TO:         HONORABLE CITY COUNCIL

FROM:       CITY MANAGER       DEPARTMENT:   FIRE

DATE:       JANUARY 14, 2008     CMR:   103:08

SUBJECT:    PUBLIC HEARING ON OBJECTIONS TO WEED DESTRUCTION AND REMOVAL AND ADOPTION OF RESOLUTION ORDERING WEED NUISANCE ABATED

RECOMMENDATION
Staff recommends that Council hold a public hearing for any objections to the proposed destruction and removal of weeds, and adopt the attached Resolution ordering the abatement of weed nuisances in the City of Palo Alto.

BACKGROUND
By Resolution Number 8775, adopted on December 10, 2007, 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 14, 2008, 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 Santa Clara County Department of Agriculture and Resource Management administers the contract for abatement of weeds within the City of Palo Alto. Upon notification 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. 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 allow or overrule any or all objections. If objections are overruled, the Council is deemed to have acquired jurisdiction to proceed. 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**
Santa Clara County has determined the Weed Abatement Program to be Categorically Exempt from CEQA Guidelines pursuant to Section 15308.

**ATTACHMENTS**
Resolution Ordering Weed Nuisance Abated
Property Listing

Prepared by:_______________________________
   DAN FIRTH
   Fire Marshal

Department Head Review:_______________________
   NICK MARINARO
   Fire Chief

City Manager Approval:_______________________
   EMILY HARRISON
   Assistant City Manager