



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/05/2019

ITEM NO: 12

DATE: JANUARY 31, 2019
TO: MAYOR AND TOWN COUNCIL
FROM: LAUREL PREVETTI, TOWN MANAGER
SUBJECT: OPEN AND CLOSE A PUBLIC HEARING TO CONSIDER THE ABATEMENT LIST
AND ORDER THE ABATEMENT OF HAZARDOUS VEGETATION (WEEDS)

RECOMMENDATION:

Open and close a public hearing to consider the Abatement List (Attachment 1) and order the abatement of hazardous vegetation (weeds).

BACKGROUND:

Hazardous vegetation (weeds) pose a fire threat during the summer months and it is the individual property owner's responsibility to control them. To eliminate hazardous vegetation (weeds), the Town adopted a Hazardous Vegetation (Weed) Abatement Program (Town Code Chapter 11, Article II).

Since 1978, the Town's Hazardous Vegetation Abatement of Weeds Program has been administered through a contract with Santa Clara County. The County's Department of Agriculture and Environmental Management (Weed Abatement Division) identifies properties in Los Gatos with hazardous vegetation and/or weeds and notifies the property owners. The property owners are given a specific timeline to remove the vegetation, and if they do not, a contractor selected by the County removes the vegetation. The cost for the abatement is then passed on to the owner as an assessment on their property tax bill.

On December 4, 2018, the Town Council passed Resolution 2018-053 (Attachment 2) declaring hazardous vegetation (weeds) a public nuisance and providing for their abatement and set January 15, 2019 as the date for a public hearing for the abatement order.

PREPARED BY: MATT MORLEY
Director of Parks and Public Works

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

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DISCUSSION:

The County's Department of Agriculture and Environmental Management 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. The deadline for property owners to adhere to the parcel abatement is April 15, 2019.

On August 5, 2019, the Town Council will hold a public hearing on the proposed hazardous vegetation (weed) abatement charges with a Council resolution confirming or modifying assessments. The Town Clerk will file a confirmed report of parcel charges to the County Office of the Assessor to enter on the County tax roll as a special assessment, charged to the property owners.

If a property owner from the list of identified properties objects to the abatement requirement, the Council may hear the objection, and make and provide the necessary direction specific to that property.

CONCLUSION:

Open and close a public hearing to consider the Abatement List (Attachment 1) and order the abatement of hazardous vegetation (weeds).

COORDINATION:

This report has been coordinated with the County of Santa Clara's Department of Agriculture and Environmental Management (Weed Abatement Division).

FISCAL IMPACT:

Funds are provided in the FY 2018/19 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.

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Attachments:

1. 2019 Weed Abatement Program Commencement Report
2. Resolution 2018-053 Declaring Hazardous Vegetation (Weeds) a Public Nuisance and Providing for their Abatement

Distribution:

Moe Kumre, Manager, Consumer and Environmental Protection Agency, County of Santa Clara,
1553 Berger Drive, San Jose, CA 95112