



City Council Staff Report

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

Meeting Date: August 7, 2023
Report #:2307-1755

TITLE

PUBLIC HEARING: Adoption of Resolution Confirming the Weed Abatement Report and Ordering Abatement Costs to be a Special Assessment on the Properties Specified in the Report

RECOMMENDATION

Staff recommends Council

- (1) Hold a public hearing to hear and consider objections from affected property owners of proposed assessments related to completed weed abatement work, and
- (2) Adopt a resolution confirming the report and ordering abatement costs to be a special assessment on the properties specified in the report (Attachment A).

BACKGROUND/ ANALYSIS

The Weed Abatement Division of Santa Clara County Agriculture and Environmental Management administers the contract for weed abatement within the City of Palo Alto, in accordance with an agreement established on April 18, 1977, between the City and County. On December 19, 2022, in accordance with Palo Alto Municipal Code Chapter 8.08, the City Council declared weeds to be a nuisance and ordered that the nuisance be abated. A public hearing was held on February 27, 2023, to consider objections to the proposed destruction or removal of the weeds. No objections were noted.

Once the above steps had been taken, the County Weed Abatement Division instructed its contractor to abate weeds on City and private properties within Palo Alto. That work has now been completed. Property owners were notified the first week in January 2023 that weeds were to be abated by April 30, 2023, either by the owners or by the County. If the property owners chose to have the County abate the weeds, the abatement charges would be levied against the respective properties as an assessment by the County Assessor. The County has since informed the property owners of the costs for destroying and removing the weeds. The City Clerk has published the required notice of this hearing in the Palo Alto Weekly. The cost

report by the County Weed Abatement Division has been posted on the City Hall Plaza bulletin board for ten (10) days prior to this hearing.

Property owners may object to the charges for weed abatement being levied against their properties. The charge consists of the contractor's cost, plus 150 percent administrative charges, in accordance with Palo Alto's contract with Santa Clara County (CMR #7527, December 12, 2016). A representative from the County Weed Abatement Division will be present at the public hearing with the records of weed abatement that have taken place. Should there be any modifications in the proposed assessments as a result of the hearing; changes in the assessment spread will be made as necessary. After any recalculations are completed, and Council adopts the attached resolution confirming the abatements and ordering those costs to be imposed as liens on the abated properties, the assessments will be submitted to the County Assessor for entry on the October tax roll upon which general City taxes are to be collected.

This procedure is consistent with existing City policies

FISCAL/RESOURCE IMPACT

There is no direct fiscal impact of this action to the City. The assessments identified on Attachment "A" of the resolution, totaling \$22,042.58, will be imposed as liens on the properties listed and will be borne by the property owners, not the City.

STAKEHOLDER ENGAGEMENT

The entire weed abatement program is coordinated by the Santa Clara County Department of Agriculture and Environmental Management. Coordination includes contracts, inspections, nuisance reports/lists and fees.

ENVIRONMENTAL REVIEW

The Santa Clara County Counsel has determined the Weed Abatement Program to be Categorically Exempt from CEQA pursuant to CEQA Guidelines Section 15308.

ATTACHMENTS

Attachment A: Resolution Confirming Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein

APPROVED BY:

Geoffrey Blackshire, Fire Chief