



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 01/21/2025

ITEM NO: 12

DATE: January 6, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: Weed Abatement Public Hearing to Consider Objections to the Proposed Abatement of Hazardous Vegetation (Weeds) for Properties Listed on the 2025 Weed Abatement Program Commencement Report and Order the Abatement

RECOMMENDATION:

Conduct a weed abatement public hearing to consider objections to the proposed abatement of hazardous vegetation (weeds) for properties listed on the 2025 Weed Abatement Program Commencement Report (Attachment 1) and order the abatement by motion.

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 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 of Santa Clara (County).

County staff perform inspections to confirm compliance with the requirements defined in the Santa Clara County Weed Abatement Program <https://weedabatement.santaclaracounty.gov/home>. 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. Every year while in the program, each of the property owners is charged an annual compliance inspection fee and some incur costs for additional inspections, administrative, and abatement fees.

PREPARED BY: Meredith Johnston
Administrative Technician

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

PAGE 2 OF 4

SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the Proposed Abatement of Hazardous Vegetation (Weeds) for Properties Listed on the 2025 Weed Abatement Program Commencement Report and Order the Abatement

DATE: January 6, 2025

The annual compliance inspection fee is currently \$105.

DISCUSSION:

On December 3, 2024, the Town Council passed Resolution 2024-051 (Attachment 2) declaring hazardous vegetation (weeds) a public nuisance, providing for their abatement, and setting January 21, 2025 as a public hearing date for the annual program to consider objections for proposed removal and to order the abatement. On December 10, 2024, the County mailed informational weed abatement program packets, including the schedule and price list, to all property owners. The December 10, 2024 packets contained the wrong public hearing date. On December 17, 2024, the County mailed a corrected informational letter and Notice to Destroy to all property owners (Attachment 3). In accordance with Town Code Section 11.20.020(c), the Notice was also published in the newspaper twice and posted at three prominent locations in Town.

The weed abatement process consists of eight steps that begin in November and go through August of each year. Currently, the process is at Step 4 on the list as illustrated below.

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 1) (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 (Attachment 2) (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 or it will be done for them, and the cost of the abatement plus administrative costs will be assessed by the County Tax Collector against the respective property (Attachment 3) (December).
4. Town Council holds a public hearing to consider objections by property owners and orders abatement (January).
5. County sends a courtesy letter to property owners on the report notifying them again of the abatement deadline (January).

PAGE 3 OF 4

SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the Proposed Abatement of Hazardous Vegetation (Weeds) for Properties Listed on the 2025 Weed Abatement Program Commencement Report and Order the Abatement

DATE: January 6, 2025

6. After the April parcel abatement deadline, 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 public hearing, notes any disputes, and adopts a resolution confirming the assessment report, authorizing collection of the assessment charges (August).

CONCLUSION:

Staff recommends that the Council conduct a public hearing to consider objections to the proposed abatement of hazardous vegetation (weeds) for properties listed on the 2025 Weed Abatement Program Commencement Report (Attachment 1) and make motion to order the abatement. At the time of this report's preparation, staff had not been contacted regarding potential objections.

COORDINATION:

This program has been coordinated with the Santa Clara County Consumer and Environmental Protection Agency - Weed Abatement Program.

FISCAL IMPACT:

The County's Weed Abatement Program administers services for 12 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. Should the funding associated with the assessments fall short of the total program cost, the Town will be billed for a pro-rata share of the program such that the County achieves full cost recovery. If the County needs to request additional funds, this would be absorbed in the Parks and Public Works Operating Budget (111-5101). The Adopted Fiscal Year (FY) 2024/25 Parks and Public Works General Fund Operating Budget (111-5101-62316) includes sufficient funds to cover the cost of publishing all required legal notices.

PAGE 4 OF 4

SUBJECT: Weed Abatement Program Public Hearing to Consider Objections to the
Proposed Abatement of Hazardous Vegetation (Weeds) for Properties Listed on
the 2025 Weed Abatement Program Commencement Report and Order the
Abatement

DATE: January 6, 2025

ENVIRONMENTAL ASSESSMENT:

In accordance with CEQA Guidelines Section 15304, the Town's weed abatement program is categorically exempt from CEQA as a minor alteration to land.

Attachments:

1. 2025 Weed Abatement Program Commencement Report
2. Resolution 2024-051
3. Abatement Program Packet Mailed to Parcel Owners