



Agenda Report

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



Planning Checklist

Ending Homelessness for People Living in Encampments: Advancing the Dialogue

To end homelessness for everyone, we must link people experiencing unsheltered homelessness, including people sleeping and living in encampments¹, with permanent housing opportunities matched with the right level of services to ensure that those housing opportunities are stable and successful. It is only through the provision of such opportunities that we can provide lasting solutions for individuals and communities. Across the country, many communities are wrestling with how to create effective solutions and provide such housing opportunities for people experiencing unsheltered homelessness. In 2015, USICH created [Ending Homelessness for People Living in Encampments: Advancing the Dialogue](#), a framework for developing local action plans. This Planning Checklist is intended as an accompaniment to that document in order to aid policy-makers, government officials, and practitioners in developing a thoughtful, coordinated, and collaborative plan to ensure that people living in encampments are linked to permanent housing. More detailed information regarding each of the actions identified here is provided within the full document.

Prepare with Adequate Time for Planning and Implementation

When developing an action plan:

- ☑ **Determine Timing.** Articulate an action plan timeline so residents can determine their options and partners know the timeline for connecting people to housing.
- ☑ **Create Shared Purpose, Intent, and Outcomes.** Develop a common purpose and intent for all stakeholders that enhances collaborative efforts and helps partners identify resources and activities to achieve shared outcomes.
- ☑ **Develop Shared Protocols/MOU.** Create a Memorandum of Understanding that formalizes relationships among stakeholders and delineates protocols.
- ☑ **Create a Communications Plan.** Incorporate a communications strategy on how to interact with the media and respond to questions from community members.
- ☑ **Identify the Land Owner(s).** Consider the needs of the land owner and determine his/her role.
- ☑ **Assess Needs of People Living in the Encampment.** Consistently assess the needs of every person.
- ☑ **Identify Adequate Staffing and Resources.** Based on the projected need, determine how existing housing and services resources can be aligned to connect people to permanent housing.
- ☑ **Plan for Preventing Encampments from Being Recreated.** Create strategies for cleanup measures as well as how the site will be used and/or secured in the future.
- ☑ **Plan for Follow-up Contacts and Tracking Outcomes.** Include strategies for following up with people who have been assisted in order to track outcomes.
- ☑ **Standardize Future Responses.** Develop standardized approaches that incorporate law enforcement policies and agreements with housing providers.
- ☑ **Integrate with the Community's Strategic Efforts to End Homelessness.** Identify lessons that can strengthen the community's overall homelessness crisis response system.

¹ USICH recognizes that different terms are used for such settings—such as “tent cities”—but has chosen to use “encampments” in this document, while encouraging communities to use whatever language works best locally.
United States Interagency Council on Homelessness

Collaborate Across Sectors and Systems

When developing or expanding a collaborative partnership, engage stakeholders, including:

- ☑ **People Living in Encampments.** To help understand the needs and goals of residents.
- ☑ **Continuum of Care Agencies.** To provide expertise in coordinating system-level responses.
- ☑ **Other Social Service and Healthcare Agencies.** To provide access to data, resources and expertise.
- ☑ **Community Outreach and Engagement Teams.** To help develop the best engagement strategies.
- ☑ **Law Enforcement Agencies.** To coordinate outreach and ensure the safety of all.
- ☑ **Local Government Agencies and Officials.** To help coordinate government resources and action, specifically:
 - ☑ Elected Officials
 - ☑ Planning, Parks and Recreation, and Public Works
 - ☑ Human or Social Services Departments
 - ☑ Public Health and Behavioral Health Care Departments
- ☑ **Business Leaders.** To leverage professional relationships to generate support and resources.
- ☑ **Philanthropic Organizations.** To involve private funders that have interest in ending homelessness.
- ☑ **Faith-based Organizations.** To provide volunteer and financial support.
- ☑ **Advocates.** To ensure that the voices of people in encampments are heard and raise other concerns.

Perform Intensive and Persistent Outreach and Engagement

Implement outreach and engagement efforts throughout the process, including:

- ☑ **Identifying All Members of the Encampment By Name and Implement Ongoing Outreach.** Having a full understanding of the population is important to scale resources and tailor interventions.
- ☑ **Maintaining a Consistent Presence in the Encampment.** Devote adequate time and resources to ensure trusting relationships are being developed with residents.
- ☑ **Maintaining Honest and Transparent Communication.** Transparency about the process and timelines ensures trusting relationships are formed.
- ☑ **Identifying Leadership from within the Encampment.** Include such leaders in the process in order to better understand the needs and goals of people and to strengthen relationships.
- ☑ **Cross-Training and Sharing Information.** Sharing information among outreach teams increases success by enabling partners to develop shared responses to both crisis and non-crisis situations.
- ☑ **Linking with Housing Search Services.** Outreach workers should partner with housing navigators, housing search specialists, and landlord liaisons to help people access housing.

Provide Low-Barrier Pathways to Permanent Housing

To provide a range of housing solutions, consider:

- ☑ **Applying Housing First Strategies and Practices.** Remove obstacles, requirements, and expectations so that people can access housing as quickly as possible.
- ☑ **Aligning Activities with the Existing Homeless Crisis Response and Coordinated Entry System.** Coordinated entry assures people are prioritized for and provided housing and services that meet their needs.
- ☑ **Offering Interim Housing Opportunities and a Clear Path to Permanent Housing.** It is important to provide immediate, interim housing without barriers to entry while permanent housing is being secured.
- ☑ **Identifying an Adequate Supply of Housing Options.** People will need access to a variety of housing options, including permanent supportive housing, rapid re-housing, and mainstream affordable housing.
- ☑ **Engaging State and Federal Partners.** Identify opportunities to align Federal, state, and local funding and programs to provide pathways to permanent housing.



City of Watsonville

"A Community of Opportunities"

DOCUMENTO IMPORTANTE: Si ocupa traducción hable al 831-768-3050

NOTICE TO ABATE NUISANCE

NOTICE IS HEREBY GIVEN that on March 26, 2024, pursuant to the provisions of Section [5-17.05](#) of the Watsonville Municipal Code, the City Council of said City passed a resolution declaring that a nuisance exists upon the property located at vacant lot (APN:014-021-01) hereafter defined and described which constitutes a public nuisance, which nuisance must be abated by the destruction or removal thereof.

NOTICE IS FURTHER GIVEN that property owners, without delay, shall remove such nuisance from such property or such nuisance will be abated by City authorities, in which case the cost of such abatement will be assessed upon the property from which such nuisance shall have been abated, and such costs will constitute a lien upon such property until paid and will be collected upon the next tax roll upon which general municipal taxes are collected. Any person having any objection to the proposed abatement of such nuisance is hereby notified to attend a meeting of the City Council of said City, to be held in the City Council Chambers, on April 9, 2024, at 6:30 p.m., or as soon thereafter as the matter can be heard, when and where objections will be heard and given due consideration.

Definition of nuisance:

Illegal camping, lack of sanitation, abandoned personal property, accumulation of furniture, trash, and debris.

Joseph Desante

Building Official
City of Watsonville
Dated: This 27th day of March, 2024

Attachment 2
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RESOLUTION NO. 59-24 (CM)**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE OVERRULING OBJECTIONS, IF ANY, AND ORDERING ABATEMENT OF A PUBLIC NUISANCE ON PRIVATE PROPERTY AT VACANT LOT ON AIRPORT BLVD (014-021-01), WATSONVILLE, CALIFORNIA, PURSUANT TO CHAPTER 17 (NUISANCES) OF TITLE 5 (PUBLIC WELFARE, MORALS, AND CONDUCT) OF THE WATSONVILLE MUNICIPAL CODE**

WHEREAS, on March 26, 2024, the City Council adopted a Resolution declaring that the condition of the vacant lot located on Airport Blvd (APN: 014-021-01), Watsonville, California, is injurious to health, indecent, offensive to the senses, negative impacts to the environment and a public nuisance and should be abated or removed in order to protect the public health, safety and welfare; and

WHEREAS, a public hearing was set and noticed for Tuesday, April 9, 2024, at 5:30 pm., in the City Council Chambers, 275 Main Street, 4th Floor, as the time and place for a public hearing to hear any objection to the proposed destruction or removal of the public nuisance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. Adopting a Resolution ordering abatement for APN: 014-021-01 does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

2. That any and all objections to the proposed clearance of abandoned property, removal of structures, removal of tents, removal of furniture, removal of trash, weeds and debris upon the private property as reported by the Building Official are hereby overruled.


3. That the Building Official is hereby authorized and directed to abate such nuisance or cause the same to be abated, by securing the property and having all structures, tents, furniture, scrap metals, weeds, trash, and debris removed by any legal method, and the Building Official and his deputies, assistants, employees, contracting agents, or other representatives are hereby expressly authorized to enter upon said private property for that purpose.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 9th day of April, 2024, by Member Clark, who moved its adoption, which motion being duly seconded by Mayor Pro Tempore Orozco, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCIL MEMBERS: **Clark, Dutra, Montesino, Orozco, Parker, Quiroz-Carter**

NOES: COUNCIL MEMBERS: **None**


ABSENT: COUNCIL MEMBERS: **Salcido**


ATTEST: DocuSigned by:

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City Clerk

4/11/2024 | 5:01 PM PDT


Date

APPROVED AS TO FORM:

DocuSigned by:

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City Attorney

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Vanessa Quiroz-Carter, Mayor

I, Irwin I. Ortiz, City Clerk of the City of Watsonville, do hereby certify that the foregoing Resolution No. 59-24 (CM) was duly and regularly passed and adopted by the Watsonville City Council at a meeting thereof held on the 9th day of April, 2024, and that the foregoing is a full, true and correct copy of said Resolution.

DocuSigned by:

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Irwin I. Ortiz, City Clerk

Date 4/11/2024 | 5:01 PM PDT