



City of Palo Alto

City Council Staff Report

(ID # 7524)

Report Type: Action Items

Meeting Date: 2/6/2017

Summary Title: Public Hearing on Objections to Weed Abatement and Adoption

Title: PUBLIC HEARING: on Objections to Weed Abatement and Adoption of Resolution Ordering Weed Nuisance Abated

From: City Manager

Lead Department: Fire

Recommendation

Staff recommends that Council hold a public hearing to hear and consider any objections to the proposed destruction and removal of weeds, and adopt the attached Resolution (Attachment A) ordering the abatement of weed nuisances in the City of Palo Alto.

Executive Summary

The City of Palo Alto contracts with Santa Clara County Agriculture and Resource Management to remove and destroy weeds, as defined in Palo Alto Municipal Code Chapter 8.08. This hearing allows all those affected and listed on the County's 2017 Weed Abatement Program Commencement Report (Attachment B) to be heard and have their objections and comments considered by Council before the Council adopts a Resolution ordering the abatement of weed nuisances in the City.

Background

The Council adopted Resolution XXXX on January 9, 2017 and declared weeds to be a nuisance and ordered the abatement of that nuisance as called for in Palo Alto Municipal Code Chapter 8.08. Resolution XXXX provided for a public hearing date of February 6, 2017 and required notice to interested property owners and the public.

Discussion

The Santa Clara County Department of Agriculture and Resource Management maintains the contract for abatement of weeds within the City of Palo Alto. Upon notification of the City Council's January 9, 2017 action declaring weeds to be a nuisance and ordering abatement thereof, the Department of Agriculture and Resource Management took steps to notify each property owner by mail of the proposed weed abatement action on 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 allow or overrule any or all objections. If objections are overruled, the Council is deemed to have acquired jurisdiction to proceed with abatement of weed nuisances upon Council Adoption of the attached Resolution. The County will be asked to perform the abatement work to destroy and remove any 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, which are considered liens on these properties.

Policy Implications

This procedure is consistent with existing City policies and Municipal Code Chapter 8.08.

Environmental Review

Santa Clara County has determined the Weed Abatement Program to be Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Sections 15308.

Attachments:

- Attachment A: RESO_2.Ordering Weed Nuisance Abated
- Attachment B: 2017 Palo Alto Weed Abatement Commencment Report

Not Yet Adopted

Resolution No. ____
Resolution of the Council of the City of Palo Alto Ordering
Weed Nuisance Abated

RECITALS

A. On January 9th, 2017 the Palo Alto City Council adopted Resolution No. ____ declaring weeds to be a nuisance and setting February 6th, 2017 at 6:00 p.m. or as soon thereafter as the matter may be heard, in the Civic Center as the time and place for a hearing of objections to the proposed destruction and removal of weeds; and

B. In accordance with said Resolution, notice of such hearing was given in the manner provided by law, as appears from the affidavits on file in the Office of the City Clerk; and

C. All persons desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to said weed abatement were fully heard and considered by this Council.

NOW, THEREFORE, the Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. Any and all objections to the proposed destruction and removal of such weeds are overruled.

SECTION 2. The Fire Chief hereby is ordered to do all things necessary and authorized in Chapter 8.08 of the Palo Alto Municipal Code to abate such nuisance, or cause the same to be abated by contract with the County of Santa Clara.

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Not Yet Adopted

SECTION 3. The County of Santa Clara as lead agency has determined that this project is exempt from the provisions of the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15308 as an action by regulatory agencies authorized by state or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Sr. Deputy City Attorney

City Manager

Fire Chief

Director of Administrative Services

**2017 WEED ABATEMENT PROGRAM
COMMENCEMENT REPORT
CITY OF PALO ALTO**

Situs		APN	CITY/STATE				
1119	FIFE	AV 003-21-063	JUE KENNETH R	P O BOX 83	PALO ALTO	CA	94302-0083
931	GUINDA	ST 003-34-006	GOUYET ALBERT AND CALISA C	931 GUINDA ST	PALO ALTO	CA	94301-3319
946	EL CAJON	WA 003-52-057	PILLSBURY ALBERT F JR AND HELEN	946 EL CAJON WAY	PALO ALTO	CA	94303-3408
258	MIDDLEFIELD	RD 120-02-017	EQUITY SMART INVESTMENTS LP	5701 LONETREE BLVD UNIT	ROCKLIN	CA	95765
733	RAMONA	ST 120-27-063	KODA ROSS K TRUSTEE	P O BOX 156	SOUTH DOS PALOS	CA	93665
435	SEALE	AV 124-09-029	BOWERS THOMAS A TRUSTEE & ET	435 SEALE AVE	PALO ALTO	CA	94301-3828
111	WASHINGTON	AV 124-19-106	KULKARNI SACHIN AND NARKHEDE	353 WHISMAN STATION DR	MOUNTAIN VIEW	CA	94043-2011
2225	ALMA	ST 124-20-001	LEE STEPHEN AND YVETTE C	2225 ALMA ST	PALO ALTO	CA	94301-3905
425	STANFORD	AV 124-31-027	NICHOLLS MARIE L TRUSTEE	425 STANFORD AVE	PALO ALTO	CA	94306-1149
2469	LOUIS	RD 127-03-072	SHAMOTO ARLENE SACHIKO	2469 LOUIS RD	PALO ALTO	CA	94303-3608
707	MORENO	AV 127-32-043	LEE MARK J AND WINNIE X TRUSTEE	707 MORENO AVE	PALO ALTO	CA	94301-0000
743	COLORADO	AV 127-34-101	HUANG HSING Y ET AL	743 COLORADO AVE	PALO ALTO	CA	94303-3913
780	CLARA	DR 127-35-030	BANQUE RAYMOND J	780 CLARA DR	PALO ALTO	CA	94303-3905
3101	MIDDLEFIELD	RD 127-53-007	FISHER LLC	4861 SALLY CT	UNION CITY	CA	94587
609	ASHTON	AV 132-04-102	DOROTHEA DIANA	609 ASHTON AVE	PALO ALTO	CA	94306-3610
3489	COWPER	ST 132-05-108	MC CALLEY RODERICK C ET AL	3489 COWPER ST	PALO ALTO	CA	94306-3617
315	OLIVE	AV 132-32-029	SMITH BOYD C AND JILL J TRUSTEE	3260 ASH ST	PALO ALTO	CA	94306
	OLIVE	AV 132-32-037	SI 43 LLC	10600 N DE ANZA BL STE 200	CUPERTINO	CA	95014
		132-33-050	LINDA ALLEN	1700 SPACE PARK DR.	SANTA CLARA	CA	95054
325	FERNANDO	AV 132-34-012	REHABILITATION HOUSING	1796 BAY RD	EAST PALO ALTO	CA	94303
231	FERNANDO	AV 132-34-019	GOODRICH EVELYN L AND GEORGE	231 FERNANDO AVE	PALO ALTO	CA	94306-2815
220	MATADERO	AV 132-34-025	AJLOUN ENTERPRISES LLC	186 CAMELIA DR	DALY CITY	CA	94015
290	MATADERO	AV 132-34-032	RUEHL KARL K AND SIGRID T	2391 GABRIEL AVE	MOUNTAIN VIEW	CA	94040-1415

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Situs		APN		CITY/STATE			
3605	PARK	BLV132-34-050	BROSZ KAROLYN	3605 PARK BLVD	PALO ALTO	CA	94306-2853
405	CURTNER	132-41-072	CURTNER INVESTMENT GROUP LLC	5526 BIGOAK DR	SAN JOSE	CA	95129-3107
4060	PARK	BLV132-43-030	VELKOFF VICTORIA	4060 PARK BLVD	PALO ALTO	CA	94306-3308
2321	WELLESLEY	ST 137-02-024	CULPEPPER BENJAMIN J	335 PANORAMIC WAY	BERKELEY	CA	94704
2250	COLUMBIA	ST 137-05-095	TAGGART KENNETH AND CYNTHIA	P O BOX 51177	PALO ALTO	CA	94303
2195	COLUMBIA	ST 137-06-036	EDELMAN ANDREA TRUSTEE	2195 COLUMBIA ST	PALO ALTO	CA	94306-1233
2120	COLUMBIA	ST 137-06-088	HALL LOIS M TRUSTEE	1135 HOPKINS AVE	PALO ALTO	CA	94301-3435
3700	EL CAMINO	137-11-078	KSS INVESTMENT LLC	1380 MIRAVALLE AVE	LOS ALTOS	CA	94024-5744
3747	LAGUNA	AV 137-14-069	BENES FRANCIS M TRUSTEE	3747 LAGUNA AVE	PALO ALTO	CA	94306-2625
4031	AMARANTA	AV 137-21-034	BURDETT BONNIE TRUSTEE & ET AL	350 2ND ST STE 2	LOS ALTOS	CA	94022
795	CEREZA	DR 137-21-064	LAMB MARY ELLEN	795 CEREZA DR	PALO ALTO	CA	94306-3145
4146	EL CAMINO	137-24-034	JUAN CHUNG-CHIUNG AND SU CHEN	6 ATHERTON OAKS LN	ATHERTON	CA	94027
4175	ALTA MESA	AV 137-25-005	ALINA MYRNA AND MYRNA ALINA	4175 ALTA MESA AVE	PALO ALTO	CA	94306-3931
531	IRVEN	CT 137-25-008	JANUARIO AMERICO M AND LINDA A	2422 GALLUP DR	SANTA CLARA	CA	95051-1212
590	MAYBELL	AV 137-25-088	VILKIN PETER	673 MAYBELL AVE	PALO ALTO	CA	94306-3817
4155	AMARANTA	AV 137-26-001	CORLAY NANCY	4155 AMARANTA AVE	PALO ALTO	CA	94306-3903
3460	HILLVIEW	RD 142-16-059	LELAND STANFORD JR UNIV THE BD	101 CALIFORNIA AVE STE	SAN FRANCISCO	CA	94111
3495	DEER CREEK	RD 142-16-062	LELAND STANFORD JR UNIV BOARD	150 PORTOLA RD	PORTOLA VALLEY	CA	94025
3500	DEER CREEK	RD 142-16-066	LELAND STANFORD JR UNIVERSITY	3500 DEER CREEK RD	PALO ALTO	CA	94304
4208	RUTHELMA	AV 148-02-002	SHIU BOON W	2478 GEARY BLVD	SAN FRANCISCO	CA	94115-3317
295	CHARLESTON	RD 148-02-010	HE SHUDONG AND CHEN ZHENG	295 W CHARLESTON RD	PALO ALTO	CA	94306-4128
262	WHITCLEM	DR 148-02-044	VAN ZANT STEVEN L	262 WHITCLEM DR	PALO ALTO	CA	94306-4112
285	CHARLESTON	RD 148-03-033	NGUYEN JIM ET AL	285 W CHARLESTON RD	PALO ALTO	CA	94306-4128

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Situs	APN		CITY/STATE			
4179	OAKHILL	AV 175-01-025	BACHRACH VIRGINIA R TRUSTEE	171 EVERETT AVE	PALO ALTO	CA 94301
4169	OAKHILL	AV 175-01-026	BACHRACH VIRGINIA R TRUSTEE	171 EVERETT AVE	PALO ALTO	CA 94301
849	MESA	AV 175-01-037	T.L.T. LLC	PO BOX 1667	PALO ALTO	CA 94302
4243	MANUELA	CT 175-02-053	WEAKLAND ALAN TRUSTEE & ET AL	515 S FLOWER ST FLOOR 25	LOS ANGELES	CA 90071
4103	OLD TRACE	RD 175-20-078	SMITHWICK ALTON D AND URSULA	PO BOX 60065	PALO ALTO	CA 94306
4110	OLD TRACE	RD 175-20-080	DHALIWAL JASMINE TRUSTEE	4110 OLD TRACE RD	PALO ALTO	CA 94306-3727
890	MOCKINGBIRD LN	175-20-082	JOSHI VIVEK TRUSTEE & ET AL	890 MOCKINGBIRD LN	PALO ALTO	CA 94306-3719
900	MOCKINGBIRD LN	175-20-083	LIVINGSTON DANIEL S TRUSTEE	900 MOCKINGBIRD LN	PALO ALTO	CA 94306-3719
895	MOCKINGBIRD LN	175-20-086	WOLF ELIZABETH B TRUSTEE	895 MOCKINGBIRD LN	PALO ALTO	CA 94306-3719
	OLD ADOBE	RD 175-20-092	GROVE EVA K TRUSTEE	171 MAIN ST UNIT 278	LOS ALTOS	CA 94022
2946	ALEXIS	DR 182-40-004	HWANG CHERNG-DAW AND BI-	2946 ALEXIS DR	PALO ALTO	CA 94304-1301
3111	ALEXIS	DR 182-43-018	CABACCAN JOSELITO C TRUSTEE	3111 ALEXIS DR	PALO ALTO	CA 94304-1306
	ALEXIS	DR 182-43-034	HWA GEORGE AND EILEEN	29 VENTRIS RD B-4 9/F	SAN FRANCISCO	S