

RESOLUTION 2019-03

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
DECLARING A PUBLIC NUISANCE TO EXIST ON ASSESSOR PARCEL No. 002-021-004
COMMONLY KNOWN AS 107 THIRD STREET, AND DIRECTING THE CITY MANAGER TO
POST, PUBLISH, AND MAIL NOTICE OF HEARING TO CONSIDER
ABATEMENT OF SAID PUBLIC NUISANCE**

WHEREAS, this City Council has reviewed the Record in this matter, which includes the oral and written reports by staff; Duquette Engineering's report regarding 107 Third Street; a Satellite Imagery Timeline of 107 Third Street; historic satellite imagery from Google Earth Database; and, on-site photographs taken of the balcony, front and rear of the structure, and the interior.

WHEREAS, based upon its review of the Record, this City Council finds that the current site and building conditions present a hazard to public health and safety in the downtown area due to the dilapidated and partially deconstructed state the building was left in by the owner and the deterioration, since the deconstruction, which has made the frontage of the building unsafe for public passage on the sidewalk, and caused the City to take mitigating measures in closing the sidewalk.

WHEREAS, the Property could be considered a nuisance as it falls within the definitions of nuisance as set forth in Section 5-8-110 (buildings in a state of partial construction), and Section 5-8-190, (unsafe building which constitutes a hazard to safety or health or public welfare).

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of San Juan Bautista upon examining the staff report and supporting photographs, declare there exist a public nuisance on the property and direct the City Manager to post, publish and mail a notice for a hearing to consider abatement of the violations and blighted conditions on said property.

THE FOREGOING RESOLUTION was adopted at a special meeting of the City Council of the City of San Juan Bautista on the 22nd day of January, 2019, by the following vote:

AYES: DeVries, Edge, Jordan, Freeman, Flores

NOES: None

ABSENT: None

ABSTAIN: None



César Flores, Mayor

ATTEST:



Laura Cent, City Clerk