021-01). Although staff have sent letters, notices, and citations for lack of maintenance, there has been no significant progress achieved by the owner of record. The Building Official's report identified the following items making this property a Nuisance.

- This property is unsecured, allowing for un-housed people to erect tent like structures throughout the parcel.
- The property has accumulated significant amounts of abandoned personal property, furniture, trash, and debris creating a blighting factor for the surrounding area.
- The vegetation has become overgrown which has the potential to create a fire hazard in the dry season.

During the meeting on (March 26, 2024) the City Council declared the property a “Nuisance” and directed the Building Official to abate the Nuisance. A public hearing was also set for April 9, 2024, to hear any comments or objections to the proposed nuisance abatement by the City.

As described by Municipal Code section 5-17.06 of the Nuisance Abatement Ordinance, notices of the proposed abatement and the hearing date were posted at the subject property (attachment 1) and sent certified mail to the currently listed property owners of record.

Tonight’s public hearing provides the forum for comments or objections from the public, the property owner or any interested parties. After hearing objections, if any, Council will then adopt a resolution to allow or overrule the objections, at which time the City may proceed with the abatement.

In the adoption of the resolution, the Building Official will be directed to abate the nuisance. The Building Official will be responsible for coordinating efforts to correct the violations and to keep an account of the cost of abatement, which will be reported to the Council after completion. This meeting will again require notification of the public, the property owner or any interested parties of cost for abatement. During this meeting, Council will consider the cost to be assessed and hear any protests or objections to the proposed assessment, after which they will adopt a resolution confirming the cost to be assessed for the abatement. Once confirmed, the lien will be placed on the property for the collection of the costs.

Next Steps:

Encampment cleanup is a process, not an event. Once the Building Official has authority to abate the situation at the encampment, staff will work with the County of Santa Cruz and other stakeholders to develop an Action Plan to begin outreach and engagement with the population living on the property in a first attempt to assess needs and work on a plan for relocation, so that the population does not end up creating another encampment elsewhere. (see the Planning Checklist from the US Interagency Council on Homelessness for best practices in Attachment 1)

Once a team has been assembled and the population notified and engaged, we will move to remove all people and items from the encampment and return the property to its original state. The property may require fencing or other means to keep people out, which will be determined through the abatement process.

STRATEGIC PLAN:

This action reflects the City Council’s strategic goals for 2023-2025 to continue Code Enforcement efforts in maintaining our neighborhoods safe and healthy, and the City’s positive image.

FINANCIAL IMPACT:

City staff are proposing to use funds from the Emergency Relocation fund created to provide assistance to occupants of housing units, which are required to be vacated due to their dangerous conditions. The funds used for the “Nuisance Abatement” projects would be

reimbursed 100% to this fund on a yearly basis at the time these costs are collected through the property taxes as provided in the “Nuisance Abatement” Ordinance. A lien will be placed on the property to ensure that all costs incurred in this process are paid before any changes of ownership can occur. There would be no impact to the General Fund for this activity.

ALTERNATIVE ACTION:

The City Council could reject the proposed abatement action and allow the nuisance to continue to exist. The City Council could pursue continued notifications and efforts to the responsible party for this property, requiring corrections of the violations and issuing citations for non-compliance.

ATTACHMENTS AND/OR REFERENCES (If any):

1. USICH Planning Checklist: Ending Homelessness for People Living in Encampments: Advancing the Dialogue
2. Notice to Abate Nuisance