



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Maria Öberg

**SUBJECT:** See Below

**DATE:** May 11, 2026

Approved

Date:

5/15/26

**COUNCIL DISTRICT:** Citywide

**SUBJECT: Public Hearing on Recording Liens on Properties for the Costs of Sidewalk Repairs to be Placed on the Fiscal Year 2026-2027 County of Santa Clara Secured Property Tax Roll**

## **RECOMMENDATION**

- (a) Conduct a Public Hearing on recording liens on properties for the reimbursement of the cost of sidewalk repairs.
- (b) Adopt a resolution confirming the Report from the Director of Finance concerning the delinquent sidewalk repair costs and the assessments contained in the report.
- (c) Direct the recording of liens and the placement of charges as set forth therein on the 2026-2027 County of Santa Clara for the cost of sidewalk repairs.

## **SUMMARY AND OUTCOME**

After conducting a public hearing, the City Council may confirm the Report from the Director of Finance (Director's Report) and approve placing a lien against the property for the unpaid amount, to be paid with the next annual County of Santa Clara (County) secured property tax bill. The Director's Report identifies 66 properties that are subject to lien for a total lien amount of \$149,519.93. See Attachment – Report from the Director of Finance – Sidewalk Repair Costs as of April 16, 2026.

## **BACKGROUND**

On March 17, 2026, the City Council set a hearing for June 2, 2026, at 1:30 p.m. for public comment and approval of the Director's Report to record liens and the placement of charges on the County secured property tax bill for the cost of sidewalk repairs the City of San José (City) made on behalf of property owners.

State law, as set forth in Chapter 22 of Division 7, Part 3, of the Streets and Highways Code of California, and San José Municipal Code Section 14.16.2200 - Maintenance and Repair of Sidewalks, make it the duty of each property owner to maintain the sidewalk fronting their property in a safe condition. When sidewalks need repair, the City's Department of Transportation (DOT) inspects the property and obtains a cost estimate from City-approved contractors. DOT then sends a repair notice, along with the cost estimate, to the property owner. The notice includes financial hardship information for those who need assistance with paying for the sidewalk repairs. Approximately six weeks after the repair notice is sent, DOT mails a second notice to the property owner stating repairs will be made by a contractor, hired by DOT, if the owner does not repair the sidewalk within 45 days. If the repairs are not made by the owner by the deadline, a final notice is mailed one week later. After mailing the final notice, DOT places a door hanger notice at the property address stating a contractor, hired by the City, will be assigned to make the necessary sidewalk repairs. After repairs are performed by the contractor, DOT invoices the property owner for the cost of sidewalk repairs, including a permit fee.

If the invoice remains unpaid, the Finance Department sends 60-day, 90-day, and final notices to recover the costs of unpaid invoices. The City Council, upon confirming the amounts owed after a public hearing, can approve the filing of liens against the defaulting properties with the County Office of the Clerk-Recorder.

Property owners may set up a payment plan or pay the full amount due at any time, prior to the public hearing on June 2, 2026. However, if a balance remains after June 2, 2026, an additional \$168 administrative fee, which includes an \$8 lien-release fee charged by the County Office of the Clerk-Recorder, will be added. The Director of Finance shall record a lien with the County Office of the Clerk-Recorder to secure the special assessment until such time that the special assessment may be placed on the County secured property tax bill. Recording liens against property owners for outstanding sidewalk repair costs helps ensure collection of past due amounts if the property is sold, transferred, or refinanced.

Between July 1, 2025, and April 27, 2026, 2,175 property owners completed sidewalk repairs using their own contractor, resulting in Sidewalk Repair Inspection Permit Fees of \$149,820. In addition, 1,721 properties were serviced by City Contractors on behalf of property owners, adding \$120,406 in Sidewalk Repair Inspection Permit Fees and an estimated \$2,500,000 advanced from the General Fund to repair sidewalks.

#### *Financial Hardship Assistance Program*

Financial hardship assistance is available for work required by the City at owner-occupied, single-family residences only, based on income guidelines set forth by the U.S. Department of Housing and Urban Development, in accordance with Area Median Income. Property owners with incomes below 50% Area Median Income are eligible for

100% hardship assistance, or incomes below 80% Area Median Income for partial (50%) assistance. To be eligible for financial hardship assistance, proof of income is required from all owners on the title.

Between July 1, 2025, to April 27, 2026, DOT received 193 requests for sidewalk hardship assistance, and approved 95 properties at an approximate cost of \$432,000. The annual allocation for Sidewalk Repair Financial Hardship Assistance Program within DOT's non-personal/equipment appropriation is approximately \$429,000. DOT will continue to monitor financial hardship approvals and associated costs, and work with the City Manager's Budget Office to consider any necessary funding adjustments for the hardship program during the budget process.

## **ANALYSIS**

The Director's Report includes properties for which the City incurred costs for sidewalk repairs on behalf of the property owners, and for which payment to the City remains outstanding. The report identifies 66 properties that are subject to a potential lien, for a total lien amount, including administrative fees, of \$149,519.93. Individual lien amounts vary from \$299.92 to \$16,136.03.

Finance Department staff work diligently to recover the costs of delinquent sidewalk repairs; however, in some cases, property owners neglect to pay the outstanding obligations. The City ultimately receives 99% of the amount due through the County secured property tax bill process. Following is a summary of the billing and collection process as it relates to recovering City incurred costs for sidewalk repairs:

- DOT issues initial invoices for sidewalk repairs; payments are due within 30 days.
- Finance Department sends a 60-day delinquency notice.
- Finance Department may call the property owner, if telephone contact information is available, to attempt the collection of delinquent obligations.
- Finance Department sends a 90-day and delinquency final notice.
- Two Notices of Intent to Lien are sent to each delinquent property owner at the mailing address of record.
- Administrative conferences are held by DOT to provide property owners with an opportunity to resolve any issues prior to the public hearing.
- City Council holds a public hearing and authorizes the placement of liens on properties with delinquent obligations.
- The County Office of the Clerk-Recorder places liens on delinquent properties.
- The County Department of Tax and Collections collects delinquent amounts through the annual property tax assessment.

- The full amount assessed (less a 1.0% County Tax Collection Fee) is remitted to the City.

The memorandum for the March 17, 2026 City Council meeting included 114 properties that were subject to a potential lien for a total lien amount, including administrative fees, of \$218,434.11. Since the submission of that City Council memorandum, the following has occurred:

- 38 accounts have paid the outstanding balance in full.
- Four accounts have paid the principal balance in full.
- Three accounts have entered into a payment plan agreement.
- Three accounts have been cancelled.

### **EVALUATION AND FOLLOW-UP**

Finance Department staff will continue its collection efforts to reduce the number of delinquent accounts that will be forwarded for collection on the County secured property tax bill. Furthermore, Finance Department staff will continue to monitor accounts forwarded to the County for collection on the County secured property tax bill for full compliance with the Sidewalk Lien program.

### **FISCAL IMPACTS**

By placing a special assessment secured by a lien, the City will recover payment of \$116,786.27 in delinquent funds that were advanced from the General Fund to repair the sidewalks for those properties. In addition, there are \$21,645.66 in delinquency fees and \$11,088.00 in lien fees, totaling \$149,519.93.

### **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office, City Manager's Budget Office, and DOT.

### **PUBLIC OUTREACH**

Notices of public hearing (Notice of Intent to Lien) were mailed to each property owner on March 20, 2026, and March 30, 2026. These mailings are necessary to properly notify property owners of the date, time, and place of the public hearing and the impending lien on their property, while affording property owners an opportunity to schedule an administrative conference with DOT staff to resolve potential protests prior

HONORABLE MAYOR AND CITY COUNCIL

May 11, 2026

**Subject: Public Hearing on Recording Liens on Properties for the Costs of Sidewalk Repairs to be Placed on the Fiscal Year 2026-2027 County of Santa Clara Secured Property Tax Roll**

Page 5

to the public hearing. The administrative conferences were held from April 7 to April 9, 2026, in the DOT offices. These conferences do not affect the property owners' right to protest the proposed assessment at the City Council public hearing. Additionally, this memorandum will be posted on the City Council Agenda website for the June 2, 2026 City Council meeting.

### **BOARD, COMMISSION, COMMITTEE RECOMMENDATION AND INPUT**


No board, commission or committee recommendation or input is associated with this action.

### **CEQA**

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment.

### **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

  
Maria Öberg  
Director of Finance

For questions, please contact John Kachmanian, Deputy Director of Revenue Management, Finance Department, at [john.kachmanian@sanjoseca.gov](mailto:john.kachmanian@sanjoseca.gov) or (408) 535-7304

### **ATTACHMENT:**

Report from the Director of Finance – Sidewalk Repair Costs as of April 16, 2026

**City of San José - Finance Department**  
**Report from the Director of Finance - Sidewalk Repair Costs as of April 16, 2026**  
**Council Meeting: June 2, 2026**

Count	Invoice	Citation	Mailing Address	City, State, Zip Code	Violation Address	APN	Original Balance	Current Balance	Lien Fee	Total Balance
1	1253959	X00025899	1524 ADRIAN WY	SAN JOSE CA 95122	1524 ADRIAN WY	48626046	1,361.54	1,749.31	168.00	1,917.31
2	1260070	X00028453	1404 ANNAPOLIS WY	SAN JOSE CA 95118	1404 ANNAPOLIS WY	56931044	130.02	184.70	168.00	352.70
3	1266080	X00030432	2890 KLEIN RD	SAN JOSE CA 95148	3908 ARDEN FARMS PL	49408043	4,915.76	5,592.19	168.00	5,760.19
4	1266242	X00030582	1837 BIRD AV	SAN JOSE CA 95125	1837 BIRD AV	43924011	2,598.63	2,970.35	168.00	3,138.35
5	1265761	X00030319	2630 BONBON DR	SAN JOSE CA 95148	2630 BONBON DR	64919050	461.64	552.34	168.00	720.34
6	1256304	X00027170	1828 PATIO DR	SAN JOSE CA 95125	1925 CAMPBELL AV	28822008	110.00	164.36	168.00	332.36
7	1266023	X00030402	4634 CAPITOLA AV	SAN JOSE CA 95111	4634 CAPITOLA AV	68407043	1,704.29	1,958.40	168.00	2,126.40
8	1255378	X00026738	1563 CATHAY DR	SAN JOSE CA 95122	1563 CATHAY DR	48616016	7,490.15	6,499.99	168.00	6,667.99
9	1264889	X00029964	867 PETER PAN AV	SAN JOSE CA 95116	1743 CHAUCER DR	48141032	6,105.54	7,139.92	168.00	7,307.92
10	1256198	X00027146	1218 CLARK ST	SAN JOSE CA 95125	1218 CLARK ST	43403069	110.00	167.99	168.00	335.99
11	1261525	X00029147	1123 CLIPPER CT	SAN JOSE CA 95132	1123 CLIPPER CT	59116045	812.92	976.66	168.00	1,144.66
12	1263910	X00029515	330 CRES VILLAGE CIR	SAN JOSE CA 95134	330 CRESCENT VILLAGE CL	09733122	110.00	158.10	168.00	326.10
13	1261514	X00029138	271 DONDERO WY	SAN JOSE CA 95119	271 DONDERO WY	70421006	184.03	244.30	168.00	412.30
14	1257446	X00028035	525 E MISSION ST	SAN JOSE CA 95112	525 E MISSION ST	24910021	186.01	257.89	168.00	425.89
15	1257475	X00028055	2009 RAILROAD AV	HERCULES CA 94547	1000 E SANTA CLARA ST	46731039	1,356.25	1,697.87	168.00	1,865.87
16	1256395	X00027221	1281 DEWEY ST	REDWOOD CITY CA 94061	449 E ST JAMES ST	46703012	350.82	460.69	168.00	628.69
17	1261177	X00028763	308 STOCKTON AV	SAN JOSE CA 95126	0 EVERDALE DR	67303061	1,002.56	1,229.58	168.00	1,397.58
18	1261526	X00029153	1888 FLICKINGER AV	SAN JOSE CA 95131	1888 FLICKINGER AV	24403010	4,107.74	4,807.32	168.00	4,975.32
19	1266231	X00030561	PO BOX 130940	CARLSBAD CA 92013	2400 FOREST AV	27443083	3,515.70	4,008.01	168.00	4,176.01
20	1257309	X00027937	1409 CARRICKFERGUS CT	DURHAM NC 27713	1551 GARVEY PL	58926062	110.00	164.36	168.00	332.36
21	1265680	X00030249	3896 ROSEWOOD DR	AMELIA OH 45102	1560 GRAND BL	01506176	237.87	306.99	168.00	474.99
22	1260239	X00028538	4600 HAMPTON FALLS PL	SAN JOSE CA 95136	4600 HAMPTON FALLS PL	45818022	2,496.29	3,018.30	168.00	3,186.30
23	1259895	X00028370	189 HOBSON ST	SAN JOSE CA 95110	189 HOBSON ST	25917089	1,559.77	1,896.82	168.00	2,064.82
24	1259718	X00028321	327 HANSON AV	SAN JOSE CA 95117	519 JEROME ST	26441090	110.00	160.73	168.00	328.73
25	1245570	X00022376	1228 E BRIDLE TRAIL RD	DRAPER UT 84020	1435 KOCH LN	43960005	100.00	150.25	168.00	318.25
26	1253860	X00025776	1028 LANCER DR	SAN JOSE CA 95129	1028 LANCER DR	37301061	778.20	1,012.25	168.00	1,180.25
27	1256313	X00027167	1025 PHOENIX CT	MILPITAS CA 95035	2330 LANNING WY	25448010	1,334.00	1,670.48	168.00	1,838.48
28	1255246	X00026645	578 WASHINGTON BL 833	MARINA DEL REY CA 90292	2533 LOGSDEN WY	48643047	130.02	193.28	168.00	361.28
29	1259717	X00028322	5510 MOREHOUSE DR STE 200	SAN DIEGO CA 92121	3201 LOMA VERDE DR	30501003	110.00	160.73	168.00	328.73
30	1265679	X00030247	229 ELMWOOD CT	LOS GATOS CA 95032	1399 LUNING DR	56929094	158.58	214.67	168.00	382.67
31	1261510	X00029152	2602 GIMELLI WY	SAN JOSE CA 95133	1999 MARCROSS DR	24520024	1,132.08	1,423.02	168.00	1,591.02
32	1265070	X00029991	964 SAINT JOSEPH AV	LOS ALTOS CA 94024	5068 MCCOY AV	40337013	5,395.47	6,313.02	168.00	6,481.02
33	1219982	X00015162	1940 MESSINA DR	SAN JOSE CA 95132	1940 MESSINA DR	58605002	100.00	150.85	168.00	318.85
34	1257169	X00027761	1903 LIMWOOD DR	SAN JOSE CA 95132	2727 MONTECITO VISTA WY	45637008	939.92	1,185.59	168.00	1,353.59
35	1265691	X00030259	1417 MT WHITNEY DR	SAN JOSE CA 95127	1417 MT WHITNEY DR	64715003	1,019.80	1,217.55	168.00	1,385.55
36	1265696	X00030257	1422 MT WHITNEY DR	SAN JOSE CA 95127	1422 MT WHITNEY DR	64716041	574.75	699.31	168.00	867.31
37	1254263	X00026151	230 N 11TH ST	SAN JOSE CA 95112	230 N 11TH ST	46703072	110.00	167.99	168.00	335.99
38	1254100	X00026033	444 N 12TH ST	SAN JOSE CA 95112	444 N 12TH ST	24953043	110.00	167.99	168.00	335.99
39	1254103	X00026030	125 N 33RD ST	SAN JOSE CA 95116	125 N 33RD ST	48101147	145.43	212.75	168.00	380.75
40	1266167	X00030521	1650 ZANKER RD UNIT 220	SAN JOSE CA 95112	1305 N 4TH ST	23505009	110.00	154.47	168.00	322.47
41	1253687	X00025641	787 N BAYSHORE WEST	SAN JOSE CA 95112	787 N BAYSHORE RD	24920017	2,154.67	2,822.55	168.00	2,990.55
42	1257188	X00027773	1191 PALM ST	SAN JOSE CA 95110	1191 PALM ST	43405077	110.00	164.36	168.00	332.36
43	1266262	X00030591	393 NOTTINGHAM WY	CAMPBELL CA 95008	1560 PARK AV	26119052	8,289.61	9,409.70	168.00	9,577.70
44	1255259	X00026675	3272 PLACIDO CT	SAN JOSE CA 95135	3272 PLACIDO CT	66066051	1,510.92	1,938.05	168.00	2,106.05
45	1255261	X00026664	1363 CUTFORTH CT	SAN JOSE CA 95132	1526 PRIMM AV	48605011	274.62	375.97	168.00	543.97
46	1255390	X00026762	1559 PRINCETON DR	SAN JOSE CA 95118	1559 PRINCETON DR	56731013	1,871.10	2,393.16	168.00	2,561.16

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Count	Invoice	Citation	Mailing Address	City, State, Zip Code	Violation Address	APN	Original Balance	Current Balance	Lien Fee	Total Balance
47	1256109	X00027072	68 MUIR AV	SANTA CLARA CA 95051	2761 RONCO DR	59102023	4,141.79	5,125.48	168.00	5,293.48
48	1256626	X00027364	25 EAST HEDDING ST	SAN JOSE CA 95112	1731 ROSS CL	41901030	83.65	131.92	168.00	299.92
49	1254492	X00026256	671 WASHINGTON ST	SAN JOSE CA 95112	475 S 14TH ST	46750009	972.52	1,257.78	168.00	1,425.78
50	1264870	X00029941	117 S 20TH ST	SAN JOSE CA 95116	117 S 20TH ST	46738095	3,347.30	3,927.94	168.00	4,095.94
51	1257085	X00027717	590 S 5TH ST	SAN JOSE CA 95112	590 S 5TH ST	47228013	6,407.10	7,912.97	168.00	8,080.97
52	1266035	X00030429	1686 E SAN ANTONIO ST	SAN JOSEC CA 95116	1119 S 7TH ST	47702033	1,000.80	1,062.41	168.00	1,230.41
53	1257166	X00027751	10931 MAXINE AV	CUPERTINO CA 95014	1055 S 9TH ST	47213056	110.00	164.36	168.00	332.36
54	1255347	X00026716	PO BOX 360007	MILPITAS CA 95036	1821 S KING RD	49119072	642.29	840.54	168.00	1,008.54
55	1266033	X00030425	254 SANTA ROSA DR	SAN JOSE CA 95111	254 SANTA ROSA DR	49410107	6,932.73	7,874.40	168.00	8,042.40
56	1265760	X00030312	1956 EDGEVIEW DR	SAN JOSE CA 95122	3304 SENTER RD	49421108	2,339.28	2,676.89	168.00	2,844.89
57	1257473	X00028047	6466 CENTURY DR	SAN JOSE CA 95129	870 STATE ST	26436086	2,007.49	2,499.22	168.00	2,667.22
58	1255238	X00026641	1665 N FANCHER AV	FRESNO CA 93737	979 STORY RD	47247028	12,614.95	15,968.03	168.00	16,136.03
59	1265737	X00030301	1089 SUMMERAIN CT	SAN JOSE CA 95122	1089 SUMMERAIN CT	47769301	638.16	773.14	168.00	941.14
60	1264199	X00029565	2129 SUNNY VISTA DR	SAN JOSE CA 95128	2129 SUNNY VISTA DR	27430073	200.13	263.05	168.00	431.05
61	1266095	X00030458	3600 E LAKE ST	MINNEAPOLIS MN 55406	2875 THE VILLAGES PY	66502015	2,339.34	2,676.97	168.00	2,844.97
62	1253769	X00025686	2482 TWYLA CT	CAMPBELL CA 95008	2482 TWYLA CT	40417056	1,501.80	1,976.09	168.00	2,144.09
63	1261556	X00029169	6835 VIA DEL ORO	SAN JOSE CA 95119	6835 VIA DEL ORO	70602030	130.02	181.41	168.00	349.41
64	1246150	X00022714	7101 VIA PACIFICA	SAN JOSE CA 95139	7101 VIA PACIFICA	70635015	1,410.76	1,713.40	168.00	1,881.40
65	1256101	X00027064	2524 PEBBLE BEACH LOOP	LAFAYETTE CA 94549	175 W CAPITOL EX	46218003	110.00	167.99	168.00	335.99
66	1265212	X00030048	1547 W HEDDING ST	SAN JOSE CA 95126	1547 W HEDDING ST	27406101	2,269.46	2,672.78	168.00	2,840.78
<b>66 ACCOUNTS</b>							<b>\$ 116,786.27</b>	<b>\$ 138,431.93</b>	<b>\$ 11,088.00</b>	<b>\$ 149,519.93</b>