

Public Hearing on Recording Liens on Properties for the Costs of Sidewalk Repairs



June 11, 2019
Item 3.8

Julia Cooper, Director, Finance
John Ristow, Director, DOT
Rick Bruneau, Deputy Director, Finance

City Council
June 11, 2019

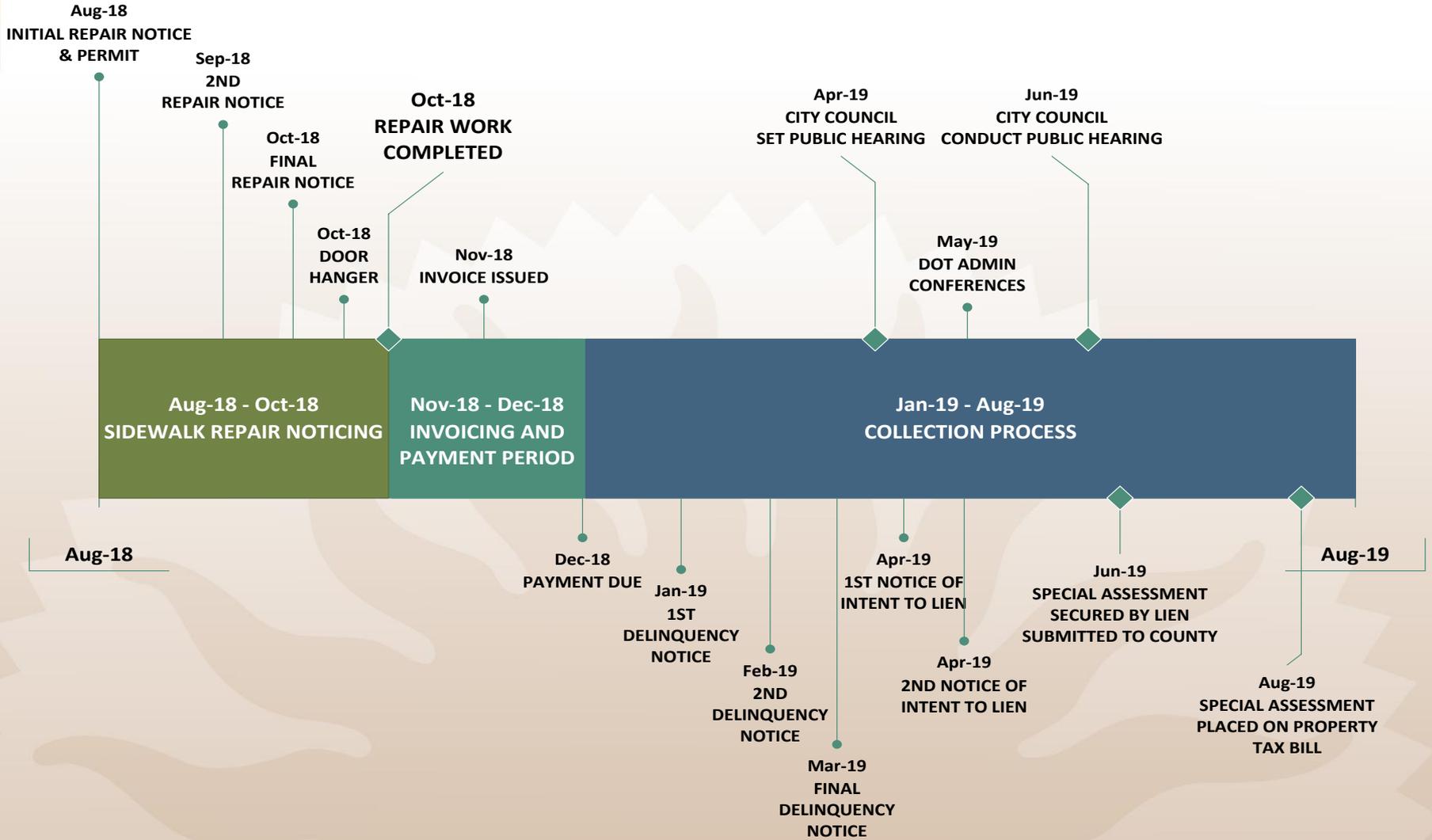
Sidewalk Repair Notice

- Sidewalk repairs may include curb, gutter, and/or parkstrip area
- State law (Streets and Highways Code) and San Jose Municipal Code place responsibility of sidewalk repairs with the adjacent property owner
- DOT generates repair notice after inspection determines repairs are needed
- Inspections conducted as the result of community requests and City staff field observations

Sidewalk Repairs

- Vast majority of sidewalk repairs are completed and resolved successfully
- Proposed liens are for property owners who have not reimbursed the City for expenses associated with City contractor repairs
- Typical Annual Sidewalk Repair Activity (2017-18)
 - 4,704 Sidewalk repairs completed (60% repairs completed by property owner, 40% by City contractor)
 - 1,870 City contractor repairs (71% elected to use City contractor, 29% assigned to City contractor; no response to repair notices)
 - 220 Property Owners (< 5% of sidewalk repairs) have not reimbursed the City for expenses associated with City contractor repairs

Process Overview and Timelines



Hardship Program

- Annual Hardship Budget = approx. \$412K (Sidewalks = \$328K; Trees = \$84K)
- Property must be owner occupied, single-family home
- Rental properties and businesses are not eligible for hardship assistance
- *Annual income below three times the National Poverty Level Guidelines

Number of Dependents	2017 (2x Poverty Level)	2018 (3x Poverty Level)	2019 (3x Poverty Level)
1	\$24,120	\$36,420	\$37,470
2	\$32,480	\$49,380	\$50,730
3	\$40,840	\$62,340	\$63,990
4	\$49,200	\$75,300	\$77,250
5	\$57,560	\$88,260	\$90,510
6	\$65,920	\$101,220	\$103,770
7	\$74,280	\$114,180	\$117,030
8	\$82,640	\$127,140	\$130,290

Process Improvements

- DOT to modify property owner correspondence materials to include language access information.
 - Currently, language access information is only included in the Tree and Sidewalk brochure and the final notice to lien.
- Finance will also work with DOT to revise the Tree and Sidewalk brochure to explicitly reference payment plans as an option.



Staff 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; and
- c. Direct the recording of liens and the placement of charges as set forth therein on the 2019-2020 Santa Clara County Secured Property Tax Bill for the cost of sidewalk repairs.