



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/02/2025

ITEM NO: 2

DATE: December 2, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: **Adopt a Resolution Declaring Weeds a Public Nuisance, Ordering Such Nuisance to be Abated, and Setting a Public Hearing Date of February 3, 2026, to Consider Objections to the Proposed Abatement**

RECOMMENDATION: Adopt a resolution declaring weeds a public nuisance, describing properties where such nuisance exists, ordering such nuisance be abated, and setting a public hearing date of February 3, 2026, to consider objections to the proposed abatement.

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.

Should the funding from 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 Fiscal Year 2025/26 Operating Budget. The Fiscal Year 2025/26 Operating Budget has sufficient funds to cover the cost of publishing all required legal notices (1115101-62306).

STRATEGIC PRIORITY:

The actions in this report support the Strategic Priority of Public Safety by reducing wildfire risk.

BACKGROUND:

The Town of Los Gatos Municipal Code Chapter 11, Article II, requires property owners to prevent potential fire hazards on their property and any nearby structures by clearing hazards.

PREPARED BY: Nicolle Burnham
Parks and Public Works Director

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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 reducing fire hazards created by vegetation growth and the accumulation of combustible debris, with the goal of voluntary compliance. The Program is administered by the County of Santa Clara (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 is 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 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.

Property owners in the Program are given the opportunity to abate their weeds prior to receiving an annual compliance inspection by County staff to confirm if the property has been cleared of hazards according to 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.

DISCUSSION:

The Weed Abatement program process is recapped below. The proposed action represents Step 2 of the annual Weed Abatement Program cycle, during which the Town declares hazardous vegetation a nuisance and sets the public hearing date.

1. Each November, the County prepares a Commencement Report listing all properties that have been identified and provides it to the Town (Exhibit A to Attachment 1).
2. In December, the Town Council adopts a resolution declaring weeds on such properties listed in the Commencement Report a public nuisance and sets a hearing date to consider objections to the proposed abatement.
3. Once the resolution is adopted by Town Council at the December meeting, the 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.
4. The Town Council holds a public hearing (in 2026, this hearing will be in February) to consider objections to the proposed abatement, sets a deadline for compliance, and adopts a resolution ordering abatement.

5. The County sends a courtesy letter to property owners on the report notifying them again of the abatement deadline.
6. After the hearing, the properties are inspected by the County Weed Abatement Inspector to verify that weeds were removed. Abatement commences if the inspection fails. The County creates an assessment report of all costs associated with the abatement and provides that report to the Town in late June.
7. In July, the Town notifies the property owners in the assessment report of the August public hearing date.
8. At the first August Town Council meeting, a public hearing is held to consider objections and adopt a resolution confirming the assessment report, authorizing the collection of the assessment charges.

County staff has notified the Town that, after June 30, 2026, they anticipate needing to charge the Town of Los Gatos an estimated \$20,338 for Weed Abatement Program services. Staff will continue to work with the County to refine the cost projection, and Parks and Public Works will add this projected expense to the proposed Fiscal Year 2026-27 Operating Budget.

CONCLUSION:

Staff recommends that the Town Council adopt the necessary resolution (Attachment 1) to declare weeds growing on identified properties in the Town of Los Gatos to be a public nuisance and order their abatement. Adoption of the resolution will establish a public hearing date of February 3, 2026, to consider objections to the proposed abatement.

COORDINATION:

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

ENVIRONMENTAL ASSESSMENT:

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

Attachments:

1. Resolution for the 2026 Town of Los Gatos Weed Abatement Program with Exhibit A – Commencement Report