

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN JOSE AMENDING THE CONTRIBUTION  
RATES FOR CONSTRUCTION OF ELIGIBLE  
IMPROVEMENTS PURSUANT TO CHAPTER 4.64  
OF THE SAN JOSE MUNICIPAL CODE**

**WHEREAS**, Chapter 4.64 of the San José Municipal Code imposes a tax on new residential construction to help pay for the construction and repair costs of median island improvements in City streets (“Residential Construction Tax”); and

**WHEREAS**, proceeds from the Residential Construction Tax are deposited into a fund called the “Residential Construction Tax Contribution Fund” and can be used for the City’s direct costs to construct and repair median island improvements or to reimburse third parties for their construction of new eligible improvements or the repair of existing eligible improvements; and

**WHEREAS**, pursuant to Section 4.64.100 of the San José Municipal Code, the amount of reimbursement to third parties is determined by resolution of the City Council; and

**WHEREAS**, on May 5, 1991, City Council adopted Resolution 63698 establishing the current amount of reimbursement for eligible improvements; and

**WHEREAS**, the current reimbursement rate has not been increased since 1991 and therefore, does not reflect current market rates for eligible improvements or repair work; and

**WHEREAS**, the City Council desires to amend the reimbursement rates to more closely match current market costs and the types of work required to construct eligible improvements;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:**

1. The contribution rates for new eligible improvements and maintenance of existing eligible improvements shall be as set forth in Exhibit A to this Resolution, which is incorporated herein by reference.
2. The contribution rates set forth in Exhibit A shall automatically be adjusted annually on July 1<sup>st</sup> based on the Engineering News Record's Construction Cost Index (CCI), San Francisco, CA.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

**EXHIBIT "A"**  
**RESIDENTIAL CONSTRUCTION TAX CONTRIBUTION RATES**

#	ITEM DESCRIPTION	UNITS	CONTRIBUTION RATE (\$/UNIT)
1	SAWCUT AC PAVEMENT	LF	5.00
2	REMOVE EXISTING MEDIAN	SF	23.00
3	EXCAVATION (TOTAL BETWEEN 1-500 CY)*	CY	270.00
4	EXCAVATION (TOTAL BETWEEN 501-1000 CY)*	CY	225.00
5	EXCAVATION (TOTAL BETWEEN 1001-1500 CY)*	CY	150.00
6	AC CONFORM	SF	10.00
7	HOT MIX ASPHALT (HMA) (TOTAL BETWEEN 1-25 TONS)**	TON	500.00
8	HOT MIX ASPHALT (HMA) (TOTAL BETWEEN 26-50 TONS)**	TON	400.00
9	HOT MIX ASPHALT (HMA) (TOTAL BETWEEN 51-100 TONS)**	TON	375.00
10	HOT MIX ASPHALT (HMA) (TOTAL BETWEEN 101-200 TONS)**	TON	350.00
11	HOT MIX ASPHALT (HMA) (TOTAL BETWEEN 201-400 TONS)**	TON	300.00
12	HOT MIX ASPHALT (HMA) (TOTAL GREATER THAN 401 TONS)**	TON	200.00
13	PCC CURB	LF	35.00
14	PCC CURB & GUTTER - TYPE A2 (INCLUDE BASE)***	LF	66.00
15	PCC PAVED MEDIAN (INCLUDE BASE)***	SF	11.00
16	BACKFILL	CY	61.00
17	MEDIAN ISLAND AREA FILL	SF	1.00
18	INSTALL/REINSTALL CITY SURVEY MONUMENT, MARKERS, BOX	EA	2,000.00
19	ADJUST EXISTING MANHOLE FRAME AND COVER TO GRADE	EA	1,400.00
20	TREES (15" BOX)	EA	290.00
21	TREES (24" BOX)	EA	656.00
22	IMPORT TOPSOIL WITH SOIL AMENDMENTS	CY	175.00
23	MULCH	CY	83.00
24	IRRIGATION SYSTEM	LF	115.00

ABBREVIATIONS:

AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
CY	CUBIC YARDS
EA	EACH
LF	LINEAR FEET
PCC	PORTLAND CEMENT CONCRETE
SF	SQUARE FEET

FOOTNOTES:

\*CONTRIBUTION RATE APPLIES TO THE TOTAL QUANTITY EXCAVATED, AND ONLY ONE RATE SHALL APPLY PER ELIGIBLE IMPROVEMENT PROJECT

\*\*CONTRIBUTION RATE APPLIES TO THE TOTAL QUANTITY OF HMA, AND ONLY ONE RATE SHALL APPLY PER ELIGIBLE IMPROVEMENT PROJECT

\*\*\*CONTRIBUTION RATE INCLUDES REIMBURSEMENT RATE FOR BASE MATERIAL