

2.16 Set a Public Hearing for the Fiscal Year 2024-2025 Annual Residential Solid Waste Collection Service Charges.

Recommendation:

Adopt a resolution to:

(a) Set a Public Hearing for Tuesday, August 13, 2024, at 1:30 p.m., or as soon thereafter as the matter may be heard to approve the placement of the 2024-2025 annual Residential Solid Waste Collection Service Charges on the 2024-2025 Santa Clara County Secured Property Tax Roll based upon the annual Residential Solid Waste Collection Service Charge report of the Director of Finance; and

(b) Direct the City Clerk to publish notice of the filing of the Director's report, and the time and place of the Public Hearing.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment. (Finance)



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Rick Bruneau

SUBJECT: SEE BELOW

DATE: May 28, 2024

Approved

Date

6/6/24

SUBJECT: SET A PUBLIC HEARING FOR THE FISCAL YEAR 2024-2025 ANNUAL RESIDENTIAL SOLID WASTE COLLECTION SERVICE CHARGES

RECOMMENDATION

Adopt a resolution to:

- (a) Set a Public Hearing for Tuesday, August 13, 2024, at 1:30 p.m., or as soon thereafter as the matter may be heard to approve the placement of the 2024-2025 annual Residential Solid Waste Collection Service Charges on the 2024-2025 Santa Clara County Secured Property Tax Roll based upon the annual Residential Solid Waste Collection Service Charge report of the Director of Finance; and
- (b) Direct the City Clerk to publish notice of the filing of the Director's report, and the time and place of the Public Hearing.

SUMMARY AND OUTCOME

Adoption of the proposed resolution, as described in recommendation (a) above, facilitates the scheduling and public notification of a public hearing to be conducted by the City Council on Tuesday, August 13, 2024, whereby the Solid Waste Collection Service Charges, as described above, may be approved for placement on the 2024-2025 Annual Santa Clara County (County) Secured Property Tax Roll.

BACKGROUND

On September 17, 2013, City Council approved a service delivery strategy to collect Recycle Plus payments for garbage and recycling services for single family residential households through the County Secured Property Tax Bill. Subsequently on May 5, 2015, Ordinance No. 29562 was passed by City Council amending Chapter 9.10 of the San José Municipal Code to allow for the billing and collection of garbage and recycling services for each fiscal year by 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. Section 9.10.1202 (B) of the San José Municipal Code requires that at least 15 days in advance of the last City 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 all provisions of Title 9, Chapter 9.10, Part 8 of the San José Municipal Code and the City Council resolution establishing the solid waste collection service charges for the forthcoming fiscal year.

ANALYSIS

The Finance Department requests that the public hearing regarding the placement of the 2024-2025 Residential Solid Waste Collection Service Charges on the County Secured Property Tax Roll be set for Tuesday, August 13, 2024, at 1:30 p.m., or as soon thereafter as the matter may be heard. The Director of Finance's report of the 2024-2025 Residential Solid Waste Collection Service Charges is due to the County Tax Assessor no later than August 23, 2024, to ensure placement on the 2024-2025 County Secured Property Tax Roll.

The Director of Finance recommends the City Council adopt a resolution to set a public hearing to approve placement of the 2024-2025 annual Residential Solid Waste Collection Service Charges on the 2024-2025 Santa Clara County Secured Property Tax Roll.

EVALUATION AND FOLLOW-UP

The Director of Finance will file the Fiscal Year 2024-2025 annual Residential Solid Waste Collection Service Charge report with the City Clerk on or before July 15, 2024. The Finance Department will prepare a memorandum for the August 13, 2024 City Council meeting recommending that the City Council conduct a public hearing and approve the Fiscal Year 2024-2025 annual Residential Solid Waste Collection Service Charges, as presented in the report, for purpose of placement on the 2024-2025 annual County Secured Property Tax Roll with any modifications the City Council may make based on public testimony to be heard on August 13, 2024.

COST SUMMARY/IMPLICATIONS

This action will result in the placement of approximately \$158 million of Residential Solid Waste Collection Service Charges on the 2024-2025 County Secured Property Tax Roll. The annual Residential Solid Waste Collection Service Charge report of the Director of Finance will be published on or before July 15, 2024, and include a more precise revenue estimate.

HONORABLE MAYOR AND CITY COUNCIL

May 28, 2024

Subject: Set a Public Hearing for the Fiscal Year 2024-2025 Annual Residential Solid Waste Collection Service Charges

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COORDINATION

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

PUBLIC OUTREACH

The City Clerk will publish a notice regarding the filing of the report and the time and place of the public hearing, as required by Sections 9.10.1204 of the San José Municipal Code. The public hearing date is scheduled for August 13, 2024, at 1:30 p.m., or as soon thereafter as the matter may be heard. In addition, this memorandum will be posted on the City's Council Agenda website for the June 18, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

RICK BRUNEAU
Director of Finance

For questions, please contact John Kachmanian, Deputy Director of Finance, at john.kachmanian@sanjoseca.gov or (408) 535-7034.



RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE SETTING A PUBLIC HEARING ON THE ANNUAL RESIDENTIAL SOLID WASTE COLLECTION SERVICE CHARGES FOR FISCAL YEAR 2024-2025 PURSUANT TO SECTIONS 9.10.1202 AND 9.10.1204 OF THE SAN JOSE MUNICIPAL CODE

WHEREAS, Section 9.10.1202 of the San José Municipal Code requires the Director of Finance to file a report each year with the City Clerk, at least fifteen (15) days in advance of the last City Council meeting before the City is required to provide the tax assessor with the amount of the Residential Solid Waste Collection Service Charges for the purpose of placing the charges on the Santa Clara County Secured Property Tax Roll; and

WHEREAS, Section 9.10.1204 of the San José Municipal Code requires the City Clerk to cause notice of filing of a report issued by the Director of Finance regarding the 2024-2025 annual Residential Solid Waste Collection Service Charges on the 2024-2025 Santa Clara County Secured Property Tax Roll and of the time and place of the public hearing thereon;

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

- A. Tuesday, August 13, 2024, at 1:30 p.m., or as soon thereafter as the matter may be heard, in the City Council Chambers of the City of San José at City Hall, 200 East Santa Clara Street, San José, California, is hereby fixed as the time and place for the public hearing to approve the placement of the 2024-2025 annual Residential Solid Waste Collection Service Charges on the 2024-2025 Santa Clara County Secured Property Tax Roll based upon the annual Residential Solid Waste Collection Service Charge report of the Director of Finance; and

- B. The City Clerk is hereby directed to publish notice of the filing of the Director's report and the time and place of the public hearing as stated herein.

ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk