



COUNCIL AGENDA: 6/21/22

FILE: 22-952

ITEM: 2.18

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Julia H. Cooper

SUBJECT: SEE BELOW

DATE: June 6, 2022

Approved

Date

6/9/2022

**SUBJECT: SET A PUBLIC HEARING FOR THE FISCAL YEAR 2022-2023
SANITARY SEWER SERVICE AND USE CHARGE AND STORM
SEWER SERVICE CHARGE ASSESSMENTS**

RECOMMENDATION

Adopt a resolution to:

- (a) Set a Public Hearing for Tuesday, August 9, 2022, at 1:30 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers or via video conference should the City Council not meet in person, to approve the placement of the 2022-2023 annual Sanitary Sewer Service and Use Charge and Storm Sewer Service Charge assessments on the 2022-2023 Santa Clara County Secured Property Tax Roll based upon the annual Sanitary Sewer Service and Use Charge and Storm Sewer Service Charge reports of the Director of Finance;
- (b) Direct the Director of Finance to file the Fiscal Year 2022-2023 annual Sanitary Sewer Service and Use Charge report with the City Clerk on or before July 15, 2022 instead of July 5, 2022; and
- (c) Direct the City Clerk to publish notice of the filing of the Director's reports, and the time and place of the Public Hearing.

OUTCOME

Adoption of the proposed resolution, will facilitate the scheduling and public notification of a public hearing to be conducted by the City Council on Tuesday, August 9, 2022 whereby the Sanitary Sewer Service and Use Charges (SSSUC) and Storm Sewer Service Charges (SSSC) assessments, may be approved for placement on the 2022-2023 Annual Santa Clara County (County) Secured Property Tax Roll, and allow additional time necessary to provide the most complete and current listing for compiling the 2022-2023 SSSUC report to be approved.

BACKGROUND

Section 15.12.550 of the San José Municipal Code requires the Director of Finance to file a written report with the City Clerk on or before the fifth day of July of each year, or such other date or dates as the City Council may specify by resolution, regarding the assessment of annual SSSUC. Section 15.16.1410 of the San José Municipal Code requires the Director of Finance to file a written report each year with the City Clerk, at least fifteen days in advance of the public hearing on the assessment. These reports provide a list of all parcels located within the City of San José (City) that are subject to SSSUC and SSSC including the annual service and use charges to be placed on the County Secured Property Tax Roll for the current fiscal year. Sections 15.12.550 and 15.16.1430 of the San José Municipal Code require the City Clerk to cause notice of the filing of the Director's reports, and the time and place of the public hearing on the assessments to be published in a newspaper of general circulation and within the City.

ANALYSIS

Staff recommends the filing date for the SSSUC assessment report be moved from July 5, 2022 to July 15, 2022 to accommodate the Customer Information System's billing process and to allow staff additional time to prepare the most complete and current SSSUC listing. The SSSC assessment report will also be filed on or about July 15, 2022 prior to publication by the City Clerk.

The Finance Department requests that the public gearing regarding the placement of the 2022-2023 SSSUC and SSSC assessments on the County Secured Property Tax Roll be set for Tuesday, August 9, 2022 at 1:30 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers or via video conference should City Council not meet in person. The final report of the 2022-2023 SSSUC and SSSC assessments is due to the County Tax Assessor no later than August 19, 2022, to ensure placement on the 2022-2023 County Secured Property Tax Roll.

CONCLUSION

The Director of Finance recommends the City Council to adopt a resolution to set a public hearing to approve placement of the 2022-2023 annual Sanitary Sewer Service and Use Charge and Storm Sewer Service Charge assessments on the 2022-2023 Santa Clara County Secured Property Tax Roll.

EVALUATION AND FOLLOW-UP

The Director of Finance will file both the Fiscal Year 2022-2023 annual Sanitary Sewer Service and Use Charge and Storm Sewer Service Charge reports with the City Clerk on or before July 15, 2022. The Finance Department will prepare a memorandum for the August 9, 2022 City Council meeting recommending that City Council conduct a public hearing and approve the Fiscal Year 2022-2023 annual SSSUC and SSSC assessments, as presented in the reports for purpose of placement on the 2022-2023 annual County Secured Property Tax Roll with any modifications City Council may make based on public testimony to be heard on August 9, 2022.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH/INTEREST

The City Clerk will publish a notice regarding the filing of the reports, and the time and place of the public hearing, as required by Sections 15.12.550C and 15.16.1430A of the San José Municipal Code, respectively. The public hearing date is scheduled for Tuesday, August 9, 2022 at 1:30 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers or via video conference should City Council not meet in person. In addition, this memorandum is posted on the City's website for the June 7, 2022 City Council meeting.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, City Clerk's Office, City Manager's Budget Office, and Environmental Services Department.

COMMISSION COORDINATION/INPUT

This item does not require any input from a board or commission.

COST SUMMARY/IMPLICATIONS

This action will result in the placement of approximately \$215 million of SSSUC and SSSC assessments on the 2022-2023 County Secured Property Tax Roll. The annual Sanitary Sewer Service and Use Charge and Storm Sewer Service Charge reports of the Director of Finance will be published on or before July 15, 2022 and include a more precise revenue estimate.

HONORABLE MAYOR AND CITY COUNCIL

June 6, 2022

Subject: Set a Public Hearing for the Fiscal Year 2022-2023 Sanitary Sewer Service and Use Charge and Storm Sewer Service Charge Assessments

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CEQA

Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment.

/s/

JULIA H. COOPER

Director of Finance

For questions, please contact John Kachmanian, Deputy Director of Finance, via email at john.kachmanian@sanjoseca.gov or via phone at (408) 535-7034.

