



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Raul Peralez

**SUBJECT:** SEE BELOW

**DATE:** December 10, 2019

Approved by:

Date: 12/10/19

**SUBJECT: Public Hearing on Recording Liens on Properties for Reimbursement of Cost of Sidewalk Repairs to be Placed on the Fiscal Year 2020-2021 Santa Clara County Secured Property Tax Bill**

## RECOMMENDATION

1. Accept staff report only and request the City Manager to do the following
  - a. Roll over any remaining funds into the Tree Maintenance and Sidewalk Repair Financial Hardship Assistance Program for the next fiscal year, and
  - b. Restructure the Tree Maintenance and Sidewalk Repair Financial Hardship Assistance Program to:
    - i. Adjust to the City of San José cost of living standards, and
    - ii. Adjust the program with a stepped reduction approach based on extremely low income, very low income, low income, and moderate income levels, and
  - c. Revise and update the information pamphlet to include:
    - i. Information on income requirements for financial hardship assistance.
    - ii. Expand into multi-languages (i.e. Spanish and Vietnamese) and
  - d. Come back through the budget process for any necessary fiscal adjustment to the program.

## BACKGROUND

In April of 2018 my office requested that there be a modification to the Tree Maintenance and Sidewalk Repair Financial Hardship Assistance Program due to the overwhelming concerns and phone calls our office received regarding our Tree and Sidewalk Repair

program. I'd like to thank staff for listening to the concerns brought by my office and adjusting the financial assistance to "single family residences whose annual income is below three times the National Poverty Rate"<sup>1</sup>. However, it is apparent that the changes made do not go far enough to reflect the cost of living within the City of San José. According to the U.S. Department of Health & Human Services the national official poverty income for a family of 4 is \$25,750<sup>2</sup>. However in San José, low income \$103,900 is considered low income for a family of 4<sup>3</sup>, which is 4 times greater than the official poverty limits. Therefore, our residents are still unable to qualify for the financial assistance offered by our City. By adjusting the program to account for poverty income limits in our area could provide relief for families that are struggling to make ends meet. The concern of funding the program is real due to the fact that every year there has been little to no funding left. That is why I am suggesting the Department of Transportation look at ways to adjust the financial hardship waiver based on income in which a percentage of the cost is waived instead of waiving the total of fees all together. This would make payments more manageable for those seeking a financial hardship assistance and more families can be served.

Lastly, I appreciate that staff does its best to outreach to all those on the list prior to the liens coming forward. However, sending information out in an english only pamphlet does not allow our multilingual families to clearly understand the information provided. Additionally, there is conflicting information on the Department of Transportation's website and the actual pamphlet that gets sent out to the residents regarding the financial hardship assistance program. Under the website's FAQ it states "The City may be able to perform the required sidewalk and/or tree work for qualifying low-income owner-occupied properties if the property owner's income is at or less than **twice** the National Poverty level."<sup>4</sup> Whereas, the pamphlet that goes out to residents states, "The City offers financial assistance for repairs to residents of owner-occupied, single family residences whose annual income is below **three** times the National Poverty Rate for families."<sup>5</sup> It is important the residents receive accurate and clear information from any source they receive and the material we put out is inclusive to the community we serve.

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<sup>1</sup> [www.sanjoseca.gov/transportation](http://www.sanjoseca.gov/transportation) Trees & Sidewalks Section

<sup>2</sup> <https://aspe.hhs.gov/2019-poverty-guidelines>

<sup>3</sup> [https://www.huduser.gov/portal/datasets/il/il2019/select\\_Geography.odn](https://www.huduser.gov/portal/datasets/il/il2019/select_Geography.odn)

<sup>4</sup> <https://www.sanjoseca.gov/your-government/departments/transportation/roads/sidewalks-curb-ramps>

<sup>5</sup> See footnote 1