

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE CONFIRMING THE REPORT OF THE DIRECTOR OF FINANCE CONCERNING THE DELINQUENT SIDEWALK REPAIR COSTS AND THE ASSESSMENTS CONTAINED IN THE REPORT; AND DIRECTING THE RECORDING OF LIENS AND THE PLACEMENT OF CHARGES AS SET FORTH THEREIN ON THE 2020-2021 SANTA CLARA COUNTY SECURED PROPERTY TAX BILL FOR THE COST OF SIDEWALK REPAIRS

WHEREAS, Part 17 of Chapter 14.16 of Title 14 of the San José Municipal Code and Sections 5625 through 5630 of the California Streets and Highways Code set forth the procedures for collection of the sidewalk repairs; and

WHEREAS, on October 8, 2019 the City Council of the City of San José (“City Council”) adopted Resolution No. 79262 setting a public hearing for approval of the Report of the Director of Finance on the Cost of Sidewalk Repairs (“Report”) for December 3, 2019 at 1:30 p.m.; and

WHEREAS, the Director of Finance caused all property owners mentioned in the Report to be given proper legal notice of the cost of sidewalk repairs posed to be assessed by the City of San José (“City”) and of the opportunity to present objections or protests regarding such costs at the public hearing; and

WHEREAS, the City has complied with all requirements of the San José Municipal Code and the California Streets and Highways Code regarding notice and hearing relative to the assessment of sidewalk repair costs contained in the Report; and

WHEREAS, the City Council has considered the Report at a public hearing as scheduled, and has heard and duly considered all objections or protests thereto, including a report by the Director of Finance describing the administrative conferences

with the property owners proposed to be assessed for not paying the cost of sidewalk repairs; and

WHEREAS, the City Council desires to accept the Report and confirm the assessments contained therein; and

WHEREAS, a property owner's failure to pay the cost assessed within five (5) days after confirmation of the Report shall cause a special assessment against the property which shall become a lien on such property; and

WHEREAS, the City Council desires to direct the Director of Finance to cause the recordation of the appropriate liens with the Santa Clara County Recorder;

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

1. Having duly considered all objections and protests to the proposed assessments for the cost of sidewalk repairs at the public hearing held on December 3, 2019 at 1:30 p.m., such objections or protests of every kind and nature are hereby overruled or denied, except as otherwise shown in the final approved Report of the Director of Finance to the City Council on the Cost of Sidewalk Repairs, which is attached hereto as Attachment A and fully incorporated herein ("Final Report").
2. Assessments contained in the Final Report are hereby confirmed.
3. Pursuant to, and in accordance with, the provisions of Part 17 of Chapter 14.16 of Title 14 of the San José Municipal Code and Sections 5625 through 5630 of the California Streets and Highways Code, sidewalk repair costs so assessed

against each property, if not paid within five (5) days after the confirmation of the Report, shall constitute a special assessment against that property and shall become a lien on the property for the amount of the assessment, which lien shall continue until discharged of record.

4. The Director of Finance is hereby directed to cause the preparation of the appropriate Notices of Lien and the delivery of each Notice of Lien to the Santa Clara County Recorder for recordation. The Director of Finance shall also cause the delivery of the Notice of Lien to the County Assessor so that the amount of any unpaid lien shall be collected with all other property taxes. At the time the property tax bills become public records, the Director of Finance shall release any previously recorded liens.

ADOPTED this _____ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

ATTACHMENT A

**City of San Jose
Department of Finance
Report of the Director of Finance to the City Council on the Cost of Sidewalk Repairs
Public Hearing December 10, 2019**

Account #	Citation #	Mailing Address	City, State, Zip	Property Address	APN	Council District	Original Balance	Current Balance	Admin Lien Fee	Total Lien Amount
1163551	X1896385	4824 DOYLE RD	SAN JOSE CA 95129	4824 DOYLE RD	38126007	1	\$415.80	\$523.17	\$135.75	\$658.92
1168849	X1898566	259 JAGGERS DR	SAN JOSE CA 95119	259 JAGGERS DR	70416027	2	\$100.00	\$108.15	\$135.75	\$243.90
1164456	X1896800	7073 VIA BARRANCA	SAN JOSE CA 95139	7073 VIA BARRANCA	70631023	2	\$100.00	\$145.00	\$135.75	\$280.75
1169460	X1898896	101 AVENIDA ESPANA	SAN JOSE CA 95139	101 AVENIDA ESPANA	70623026	2	\$148.12	\$160.20	\$135.75	\$295.95
1169009	X1898857	208 NEW RIVER DR	SAN JOSE CA 95119	208 NEW RIVER DR	70442001	2	\$232.48	\$251.42	\$135.75	\$387.17
1169022	X1898892	760 CASCADE DR	SUNNYVALE CA 94087	267 VINEYARD DR	70432005	2	\$1,813.20	\$1,960.98	\$135.75	\$2,096.73
1169011	X1898863	111 CHELTENHAM WAY	SAN JOSE CA 95139	111 CHELTENHAM WAY	70619032	2	\$2,090.30	\$2,260.66	\$135.75	\$2,396.41
1165160	X1897234	130 CHAUCER CT	PLEASANT HILL CA 94523	235 E JULIAN ST	24948012	3	\$100.00	\$145.00	\$135.75	\$280.75
1163827	X1896514	20199 PACIFICA DR	CUPERTINO CA 95014	558 MARGARET ST	47221085	3	\$657.10	\$812.13	\$135.75	\$947.88
1168768	X1898545	11070 CHULA VISTA AVE	SAN JOSE CA 95127	1117 APPIAN LN	47202139	3	\$1,561.44	\$1,688.70	\$135.75	\$1,824.45
1166610	X1897742	1722 ROUTH ST STE 1000	DALLAS TX 75201	550 KEYES ST	47704034	3	\$1,508.88	\$1,782.33	\$135.75	\$1,918.08
1169116	X1898965	13155 NOEL RD # 500	DALLAS TX 75240	190 RYLAND ST	25951004	3	\$1,843.20	\$1,993.42	\$135.75	\$2,129.17
1166621	X1897753	4680 HAMILTON AVE 211	SAN JOSE CA 95130	399 S 12TH ST	46741067	3	\$2,639.83	\$3,099.32	\$135.75	\$3,235.07
1162046	X1894907	315 N 17TH ST	SAN JOSE CA 95112	315 N 17TH ST	24958051	3	\$2,478.00	\$3,157.61	\$135.75	\$3,293.36
1163866	X1896553	1670 MCKEE RD	SAN JOSE CA 95109	453 N 20TH ST	24961026	3	\$3,598.92	\$4,334.96	\$135.75	\$4,470.71
1168775	X1898552	4057 GOLF DR	SAN JOSE CA 95127	0 S 30TH ST	46734151	3	\$6,849.08	\$7,407.28	\$135.75	\$7,543.03
1162854	X1895213	2197 BRISTOLWOOD LN	SAN JOSE CA 95132	2197 BRISTOLWOOD LN	09222031	4	\$3,429.65	\$1,994.79	\$135.75	\$2,130.54
1169904	X1899429	3357 ARAMIS DR	SAN JOSE CA 95127	3357 ARAMIS DR	64708006	5	\$100.00	\$108.15	\$135.75	\$243.90
1171755	X1899327	3345 MT RAINIER DR	SAN JOSE CA 95127	3345 MT RAINIER DR	64729001	5	\$102.14	\$110.47	\$135.75	\$246.22
1168536	X1898399	1800 EVANS LN APT 1106	SAN JOSE CA 95125	648 GRIDLEY ST	59914018	5	\$100.00	\$139.65	\$135.75	\$275.40
1168684	X1898530	3574 GLASGOW CT	SAN JOSE CA 95127	3574 GLASGOW CT	60130061	5	\$100.00	\$139.65	\$135.75	\$275.40
1169872	X1899405	13658 WESTBORO DR	SAN JOSE CA 95127	13658 WESTBORO DR	48428027	5	\$100.00	\$139.65	\$135.75	\$275.40
1169878	X1899411	691 HOBIE LN	SAN JOSE CA 95127	691 HOBIE LN	60133059	5	\$100.00	\$139.65	\$135.75	\$275.40
1164300	X1896710	1650 TAMPA CT	SAN JOSE CA 95122	2397 AMADOR DR	48638006	5	\$148.12	\$202.64	\$135.75	\$338.39

ATT. A-1

T-331.002 / 1621402_2

Council Agenda: 12/10/2019

Item No: 3.10

DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

ATTACHMENT A

Account #	Citation #	Mailing Address	City, State, Zip	Property Address	APN	Council District	Original Balance	Current Balance	Admin Lien Fee	Total Lien Amount
1162458	X1895038	2963 RIDGEMONT DR	SAN JOSE CA 95127	2963 RIDGEMONT DR	48820007	5	\$859.56	\$786.31	\$135.75	\$922.06
1163863	X1896550	77 LAS COLINAS LN	SAN JOSE CA 95119	1545 HERMOCILLA WAY	48173050	5	\$748.80	\$921.94	\$135.75	\$1,057.69
1168612	X1898475	1709 LEEWARD DR	SAN JOSE CA 95122	1709 LEEWARD DR	48630072	5	\$1,286.31	\$1,481.97	\$135.75	\$1,617.72
1162454	X1895034	1716 SUNDOWN LN	SAN JOSE CA 95127	1716 SUNDOWN LN	48820056	5	\$3,446.49	\$4,267.52	\$135.75	\$4,403.27
1166019	X1897556	3144 TRISTIAN AVE	SAN JOSE CA 95127	3144 TRISTIAN AVE	59904073	5	\$3,584.64	\$4,317.85	\$135.75	\$4,453.60
1163429	X1895362	2975 RIDGEMONT DR	SAN JOSE CA 95127	2975 RIDGEMONT DR	48820004	5	\$5,245.78	\$6,480.18	\$135.75	\$6,615.93
1169627	X1899247	3389 BRADEN CT	SAN JOSE CA 95148	1349 STAYNER RD	49464023	7	\$100.00	\$108.15	\$135.75	\$243.90
1169847	X1899380	2649 LANIER LN	SAN JOSE CA 95121	2649 LANIER LN	49912072	7	\$100.00	\$139.65	\$135.75	\$275.40
1166233	X1897608	7595 LIME AVE	FONTANA CA 92336	1973 MCLAUGHLIN AVE	47736067	7	\$100.00	\$141.70	\$135.75	\$277.45
1165998	X1897538	3805 POLTON PLACE WAY	SAN JOSE CA 95121	3805 POLTON PLACE WY	67681015	7	\$100.00	\$145.00	\$135.75	\$280.75
1168607	X1898470	1645 YERBA BUENA RD	SAN JOSE CA 95121	1645 YERBA BUENA RD	67643089	7	\$1,587.46	\$1,822.70	\$135.75	\$1,958.45
1155471	X1891063	231 CASTILLON WAY	SAN JOSE CA 95119	1244 BELLINGHAM DR	49908023	7	\$2,428.26	\$3,250.06	\$135.75	\$3,385.81
1168582	X1898445	1604 TIERRA BUENA DR	SAN JOSE CA 95121	1604 TIERRA BUENA DR	67009001	7	\$4,950.87	\$5,628.40	\$135.75	\$5,764.15
1164730	X1896979	4077 LAWTHER CT	SAN JOSE CA 95135	4077 LAWTHER CT	66024054	8	\$100.00	\$145.00	\$135.75	\$280.75
1165534	X1897376	3107 DELTA RD	SAN JOSE CA 95135	3107 DELTA RD	66028002	8	\$148.12	\$202.64	\$135.75	\$338.39
1166000	X1897540	3884 MARE PLACE CT	SAN JOSE CA 95121	3884 MARE PLACE CT	67911020	8	\$148.12	\$202.64	\$135.75	\$338.39
1166527	X1897705	3058 LYNVIEW DR	SAN JOSE CA 95148	3058 LYNVIEW DR	65919032	8	\$331.20	\$410.93	\$135.75	\$546.68
1166535	X1897713	2650 MOZART AVE	SAN JOSE CA 95122	2650 MOZART AVE	67024021	8	\$643.05	\$774.08	\$135.75	\$909.83
1156530	X1891576	1460 N 4TH ST #305	SAN JOSE CA 95112	1897 DANIEL MALONEY DR	67609042	8	\$1,503.20	\$1,075.87	\$135.75	\$1,211.62
1166543	X1897721	2881 SWEETLEAF CT	SAN JOSE CA 95148	2881 SWEETLEAF CT	65229011	8	\$1,857.80	\$2,188.66	\$135.75	\$2,324.41
1165962	X1897530	2838 BURDICK WAY	SAN JOSE CA 95148	2838 BURDICK WAY	67306028	8	\$1,918.00	\$2,322.05	\$135.75	\$2,457.80
1162068	X1894929	2608 BRAHMS AVE	SAN JOSE CA 95122	2608 BRAHMS AVE	67023064	8	\$1,908.74	\$2,438.38	\$135.75	\$2,574.13
1167697	X1898135	3214 FLINTDALE DR	SAN JOSE CA 95148	3214 FLINTDALE DR	64927045	8	\$2,259.75	\$2,657.98	\$135.75	\$2,793.73
1166542	X1897720	2844 IVY ESTATES CT	SAN JOSE CA 95135	2844 IVY ESTATES CT	66013024	8	\$2,351.24	\$2,763.26	\$135.75	\$2,899.01
1151668	X1889250	2804 SCHOONER CT	SAN JOSE CA 95148	2804 SCHOONER CT	65917083	8	\$2,473.08	\$3,389.44	\$135.75	\$3,525.19
1166536	X1897714	4468 YERBA BUENA AVE	SAN JOSE CA 95121	4468 YERBA BUENA AVE	67672003	8	\$3,043.20	\$3,569.06	\$135.75	\$3,704.81
1166540	X1897718	3260 MONTECITO DR	SAN JOSE CA 95135	3260 MONTECITO DR	66053086	8	\$4,428.66	\$5,182.42	\$135.75	\$5,318.17
1169615	X1899235	2485 KINGFIELD WAY	SAN JOSE CA 95124	2485 KINGFIELD WAY	42112045	9	\$100.00	\$108.15	\$135.75	\$243.90
1167935	X1898164	5328 ALAN AVE	SAN JOSE CA 95124	5328 ALAN AV	56708030	9	\$100.00	\$139.55	\$135.75	\$275.30
1163865	X1896552	2135 LOS GATOS-ALMADEN RD	SAN JOSE CA 95124	2135 LOS GATOS-ALMADEN RD	42121006	9	\$2,399.32	\$2,898.45	\$135.75	\$3,034.20

ATT. A-2

T-331.002 / 1621402_2

Council Agenda: 12/10/2019

Item No: 3.10

DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.

RD:KMM:AHT
11/15/2019

ATTACHMENT A

Account #	Citation #	Mailing Address	City, State, Zip	Property Address	APN	Council District	Original Balance	Current Balance	Admin Lien Fee	Total Lien Amount
1162554	X1895101	1149 OLD OAK DR	SAN JOSE CA 95120	1149 OLD OAK DR	58115020	10	\$100.00	\$174.93	\$135.75	\$310.68
1166929	X1897849	200 WINCHESTER CIR #C115	LOS GATOS CA 95032	5944 CABRAL AVE	69431010	10	\$334.02	\$414.21	\$135.75	\$549.96
1167190	X1897937	5540 ENTRADA CEDROS	SAN JOSE CA 95123	5540 ENTRADA CEDROS	46414046	10	\$3,678.10	\$4,309.66	\$135.75	\$4,445.41
1167209	X1897948	859 BLOSSOM HILL RD	SAN JOSE CA 95123	859 BLOSSOM HILL RD	46435027	10	\$8,805.95	\$10,281.04	\$135.75	\$10,416.79
						58 Accounts	\$93,485.98	\$107,944.81	\$7,873.50	\$115,818.31

ATT. A-3

T-331.002 / 1621402_2

Council Agenda: 12/10/2019

Item No: 3.10

DRAFT--Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.