



# City of Morgan Hill

## Legislation Text

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## **CITY COUNCIL STAFF REPORT**

### **MEETING DATE: DECEMBER 16, 2015**

PREPARED BY: Anthony Eulo, Program Administrator/Community Services Department  
APPROVED BY: City Manager

### **2016 HAZARDOUS VEGETATION PROGRAM**

#### **RECOMMENDATION(S)**

Adopt Resolution Declaring Weeds and Brush to be a Nuisance and Setting the Hazardous Vegetation Public Hearing on February 3, 2016.

#### **COUNCIL PRIORITIES, GOALS & STRATEGIES:**

##### **Ongoing Priorities**

Enhancing public safety  
Protecting the environment

#### **REPORT NARRATIVE:**

Weed and brush abatement services constitute the City's hazardous vegetation program and are key to reducing fire risk and protecting public safety. The City of Morgan Hill has contracted with Santa Clara County for weed and brush abatement services since 1996. In the last several years, City and County staff have successfully worked together to streamline program administration and improve communications with Morgan Hill property owners. The County's Department of Agriculture and Environmental Management - Weed Abatement Division manages the program.

As in prior years, staff has combined the initial resolution (attached) for both the weed and brush abatement programs. Staff proposes that the abatement program commencement hearing take place on February 3, 2016. Once the attached resolution is adopted, County staff will notify the affected property owners of the February 3rd public hearing and of their obligations to abate hazardous vegetation before the deadline. In response to the City's past request for more notification to the property owners, the County will also be mailing a courtesy notice out to affected property owners in the early Spring to further remind them of their obligations.

The City's Fire Department and the County's Weed Abatement Division are continuing to integrate their efforts and communication methods. This will both enhance customer service and reduce the

City's staff time required to identify and inspect the properties.

**COMMUNITY ENGAGEMENT: Empower**

The hazardous vegetation abatement program relies on a full range of community engagement approaches. Much of it begins when the County Program or City Fire Department informs a property owner that a hazardous situation has been observed on their property. The owner is given several months during which he or she may consult and work together with program staff to understand the situation and the needed remedies. Ultimately, each property owner is invited and empowered to remedy the situation themselves in order to minimize their program charges while maintaining public safety. In addition, many of the properties on the original list get onto the list as a result of a complaint from a community member about a hazardous situation.

**ALTERNATIVE ACTIONS:**

The Council could choose to not act or delay action on this resolution. Not declaring weeds and brush to be a nuisance would potentially compromise community fire safety. Delaying action would ultimately provide the affected property owners with less notice and time to plan for abating their hazardous vegetation.

**PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

While this will be the first Council action addressing hazardous vegetation for the 2016 fire season, the recommended approach is consistent with the actions taken by the Council for over a decade.

**FISCAL AND RESOURCE IMPACT:**

The Hazardous Vegetation Program is user fee supported. The per-lot assessment includes costs for doing the weed and brush control work plus overhead county costs to administer the program. The City does not retain any revenues for this activity. The County has found that their revenues for the past several years were not adequate to support the program and the Board of Supervisors has adopted a new fee schedule. These fees are communicated to the property owners when they are annually notified about the program.

<b><i>Fee</i></b>	<b><i>Old Fee</i></b>	<b><i>Current Fee</i></b>
Annual Inspection and Administration	\$41 (first year only)	\$55 annually
Failed Inspection	\$250	\$440
Abatement Administration	\$169	\$335

Administering this program is an activity anticipated in the Community Services Department work program and budget.

**CEQA (California Environmental Quality Act):**

**Categorical Exemption**

These activities are categorically exempt from environmental review under the California Environmental Quality Act pursuant to California Code of Regulations, Title 21, Section 15308

(Actions by Regulatory Agencies for Protection of the Environment.)

**LINKS/ATTACHMENTS:**

Resolution