

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE CONFIRMING THE REPORT OF THE DIRECTOR OF FINANCE CONCERNING THE DELINQUENT SIDEWALK REPAIR COSTS AND THE ASSESSMENTS CONTAINED IN THE REPORT; AND DIRECTING THE RECORDING OF LIENS AND THE PLACEMENT OF CHARGES AS SET FORTH THEREIN ON THE 2020-2021 SANTA CLARA COUNTY SECURED PROPERTY TAX BILL FOR THE COST OF SIDEWALK REPAIRS

WHEREAS, Part 17 of Chapter 14.16 of Title 14 of the San José Municipal Code and Sections 5625 through 5630 of the California Streets and Highways Code set forth the procedures for collection of the sidewalk repairs; and

WHEREAS, on October 8, 2019 the City Council of the City of San José (“City Council”) adopted Resolution No. 79262 setting a public hearing for approval of the Report of the Director of Finance on the Cost of Sidewalk Repairs (“Report”) for December 3, 2019 at 1:30 p.m.; and

WHEREAS, the Director of Finance caused all property owners mentioned in the Report to be given proper legal notice of the cost of sidewalk repairs posed to be assessed by the City of San José (“City”) and of the opportunity to present objections or protests regarding such costs at the public hearing; and

WHEREAS, the City has complied with all requirements of the San José Municipal Code and the California Streets and Highways Code regarding notice and hearing relative to the assessment of sidewalk repair costs contained in the Report; and

WHEREAS, the City Council has considered the Report at a public hearing as scheduled, and has heard and duly considered all objections or protests thereto, including a report by the Director of Finance describing the administrative conferences

with the property owners proposed to be assessed for not paying the cost of sidewalk repairs; and

WHEREAS, the City Council desires to accept the Report and confirm the assessments contained therein; and

WHEREAS, a property owner's failure to pay the cost assessed within five (5) days after confirmation of the Report shall cause a special assessment against the property which shall become a lien on such property; and

WHEREAS, the City Council desires to direct the Director of Finance to cause the recordation of the appropriate liens with the Santa Clara County Recorder;

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

1. Having duly considered all objections and protests to the proposed assessments for the cost of sidewalk repairs at the public hearing held on December 3, 2019 at 1:30 p.m., such objections or protests of every kind and nature are hereby overruled or denied, except as otherwise shown in the final approved Report of the Director of Finance to the City Council on the Cost of Sidewalk Repairs, which is attached hereto as Attachment A and fully incorporated herein ("Final Report").
2. Assessments contained in the Final Report are hereby confirmed.
3. Pursuant to, and in accordance with, the provisions of Part 17 of Chapter 14.16 of Title 14 of the San José Municipal Code and Sections 5625 through 5630 of the California Streets and Highways Code, sidewalk repair costs so assessed

against each property, if not paid within five (5) days after the confirmation of the Report, shall constitute a special assessment against that property and shall become a lien on the property for the amount of the assessment, which lien shall continue until discharged of record.

4. The Director of Finance is hereby directed to cause the preparation of the appropriate Notices of Lien and the delivery of each Notice of Lien to the Santa Clara County Recorder for recordation. The Director of Finance shall also cause the delivery of the Notice of Lien to the County Assessor so that the amount of any unpaid lien shall be collected with all other property taxes. At the time the property tax bills become public records, the Director of Finance shall release any previously recorded liens.

ADOPTED this _____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

ATTACHMENT A

**City of San Jose
Department of Finance
Report of the Director of Finance to the City Council on the Cost of Sidewalk Repairs
Public Hearing December 10, 2019**

| Account # | Citation # | Mailing Address | City, State, Zip | Property Address | APN | Council District | Original Balance | Current Balance | Admin Lien Fee | Total Lien Amount |
|-----------|------------|------------------------|------------------------|---------------------|----------|------------------|------------------|-----------------|----------------|-------------------|
| 1163551 | X1896385 | 4824 DOYLE RD | SAN JOSE CA 95129 | 4824 DOYLE RD | 38126007 | 1 | \$415.80 | \$523.17 | \$135.75 | \$658.92 |
| 1168849 | X1898566 | 259 JAGGERS DR | SAN JOSE CA 95119 | 259 JAGGERS DR | 70416027 | 2 | \$100.00 | \$108.15 | \$135.75 | \$243.90 |
| 1164456 | X1896800 | 7073 VIA BARRANCA | SAN JOSE CA 95139 | 7073 VIA BARRANCA | 70631023 | 2 | \$100.00 | \$145.00 | \$135.75 | \$280.75 |
| 1169460 | X1898896 | 101 AVENIDA ESPANA | SAN JOSE CA 95139 | 101 AVENIDA ESPANA | 70623026 | 2 | \$148.12 | \$160.20 | \$135.75 | \$295.95 |
| 1169009 | X1898857 | 208 NEW RIVER DR | SAN JOSE CA 95119 | 208 NEW RIVER DR | 70442001 | 2 | \$232.48 | \$251.42 | \$135.75 | \$387.17 |
| 1169022 | X1898892 | 760 CASCADE DR | SUNNYVALE CA 94087 | 267 VINEYARD DR | 70432005 | 2 | \$1,813.20 | \$1,960.98 | \$135.75 | \$2,096.73 |
| 1169011 | X1898863 | 111 CHELTENHAM WAY | SAN JOSE CA 95139 | 111 CHELTENHAM WAY | 70619032 | 2 | \$2,090.30 | \$2,260.66 | \$135.75 | \$2,396.41 |
| 1165160 | X1897234 | 130 CHAUCER CT | PLEASANT HILL CA 94523 | 235 E JULIAN ST | 24948012 | 3 | \$100.00 | \$145.00 | \$135.75 | \$280.75 |
| 1163827 | X1896514 | 20199 PACIFICA DR | CUPERTINO CA 95014 | 558 MARGARET ST | 47221085 | 3 | \$657.10 | \$812.13 | \$135.75 | \$947.88 |
| 1168768 | X1898545 | 11070 CHULA VISTA AVE | SAN JOSE CA 95127 | 1117 APPIAN LN | 47202139 | 3 | \$1,561.44 | \$1,688.70 | \$135.75 | \$1,824.45 |
| 1166610 | X1897742 | 1722 ROUTH ST STE 1000 | DALLAS TX 75201 | 550 KEYES ST | 47704034 | 3 | \$1,508.88 | \$1,782.33 | \$135.75 | \$1,918.08 |
| 1169116 | X1898965 | 13155 NOEL RD # 500 | DALLAS TX 75240 | 190 RYLAND ST | 25951004 | 3 | \$1,843.20 | \$1,993.42 | \$135.75 | \$2,129.17 |
| 1166621 | X1897753 | 4680 HAMILTON AVE 211 | SAN JOSE CA 95130 | 399 S 12TH ST | 46741067 | 3 | \$2,639.83 | \$3,099.32 | \$135.75 | \$3,235.07 |
| 1162046 | X1894907 | 315 N 17TH ST | SAN JOSE CA 95112 | 315 N 17TH ST | 24958051 | 3 | \$2,478.00 | \$3,157.61 | \$135.75 | \$3,293.36 |
| 1163866 | X1896553 | 1670 MCKEE RD | SAN JOSE CA 95109 | 453 N 20TH ST | 24961026 | 3 | \$3,598.92 | \$4,334.96 | \$135.75 | \$4,470.71 |
| 1168775 | X1898552 | 4057 GOLF DR | SAN JOSE CA 95127 | 0 S 30TH ST | 46734151 | 3 | \$6,849.08 | \$7,407.28 | \$135.75 | \$7,543.03 |
| 1162854 | X1895213 | 2197 BRISTOLWOOD LN | SAN JOSE CA 95132 | 2197 BRISTOLWOOD LN | 09222031 | 4 | \$3,429.65 | \$1,994.79 | \$135.75 | \$2,130.54 |
| 1169904 | X1899429 | 3357 ARAMIS DR | SAN JOSE CA 95127 | 3357 ARAMIS DR | 64708006 | 5 | \$100.00 | \$108.15 | \$135.75 | \$243.90 |
| 1171755 | X1899327 | 3345 MT RAINIER DR | SAN JOSE CA 95127 | 3345 MT RAINIER DR | 64729001 | 5 | \$102.14 | \$110.47 | \$135.75 | \$246.22 |
| 1168536 | X1898399 | 1800 EVANS LN APT 1106 | SAN JOSE CA 95125 | 648 GRIDLEY ST | 59914018 | 5 | \$100.00 | \$139.65 | \$135.75 | \$275.40 |
| 1168684 | X1898530 | 3574 GLASGOW CT | SAN JOSE CA 95127 | 3574 GLASGOW CT | 60130061 | 5 | \$100.00 | \$139.65 | \$135.75 | \$275.40 |
| 1169872 | X1899405 | 13658 WESTBORO DR | SAN JOSE CA 95127 | 13658 WESTBORO DR | 48428027 | 5 | \$100.00 | \$139.65 | \$135.75 | \$275.40 |
| 1169878 | X1899411 | 691 HOBIE LN | SAN JOSE CA 95127 | 691 HOBIE LN | 60133059 | 5 | \$100.00 | \$139.65 | \$135.75 | \$275.40 |
| 1164300 | X1896710 | 1650 TAMPA CT | SAN JOSE CA 95122 | 2397 AMADOR DR | 48638006 | 5 | \$148.12 | \$202.64 | \$135.75 | \$338.39 |

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T-331.002 / 1621402_2

Council Agenda: 12/10/2019

Item No: 3.10

DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

ATTACHMENT A

| Account # | Citation # | Mailing Address | City, State, Zip | Property Address | APN | Council District | Original Balance | Current Balance | Admin Lien Fee | Total Lien Amount |
|-----------|------------|---------------------------|-------------------|---------------------------|----------|------------------|------------------|-----------------|----------------|-------------------|
| 1162458 | X1895038 | 2963 RIDGEMONT DR | SAN JOSE CA 95127 | 2963 RIDGEMONT DR | 48820007 | 5 | \$859.56 | \$786.31 | \$135.75 | \$922.06 |
| 1163863 | X1896550 | 77 LAS COLINAS LN | SAN JOSE CA 95119 | 1545 HERMOCILLA WAY | 48173050 | 5 | \$748.80 | \$921.94 | \$135.75 | \$1,057.69 |
| 1168612 | X1898475 | 1709 LEEWARD DR | SAN JOSE CA 95122 | 1709 LEEWARD DR | 48630072 | 5 | \$1,286.31 | \$1,481.97 | \$135.75 | \$1,617.72 |
| 1162454 | X1895034 | 1716 SUNDOWN LN | SAN JOSE CA 95127 | 1716 SUNDOWN LN | 48820056 | 5 | \$3,446.49 | \$4,267.52 | \$135.75 | \$4,403.27 |
| 1166019 | X1897556 | 3144 TRISTIAN AVE | SAN JOSE CA 95127 | 3144 TRISTIAN AVE | 59904073 | 5 | \$3,584.64 | \$4,317.85 | \$135.75 | \$4,453.60 |
| 1163429 | X1895362 | 2975 RIDGEMONT DR | SAN JOSE CA 95127 | 2975 RIDGEMONT DR | 48820004 | 5 | \$5,245.78 | \$6,480.18 | \$135.75 | \$6,615.93 |
| 1169627 | X1899247 | 3389 BRADEN CT | SAN JOSE CA 95148 | 1349 STAYNER RD | 49464023 | 7 | \$100.00 | \$108.15 | \$135.75 | \$243.90 |
| 1169847 | X1899380 | 2649 LANIER LN | SAN JOSE CA 95121 | 2649 LANIER LN | 49912072 | 7 | \$100.00 | \$139.65 | \$135.75 | \$275.40 |
| 1166233 | X1897608 | 7595 LIME AVE | FONTANA CA 92336 | 1973 MCLAUGHLIN AVE | 47736067 | 7 | \$100.00 | \$141.70 | \$135.75 | \$277.45 |
| 1165998 | X1897538 | 3805 POLTON PLACE WAY | SAN JOSE CA 95121 | 3805 POLTON PLACE WY | 67681015 | 7 | \$100.00 | \$145.00 | \$135.75 | \$280.75 |
| 1168607 | X1898470 | 1645 YERBA BUENA RD | SAN JOSE CA 95121 | 1645 YERBA BUENA RD | 67643089 | 7 | \$1,587.46 | \$1,822.70 | \$135.75 | \$1,958.45 |
| 1155471 | X1891063 | 231 CASTILLON WAY | SAN JOSE CA 95119 | 1244 BELLINGHAM DR | 49908023 | 7 | \$2,428.26 | \$3,250.06 | \$135.75 | \$3,385.81 |
| 1168582 | X1898445 | 1604 TIERRA BUENA DR | SAN JOSE CA 95121 | 1604 TIERRA BUENA DR | 67009001 | 7 | \$4,950.87 | \$5,628.40 | \$135.75 | \$5,764.15 |
| 1164730 | X1896979 | 4077 LAWTHER CT | SAN JOSE CA 95135 | 4077 LAWTHER CT | 66024054 | 8 | \$100.00 | \$145.00 | \$135.75 | \$280.75 |
| 1165534 | X1897376 | 3107 DELTA RD | SAN JOSE CA 95135 | 3107 DELTA RD | 66028002 | 8 | \$148.12 | \$202.64 | \$135.75 | \$338.39 |
| 1166000 | X1897540 | 3884 MARE PLACE CT | SAN JOSE CA 95121 | 3884 MARE PLACE CT | 67911020 | 8 | \$148.12 | \$202.64 | \$135.75 | \$338.39 |
| 1166527 | X1897705 | 3058 LYNVIEW DR | SAN JOSE CA 95148 | 3058 LYNVIEW DR | 65919032 | 8 | \$331.20 | \$410.93 | \$135.75 | \$546.68 |
| 1166535 | X1897713 | 2650 MOZART AVE | SAN JOSE CA 95122 | 2650 MOZART AVE | 67024021 | 8 | \$643.05 | \$774.08 | \$135.75 | \$909.83 |
| 1156530 | X1891576 | 1460 N 4TH ST #305 | SAN JOSE CA 95112 | 1897 DANIEL MALONEY DR | 67609042 | 8 | \$1,503.20 | \$1,075.87 | \$135.75 | \$1,211.62 |
| 1166543 | X1897721 | 2881 SWEETLEAF CT | SAN JOSE CA 95148 | 2881 SWEETLEAF CT | 65229011 | 8 | \$1,857.80 | \$2,188.66 | \$135.75 | \$2,324.41 |
| 1165962 | X1897530 | 2838 BURDICK WAY | SAN JOSE CA 95148 | 2838 BURDICK WAY | 67306028 | 8 | \$1,918.00 | \$2,322.05 | \$135.75 | \$2,457.80 |
| 1162068 | X1894929 | 2608 BRAHMS AVE | SAN JOSE CA 95122 | 2608 BRAHMS AVE | 67023064 | 8 | \$1,908.74 | \$2,438.38 | \$135.75 | \$2,574.13 |
| 1167697 | X1898135 | 3214 FLINTDALE DR | SAN JOSE CA 95148 | 3214 FLINTDALE DR | 64927045 | 8 | \$2,259.75 | \$2,657.98 | \$135.75 | \$2,793.73 |
| 1166542 | X1897720 | 2844 IVY ESTATES CT | SAN JOSE CA 95135 | 2844 IVY ESTATES CT | 66013024 | 8 | \$2,351.24 | \$2,763.26 | \$135.75 | \$2,899.01 |
| 1151668 | X1889250 | 2804 SCHOONER CT | SAN JOSE CA 95148 | 2804 SCHOONER CT | 65917083 | 8 | \$2,473.08 | \$3,389.44 | \$135.75 | \$3,525.19 |
| 1166536 | X1897714 | 4468 YERBA BUENA AVE | SAN JOSE CA 95121 | 4468 YERBA BUENA AVE | 67672003 | 8 | \$3,043.20 | \$3,569.06 | \$135.75 | \$3,704.81 |
| 1166540 | X1897718 | 3260 MONTECITO DR | SAN JOSE CA 95135 | 3260 MONTECITO DR | 66053086 | 8 | \$4,428.66 | \$5,182.42 | \$135.75 | \$5,318.17 |
| 1169615 | X1899235 | 2485 KINGFIELD WAY | SAN JOSE CA 95124 | 2485 KINGFIELD WAY | 42112045 | 9 | \$100.00 | \$108.15 | \$135.75 | \$243.90 |
| 1167935 | X1898164 | 5328 ALAN AVE | SAN JOSE CA 95124 | 5328 ALAN AV | 56708030 | 9 | \$100.00 | \$139.55 | \$135.75 | \$275.30 |
| 1163865 | X1896552 | 2135 LOS GATOS-ALMADEN RD | SAN JOSE CA 95124 | 2135 LOS GATOS-ALMADEN RD | 42121006 | 9 | \$2,399.32 | \$2,898.45 | \$135.75 | \$3,034.20 |

ATT. A-2

T-331.002 / 1621402_2

Council Agenda: 12/10/2019

Item No: 3.10

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|------------------------|------------|-----------------------------|--------------------|---------------------|----------|------------------|--------------------|---------------------|-------------------|---------------------|
| 1162554 | X1895101 | 1149 OLD OAK DR | SAN JOSE CA 95120 | 1149 OLD OAK DR | 58115020 | 10 | \$100.00 | \$174.93 | \$135.75 | \$310.68 |
| 1166929 | X1897849 | 200 WINCHESTER CIR #C115 | LOS GATOS CA 95032 | 5944 CABRAL AVE | 69431010 | 10 | \$334.02 | \$414.21 | \$135.75 | \$549.96 |
| 1167190 | X1897937 | 5540 ENTRADA CEDROS | SAN JOSE CA 95123 | 5540 ENTRADA CEDROS | 46414046 | 10 | \$3,678.10 | \$4,309.66 | \$135.75 | \$4,445.41 |
| 1167209 | X1897948 | 859 BLOSSOM HILL RD | SAN JOSE CA 95123 | 859 BLOSSOM HILL RD | 46435027 | 10 | \$8,805.95 | \$10,281.04 | \$135.75 | \$10,416.79 |
| 58 Accounts | | | | | | | \$93,485.98 | \$107,944.81 | \$7,873.50 | \$115,818.31 |