



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/06/2024

ITEM NO: 20

DATE: July 22, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Conduct a Public Hearing to Consider Objections to the 2024 Weed Abatement Program Assessment Report and Adopt a Resolution Confirming the Report and Authorizing Collection of the Assessment Charges

RECOMMENDATION:

Conduct a public hearing to consider objections to the 2024 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 (the Program) is a different, but complementary program to the Brush Abatement Program. Both programs work to protect the Town by preventing fire hazards created by vegetative growth and the accumulation of combustible debris on private property with the goal of voluntary compliance. The Town of Los Gatos Municipal Code Chapter 11, Article II, requires property owners to prevent potential fire hazards to provide protection for the property and any nearby structures by clearing hazards. 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.

Typically, a property is placed in the Program after a Santa Clara County (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

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Administrative Technician

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

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BACKGROUND (continued):

placed in the Program, it will remain until it demonstrates compliance for three consecutive years, at which point it will be removed.

Property owners in the Program are given the opportunity to abate their weeds prior to receiving an annual compliance inspection by County staff. The annual inspection is conducted to determine if the property has been cleared of hazards according to the requirements defined in the Santa Clara County Weed Abatement Program [Weed Abatement Brochure](#). If the property owner has not complied with the requirements of the Program by the time of the County inspection, then the Town authorizes the County to remove the weeds. The County recovers its costs through a special assessment on each parcel's property tax bill.

On December 5, 2023, the Town Council passed Resolution 2023-066 (Attachment 3) declaring hazardous vegetation (weeds) a public nuisance, providing for their abatement, and setting January 16, 2024 as a public hearing date for the annual program. The County mailed property owners a notice of the January 16, 2024 Public Hearing for the Los Gatos jurisdiction along with guidelines on the Weed Abatement Program (Attachment 4).

DISCUSSION:

The 2024 Weed Abatement Assessment Report list includes assessment charges for the annual compliance inspection fee of \$96, and any additional inspection, administrative, and abatement fees (Attachment 1). The letter provided to each property owner affirms these costs and acknowledges they will be assessed by the County Tax Collector against the respective properties.

In accordance with the Town Code Section 11.20.035, the assessment report was posted in three (3) prominent places in Town, one (1) of which was at Town Hall. The Town of Los Gatos mailed property owners a notice of the August 6, 2024 Public Hearing for the Los Gatos jurisdiction, including detailed information on the assessment charges and contact information for potential questions about the assessments (Attachment 5). A similar notice was also published twice in the Los Gatos Weekly, a newspaper of general circulation published in the Town. This public hearing is an opportunity to allow property owners who are on the assessment report to object to the assessment. At this time, no objections have been received.

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CONCLUSION:

Staff recommends that the Council conduct a public hearing to consider objections to the 2024 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.

FISCAL IMPACT:

Funds allocated in the adopted Operating Budget 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 properties included in the assessment report.

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. 2024 Weed Abatement Program Assessment Report
2. Resolution Confirming the Report and Authorizing Collection of the Assessment Charges
3. Resolution 2023-066 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)
6. Public Comment Received