

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



**June 11, 2019**  
**Item 3.8**

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**Rick Bruneau, Deputy Director, Finance**

City Council  
June 11, 2019

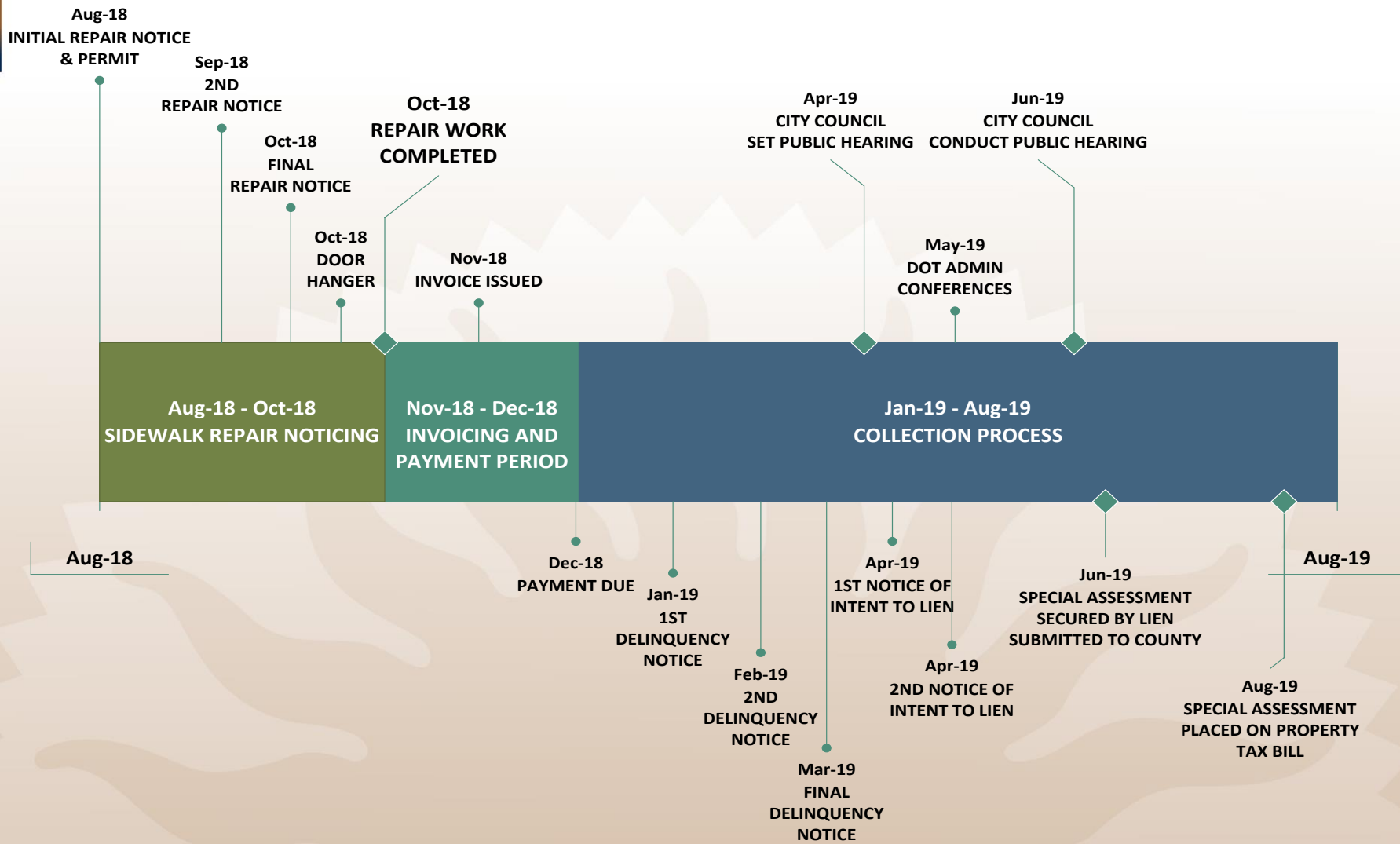
# Sidewalk Repair Notice

- 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

<b>Number of Dependents</b>	<b>2017</b> (2x Poverty Level)	<b>2018</b> (3x Poverty Level)	<b>2019</b> (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.