



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 12/03/2019

ITEM NO: 8

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DATE: November 22, 2019  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Adopt a Resolution Declaring Weeds to be a Public Nuisance and Set Hearing Date of January 21, 2020 to Consider Objections for Proposed Removal

**RECOMMENDATION:**

Adopt a resolution (Attachment 1) declaring weeds to a public nuisance and set hearing date of January 21, 2020 to consider objections for proposed removal.

**BACKGROUND:**

Chapter 11, Article II, Section 11.20.015 of the Town of Los Gatos Municipal Code requires property owners to remove or destroy weeds on their property for fire protection. On November 5, 2019, the Town Council adopted amendments to Chapter 11 to expand the definition of weeds to include other dead vegetation, fallen limbs, and combustible trash on private property and add additional language to clarify and strengthen the Town's weed abatement program.

The weed abatement process is in place to notify the property owners of this responsibility, authorize the County to remove the weeds if the property owner does not, and allow the County to recover the costs of the abatement. The primary objective is voluntary compliance. The weed abatement program is administered through a contract with the Santa Clara County Department of Agriculture and Environmental Management (County).

**DISCUSSION:**

The process consists of eight steps that begin in November and go through August of each year. Currently the process is at Step 2 on the list as illustrated on the following page.

**PREPARED BY:** Stefanie Hockemeyer  
Executive Assistant, Parks and Public Works

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

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Date of January 21, 2020 to Consider Objections for Proposed Removal

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DISCUSSION (continued):

1. When properties are identified as having hazardous weeds, they are placed in the program, monitored, and must be compliant for three consecutive years in order to be removed from the program. County prepares a report of all properties that have been identified and provides the report to the Town (Attachment 2) (November).
2. Town Council adopts resolution declaring weeds a nuisance and sets a hearing date to hear objections by property owners to having their property listed on the report (December).
3. County sends notice to property owners on the report notifying them of the hearing date, along with guidelines on the Weed Abatement Program explaining that they must remove weeds by the abatement deadline of April 30 or it will be done for them and the cost of the abatement plus administrative costs will assessed by the County Tax Collector against the respective property (December).
4. Town Council holds the hearing to consider objections by property owners and adopts a resolution ordering abatement (January).
5. County sends a courtesy letter to property owners on the report notifying them again of the abatement deadline (January).
6. After April 30, the properties are inspected by the County to verify that weeds were removed and proceeds with abatement if the inspection fails. County creates an assessment report of all costs associated with the abatement and provides that report to the Town (June-July).
7. Town notifies the property owners on the assessment report notifying them of the hearing date (July).
8. Town Council holds a hearing, notes any disputes, and adopts a resolution confirming the assessment report, authorizing collection of the assessment charges (August).

CONCLUSION:

Adopt a resolution declaring weeds to a public nuisance and set hearing date of January 21, 2020 to consider objections for proposed removal.

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COORDINATION:

This program has been coordinated with the Santa Clara County Department of Agriculture and Environmental Management.

FISCAL IMPACT:

The County's Weed Abatement Program administers services for 13 local agencies under a cost recovery model, paid for by fees imposed on the parcel owners. The estimated program cost related to each agency is based on the number of parcels per agency. Funds are provided in the FY 2019/20 Operating Budget to 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. Resolution Declaring Weeds to be a Public Nuisance and Set Hearing Date of January 21, 2020 to Consider Objections for Proposed Removal.
2. 2020 Weed Abatement Program Commencement Report.