

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS DECLARING  
CERTAIN PROPERTIES TO CONSTITUTE A PUBLIC NUISANCE DUE TO THE OVERGROWTH OF  
WEEDS AND/OR ACCUMULATION OF RUBBISH, REFUSE OR DIRT AND FIXING THE TIME AND  
PLACE FOR OBJECTIONS TO ABATEMENT**

**WHEREAS**, the County of Santa Clara Consumer and Environmental Protection Agency - Weed Abatement Program has compiled its annual list of properties which constitute a public nuisance due to an overgrowth of weeds and/or the accumulation of rubbish, refuse or dirt; and

**WHEREAS**, it is requested that the County of Santa Clara Consumer and Environmental Protection Agency - Weed Abatement Program will individually notify the owners of those properties of its intent to abate said public nuisance and assess the cost as a special assessment against said properties if the owners do not abate the nuisance themselves; and

**WHEREAS**, the purpose of this Resolution is to fix a time and place where the said property owners can object to the proposed abatement.

**NOW, THEREFORE**, the City Council hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council declares that the properties listed on the annual list of properties, attached hereto as **Exhibit A**, constitute a public nuisance due to an overgrowth of weeds and/or the accumulation of rubbish, refuse or dirt.
3. March 15, 2022 at 7:00 p.m., in the Council Chambers at City Hall, Milpitas, California, shall be the time and place set aside for all owners of property listed on Exhibit A or any other person having any objections to the proposed removal of the weeds, rubbish, refuse and dirt to voice any objections they may have to the proposed nuisance abatement by the County of Santa Clara Consumer and Environmental Protection Agency - Weed Abatement Program.
4. The City Clerk is hereby authorized to cause notice of this Resolution be given to the County of Santa Clara Consumer and Environmental Protection Agency - Weed Abatement Program.
5. The City Council requests that the County of Santa Clara Consumer and Environmental Protection Agency - Weed Abatement Program notify the owners of those properties included on Exhibit A in accordance with Milpitas Municipal Code, Title V, Chapter 202, of its intent to abate said nuisance and assess the cost as a special assessment against said properties unless such weeds, rubbish, refuse or dirt are removed by the owner.

PASSED AND ADOPTED this 15<sup>th</sup> day of February 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Wendy Wood, City Clerk

APPROVED AS TO FORM:

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Christopher Diaz, City Attorney

APPROVED:

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Rich Tran, Mayor