

RESOLUTION NO. 2016-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
DECLARING GROWING WEEDS, RUBBISH AND/OR REFUSE ACCUMULATIONS
UPON CERTAIN SPECIFIED PRIVATE PROPERTY PARCELS TO BE PUBLIC
NUISANCES, AUTHORIZING NOTICE TO ABATE SUCH NUISANCES, SET PUBLIC
HEARING DATE OF TUESDAY, JUNE 21, 2016, TO RECEIVE OBJECTIONS TO ABATE
SUCH WEEDS, RUBBISH AND/OR REFUSE AND SET PUBLIC HEARING FOR
WEDNESDAY, JULY 6, 2016, TO CONFIRM ANY ASSESSMENT OF COSTS FOR WEED
ABATEMENT TO BE LEVIED AGAINST ANY PARCEL NOT IN COMPLIANCE AND
DIRECT FILING OF SUCH LEVY WITH MONTEREY COUNTY ASSESSOR'S OFFICE

WHEREAS, this City, pursuant to Government Code Section 39560 et. seq., is authorized to declare weeds growing upon, as well as rubbish and refuse accumulated upon, sidewalks and private property within the City, to be public nuisances, and to take actions for the abatement of said nuisances, and;

WHEREAS, City staff has previously canvassed the City to locate areas of such nuisances, and have informally written to the property owners involved in order to obtain their voluntary cleaning up of offensive weeds, rubbish and refuse, and;

WHEREAS, on a certain number of specified parcels of real property within the City, as set forth in "**Exhibit A**" attached hereto, no action has been taken and said weeds, rubbish and refuse remain.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Declare growing weeds, rubbish and/or refuse accumulations upon certain specified private property parcels to be public nuisances;
2. Authorize notice to abate such nuisances;
3. Set public hearing date of Tuesday, June 21, 2016, to receive objections to abate such weeds, rubbish and/or refuse;
4. Set public hearing for Wednesday, July 6, 2016, to confirm any assessment of costs for weed abatement to be levied against any parcel not in compliance, and;
5. Direct filing of such levy with Monterey County Assessor's Office.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held the 3rd day of May 2016, by the following vote:

AYES, COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Acting City Clerk

2016 Weed Abatement List - First Inspection

(April 1 - April 12, 2016)

EXHIBIT A

Map#	APN#	Date	Address	Property Owners	Mailing Address	City, State, Zip Code
`3-1	33251003	4/8/2016	3147 Lake Drive	Karen Moore	3145 Lake Drive	Marina, CA 93933
`3-2	33141036	4/8/2016	172 Paddon Place	Kimberly Ann Navales, TR	c/o PMB 433, 820 Park Row	Salinas, CA93901
`4-1	32042013	4/7/2016	231 Barbara Circle	Janice Harrell, TR	P.O. Box 2724	Monterey, CA 93940
`4-2	32062007	4/7/2016	3217 Susan Avenue	Timothy Regan, TR	P.O. Box 1329	Tres Pinos, CA 95075
`4-3	32051004	4/7/2016	3183 Vista Del Camino	Jenny Kim Le	3183 Vista Del Camino	Marina, CA 93933
`4-4	32055013	4/7/2016	226 Peninsula Drive	Anglea & William Miller	226 Peninsula Drive	Marina, CA 93933
`4-5	32065003	4/7/2016	3194 Vista Del Camino	Tom & Alene Nishiguchi	3194 Vista Del Camino	Marina, CA 93933
`4-6	32065020	4/7/2016	3193 Melanie Road	Heide B. Wilson	3193 Melanie Road	Marina, CA 93933
`4-7	32063013	4/7/2016	272 Beach Road	Joseph & Vivien Gower	272 Beach Road	Marina, CA 93933
`4-8	32071057	4/7/2016	3251 DeForest Road	Valentine & Segundina Untalan	#22 Provincial Road	Doyong Calasiao, Phillipines 2418
`4-9	32071086	4/8/2016	3216 Martin Circle	Ermie & Jennifer Osian	3216 Martin Circle	Marina, CA 93933
`5-1	33121002	4/8/2016	3203 Del Monte Blvd.	Monterey Peninsula Regional Park District	60 Garden Road, Sutie 325	Monterey, CA 93940
`6-1	33082029	4/8/2016	187 Starfish Court	Jin Shramek, TR	1503 Kimball Avenue	Seaside, CA 93955
`6-2	33082030	4/8/2016	185 Starfish Court	Philip & Margaret Wolcott	185 Starfish Court	Marina, CA 93933
`6-3	33011006	4/8/2016	3320 Abdy Way	Iglesia Ni Cristo	770 Airport Blvd.	Burlingame, CA 94010
`6-4	33021054	4/8/2016	3321 Abdy Way	Steven & Aileen Mickel, TRS	19 Yerba Buena Court	Monterey, CA 93940
`6-5	33021054	4/8/2016	3323 Abdy Way	Steven & Aileen Mickel, TRS	19 Yerba Buena Court	Monterey, CA 93940
`6-6	33021048	4/8/2016	154 Lakewood Drive	Diana Nichols, TR	2 Mt Devon Road	Carmel, CA 93923
`6-7	33021017	4/8/2016	143 Peppertree Place	Carl & Dorothy Willeford	143 Peppertree Place	Marina, CA 93933
`6-8	33076056	4/8/2016	3242 Sandpiper Way	Christine Calcagno	3242 Sandpiper Way	Marina, CA 93933
`7-1	33061012	4/7/2016	142 Belle Drive	Julie Bustoz	1782 Havana Street	Seaside, CA 93955
`7-2	33031031	4/7/2016	115 Redondo Court	James & Hope Balesteri	115 Redondo Court	Marina, CA 93933
7-3	33031007	4/7/2016	130 Redondo Court	Kyong Dougan	9230 Rockefeller Lane	Springfield, Virginia
7-4	33032019	4/7/2016	3371 Greenbrook Place	James & Brenda Shakal	53 La Rancheria	Carmel Valley, CA 93924
7-5	33032016	4/7/2016	3365 Greenbrook Place	Martin & Deborah Schopp	169 Pacific Street	Marina, CA 93933
7-6	33031005	4/7/2016	3360 Drew Street	Anne Marie Shein	3360 Drew Street	Marina, CA 93933
7-7	33042002	4/7/2016	3347 Drew Street	Yupa Cohen	4137 Laurel Hill Drive	N. Las Vegas, Nevada 89032
7-8	33042001	4/7/2016	3345 Drew Street	Yupa Cohen	4137 Laurel Hill Drive	N. Las Vegas, Nevada 89032
`8-1	32031012	4/7/2016	234 McCullough	Donald Smith	499 Mills	Benicia, CA 94510
`8-2	32031010	4/7/2016	230 McCullough	Duane & Linnnet Charlan, TRS	186 Cedar Street	Pacific Grove, CA 93950
`8-3	32021015	4/7/2016	3291 Michael Drive	Marina Cypress Apts. LLC	805 Fletcher Lane #1	Hayward, CA 94544
`8-4	32021015	4/7/2016	Vacant lot - 3280 Michael Drive	Marina Cypress Apts. LLC	805 Fletcher Lane #1	Hayward, CA 94544
`8-5	32013011	4/7/2016	220 Cosky Drive	Irmgard Domingo TRS	220 Cosky Drive	Marina, CA 93933
`8-6	32012016	4/7/2016	3352 Michael Drive	Thao Nguyen	3352 Michael Drive	Marina, CA 93933
`9-1	32552010	4/7/2016	308 Costa Del Mar	Margaret Anne Coppernoll	308 Costa Del Mar	Marina, CA 93933
`9-2	32441010	4/7/2016	299 Whitney Place	Walter & Carmella Heintz	299 Whitney Place	Marina, CA 93933
`9-3	32443005	4/7/2016	3186 Crescent Avenue	Coletta Sokolow, TR	3186 Crescent Avenue	Marina, CA 93933
`9-4	32444010	4/7/2016	3202 Tallmon Street	James & Frances Sullivan, TRS	3202 Tallmon Street	Marina, CA 93933
`10-1	32171033	4/7/2016	3134 Crescent Avenue	Nelson Vega TR ET AL	444 Pearl Street #D4	Monterey, CA 93940

10-2	32201004	4/7/2016	273 Carmel Avenue	Shirin Riazi ET AL, c/o Creative Property Mgmt.	1220 Del Monte Blvd.	Monterey, CA 93940
10-3	32201028	4/7/2016	3102 Seacrest Avenue	Salvatore Cardinale, ET AL	25300 El Camino Nuevo	Monterey, CA 93940
10-4	32202007	4/7/2016	271.5 Carmel Avenue	Bennie Schulman	P.O. Box 223079	Carmel, CA 93922
10-5	32201003	4/7/2016	271 E Carmel Avenue	Hope Presbyterian Church of Monterey	271 Carmel Avenue	Marina, CA 93933
10-6	32201005	4/7/2016	283 Carmel Avenue	Annie Felix, TR	3145 Estrella Del Mar Way	Marina, CA 93933
10-7	32171018	4/7/2016	3125 DeForest Avenue	Chris Owhadi	29160 Heathercliff Road, Suite 411	Malibu, CA 90261
10-8	32171036	4/7/2016	3100 DeForest Avenue	CHISPA	295 Main Street, #100	Salinas, CA 93901
10-8A	32171035	4/7/2016	3100 DeForest Avenue	United States Postal Service	3100 DeForest Road	Marina, CA 93933
11-1	32192051	4/7/2016	208 Mortimer Lane	Monterey Korean Covenant Church	P.O. Box 797	Marina, CA 93933
11-2	32192030	4/7/2016	236 Mortimer Lane	Tina Erickson	236 Mortimer Lane	Marina, CA 93933
11-3	32192002	4/7/2016	220 Mortimer Lane	Margaret Warrington	220 Mortimer Lane	Marina, CA 93933
11-4	32181003	4/7/2016	222 Reservation Road	Gisse Properties Limited Partnership	P.O. Box 844	Marina, CA 93933
11-5	32181003	4/7/2016	220 Reservation Road	Gisse Properties Limited Partnership	P.O. Box 844	Marina, CA 93933
11-6	32181003	4/7/2016	218 Reservation Road	Gisse Properties Limited Partnership	P.O. Box 844	Marina, CA 93933
12-1	32331006	4/7/2016	3045 Vaughn Avenue	Thea Dougan	3045 Vaughan Avenue	Marina, CA 93933
12-2	32321024	4/7/2016	3035 Reindollar Avenue	Kimmie Oliver	210 N. Sanborn Road	Salinas, CA 93905
12-3	32281005	4/7/2016	3081 Zanetta Drive	Vernon J. Ewing	3081 Zanetta Drive	Marina, CA 93933
12-4	32281003	4/7/2016	3077 Zanetta Drive	Paul Cottrell	3077 Zanetta Drive	Marina, CA 93933
13-1	32383036	4/5/2016	3007 Independence Avenue	James William	3007 Independence	Marina, CA 93933
13-2	32391076	4/5/2016	3103 Kennedy Court	Thara Sooksrikasem	P.O. Box 51610	Pacific Grove, CA 93950
14-1	32262011	4/5/2016	415 Karen Court	Anna Cuva	415 Karen Court	Marina, CA 93933
14-2	32342029	4/5/2016	3045 Redwood Drive	Hitoshi & Cynthia Tanabe	3045 Redwood Drive	Marina, CA 93933
14-3	32340002	4/5/2016	350 Hillcrest Avenue	Jessica McKillip	350 Hillcrest Avenue	Marina, CA 93933
14-4	32332005	4/5/2016	3046 Vaughn Avenue	Larry E. Myers, TR	429 Bellevue Avenue Apt. 201	Oakland, CA 94601
14-5	32341022	4/5/2016	353 Reindollar Avenue	John Perry	353 Reindollar Avenue	Marina, CA 93933
14-6	32272001	4/5/2016	3068 Vaughn Avenue	Linda Arnold	3068 Vaughn Avenue	Marina, CA 93933
15-1	32222003	4/6/2016	3097 Pleasant Circle	Aleander Brushtein	960 Toyon Avenue	San Jose, CA 95127
15-2	32221020	4/5/2016	3111 Nicklaus Lane	Jason & Truong Hughes	716 San Conrado Terrance #6	Sunnyvale, CA 94085
15-3	32221026	4/5/2106	3095 Everett Circle	Stanley & Diane Cook	13 Los Encinos Drive	Monterey, CA 93940
15-4	32221029	4/6/2016	3101 Everett Circle	Eldon Jager	P.O. Box 7075	Spreckles, CA 93962
16-1	32371046	4/5/2016	3003 Bayer Drive	Donald & Andrea Magnuson	3003 Bayer Drive	Marina, CA 93933
16-2	32372007	4/5/2016	493 Melville Avenue	Eric & Angela Lippert	493 Melville Avenue	Marina, CA 93933
16-3	32371033	4/5/2016	493 Jean Circle	Robert & Pamela Dahlhauser	493 Jean Circle	Marina, CA 93933
16-4	32372010	4/5/2016	3014 Jean Street	Justo Munoz	4203 Floating Orchid Court	St. Cloud, Florida 34772
16-5	32371005	4/5/2016	470 Ferris Avenue	Carol Diane Jori	5913 Pratt Street	Alexandria, Virginia 22310
16-6	32381048	4/5/2016	456 Kelli Court	Shayesteh Zarrabi	1675 Flores Street	Seaside, CA 93955
16-7	32351005	4/5/2016	429 Reindollar Avenue	Oscar Torres Pabey & Luisa Torres TRS	429 Reindollar Avenue	Marina, CA 93933
16-8	32251052	4/5/2016	3069 Bostick Avenue	Tamato Kolone & Lave Tuia Jr.	3069 Bostick Avenue	Marina, CA 93933
16-9	32361037	4/5/2016	480 Larson Court	Amelia Dow	480 Larson Court	Marina, CA 93933
16-10	32251064	4/5/2016	464 Lewis Place	Kamalzaki & Iman Saleh	464 Lewis Place	Marina, CA 93933
16-11	32251017	4/5/2016	470 Lewis Place	David & Pamela Steigmeir	682 Fenley Avenue	San Jose, CA 95117
17-1	32242081	4/5/2016	3109 Ellis Court	Lauren Miller	3109 Ellis Court	Marina, CA 93933
17-2	32242071	4/5/2016	3103 Salinas Avenue	Gale & Emily Foss	3103 Salinas Avenue	Marina, CA 93933
17-3	32242018	4/5/2016	479 Albert Way	Gerald & Sierra Jones	479 Albert Way	Marina, CA 93933
17-4	32242016	4/5/2016	471 Albert Way	Marvin Schmidt	573 Marin Avenue	Mill Valley, CA 94941
17-5	32242007	4/5/2016	478 Crivello Road	Kenneth W. Buckley, ETAL	1154 Hampton Court	Brentwood, CA 94513

April 26, 2016

Item No: **8f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 3, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
DECLARING GROWING WEEDS, RUBBISH AND/OR REFUSE
ACCUMULATIONS UPON CERTAIN SPECIFIED PRIVATE PROPERTY
PARCELS TO BE PUBLIC NUISANCES, AUTHORIZING NOTICE TO ABATE
SUCH NUISANCES, SET PUBLIC HEARING DATE OF TUESDAY, JUNE 21,
2016, TO RECEIVE OBJECTIONS TO ABATE SUCH WEEDS, RUBBISH
AND/OR REFUSE, SET PUBLIC HEARING FOR WEDNESDAY, JULY 6, 2016,
TO CONFIRM ANY ASSESSMENT OF COSTS FOR WEED ABATEMENT TO
BE LEVIED AGAINST ANY PARCEL NOT IN COMPLIANCE AND DIRECT
FILING OF SUCH LEVY WITH MONTEREY COUNTY ASSESSOR'S OFFICE**

REQUEST:

It is requested that the City Council:

1. Consider adopting Resolution 2016-, declaring growing weeds, rubbish and/or refuse accumulations upon certain specified private property parcels to be public nuisances;
2. Authorize notice to abate such nuisances;
3. Set public hearing date of Tuesday, June 21, 2016, to receive objections to abate such weeds, rubbish and/or refuse;
4. Set public hearing for Wednesday, July 6, 2016, to confirm any assessment of costs for weed abatement to be levied against any parcel not in compliance, and;
5. Direct filing of such levy with Monterey County Assessor's Office.

BACKGROUND:

The California Government Code authorizes the City to declare certain properties with growing weeds, rubbish and/or refuse accumulated on sidewalks and private property within the City to be declared public nuisances.

The Marina Fire Department conducted annual inspections during the weeks of April 1, 2016 through April 12, 2016. A listing of non-complying properties requiring abatement of weeds was then prepared. Property owners were notified by mail of such noncompliance on April 21, 2016.

ANALYSIS:

Property owners are given an opportunity to remove weeds and clean property through June 20, 2016, prior to the date of any City Council Public Hearing to permit property owners to object to the abatement notice. The Fire Department has scheduled a second round of inspections during the weeks of May 5, 2016 through May 14, 2016.

A third round of inspection is scheduled during the weeks of May 24, 2016 through June 3, 2016. Subsequent to concluding the third round of inspections, staff will prepare an updated list of any remaining non-complying properties.

Notices of abatement will then be sent to the property owners advising them of their right to object to such notice at a public hearing at the proposed meeting of Tuesday, June 21, 2016.

In the event that any non-complying properties remain, City Public Works division employees will first attempt to clear any lots. If the remaining lots require resources and labor beyond which can be provided by City Public Works employees, staff will then advertise for bids to clean and clear these properties.

Clearing of remaining lots will be completed June 22, 23, 24, 2016. Any costs associated with public resources being committed to abatement of these nuisances will be documented.

A final list of costs will be compiled and a public notice by “registered mail” will be sent to the remaining property owners whose lots were cleared by either the City or contractors.

The City Council will then hold a final public hearing to consider these costs to hear any objections and then confirm assessment of final costs for nuisance abatement to be levied against parcel.

The first round of inspections included one hundred and three (103) private properties plus several City owned properties which Fire Department staff has declared as “public nuisance” (“**EXHIBIT A**”).

At the conclusion of the abatement process, staff anticipates that all property owners will voluntarily comply with the appropriate nuisance abatements.

FISCAL IMPACT:

The cost for the Fire Department inspection is paid by general fund resources. Any costs associated with Public Works Division resources incurred to abate the remaining; non-compliant nuisances will be documented and levied against the parcel, to be paid by the parcel owner.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Doug McCoun
Fire Chief
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager
City of Marina