



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Julia H. Cooper

**SUBJECT:** SEE BELOW

**DATE:** July 17, 2017

Approved

*D. D. S. y L*

Date

*7/26/17*

**SUBJECT: CONDUCT A PUBLIC HEARING FOR THE FISCAL YEAR 2017-2018  
ANNUAL RESIDENTIAL SOLID WASTE COLLECTION SERVICE  
CHARGES TO BE PLACED ON THE 2017-2018 SANTA CLARA  
COUNTY SECURED PROPERTY TAX ROLL**

## RECOMMENDATION

Conduct a Public Hearing on the Fiscal Year 2017-2018 annual report prepared by the Director of Finance detailing the Residential Solid Waste Collection Service Charges filed with the City Clerk's Office; and adopt a resolution to confirm the approval of the report and the placement of charges as set forth therein on the 2017-2018 Santa Clara County Secured Property Tax Roll, with such modifications the City Council may make based on public hearing testimony.

## OUTCOME

Conducting the public hearing and adopting the recommended resolution will allow the City of San José to place Residential Solid Waste Collection Service Charges on the 2017-2018 Santa Clara County Secured Property Tax Roll for the billing and collection of approximately \$92.8 million in revenue to cover costs related to the City of San José's Solid Waste Collection Services Program.

## BACKGROUND

On September 17, 2013, the City Council approved a service delivery strategy to collect Recycle Plus payments for garbage and recycling services for single family residential households within the City of San José ("City") through the Santa Clara County ("County") Secured Property Tax Roll. Subsequently on May 5, 2015, Ordinance No. 29562 was passed by the City Council amending Chapter 9.10 of the City of San José Municipal Code ("Code") to allow for the billing

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and collection of fees for Solid Waste Collection Service, for each fiscal year placing such on the County Secured Property Tax Bill and collected in the same manner, by the person and at the same time as, and together with and not separate from, general taxes.

On June 6, 2017, the City Council adopted Resolution No. 78195 to establish the Fiscal Year 2017-2018 Residential Solid Waste Collection Service Charges and set rates for Fiscal Year 2017-2018.

Section 9.10.1202, Section B of the Code requires that “at least 15 days in advance of the last Council meeting before the City is required to provide the County Tax Assessor with the amount of the Solid Waste Collection Service Charges for the purpose of placing the Solid Waste Collection Services Charges on the tax roll, the Director of Finance is hereby directed to prepare and file with the City Clerk a written report describing all parcels served by the solid waste collection system for which solid waste collection service charges are to be billed and collected on the tax roll, and the amount of the solid waste collection service charges for each such parcel for the forthcoming fiscal year, computed in conformity with the provisions of this part and the Council resolution establishing the Solid Waste Collection Service Charges for the forthcoming fiscal year.” These charges will appear as a single line item entitled “San José Garbage Serv Current” on each County Secured Property Tax bill and is collected by the County Tax Collector. Pursuant to an agreement between the City and the County, the County will remit 100% of the charges placed on the County Secured Property Tax Roll back to the City in two payments, typically in January and June. The County charges a 1.0 percent administration fee for this service that is deducted from the first payment remitted to the City.

### **ANALYSIS**

The Finance Director’s written report for Fiscal Year 2017-2018 was submitted to the City Clerk’s Office on July 17, 2017. This report includes charges totaling approximately \$92.8 million and covers approximately 196,400 parcels. On June 27, 2017, the City Council adopted Resolution No. 78251 to set the Public Hearing for August 8, 2017 at 1:30 p.m., or as soon thereafter as the matter may be heard, in the City Hall Council Chambers. The City Clerk will publish public notices in accordance with Section(s) 15.12.550 and 15.16.1430 of the Code.

### **EVALUATION AND FOLLOW-UP**

Upon acceptance of this recommendation, staff will place the Fiscal Year 2017-2018 Residential Solid Waste Collection Service Charges, as detailed above, on the 2017-2018 County Secured Property Tax Roll, with such modifications, if any, the City Council may make based on public hearing testimony scheduled to be heard on August 8, 2017.

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### **PUBLIC OUTREACH**

With the adoption of Resolution No. 78251, the City Clerk's Office will publish the notice of the time and place of the public hearing as required by the Section 9.10.1204 of the Code. In addition, this memorandum has been posted on the City's website for the August 8, 2017 Council agenda.

### **COORDINATION**

This memo has been coordinated with the City Manager's Budget Office, the Environmental Services Department, the City Attorney's Office, and the City Clerk's Office.

### **COMMISSION RECOMMENDATION/INPUT**

No commission recommendation is associated with this section.

### **COST SUMMARY/IMPLICATIONS**

This action will result in the placement of Fiscal Year 2017-2018 Residential Solid Waste Collection Service Charges of approximately \$92.8 million on the 2017-2018 County Secured Property Tax Roll. Revenues received from these charges have been allocated by the City Council to various allowable City functions as part of the 2017-2018 Adopted Budget.

### **CEQA**

Not a Project, File No. PP10-069, City Organizational & Administrative Activities.

/s/

JULIA H. COOPER  
Director of Finance

For questions, please contact Grace Martinez, Deputy Director, at (408)535-7034.