

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

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 15 (SILVER CREEK VALLEY) FOR FISCAL YEAR 2023-2024 AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES**

**WHEREAS**, on August 4, 1992, the City Council of San José (“City Council”) adopted Resolution No. 63973, providing for the establishment of the City of San José Maintenance District 15 (Silver Creek Valley); and

**WHEREAS**, on June 17, 1997, the City Council adopted Resolution No. 67417, providing for the reauthorization of the City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition 218; and

**WHEREAS**, on March 28, 2000, the City adopted Resolution No. 69468, providing for the formation of Zone G (Southeast-Central Area) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

**WHEREAS**, on April 4, 2000, the City adopted Resolution No. 69467, providing for the formation of Zone F (Northerly Nieman Blvd) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter

14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

**WHEREAS**, on April 11, 2000, the City adopted Resolution No. 69468, providing for the formation of Zone H (Central Area) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

**WHEREAS**, on October 30, 2012, the City adopted Resolution No. 76464, providing for the annexation of new territory and formation of Zone I (Cadwallader) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

**WHEREAS**, on June 23, 2015, the City adopted Resolution No. 77475, providing for the annexation of new territory into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

**WHEREAS**, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2023-2024 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

**WHEREAS**, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

**WHEREAS**, the City Council has considered the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in Maintenance District 15 (Silver Creek Valley) for Fiscal Year 2023-2024 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to

extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk