



City Council Staff Report

From: City Manager
Report Type: ACTION ITEMS
Lead Department: Fire

Meeting Date: February 27, 2023

Report #:2302-0964

TITLE

PUBLIC HEARING: Objections to Weed Abatement and Adoption of a Resolution Ordering Weed Nuisance Abated; CEQA status – exempt (Class 8, 14 CCR section 15308)

RECOMMENDATION

Staff recommends that Council:

- a. Adopt a determination that weed abatement activities in 2023, as described in Resolution 10087 (Attachment A) adopted by Council on December 19, 2022, are exempt under Class 8/CEQA Guidelines section 15308;
- b. Hold a Public Hearing to hear and consider any objections to the proposed destruction and removal of weeds in 2023 at the properties listed in Attachment B; and
- c. Approve the final list of affected properties for weed abatement in 2023 (Attachment B) following the public hearing, and direct weed abatement activities to commence at those properties in accordance with Resolution 10087.

EXECUTIVE SUMMARY

The City of Palo Alto contracts with the Santa Clara County Department of Agriculture and Environmental Management to remove and destroy weeds, as defined in Palo Alto Municipal Code Chapter 8.08. This hearing allows all property owners affected and listed on the County's 2023 Weed Abatement Program Commencement Report (Attachment B) to be heard and have their objections and comments considered by the Council before the Council finalizes the list of properties ordered to abate weed nuisances in the City in 2023, under Resolution 10087.

An overview of the program and annual calendar for the steps involving City Council action is provided in Attachment C.

BACKGROUND

The Council adopted Resolution 10087 on December 19, 2022, which declared weeds to be a nuisance and ordered the abatement of that nuisance as called for in Palo Alto Municipal Code Chapter 8.08 (Attachment A). Resolution 10087 provided for a public hearing date of February 27, 2023 and required notice to interested property owners and the public.

ANALYSIS

The Santa Clara County Department of Agriculture and Resource Management maintains the contract to abate weeds within the City of Palo Alto. Following City Council's December 19, 2022 adoption of Resolution 10087 declaring weeds to be a nuisance and ordering abatement thereof in 2023, the Department of Agriculture and Resource Management took steps to notify each affected property owner by mail of the proposed weed abatement action on their respective properties, and posted, on the public notice bulletin board, a list of the properties affected. The Department of Agriculture and Resource Management has furnished copies of the property listing to the City Clerk and the City Fire Marshal. The City Clerk also posted and published notice of the hearing as required.

At this public hearing, property owners may appear and object to the proposed weed destruction or removal. After the hearing and consideration of any objections, the Council may sustain or overrule any or all objections. The Council may remove properties from the weed abatement commencement report if objections are sustained. After finalizing the affected property list at the public hearing (Attachment B), the County will be asked to perform the abatement work to destroy and remove any weeds.

FISCAL/RESOURCE IMPACT

All charges for the weed abatement services are included as a special assessment on bills for property taxes levied against the respective lots and parcels of land, which are considered liens on these properties.

STAKEHOLDER ENGAGEMENT

The Council adopted Resolution 10087 on December 19, 2022, declaring weeds to be a nuisance and ordering the abatement of that nuisance as called in Palo Alto Municipal Code Chapter 8.08.

The Commencement Report was posted publicly in Palo Alto on February 8, 2023.

The notices for the City Council's February 27, 2023, public hearing ran in the newspaper on February 10, 2023, and February 17, 2023, and the Santa Clara County Agriculture and Resource Management weed abatement program mailed out notice of the public hearing to all addresses on the commencement list on December 21, 2022.

ENVIRONMENTAL REVIEW

Santa Clara County has determined the Weed Abatement Program be Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15308 (Class 8: Actions by Regulatory Agencies for Protection of the Environment).

ATTACHMENTS

Attachment A: Resolution 10087

Attachment B: 2023 Palo Alto Weed Abatement Program Commencement Report

Attachment C: Weed Abatement Timeline and Summary

APPROVED BY:

Geoffrey Blackshire, Fire Chief