



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/06/2019

ITEM NO: 13

DATE: July 22, 2019
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Open and Close a Public Hearing to Consider Objections to the 2019 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges

RECOMMENDATION:

Open and close a public hearing to consider objections to the 2019 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 purpose of the Weed Abatement program is to prevent fire hazards posed by vegetative growth and the accumulation of combustible materials, as defined in the Town Code, Chapter 11, Article II, Section 11.20.010. This is a monitoring program and the primary objective is voluntary compliance.

The Program is administered through a contract with the Santa Clara County Department of Agriculture and Environmental Management (County) and is funded from fees charged to residents if the County contractor must perform weed abatement work on the property, or if the property is not in compliance with Minimum Fire Safety Standards when it is first inspected by the County in the spring. Properties that fail the initial inspection are charged an inspection fee, even if the resident completes the weed abatement.

Program staff annually inspect parcels at the beginning of the fire season, which is typically in March or April. If the parcel is not in compliance at the time of inspection, the property owner is charged the inspection fee and the owner is sent a courtesy notice as a reminder to abate the weeds. If the weeds are not abated by the property owner, the work is completed by the

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Executive Assistant, Parks and Public Works

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

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BACKGROUND (continued):

County's contractor. The property owner pays a fee equal to the contractor's charges plus a County administrative fee. Properties remain on the Program for three years and are removed if no hazards are found during that time.

On December 7, 2018, the Town Council passed Resolution 2018-053 (Attachment 3) declaring hazardous vegetation (weeds) a public nuisance, providing for their abatement, and set January 15, 2019 as the public hearing date for the annual program.

The County mailed property owners a notice of the January 15, 2019 Public Hearing for the Los Gatos jurisdiction and guidelines on the Los Gatos Weed Abatement Program. Unfortunately, the letter contained incorrect dates and the notice was resent with the correct information. For this reason, the hearing was continued to the February 5, 2019 Council meeting.

DISCUSSION:

The 2019 Weed Abatement Assessment Report list includes assessment charges for initial inspection fees and for performing weed abatement. 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 6, 2019 Public Hearing for the Los Gatos jurisdiction, along with the assessment charges. This public hearing is an opportunity for residents who received an assessment to object to that assessment.

CONCLUSION:

Open and close a public hearing to consider objections to the 2019 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 Santa Clara County Department of Agriculture and Environmental Management.

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FISCAL IMPACT:

Funds are budgeted in the Operating Budget to cover the cost of publishing the legal notices for the program. The County's cost to administer and carry out the program are recovered through the tax roll assessment charges levied against the affected properties.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. 2019 Weed Abatement Program Assessment Report.
2. Resolution 2019-XX Confirming the Report and Authorizing Collection of the Assessment Charges.
3. Resolution 2018-053 Declaring Hazardous Vegetation (Weeds) a Public Nuisance and Providing for their Abatement.