



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/02/2022

ITEM NO: 16

DATE: July 15, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Consider Objections to the 2022 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges

RECOMMENDATION:

Consider objections to the 2022 Weed Abatement Program Assessment Report (Attachment 1) and adopt a resolution (Attachment 2) confirming the report and authorizing collection of the assessment charges.

BACKGROUND:

The Weed Abatement Program is a different, but complimentary program to the Brush Abatement Program, that works to protect the Town by preventing fire hazards created by vegetative growth and the accumulation of combustible debris with the goal of voluntary compliance.

The Town of Los Gatos Municipal Code Chapter 11, Article II et seq requires property owners to prevent potential fire hazards based on the California Health & Safety Code to provide protection for the property and any nearby structures by clearing hazards according to Minimum Fire Safety Standards. It also authorizes the County to remove the weeds if the property owner fails to do so and to recover costs through an assessment on the property tax bill for each parcel.

Typically, a property is placed in the program after a County inspector identifies a potential fire hazard on the premises. Fire Departments, Code Enforcement, Public Works, and other public agencies can also submit complaints to the County. Once a parcel is placed in the program, it will remain until it displays compliance for three consecutive years, at which point it will be removed.

PREPARED BY: Meredith Johnston
Administrative Technician

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Interim Finance Director, and Acting Director of Parks and Public Works

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BACKGROUND (continued):

The Program is administered by the County on behalf of the Town and is funded from fees assessed on the properties included on the assessment list. Every year while in the program, each of the property owners are charged an annual compliance inspection fee and some incur costs for additional inspections, administrative, and abatement fees.

On December 7, 2021, the Town Council passed Resolution 2021-057 (Attachment 3) declaring hazardous vegetation (weeds) a public nuisance, providing for their abatement, and setting January 18, 2022 as a public hearing date for the annual program. The County mailed property owners a notice of the January 18, 2022 Public Hearing for the Los Gatos jurisdiction along with guidelines on the Los Gatos Weed Abatement Program.

DISCUSSION:

The 2022 Weed Abatement Assessment Report list includes assessment charges for the annual compliance inspection fee of \$91, and any additional inspection, administrative, and abatement fees as described in Attachment 4. The attached resolution affirms these costs and acknowledges the costs will be assessed by the County Tax Collector against the respective properties.

The Town of Los Gatos mailed property owners a notice of the August 2, 2022 Public Hearing for the Los Gatos jurisdiction, including detailed information on the assessment charges and contact information for potential questions pertaining to the assessments (Attachment 5). This public hearing is an opportunity to allow property owners who are on the assessment report to object to the assessment.

CONCLUSION:

Staff recommends that the Council conduct a public hearing to consider objections to the 2022 Weed Abatement Program Assessment Report and adopt a resolution confirming the report and authorizing collection of the assessment charges.

COORDINATION:

This program has been coordinated with the County's Consumer and Environmental Protection Agency (CEPA) - Weed Abatement Program.

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FISCAL IMPACT:

The County's Weed Abatement Program administers services for 13 local agencies which operates on a 100% cost recovery basis, and, the County has confirmed it is able to obtain cost recovery through assessments on parcels that are in the 2022 Weed Abatement Program. Funds have been provided in the Fiscal Year (FY) 2021/22 and 2022/23 for the 2022 Weed Abatement Program, which crosses fiscal years. The Operating Budget will cover the cost of publishing all required legal notices.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. 2022 Weed Abatement Program Assessment Report.
2. Resolution 2022-XXX Confirming the Report and Authorizing Collection of the Assessment Charges.
3. Resolution 2021-057 Declaring Hazardous Vegetation (Weeds) a Public Nuisance and Providing for their Abatement.
4. County Letter to Property Owners (December).
5. Town Letter to Property Owners (July).