



COUNCIL AGENDA: 8/9/22
FILE: 22-1134
ITEM: 3.7

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Julia H. Cooper

SUBJECT: SEE BELOW

DATE: July 18, 2022

Approved

Date

7/20/2022

SUBJECT: PUBLIC HEARING FOR THE FISCAL YEAR 2022-2023 ANNUAL RESIDENTIAL SOLID WASTE COLLECTION SERVICE CHARGES TO BE PLACED ON THE 2022-2023 SANTA CLARA COUNTY SECURED PROPERTY TAX ROLL

RECOMMENDATION

Conduct a public hearing on the Fiscal Year 2022-2023 annual report prepared by the Director of Finance detailing the Residential Solid Waste Collection Service Charges filed with the City Clerk's Office and adopt a resolution to confirm the approval of the report and the placement of charges as set forth therein on the 2022-2023 Santa Clara County Secured Property Tax Roll, with such modifications the City Council may make based on public hearing testimony.

OUTCOME

Conducting the public hearing and adopting the recommended resolution will allow the City of San José (City) to place Residential Solid Waste Collection Service Charges on the 2022-2023 Santa Clara County Secured Property Tax Roll for the billing and collection of approximately \$144.6 million in revenue to cover costs related to the City of San José's Solid Waste Collection Services Program.

BACKGROUND

On September 17, 2013, the City Council approved a service delivery strategy to collect Residential Garbage and Recycling payments for garbage and recycling services for single family residential households within the city of San José through the Santa Clara County (County) Secured Property Tax Roll. Subsequently on May 5, 2015, Ordinance No. 29562 was passed by the City Council amending Chapter 9.10 of the City of San José Municipal Code to allow for the billing and collection of fees for Solid Waste Collection Service, for each fiscal

year placing such on the County Secured Property Tax Bill and collected in the same manner, by the person and at the same time as, and together with and not separate from, general taxes.

On June 7, 2022, the City Council adopted Resolution No. 80555 to establish the Fiscal Year 2022-2023 Residential Solid Waste Collection Service Charges and set rates for Fiscal Year 2022-2023.

Section 9.10.1202, subdivision B of the San José Municipal Code requires that “at least fifteen days in advance of the last city council meeting before the city is required to provide the Santa Clara County Tax Assessor with the amount of the solid waste collection service charges for the purpose of placing the solid waste collection services charges on the tax roll, the director of finance is hereby directed to prepare and file with the city clerk a written report describing all parcels served by the solid waste collection system for which solid waste collection service charges are to be billed and collected on the tax roll, and the amount of the solid waste collection service charges for each such parcel for the forthcoming fiscal year, computed in conformity with the provisions of this part and the council resolution establishing the solid waste collection service charges for the forthcoming fiscal year.” These charges will appear as a single line item entitled “GARBAGE SVC-CURRENT” on each County Secured Property Tax bill and is collected by the County Tax Collector. Pursuant to an agreement between the City and the County, the County will remit 100 percent of the charges placed on the County Secured Property Tax Roll back to the City in two payments, typically in January and June. The County charges a one percent administration fee for this service that is deducted from the first payment remitted to the City.

ANALYSIS

The Director of Finance’s written report for Fiscal Year 2022-2023 was submitted to the City Clerk’s Office on July 12, 2022. This report includes charges totaling approximately \$144.6 million and covers approximately 198,014 parcels. On June 21, 2022, the City Council adopted Resolution No. 80584 to set the Public Hearing for August 9, 2022, at 1:30 p.m., or as soon thereafter as the matter may be heard, in the City Hall Council Chambers (or via video conference should the City Council not meet in-person). The City Clerk will publish public notices in accordance with Section 9.10.1202 of the San José Municipal Code.

CONCLUSION

The Director of Finance recommends the City Council conduct a public hearing and adopt a resolution to approve placement of the 2022-2023 annual Residential Solid Waste Collection Service Charges on the 2022-2023 Santa Clara County Secured Property Tax Roll.

EVALUATION AND FOLLOW-UP

Upon acceptance of this recommendation, staff will place the Fiscal Year 2022-2023 Residential Solid Waste Collection Service Charges, as detailed above, on the 2022-2023 County Secured Property Tax Roll, with such modifications, if any, the City Council may make based on public hearing testimony scheduled 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

With the adoption of Resolution No. 80584, the City Clerk's Office will publish the notice of the time and place of the public hearing as required by Section 9.10.1204 of the San José Municipal Code. In addition, this memorandum has been posted on the City's website for the August 9, 2022 City Council meeting agenda.

COORDINATION

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

COMMISSION COORDINATION

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

COST SUMMARY/IMPLICATIONS

This action will result in the placement of Fiscal Year 2022-2023 Residential Solid Waste Collection Service Charges of approximately \$144.6 million on the 2022-2023 County Secured Property Tax Roll. Revenues received from these charges have been allocated by the City Council to various allowable City functions as part of the 2022-2023 Adopted Budget.

HONORABLE MAYOR AND CITY COUNCIL

July 18, 2022

Subject: Public Hearing for the Fiscal Year 2022-2023 Annual Residential Solid Waste Collection Services

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CEQA

Not a Project, File No. PP17-010, City Organizational and Administrative Activities.

/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.

