



City of Palo Alto

City Council Staff Report

(ID # 6982)

Report Type: Action Items

Meeting Date: 6/20/2016

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: Fire

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 December 14, 2015, in accordance with Chapter 8.08 of the Palo Alto Municipal Code, the City Council declared weeds to be a nuisance and ordered that the nuisance be abated. A public hearing was held on January 11, 2016, 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 2015 that weeds were to be abated by April 30th, 2016, 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 357:00, September 18, 2000).

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 Exhibit "A" of the resolution, totaling \$19,488.47, 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 Report and Ordering Cost of Abatement

Attachments:

- Attachment A - Resolution Confirming Weed Abatement Report and Ordering Cost of Abatement to be a Special Assessment on the Respective Properties (PDF)

NOT YET APPROVED

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

R E C I T A L S

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. 9569, dated December 14, 2015;

B. The Council on January 11, 2016, did adopt Resolution No. 9572 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; and

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 2016-2017 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.

NOT YET APPROVED

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:

Principal City Attorney

City Manager

Fire Chief

Director of Administrative Services

2016 Weed Abatement Program

Exhibit A

Assessment Report

City of Palo Alto

| | Situs | | APN | OWNER ADDRESS | | | TAX ROLL AMT | TRA | |
|----|-------|-------------|------------|---|-----------------------------|-----------------|-----------------|------------|-------------|
| 1 | 1119 | Fife | 003-21-063 | Jue Kenneth R | P O Box 83 | PALO ALTO | 94302-0083 | \$932.00 | 6001 |
| 2 | 931 | Guinda | 003-34-006 | Gouyet Albert And Calisa C Trustee | 931 Guinda St | PALO ALTO | 94301-3319 | \$55.00 | 6001 |
| 3 | 258 | Middlefield | 120-02-017 | Equity Smart Investments Lp | 5701 Lonetree Blvd Unit 102 | ROCKLIN | 95765 | \$983.00 | 6001 |
| 4 | 733 | Ramona | 120-27-063 | Koda Ross K Trustee | P O Box 156 | SOUTH DOS PALOS | 93665 | \$1,034.00 | 6001 |
| 5 | 435 | Seale | 124-09-029 | Kasahara, Michie Tr/tr | 1050 Koloa Street | HONOLULU | 96816 | \$55.00 | 6001 |
| 6 | 2225 | Alma | 124-20-001 | Lee Stephen And Yvette C | 2225 Alma St | PALO ALTO | 94301-3905 | \$55.00 | 6001 |
| 7 | 425 | Stanford | 124-31-027 | Nicholls Marie L Trustee | 425 Stanford Ave | PALO ALTO | 94306-1149 | \$55.00 | 6001 |
| 8 | 739 | Colorado | 127-34-101 | Huang Hsing Y Et Al | 757 Seminole Way | PALO ALTO | 94303-4723 | \$55.00 | 6001 |
| 9 | 780 | Clara | 127-35-030 | Banque Raymond J | 780 Clara Dr | PALO ALTO | 94303-3905 | \$55.00 | 6001 |
| 10 | 3101 | Middlefield | 127-53-007 | Fisher Llc | 4861 Sally Ct | UNION CITY | 94587 | \$55.00 | 6001 |
| 11 | 609 | Ashton | 132-04-102 | Dorothea Diana | 609 Ashton Ave | PALO ALTO | 94306-3610 | \$55.00 | 6001 |
| 12 | 3489 | Cowper | 132-05-108 | Mc Calley Roderick C Et Al | 3489 Cowper St | PALO ALTO | 94306-3617 | \$55.00 | 6001 |
| 13 | 315 | Olive | 132-32-029 | Smith Boyd C And Jill J Trustee & Et | 3260 Ash St | PALO ALTO | 94306 | \$55.00 | 6001 |
| 14 | | Olive | 132-32-037 | Si 43 Llc | 10600 N De Anza Bl Ste 200 | CUPERTINO | 95014 | \$55.00 | 6001 |
| 15 | | No Situs | 132-33-050 | TERRY LEE | 359 Washington Street | Daily City | 94015 | \$2,360.00 | 6001 |
| 16 | 325 | Fernando | 132-34-012 | Rehabilitation Housing Associates | 1796 Bay Rd | EAST PALO ALTO | 94303 | \$55.00 | 6001 |
| 17 | 220 | Matadero | 132-34-025 | Ajloun Enterprises Llc | 186 Camelia Dr | DALY CITY | 94015 | \$932.00 | 6001 |
| 18 | 290 | Matadero | 132-34-032 | Ruehl Karl K And Sigrid T Trustee | 2391 Gabriel Ave | MOUNTAIN VIEW | 94040-1415 | \$55.00 | 6001 |

2016 Weed Abatement Program

Exhibit A

Assessment Report

City of Palo Alto

| | Situs | | | APN | OWNER ADDRESS | | | TAX ROLL AMT | TRA | |
|----|--------------|----------------|--|------------|--|-----------------------------|----------------|-------------------------|------------|-------------|
| 19 | 3605 | Park | | 132-34-050 | Brosz Karolyn | 3605 Park Blvd | PALO ALTO | 94306-2853 | \$55.00 | 6001 |
| 20 | 405 | Curtner | | 132-41-072 | Curtner Investment Group Llc | 18801 Belgrove Cir | SARATOGA | 95070 | \$932.00 | 6001 |
| 21 | 2321 | Wellesley | | 137-02-024 | Culpepper Benjamin J | 335 Panoramic Way | BERKELEY | 94704 | \$55.00 | 6001 |
| 22 | 2250 | Columbia | | 137-05-095 | Taggart Kenneth And Cynthia | P O Box 51177 | PALO ALTO | 94303 | \$55.00 | 6001 |
| 23 | 2195 | Columbia | | 137-06-036 | Edelman Andrea Trustee | 2195 Columbia St | PALO ALTO | 94306-1233 | \$55.00 | 6001 |
| 24 | 2120 | Columbia | | 137-06-088 | Hall Lois M Trustee | 1135 Hopkins Ave | PALO ALTO | 94301-3435 | \$55.00 | 6001 |
| 25 | 3700 | El Camino Real | | 137-11-078 | Kss Investment Llc | 1380 Miravalle Ave | LOS ALTOS | 94024-5744 | \$983.00 | 6022 |
| 26 | 3747 | Laguna | | 137-14-069 | Benes Francis M Et Al | 3747 Laguna Ave | PALO ALTO | 94306-2625 | \$55.00 | 6059 |
| 27 | 4031 | Amaranta | | 137-21-034 | Hamlett Mildred | 4031 Amaranta Ave | PALO ALTO | 94306-3103 | \$648.00 | 6022 |
| 28 | 795 | Cereza | | 137-21-064 | Lamb Mary Ellen | 795 Cereza Dr | PALO ALTO | 94306-3145 | \$55.00 | 6059 |
| 29 | 4175 | Alta Mesa | | 137-25-005 | Alina Myrna And Myrna Alina 2012 | 4175 Alta Mesa Ave | PALO ALTO | 94306-3931 | \$55.00 | 6059 |
| 30 | 531 | Irven | | 137-25-008 | Januario Americo M And Linda A | 2422 Gallup Dr | SANTA CLARA | 95051-1212 | \$55.00 | 6059 |
| 31 | 590 | Maybell | | 137-25-088 | Vilkin Peter | 673 Maybell Ave | PALO ALTO | 94306-3817 | \$55.00 | 6059 |
| 32 | 4155 | Amaranta | | 137-26-001 | Corlay Nancy | 2810 Blenheim Ave | REDWOOD CITY | 94063 | \$55.00 | 6022 |
| 33 | 3460 | Hillview | | 142-16-059 | Leland Stanford Jr Univ The Bd | 101 California Ave Ste 1800 | SAN FRANCISCO | 94111 | \$55.00 | 6055 |
| 34 | 3495 | Deer Creek | | 142-16-062 | Leland Stanford Jr Univ Board | 150 Portola Rd | PORTOLA VALLEY | 94025 | \$4,298.00 | 6055 |
| 35 | 3500 | Deer Creek | | 142-16-066 | Leland Stanford Jr University Board | 3500 Deer Creek Rd | PALO ALTO | 94304 | \$55.00 | 6055 |
| 36 | 4208 | Ruthelma | | 148-02-002 | Shiu Boon W | 2478 Geary Blvd | SAN FRANCISCO | 94115-3317 | \$55.00 | 6001 |

**2016 Weed Abatement Program
Assessment Report
City of Palo Alto**

Exhibit A

| Situs | | APN | OWNER ADDRESS | | | | TAX ROLL AMT | TRA |
|-------|-----------------|------------|--|---------------------------|-------------|--------------|--------------------|-------------|
| 37 | 295 Charleston | 148-02-010 | He Shudong And Chen Zheng Trustee | 295 W Charleston Rd | PALO ALTO | 94306-4128 | \$55.00 | 6001 |
| 38 | 262 Whitclem | 148-02-044 | Van Zant Steven L | 262 Whitclem Dr | PALO ALTO | 94306-4112 | \$55.00 | 6001 |
| 39 | 285 Charleston | 148-03-033 | Nguyen Jim | 3289 South Ct | PALO ALTO | 94306-2951 | \$55.00 | 6001 |
| 40 | 849 Mesa | 175-01-037 | T.I.t. Llc | Po Box 1667 | PALO ALTO | 94302 | \$1,314.50 | 6001 |
| 41 | 4243 Manuela | 175-02-053 | Weakland Alan Trustee & Et Al | 515 S Flower St Floor 25 | LOS ANGELES | 90071 | \$55.00 | 6001 |
| 42 | 4103 Old Trace | 175-20-078 | Smithwick Alton D And Ursula L | Po Box 60065 | PALO ALTO | 94306 | \$1,288.99 | 6020 |
| 43 | 4110 Old Trace | 175-20-080 | Dhaliwal Jasmine Trustee | 4110 Old Trace Rd | PALO ALTO | 94306-3727 | \$55.00 | 6020 |
| 44 | 890 Mockingbird | 175-20-082 | Joshi Vivek Trustee & Et Al | 890 Mockingbird Ln | PALO ALTO | 94306-3719 | \$55.00 | 6020 |
| 45 | 900 Mockingbird | 175-20-083 | Livingston Daniel S Trustee | 900 Mockingbird Ln | PALO ALTO | 94306-3719 | \$55.00 | 6020 |
| 46 | Old Adobe | 175-20-092 | Grove Andrew S And Eva R Trustee | 171 Main St #278 | LOS ALTOS | 94022 | \$1,747.98 | 6020 |
| 47 | 2946 Alexis | 182-40-004 | Hwang Cherng-daw And Bi-shuang | 2946 Alexis Dr | PALO ALTO | 94304-1301 | \$55.00 | 6039 |
| 48 | 3111 Alexis | 182-43-018 | Cabaccan Joselito C | 3111 Alexis Dr | PALO ALTO | 94304-1306 | \$55.00 | 6039 |
| 49 | Alexis | 182-43-034 | Hwa George And Eileen | 29 Ventris Rd B-4 9/f San | HONG KONG | CHINA | \$55.00 | 6039 |
| | | | | | | TOTAL | \$19,488.47 | |