



City of Sebastopol

CITY OF SEBASTOPOL CITY COUNCIL

AGENDA ITEM REPORT FOR MEETING OF: October 7, 2025

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To: Honorable City Councilmembers
From: Mayor Zollman
Subject: Consideration and Approval of Direction to the City Attorney to Research Options Available to the City Regarding Woodmark Apartments. The City has received inquiries and concerns regarding the displacement of tenants at Woodmark Apartments. At this time, there is uncertainty as to what actions, if any, the City may take within the scope of its legal authority. This item is to request the City Council approve direction to the City Attorney to research and advise on potential options, if any.

Recommendation: That the City Council Provide direction to staff

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RECOMMENDATION:

That the City Council consider approval of direction to the City Attorney to Research Options Regarding Woodmark Apartments.

EXECUTIVE SUMMARY:

This item seeks Council direction for the City Attorney to research and advise on potential actions the City may take regarding the Woodmark Apartments, located at 7716/7760 Bodega Avenue. The City has received concerns related to the project, including reports of verbal eviction notices, relocation issues, and other tenant-related matters. At this time, there is uncertainty regarding the City's legal authority to address these concerns.

PROCESS OF AGENDA ITEM:

- a. Presentation of agenda item by the Mayor/City Attorney
- b. Questions and discussion from Councilmembers
- c. Public comment period
- d. Council receives the report. No action required.

BACKGROUND

The Woodmark Apartments is an 84-unit deed-restricted affordable housing development located at 7716/7760 Bodega Avenue.

Woodmark was approved under California's Senate Bill 35 (SB 35):

SB 35 allows qualifying development projects with certain minimum affordable housing guarantees to move more quickly through the local government review process and restricts the ability of local governments to reject these proposals. This is a voluntary program that a project sponsor may elect to pursue, provided that certain eligibility criteria are met. The bill was signed into law in 2017 and became effective on January 1, 2018.

The bill created a streamlined approval process for infill developments in localities that have failed to meet their Regional Housing Needs Allocation (RHNA). It amends Government Code Section 65913.4 to require local entities to streamline the approval of certain housing projects by providing a ministerial approval process, removing the requirement for CEQA analysis, and eliminating discretionary entitlements granted by the Planning Commission.



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Even if the Project had not been eligible for SB 35, the Housing Accountability Act would have still applied. The Housing Accountability Act prohibits the City from denying a project, or conditioning approval on a decrease of the project's density, for any project that complies with the City's adopted, objective standards in place at the time a preliminary application is submitted.

The development is also subject to federal regulations due to its use of federal funding for farmworker housing.

DISCUSSION:

The City has received numerous emails, as well as public comment during the most recent City Council meeting, regarding issues related to tenants currently living at Woodmark. Tenants have reported that they were notified that they would be evicted at the end of their current lease term if no member of the household is a farmworker.

Some individuals have requested that the City adopt a just-cause eviction ordinance that would prohibit the types of the types of evictions that could occur at Woodmark, when a tenant is evicted without cause. California has a statewide just-cause eviction law, but: 1) it only applies after a household has lived in a unit for 12 months, and 2) does not apply to deed-restricted affordable housing. At this time, it is not clear whether the City could adopt a just cause eviction ordinance that would apply to the situation occurring at Woodmark. Among other considerations, it is unknown whether the federal regulations requiring the units to be occupied by farmworkers would preempt any local ordinance. In addition to a just-cause ordinance, there are potentially other options available to the City.

This item is presented to request Council direction for the City Attorney to:

- Research the legal framework and any relevant statutes or regulations concerning Woodmark.
- Identify potential courses of action available to the City, if any.
- Advise the Council on legal considerations, implications, and recommended next steps.

No action is being taken at this time beyond authorizing the City Attorney to conduct this research. The fiscal impact of this research is listed below in the fiscal impact analysis.

CITY COUNCIL GOALS/PRIORITIES; AND/OR GENERAL PLAN CONSISTENCY:

This agenda item represents the City Council goals/priorities as follows:

Goal 4: HIGH PERFORMANCE ORGANIZATION

- *Restoring public trust*
- *Improve Public Communications*

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date. The City has also used social media to promote and advertise the City Council Meeting Agenda Items.

As of the writing of this agenda item report, the City has not received public comment. If staff receives public comments following the publication and distribution of this agenda item report, such comments will be provided to the City Council as supplemental materials before or at the meeting and will be posted to the city website.

FISCAL IMPACT:

It will take approximately 10 hours of City Attorney time to research and analyze the options for the City to address the situation described above. It is anticipated those costs could be included within the existing City Attorney budget for



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general services. If the City Council decides to move forward with any of the identified options, there would be additional costs (such as for the preparation of an ordinance)

RESTATED RECOMMENDATION:

That the City Council consider approval of direction to the City Attorney to Research Options Regarding Woodmark Apartments.

OPTIONS:

That the Council deny the request to approve direction to the City Attorney to research options and provide alternate direction to staff.

ATTACHMENTS:

None

APPROVALS:

Department Head Approval:

Approval Date: 9-30-2025

CEQA Determination (Planning):

Approval Date: 9-30-2025

The proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA)

Administrative Services (Financial):

Approval Date: 9-30-2025

Costs authorized in City Approved Budget: Yes ☐ No N/A

Account Code (if applicable) _____

It will take approximately 10 hours of City Attorney time to research and analyze the options for the City to address the situation described above. It is anticipated those costs could be included within the existing City Attorney budget for general services. If the City Council decides to move forward with any of the identified options, there would be additional costs (such as for the preparation of an ordinance)

City Attorney Approval:

Approval Date: 9-30-2025

City Manager Approval:

Approval Date: 9-30-2025