TO: HONORABLE CITY COUNCIL
FROM: CITY MANAGER DEPARTMENT: FIRE
AGENDA DATE: JANUARY 17, 2006 CMR: 106:06
SUBJECT: PUBLIC HEARING ON OBJECTIONS TO WEED DESTRUCTION OR REMOVAL AND COUNCIL CONSIDERATION OF OBJECTIONS

RECOMMENDATION
Staff recommends that Council adopt the attached Resolution ordering the abatement of weeds.

BACKGROUND
By Resolution Number 8575 adopted on December 12, 2005, the Council declared weeds to be a nuisance and ordered the abatement of that nuisance as called for in Chapter 8.08 of the Palo Alto Municipal Code. The Resolution provided for a public hearing date of January 17, 2006, to hear any objections to the proposed destruction or the removal of these weeds, and for interested property owners and members of the public to be notified of the hearing.

DISCUSSION
The County Department of Agriculture and Resource Management administers the contract for abatement of weeds within the City of Palo Alto. Upon notification of action by the City Council, the Department of Agriculture and Resource Management has taken proper steps to notify each property owner by mail of the contemplated weed abatement action on respective properties and to post 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.

At this public hearing, property owners may appear and object to the proposed weed destruction or removal. After the hearing and consideration of the objections, the Council may allow or overrule any or all objections. If objections are overruled, the Council is deemed to have acquired jurisdiction to proceed; and the County will be asked to perform the work of destruction and removal of weeds.

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 and are considered liens on these properties.
POLICY IMPLICATIONS
This procedure is consistent with existing City policies.

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

ATTACHMENTS
Resolution Ordering Weed Nuisance Abated
Property Listing

Prepared by: ________________________________
  DAN FIRTH
  Acting Fire Marshal

Department Head Review: ____________________________
  NICK MARINARO
  Fire Chief

City Manager Approval: ____________________________
  EMILY HARRISON
  Assistant City Manager