



OFFICE OF THE CITY CLERK

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3223
CUPERTINO.GOV

CITY COUNCIL STAFF REPORT

Date: July 21, 2026

Subject

Public Hearing and approval of lien assessment and collection of fees on private parcels resulting from abatement of public nuisance (weeds and/or brush) for the annual Weed and Brush Abatement Programs.

Recommended Action

1. Conduct a public hearing to consider objections from any property owners listed on the assessment report; and
2. Adopt Resolution No. 26-XXX approving the lien assessment and collection of fees on private parcels for the annual Weed and Brush Abatement Programs.

Reasons for Recommendation

The lien assessment and collection process includes both the Weed Abatement Program and the Brush Abatement Program. The primary function of these programs is to work with property owners to ensure that brush, dry weeds and dead vegetation are cleared before the start of the fire season. Only properties that have not met the requirements of the two programs are listed in the assessment report.

On March 3, 2026, the City Council adopted the Commencement Report identifying 94 properties for the 2026 Weed Abatement Program. Due to delays in the County's inspection and processing of weed abatement cases, only 14 properties have completed the process in time to be included in this year's lien assessment. The remaining properties will be considered for assessment through the 2027 annual lien assessment process, as applicable.

On July 2, 2026, the County filed with the City the report and assessment list of all costs associated with the abatement of weeds, brush, and/or combustible debris (Attachment B - Assessment Report). On July 9, 2026, the City Clerk's Office mailed notification letters to the property owners identified on the Assessment Report informing them of the hearing date (Attachment D - City Mailed Hearing Notice). If Council adopts the Draft Resolution (Attachment A) approving the lien assessment and collection of fees on private parcels, the County will be able to achieve full cost recovery through an assessment of the property tax bill for each parcel.

Weed Abatement Program

The Weed Abatement Program is conducted in partnership with the Santa Clara County Department of Agriculture. Chapter 9.08 of the Cupertino Municipal Code and requires property owners to remove or destroy hazardous weeds on their property for fire protection. Properties that are not in compliance with the program requirements are required to correct the conditions within a set deadline. If the property owner does not remove the weeds by the deadline, then the County is authorized to do so and to recover the cost of abatement from the property owner.

Weed Abatement Program Process for Initial Inspection Fees

Properties in the Weed Abatement Program receive an initial inspection by the County after April 30 to determine if weeds have been properly abated. All parcels in the program are subject to a County administrative fee (initial inspection fee) to cover the County's cost of servicing the property. The County's inspection fee for the 2026 season is \$296. This hearing will consider approval of a lien assessment and collection of fees on any properties that incurred costs for the County to abate nuisance (Attachment B – Assessment Report). If adopted, the draft resolution approves the lien assessments and allows the County to collect fees on private parcels for the annual Weed and Brush Abatement Programs.

Brush Abatement Program

The Brush Abatement Program is managed by the Santa Clara County Fire Department and is separate from the Weed Abatement Program. Section 16.40.200 of the Cupertino Municipal Code requires property owners in the locally adopted Wildland-Urban Interface Fire Area (WUI) to maintain effective defensible space by removing brush, flammable vegetation and combustible growth as required by the fire code official due to steepness of terrain or other conditions. The County is authorized to remove the brush if the property owner does not do so and to recover the cost of abatement from the property owner. There were no Brush Abatement Program properties requiring lien assessment for the 2026 season.

Process for Weed Abatement Program Outlined

The process consists of nine steps that begin in November and go through August of each year. The steps in the process are outlined below. At this time, the process is at Step No. 9.

1. County prepares a report of all properties that have been non-compliant in removing weeds in the last three years and provides that report to the City and the City sets a hearing date. The County filed the report on January 14, 2026 (Attachment B, Exhibit A in Resolution). Please note that the City's hearing was held in March, rather than the customary January date, because the County of Santa Clara did not have its 2026 fee schedule approved by the Board of Supervisors until January 6, 2026. This timing required the city to shift the hearing schedule accordingly (November).
2. County sends a notice to the property owners on the report notifying them of the hearing date and explaining that they must remove or destroy weeds by the abatement deadline of April 30, 2026, or it will be done for them, with cost of the abatement plus administrative costs assessed to their property (January).
3. City sends a courtesy letter to property owners listed on the report, notifying them of the hearing and the abatement deadline. (January-February).

4. City Council holds the hearing to consider objections by property owners and adopts a resolution declaring weeds a public nuisance and ordering abatement. (March) Please note that the City's hearing date has been shifted from the typical January timeframe to March to accommodate the revised timeline for Step 1. (Attachment C – Adopted Resolution Ordering Abatement).
5. City sends a courtesy letter to property owners listed in the report, reminding them of the abatement deadline (March).
6. After April 30, the properties are inspected by the County to verify that weeds were removed. The County sends a subsequent letter to property owners listed on the report, after an inspection determines that they are out of compliance; and proceeds with abatement if the property fails the inspection.
7. The County makes a report of all costs associated with the abatement and provides that report to the City (June-July). (Attachment B - Assessment Report).
8. City notifies the property owners listed on the assessment report, notifying them of the hearing date (July). (Attachment D – City Mailed Hearing Notice)
9. City Council holds a hearing, considers any disputes, and adopts a resolution placing a lien assessment on the properties to allow the County to recover the cost of weed and/or brush abatement (July). (Attachment A – Draft Resolution).

Sustainability Impact

No sustainability impact.

Fiscal Impact

There is no fiscal impact. The Santa Clara County Department of Agriculture service expenses are recovered through the Weed Abatement Program administrative fees charged to property owners. All parcels in the Weed Abatement Program are subject to a county administrative fee (initial inspection fee) to cover the County's cost of servicing the property.

City Work Program (CWP) Item/Description

None.

Council Goal:

Quality of Life.

California Environmental Quality Act

Not applicable.

Prepared by: Lauren Sapudar, City Clerk

Reviewed by: Kirsten Squarcia, Deputy City Manager

Approved for Submission by: Tina Kapoor, City Manager

Attachments:

- A – Draft Resolution and Exhibit A
- B – Assessment Report (Exhibit A)
- C – Adopted Resolution Ordering Abatement
- D – City Mailed Hearing Notice