



City of Palo Alto

City Council Staff Report

(ID # 9791)

Report Type: Action Items

Meeting Date: 6/24/2019

Summary Title: Public Hearing: Adoption of a Resolution Confirming Weed Abatement & Assessment

Title: PUBLIC HEARING: Adoption of a Resolution Confirming Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties Described Therein

From: City Manager

Lead Department: Development Services Department

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 the attached resolution confirming the report and ordering abatement costs to be a special assessment on the properties specified in the report.

Background

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 November 26th, 2018, 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 January 22, 2019, 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 third week in December 2018 that weeds were to be abated by April 30th, 2019, 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 days prior to this hearing.

Discussion

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.

RESOURCE IMPACT

There is no direct fiscal impact of this action to the City. The assessments identified on Attachment "A" of the resolution, totaling \$46,913.80, will be imposed as liens on the properties listed and will not be borne by the City.

POLICY IMPLICATIONS

This procedure is consistent with existing City policies.

ENVIRONMENTAL ASSESSMENT

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

NOT YET ADOPTED

Resolution No. ____
Resolution Confirming Weed Abatement Report and Ordering Cost of
Abatement to be a Special Assessment on the Respective Properties
Described Therein

RECITALS

A. The Council of the City of Palo Alto has heretofore declared weeds growing on certain properties within the City to be a public nuisance by Resolution No. 9801, dated November 26, 2018.

B. The Council on January 22, 2019, did adopt Resolution No. 9815 thereby ordering the weed nuisance abated.

C. Subsequent to the giving of said notice, the Fire Chief, through his Administrator, the Weed Abatement Division of Santa Clara County Department of Agriculture and Environmental Management, has caused to be abated the weeds on the herein described properties.

D. The Fire Chief, through his Administrator, the Weed Abatement Division of Santa Clara County Department of Agriculture and Environmental Management, has filed his report and assessment list for weed abatement as provided by law and a hearing has been duly set and noticed, for objections to said report and assessment list and for confirmation.

E. The Council has duly considered the report and assessment list and any objections thereto.

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

SECTION 1. The report and assessment list is in all respects complete and correct and is hereby confirmed. The amounts of the cost for abating the nuisance are confirmed and those remaining unpaid, as shown on Exhibit "A" attached hereto and incorporated herein, shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of the respective assessment.

SECTION 2. All written or oral protests or objections to said report and assessment list are overruled or denied.

SECTION 3. The unpaid assessments shown on Exhibit "A" shall be entered upon the 2019-2020 tax roll against the parcels of land and shall be collected at the same time and in the same manner as general City taxes, be subject to the same interest and penalties, and be subject to the same procedure and sale in case of delinquency. All laws and ordinances applicable to the levy, collection, and enforcement of City taxes are hereby made applicable to this special assessment.

SECTION 4. Santa Clara County has determined the weed abatement program to be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15308.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Assistant City Attorney

City Manager

Fire Chief

Director of Administrative Services

**2019 WEED ABATEMENT PROGRAM
ASSESSMENT REPORT
CITY OF PALO ALTO**

Situs		APN	OWNER ADDRESS				TAX ROLL	TRA
							AMT	
	1576 Hamilton	003-24-010	1576 Hamilton Avenue Lie	0 Po Box 1179	PALO ALTO	94304	\$80.00	6006
2	999 Embarcadero	003-41-068	Ge, Ruifang And Wang, Peiyu	999 Embarcadero Rd	PALO ALTO	94303-3050	\$80.00	6006
3	1938 Channing	003-42-039	Haley, Philip H Trustee & Et Al	506 Eisenhower St	DAVIS	95616	\$80.00	6006
4	1031 Embarcadero	003-42-060	Omegacloud Corporation	10181 Adriana Av	CUPERTINO	95014-1125	\$80.00	6006
5	2385 St Francis	003-48-021	Zadik, Yair And Linda	2385 St Francis Dr	PALO ALTO	94303-3136	\$1,455.20	6006
6	2075 Louis	003-50-021	Keller, Jeffrey R	2075 Louis Rd	PALOALTO	94303-3452	\$80.00	6006
7	946 El Cajon	003-52-057	Pillsbury, Helen B And Albert F	946 El Cajon Wy	PALO ALTO	94303-3408	\$1,460.50	6006
8	669 Everett	120-02-017	Golub, Benjamin Trustee & Et Al	669 Everett Av	PALO ALTO	94301-1342	\$80.00	6006
9	260 Byron	120-02-030	Liveright, Michael	260 Byron St	PALO ALTO	94301-1307	\$1,487.00	6006
10	733 Ramona	120-27-063	Koda, Ross K Trustee	PO Box 156	SOUTH DOS PALOS	93665	\$2,340.04	6006
11	135 Melville	124-15-028	Poppy, James C And Sylvester, Mary	135 Melville Av	PALO ALTO	94301-3541	\$80.00	6006
12	425 Stanford	124-31-027	Nicholls, Marie L Trustee	425 Stanford Av	PALO ALTO	94306-1149	\$80.00	6006
13	743 Colorado	127-34-101	Huang, Hsing Y Et Al	743 Colorado Av	PALO ALTO	94303-3913	\$80.00	6006
14	3101 Middlefield	127-53-007	Fisher Lie	4861 Sally Ct	UNION CITY	94587	\$80.00	6006
15	3489 Cowper	132-05-108	Mc Calley, Roderick C Et Al	3489 Cowper St	PALO ALTO	94306-3617	\$80.00	6006
16	149 El Dorado	132-25-022	Quan, Steven Y And Lillian M Trustee	3143 Greer Rd	PALO ALTO	94303-4027	\$80.00	6006
17	22 Roosevelt	132-29-067	Chiou, Ren-kang And Teng, Hsiu-	22 Roosevelt Cl	PALOALTO	94306-4216	\$80.00	6006
18	18 Roosevelt	132-29-069	Amir D. Bernstein, Trustee	18 Roosevelt Cl	PALOALTO	94306-4216	\$663.00	6006

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19	0	Olive	132-32-037	Si 45 Lie	10600 De Anza Bl Ste 200 N	CUPERTINO	95014	\$80.00	6006
20	0		132-33-050	Linda Allen	1700 Space Park Dr.	SANTA CLARA	95054	\$2,971.00	6006
21	231	Fernando	132-34-019	Goodrich, Evelyn L And George M	231 Fernando Av	PALOALTO	94306-2815	\$80.00	6006
22	220	Matadero	132-34-025	Ajloun Enterprises Lie	186 Camelia Dr	DALY CITY	94015	\$1,434.00	6001
23	280	Matadero	132-34-031	Rose Rock Property Management Lie	19066 Austin Wy	SARATOGA	95070-6405	\$80.00	6006
24	290	Matadero	132-34--032	Ruehl, Karl K And Sigrid T Trustee	2391 Gabriel Av	MOUNTAIN VIEW	94040-1415	\$80.00	6006
25	3605	Park	132-34-050	Brosz, Karolyn	3605 Park Bl	PALOALTO	94306-2853	\$80.00	6006
26	3561	Park	132-34-052	Mahal, Jaswinder	180 Park Sharon Dr	SAN JOSE	95136-2535	\$80.00	6006
27	3705	El Camino Real	132-35-045	Wilton Court li Lie	725 Alma St	PALOALTO	94301-2403	\$80.00	6006
28	421	Fernando	132-39-037	Williger, Edward M	0 P O Box 20089	STANFORD	94309-0089	\$80.00	6006
29	3550	Orinda	132-40-001	Rodriguez, Agustin E Trustee & Et Al	3550 Orinda St	PALOALTO	94306-2842	\$80.00	6006
30	405	Curtner	132-41-072	Curtner Investment Group Lie	5526 Bigoak Dr	SAN JOSE	95129-3107	\$80.00	6006
31	4032	Park	132-43-025	Zhu, Li And Wan, Fanny Trustee	33345 7th St	UNION CITY	94587	\$80.00	6006
32	613	Stanford	137-01--059	Baumann, John R	613 Stanford Av	PALOALTO	94306-1412	\$80.00	6006
33	2321	Wellesley	137-02-024	Culpepper, Benjamin J	335 Panoramic Wy	BERKELEY	94704	\$1,752.00	6006
34	2250	Columbia	137-05-095	Taggart, Kenneth And Cynthia	0 Po Box 61178	PALO ALTO	94306-6178	\$80.00	6006
35	2195	Columbia	137-06-036	Edelman, Andrea Trustee	2195 Columbia St	PALOALTO	94306-1233	\$1,593.00	6006
36	2120	Columbia	137-06-088	Hall, Lois M Trustee	1135 Hopkins Av	PALOALTO	94301-3435	\$80.00	6006

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37	3700	El Camino Real	137-11-078	Kss Investment Lie	1380 Miravalle Av	LOS ALTOS	94024-5744	\$1,540.00	6006
38	795	Cereza	137-21-064	Lamb, Mary Ellen	795 Cereza Dr	PALOALTO	94306-3145	\$80.00	6006
39	4146	El Camino Real	137-24-034	Juan, Su Chen And Chung-chiung	6 Atherton Oaks Ln	ATHERTON	94027	\$80.00	6006
40	4175	Alta Mesa	137-25-005	Alina, Myrna And Myrna Alina 2012	4175 Alta Mesa Av	PALOALTO	94306-3931	\$80.00	6006
41	590	Maybell	137-25-088	Vilkin, Peter	673 Maybell Av	PALOALTO	94306-3817	\$80.00	6006
42	575	Maybell	137-25-108	Golden Gate Home Lie	19925 Stevens Creek Blvd. Ste.	Cupertino	95014	\$1,307.76	6006
43	567	Maybell	137-25-109	Golden Gate Homes Lie	2225 Bayshore Rd	PALOALTO	94303	\$663.00	6006
44	4170	Alta Mesa	137-25-113	Wu, Mike C And Tsai-feng Trustee	4170 Alta Mesa Av	PALOALTO	94306-3930	\$80.00	6006
45	4155	Amaranta	137-26-001	Corlay, Nancy	4155 AmarantaAv	PALOALTO	94306-3903	\$80.00	6006
46	4158	Amaranta	137-26-027	Edmonds, Brian W And Parsa,	4158 AmarantaAv	PALO ALTO	94306-3905	\$80.00	6006
47	4170	Coulombe	137-26-112	Tana, Chinin Trustee & Et Al	4170 Coulombe Dr	PALOALTO	94306-3801	\$80.00	6006
48	3495	Deer Creek	142-16-062	Leland Stanford Jr Univ Board	150 Portola Rd	PORTOLA VALLEY	94025	\$2,706.00	6006
49	3500	Deer Creek	142-16-066	Leland Stanford Jr University Board	3500 Deer Creek Rd	PALOALTO	94304	\$8,801.00	6006
50	4208	Ruthelma	148-02-002	Shiu, Boon W	2478 Geary Bl	SAN FRANCISCO	94115-3317	\$80.00	6006
51	285	Charleston	148-03-033	0-yuan, Shan And Cheng, Tang Yu	317 Hartstene Dr	REDWOOD CITY	94065	\$80.00	6006
52	144	Monroe	148-06-001	Palo Alto Ca 14 Lie	2316 Wahsatch Avn #631	COLORADO SPRINGS	80907	\$80.00	6006
53	4388	Silva	148-12-028	Yin, Jun And Duanmu, Lan	4388 Silva Ct	PALOALTO	94306-4422	\$1,593.00	6006
54	633	Arastradero	167-06-016	Stone, Virginia A And Bradley K	3516 Bajamont Wy	CARMICHAEL	95608	\$1,540.00	6006

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55	4179	Oak Hill	175-01-025	Bachrach, Virginia R Trustee	171 Everett Av	PALO ALTO	94301	\$80.00	6006
56	4169	Oak Hill	175-01-026	Bachrach, Virginia R Trustee	171 Everett Av	PALOALTO	94301	\$80.00	6006
57	849	Mesa	175-01-037	Tit Lie	0 Po Box 1667	PALOALTO	94302	\$1,911.00	6006
58	4158	Oakhill	175-01-051	Kamath, Swati P Trustee	4158 Oakhill Av	PALOALTO	94306-3720	\$80.00	6006
59	4243	Manuela	175-02-053	Weakland, Alan Trustee & Et Al	515 Flower Sts Floor 25	LOS ANGELES	90071	\$2,971.00	6006
60	4103	Old Trace	175-20-078	Smithwick, Alton D And Ursula L	0 Po Box 60065	PALOALTO	94306	\$2,287.30	6006
61	890	Mockingbird	175-20-082	Joshi, Vivek Trustee & Et Al	890 Mockingbird Ln	PALOALTO	94306-3719	\$80.00	6006
62	0	Old Adobe	175-20-092	Grove, Eva K Trustee	171 Main St 278	LOS ALTOS	94022	\$2,918.00	6006
63	2946	Alexis	182-40-004	Hwang, Cherng-daw And Bi-shuang	2946 Alexis Dr	PALOALTO	94304-1301	\$80.00	6006
64	931	Laurel Glen	182-54-012	Schoendorf Joseph P And Nancy J Et	1234 Big Rock Rd	St. Helena	94574-9563	\$80.00	6039
							TOTAL	\$46,913.80	