

**3.6 Public Hearing on Recording Liens on Properties for the Reimbursement of the Cost of Sidewalk Repairs to be Placed on the Fiscal Year 2024-2025 Santa Clara County Secured Property Tax Bill.**

**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.

(c) Direct the recording of liens and the placement of charges as set forth therein on the 2024-2025 Santa Clara County Secured Property Tax Bill for the cost of sidewalk repairs.

CEQA: Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment. (Finance)



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Rick Bruneau

**SUBJECT:** SEE BELOW

**DATE:** April 22, 2024

Approved

Date

4/29/24

**SUBJECT: PUBLIC HEARING ON RECORDING LIENS ON PROPERTIES FOR THE REIMBURSEMENT OF THE COST OF SIDEWALK REPAIRS TO BE PLACED ON THE FISCAL YEAR 2024-2025 SANTA CLARA COUNTY SECURED PROPERTY TAX BILL**

## **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 2024-2025 Santa Clara County Secured Property Tax Bill for the cost of sidewalk repairs.

## **SUMMARY AND OUTCOME**

After conducting a public hearing, the City Council may confirm the report from the Director of Finance (Director's Report) and approve placing a lien against the property for the unpaid amount, to be paid with the next annual Santa Clara County (SCC) Secured Property Tax Bill. The Director's Report identifies 104 properties that are subject to lien for a total lien amount of \$235,461.71. (**Attachment** – Report from the Director of Finance – Sidewalk Repair Costs as of April 16, 2024.)

## **BACKGROUND**

On February 6, 2024, the City Council set a hearing for May 14, 2024 at 1:30 p.m. for public comment and approval of the Director's Report to record liens and the placement of charges on the SCC Secured Property Tax Roll for the cost of sidewalk repairs the City of San José (City) made on behalf of property owners.

State law and the San José Municipal Code make it the duty of each property owner to maintain the sidewalk adjacent to their property in a safe condition. When sidewalks need repair, the City's Department of Transportation (DOT) inspects the property and uses the City's current contractual rates to estimate the cost of repairs. DOT then sends a repair notice, along with the cost estimate, to the property owner. The notice includes financial hardship information for those who need assistance with paying for the sidewalk repairs. Approximately six weeks after the repair notice is sent, DOT mails a second notice to the property owner stating repairs will be made by a contractor, hired by DOT, if the owner does not repair the sidewalk. If the repairs are not made by the owner, a final notice is mailed one week later. Before commencing work, DOT places a door hanger at the property address stating a City contractor will be assigned to make the sidewalk repairs and an invoice will be sent after the work is completed. If repairs are performed by the contractor, DOT invoices the property owner for the cost of sidewalk repairs, including a permit fee.

If the invoice is not paid, the Finance Department sends 60-day, 90-day, and final notices to recover the costs of unpaid invoices. The City Council, upon confirming the amounts owed after a public hearing, can approve the filing of liens against the defaulting properties with the SCC Office of the Clerk-Recorder.

Property owners may set up a payment plan or pay the full amount due at any time, prior to the public hearing on May 14, 2024. However, if a balance remains after May 14, 2024, an additional \$133.00 administrative fee will be added to the amount due. The Director of Finance shall record a lien with the SCC Office of the Clerk-Recorder to secure the special assessment until such time that the special assessment may be placed on the SCC Secured Property Tax Roll. Recording liens against property owners for outstanding sidewalk repair costs helps ensure collection of past due amounts if the property is sold, transferred, or refinanced.

Between July 1, 2023 and April 17, 2024, 2,174 property owners completed sidewalk repairs using their own contractor, resulting in Sidewalk Repair Inspection Permit Fees of \$134,100. In addition, 557 properties were serviced by City contractors on behalf of property owners, adding \$61,580 in Sidewalk Repair Inspection Permit Fees and an estimated \$1,609,324.26 advanced from the General Fund to repair sidewalks.

#### *Financial Hardship Assistance Program*

Financial hardship assistance is available for work required by the City at owner-occupied, single-family residences only, based on income guidelines set forth by the United States Department of Housing and Urban Development, in accordance with area median income. Property owner(s) with income below 50% area median income are eligible for 100% hardship assistance, or income below 80% area median income for partial (50%) assistance. To be eligible for financial hardship assistance, proof of income is required from all owners on the title.

From July 1, 2023 to April 17, 2024, DOT received 158 requests for financial hardship assistance for sidewalk repairs and approved 74 properties at an approximate cost of \$280,000. The annual allocation for Sidewalk Repair Financial Hardship Assistance Program within DOT's non-personal/equipment appropriation is approximately \$429,000. DOT will continue to monitor financial hardship approvals and associated cost and coordinate with the City Manager's Budget Office to consider funding adjustments as deemed necessary.

## **ANALYSIS**

The Director's Report includes properties in which the City incurred costs for the sidewalk repairs on behalf of the property owners, of which, payment to the City remains outstanding. The report identifies 104 properties that are subject to a potential lien, for a total lien amount, including administrative fees, of \$235,461.71. Individual lien amounts vary from \$241.11 to \$19,311.36.

Finance Department staff work diligently to recover the costs of delinquent sidewalk repairs; however, in some cases, property owners neglect to pay the outstanding obligations. The City ultimately receives 99% of the amount due through the SCC Secured Property Tax Bill process. Following is a summary of the billing and collection process as it relates to recovering City incurred costs for sidewalk repairs.

- DOT issues initial invoices for sidewalk repairs; payments are due within 30 days.
- Finance Department sends 60-day delinquency notice.
- Finance Department may call the property owner, if telephone contact information is available, to further attempt the collection of delinquent obligations.
- Finance Department sends a 90-day and delinquency final notice.
- Two Notices of Intent to Lien are sent to each delinquent property owner at the mailing address of record.
- Administrative conferences are held by DOT to provide property owners an opportunity to resolve any issues prior to the public hearing.
- City Council holds a public hearing and authorizes the placement of liens on properties with delinquent obligations.
- SCC Office of the Clerk-Recorder places liens on delinquent properties.
- SCC Department of Tax and Collections collects delinquent amounts through the annual property tax assessment.
- The full amount assessed (less a 1.0% SCC Tax Collection Fee) is remitted to the City.

The memorandum for the February 6, 2024 City Council meeting included 159 properties that were subject to a potential lien for a total lien amount, including administrative fees, of \$360,657.03. Since the submission of that City Council memorandum, the following has occurred:

- Fifty accounts have paid in full;
- Two accounts were canceled by DOT;
- Two accounts were approved for financial hardship assistance; and,
- One account was removed because the violation property was sold.

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

Finance Department staff will continue its collection efforts to reduce the number of delinquent accounts that will be forwarded for collection on the SCC Secured Property Tax Bill. Furthermore, Finance Department staff will continue to monitor accounts forwarded to the County of Santa Clara for collection on the SCC Secured Property Tax Bill for full compliance with the Sidewalk Lien program.

### **COST SUMMARY/IMPLICATIONS**

By placing a special assessment secured by a lien, the City will recover payment of \$194,349.06 in delinquent funds that were advanced from the General Fund to repair the sidewalks for those properties. In addition, there are \$27,280.65 in delinquency fees and \$13,832.00 in lien fees, totaling \$235,461.71.

### **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Department of Transportation.

### **PUBLIC OUTREACH**

Notices of public hearing (Notice of Intent to Lien) were mailed to each property owner on February 13, 2024 and February 20, 2024. These mailings are necessary to properly notify property owners of the date, time, and place of the public hearing and the impending lien on their property, while affording property owners an opportunity to schedule an administrative conference with DOT staff to resolve potential protests prior to the public hearing. The administrative conferences were held on March 5, 2024 and March 6, 2024 in the DOT offices. These conferences do not affect the property owners' right to protest the proposed assessment at

HONORABLE MAYOR AND CITY COUNCIL

April 22, 2024

**Subject: Public Hearing on Recording Liens on Properties for the Reimbursement of the Cost of Sidewalk Repairs to be Placed on the Fiscal Year 2024-2025 Santa Clara County Secured Property Tax Bill**

Page 5

the City Council public hearing. Additionally, this memorandum will be posted on the City's Council Agenda website for the May 14, 2024 City Council Meeting.

### **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

### **CEQA**

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the 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 Revenue Management, at [john.kachmanian@sanjoseca.gov](mailto:john.kachmanian@sanjoseca.gov) or (408) 535-7304.

Attachment: Report from the Director of Finance – Sidewalk Repair Costs as of April 16, 2024

City of San José - Finance Department  
Report from the Director of Finance - Sidewalk Repair Costs as of April 16, 2024  
Council Meeting: May 14, 2024

Attachment

Count	Invoice	Citation	Mailing Address	City, State, ZipCode	Violation Address	APN	Original Balance	Current Balance	Lien Fee	Total Balance
1	1224366	X00018082	1135 DWYER AV	SAN JOSE CA 95120	1135 DWYER AV	57721026	72.23	108.11	133.00	241.11
2	1218772	X00014449	709 N 16TH ST	SAN JOSE CA 95112	709 N 16TH ST	24915014	70.71	116.21	133.00	249.21
3	1223558	X00017544	1956 TAMPA WY	SAN JOSE CA 95122	1956 TAMPA WY	49119096	100.00	119.80	133.00	252.80
4	1222505	X00016637	PO BOX 7233	REDWOOD CITY CA 94063	4747 CAPAY DR	56940053	79.97	121.57	133.00	254.57
5	1223501	X00017467	431 AVNIDA PALMAS	SAN JOSE CA 95123	431 AVNIDA PALMAS	46412044	79.97	121.61	133.00	254.61
6	1239303	X00019773	5337 SOUTHBRIDGE PL	SAN JOSE CA 95118	5337 SOUTHBRIDGE PL	56948052	100.00	137.05	133.00	270.05
7	1227184	X00018509	394 N 33RD ST	SAN JOSE CA 95133	394 N 33RD ST	25411027	100.00	137.15	133.00	270.15
8	1227288	X00018591	6435 GONDOLA WY	SAN JOSE CA 95120	6435 GONDOLA WY	57738037	100.00	137.15	133.00	270.15
9	1238834	X00019496	4988 ESTHER DR	SAN JOSE CA 95124	4988 ESTHER DR	42118043	100.00	137.15	133.00	270.15
10	1238910	X00019593	2026 SARASOTA WY	SAN JOSE CA 95122	2026 SARASOTA WY	49122018	100.00	137.15	133.00	270.15
11	1239396	X00019839	945 N 7TH ST 127 MILAGRO	SAN JOSE CA 95112 BOERNE TX 78006	458 N 7TH ST	24949010	100.00	137.15	133.00	270.15
12	1224305	X00018021	357 ALLEGAN CL	SAN JOSE CA 95123	357 ALLEGAN CL	68939013	100.00	140.45	133.00	273.45
13	1224326	X00018042	1446 KARL ST	SAN JOSE CA 95122-1640	1498 KARL ST	48622019	100.00	140.45	133.00	273.45
14	1227197	X00018522	3159 CREEKSIDE DR	SAN JOSE CA 95132	218 BANGOR AV	69211128	100.00	140.45	133.00	273.45
15	1237978	X00018875	3200 HILARY DR	SAN JOSE CA 95124	4787 CLYDELLE AV	42126109	100.00	140.45	133.00	273.45
16	1221495	X00016081	10025 ORANGE AV	CUPERTINO CA 95014	5114 MCCOY AV	40337010	100.00	141.95	133.00	274.95
17	1222902	X00016929	523 SIOUX LN	SAN JOSE CA 95123	523 SIOUX LN	68727031	100.00	145.56	133.00	278.56
18	1223027	X00017094	1177 BRANHAM LN UNIT 195	SAN JOSE CA 95118	3061 CANOAS CREEK CT	45556083	100.00	145.56	133.00	278.56
19	1223149	X00017166	316 HERITAGE VIEW TER	SAN JOSE CA 95125	935 ELM ST	23042034	100.00	145.56	133.00	278.56
20	1223263	X00017336	4060 SHIELDS RD	CANFIELD OH 44406	2623 MERIDIAN AV	44227025	100.00	145.56	133.00	278.56
21	1223419	X00017419	346 CONESTOGA WY	SAN JOSE CA 95123	346 CONESTOGA WY	68925051	100.00	145.56	133.00	278.56
22	1223476	X00017442	3998 BISMARCK DR	SAN JOSE CA 95130	3996 BISMARCK DR	30726009	100.00	145.56	133.00	278.56
23	1222811	X00016839	1192 S 12TH ST	SAN JOSE CA 95112	1192 S 12TH ST	47704019	100.00	148.90	133.00	281.90
24	1219918	X00015152	2918 BEWCASTLE CT	SAN JOSE CA 95132	2918 BEWCASTLE CT	58905028	100.00	150.85	133.00	283.85
25	1219982	X00015162	1940 MESSINA DR	SAN JOSE CA 95132	1940 MESSINA DR	58605002	100.00	150.85	133.00	283.85
26	1219175	X00014723	1716 ROBERTA DR	SAN MATEO CA 94403	325 N 18TH ST	24960011	100.00	154.15	133.00	287.15
27	1221562	X00016155	1485 GLENPINE DR	SAN JOSE CA 95125	1637 SAN TOMAS AQUINO RD	30719013	121.42	173.91	133.00	306.91
28	1221698	X00016196	7102 GOLDEN GATE DR	SAN JOSE CA 95129	7102 GOLDEN GATE DR	37207025	121.42	173.91	133.00	306.91
29	1224000	X00017745	885 CURTNER	SAN JOSE CA 95125	885 CURTNER AV	43917079	128.16	179.28	133.00	312.28
30	1224367	X00018083	962 WOODTHRUSH CT	SAN JOSE CA 95120	962 WOODTHRUSH CT	70143042	176.69	179.75	133.00	312.75
31	1224397	X00018114	18725 METLER CT	SARATOGA CA 95070	6117 LEAN AV	68926081	179.97	233.58	133.00	366.58
32	1226767	X00018298	3694 MERIDIAN AV	SAN JOSE CA 95124	3694 MERIDIAN AV	44725058	199.91	256.81	133.00	389.81
33	1218845	X00014512	1762 STRAWBERRY LN	MILPITAS CA 95035	1528 WILLOWGATE DR	44723138	198.68	282.10	133.00	415.10
34	1219906	X00015140	P O BOX 9456	MINNEAPOLIS MN 55440	1805 HILLSDALE AV	41905028	218.46	300.52	133.00	433.52
35	1238265	X00019121	157 WILLOW ST	SAN JOSE CA 95110	157 WILLOW ST	26437090	269.94	338.35	133.00	471.35
36	1223977	X00017702	6327 COTTLE RD	SAN JOSE CA 95123	6327 COTTLE RD	68951010	510.35	379.45	133.00	512.45
37	1239359	X00019808	433 MARSH ST	SAN LUIS OBISPO CA 93401	2738 KOLLMAR DR	48801010	4,665.95	404.28	133.00	537.28
38	1237839	X00018755	1856 ENESCO AV	SAN JOSE CA 95122	1856 ENESCO AV	67020061	393.69	482.44	133.00	615.44
39	1239344	X00019793	1459 CLIFFWOOD DR	SAN JOSE CA 95122	1459 CLIFFWOOD DR	48612038	405.36	482.67	133.00	615.67
40	1239353	X00019802	1375 ORLANDO DR	SAN JOSE CA 95122	1375 ORLANDO DR	48612113	408.12	485.80	133.00	618.80
41	1222510	X00016642	1762 STRAWBERRY LN	MILPITAS CA 95035	1528 WILLOWGATE DR	44723138	439.79	552.44	133.00	685.44
42	1220403	X00015592	1612 S KING RD	SAN JOSE CA 95122	1612 S KING RD	48613015	444.66	586.31	133.00	719.31
43	1239358	X00019807	221 VISTA COVE CL	SACRAMENTO CA 95835	3312 BLUE MOUNTAIN DR	64729046	559.40	656.96	133.00	789.96
44	1223499	X00017465	359 N 16TH ST	SAN JOSE CA 95112	359 N 16TH ST	24958008	565.80	703.35	133.00	836.35
45	1224005	X00017751	45711 VINEYARD AV	FREMONT CA	0 HASSLER PKWY	67915019	570.00	708.39	133.00	841.39
46	1223984	X00017727	6475 CEBU CT	SAN JOSE CA 95119	6475 CEBU CT	70408002	622.55	771.30	133.00	904.30
47	1220401	X00015590	1698 S KING RD	SAN JOSE CA 95122	1698 S KING RD	48613005	594.39	775.51	133.00	908.51
48	1218433	X00014271	111 W ST JOHN ST STE 950	SAN JOSE CA 95113	905 ALMADEN AV	26438053	596.04	797.27	133.00	930.27
49	1219694	X00015063	6656 CRESTWOOD DR	CASTRO VALLEY CA 94552	325 E TASMAN DR	09784005	627.10	816.83	133.00	949.83

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50	1239342	X00019791	1812 BISCAYNE WY	SAN JOSE CA 95122	1812 BISCAYNE WY	48615006	778.71	905.12	133.00	1,038.12
51	1223011	X00017078	865 MINNESOTA AV	SAN JOSE CA 95125	865 MINNESOTA AV	42902053	742.08	914.45	133.00	1,047.45
52	1213973	X00012297	2003 ORLANDO DR	SAN JOSE CA 95122	1883 S KING RD	49119079	1,766.10	966.10	133.00	1,099.10
53	1183764	X1905443	932 DELMAS AV	SAN JOSE CA 95125-1628	932 DELMAS AV	26447097	1,033.77	984.42	133.00	1,117.42
54	1238446	X00019232	75 E SANTA CLARA ST #900	SAN JOSE CA 95113	475 W SAN CARLOS ST	25947083	865.14	1,002.91	133.00	1,135.91
55	1237990	X00018884	3512 SPRING ST 675 TAYLOR WY	REDWOOD CITY CA 94063 SAN CARLOS CA 94070	1703 SAN TOMAS AQUINO RD	30719019	1,026.63	1,219.51	133.00	1,352.51
56	1226729	X00018285	6121 ASHBURTON DR	SAN JOSE CA 95123	6121 ASHBURTON DR	68927027	1,079.60	1,281.20	133.00	1,414.20
57	1237599	X00018724	9861 CHOICEANA AV 1060 S 3RD ST APT 307	HESPERIA CA 92345 SAN JOSE CA 95112	2845 GRANITE CREEK PL	48447050	1,149.00	1,324.09	133.00	1,457.09
58	1221153	X00015842	4551 STUDENT LN	SAN JOSE CA 95130	4551 STUDENT LN	30707004	1,344.72	1,578.32	133.00	1,711.32
59	1219273	X00014797	1190 FORREST AV	DOVER DE 19904	436 LEWIS RD	49727002	1,199.11	1,579.15	133.00	1,712.15
60	1224409	X00018118	1172 LYNBROOK WY	SAN JOSE CA 95129	1172 LYNBROOK WY	37814028	1,344.72	1,589.94	133.00	1,722.94
61	1239295	X00019765	5294 SOUTHBRIDGE PL	SAN JOSE CA 95118	5294 SOUTHBRIDGE PL	56947069	1,416.54	1,625.39	133.00	1,758.39
62	1237561	X00018684	7474 PEGASUS CT	SAN JOSE CA 95139	7474 PEGASUS CT	70613011	1,640.57	1,880.31	133.00	2,013.31
63	1221867	X00016273	10010 CLAYTON RD	SAN JOSE CA 95127	352 VIEWPARK CL	46241026	1,545.09	1,925.73	133.00	2,058.73
64	1224448	X00018141	1731 FABIAN DR	SAN JOSE CA 95124	1731 FABIAN DR	44242028	1,663.50	1,961.16	133.00	2,094.16
65	1186003	X1906732	7375 ROLLINGDELL DR APT 88	CUPERTINO CA 95014-5832	641 N 11TH ST	24935026	2,868.26	1,967.08	133.00	2,100.08
66	1219156	X00014722	4343 SEVEN HILLS RD	CASTRO VALLEY CA 94546	811 CLARKSTON DR	45925007	1,597.56	2,095.74	133.00	2,228.74
67	1221879	X00016285	169 RED RIVER WY	SAN JOSE CA 95136	169 RED RIVER WY	68524047	2,046.28	2,120.07	133.00	2,253.07
68	1224415	X00018124	1485 GLENPINE DR	SAN JOSE CA 95125	1649 SAN TOMAS AQUINO RD	30719014	1,869.60	2,201.15	133.00	2,334.15
69	1239346	X00019795	1332 CLIFFWOOD DR	SAN JOSE CA 95122	1332 CLIFFWOOD DR	48617078	2,002.06	2,289.33	133.00	2,422.33
70	1239360	X00019809	1512 MT FRAZIER DR	SAN JOSE CA 95127	1512 MT FRAZIER DR	64722009	2,040.90	2,333.29	133.00	2,466.29
71	1218908	X00014532	4959 LYRIC LN	SAN JOSE CA 95111	4959 LYRIC LN	68457007	2,717.18	2,438.63	133.00	2,571.63
72	1222666	X00016748	1782 FUMIA CT	SAN JOSE CA 95131	1425 HILLSDALE AV	45102116	1,889.88	1,948.12	133.00	2,081.12
73	1222194	X00016329	3142 PENDER ISLAND ST	WEST SACRAMENTO CA 95691	1315 GRANDPARK CL	46239037	1,972.20	2,449.63	133.00	2,582.63
74	1223488	X00017454	2116 HILLSTONE DR	SAN JOSE CA 95138	2116 HILLSTONE DR	68030012	2,396.72	2,895.88	133.00	3,028.88
75	1218200	X00014134	4591 VALLEY PKWY SE APT H	SMYRNA GA 30082	54 S 15TH ST	46728168	2,220.60	2,903.51	133.00	3,036.51
76	1237995	X00018889	1902 DANDINI CL	SAN JOSE CA 95128	1902 DANDINI CL	28247032	2,514.23	2,951.82	133.00	3,084.82
77	1224414	X00018123	1043 SWEET AV	SAN JOSE CA 95129	1043 SWEET AV	38116046	2,659.62	3,121.13	133.00	3,254.13
78	1239103	X00019685	232 WASHINGTON ST	SAN JOSE CA 95112	232 WASHINGTON ST	24948024	2,746.12	3,131.24	133.00	3,264.24
79	1222661	X00016743	14280 PAUL AV # 5	SARATOGA CA 95070	1341 VIA DE LOS REYES	57531027	2,755.24	3,143.28	133.00	3,276.28
80	1220402	X00015591	3640 CROPLEY AV	SAN JOSE CA 95132	1536 S KING RD	48612132	2,508.90	3,194.51	133.00	3,327.51
81	1222414	X00016494	PO BOX 661270	ARCADIA CA 91066	1530 HAMILTON AV	42946068	2,916.71	3,514.16	133.00	3,647.16
82	1239769	X00019396	883 MCCREERY AV	SAN JOSE CA 95116	1719 CHAUCER DR	48141035	3,118.81	3,552.93	133.00	3,685.93
83	1218473	X00014282	335 SPRECKELS DRIVE STE G	APTOS CA 95003	700 NICHOLSON LN	09751002	2,850.50	3,720.20	133.00	3,853.20
84	1222659	X00016741	P.O. BOX 7300	SACRAMENTO CA 95899	0 FOXWORTHY AV	44249021	3,268.74	3,724.31	133.00	3,857.31
85	1239348	X00019797	1482 PALMWOOD DR	SAN JOSE CA 95122	1482 PALMWOOD DR	48616031	3,389.43	3,859.14	133.00	3,992.14
86	1218201	X00014135	1478 FREELAND DR	MILPITAS CA 95035	1011 E EMPIRE ST	24923003	3,014.30	3,932.54	133.00	4,065.54
87	1239768	X00019395	21515 HAWTHORNE BLVD STE 390	TORRANCE CA 90503	200 S MARKET ST	25942082	3,746.11	4,262.73	133.00	4,395.73
88	1237613	X00018725	10161 ENDFIELD WY	SAN JOSE CA 95127	10161 ENDFIELD WY	48432089	3,787.95	4,310.07	133.00	4,443.07
89	1224583	X00018181	1752 RIVER BIRCH DR	SAN JOSE CA 95131	1752 RIVER BIRCH DR	24121066	3,714.62	4,349.67	133.00	4,482.67
90	1223395	X00016474	1005 RAMONA AV	SAN JOSE CA 95125	1005 RAMONA AV	26453021	3,650.71	4,392.02	133.00	4,525.02
91	1238001	X00018895	693 COAKLEY DR	SAN JOSE CA 95117	693 COAKLEY DR	29940010	3,807.12	4,457.41	133.00	4,590.41
92	1222853	X00016903	1493 PIEDMONT RD	SAN JOSE CA 95132	1493 PIEDMONT RD	58706002	3,891.25	4,685.57	133.00	4,818.57
93	1218193	X00014127	2704 LONGFORD DR	SAN JOSE CA 95132	2704 LONGFORD DR	58913001	3,690.00	4,808.58	133.00	4,941.58
94	1223056	X00017132	1195 BRITTON AV	SAN JOSE CA 95125	1195 BRITTON AV	42908011	4,380.60	5,271.58	133.00	5,404.58
95	1222863	X00016913	1265 FRANK AV 1725 MERCED ST	DOS PALOS CA 93620 DOS PALOS CA 93620	1407 ALMANOR CT	58719030	4,414.24	5,311.86	133.00	5,444.86
96	1223000	X00017051	830 WILLIS AV	SAN JOSE CA 95125	830 WILLIS AV	26441036	4,649.52	5,593.60	133.00	5,726.60



City of San José - Finance Department  
Report from the Director of Finance - Sidewalk Repair Costs as of April 16, 2024  
Council Meeting: May 14, 2024

Attachment

Count	Invoice	Citation	Mailing Address	City, State, ZipCode	Violation Address	APN	Original Balance	Current Balance	Lien Fee	Total Balance
97	1224379	X00018096	5006 MONTREAL DR 13240 VIA BLANC CT	SAN JOSE CA 95130 SARATOGA CA 95070	5006 MONTREAL DR	40335045	5,403.36	6,316.22	133.00	6,449.22
98	1218913	X00014537	350 BRENTWOOD AV	SAN FRANCISCO CA 94127	1744 JUNCTION AV	23708084	4,899.21	6,376.33	133.00	6,509.33
99	1224581	X00018179	1952 BRANTLEY DR	SAN JOSE CA 95131	1952 BRANTLEY DR	24531031	6,570.99	7,892.78	133.00	8,025.78
100	1239361	X00019810	433 MARSH ST	SN LUIS OBISP CA 93401	2726 KOLLMAR DR	48801047	7,159.38	8,124.84	133.00	8,257.84
101	1223057	X00017133	1306 MINNESOTA AV	SAN JOSE CA 95125	1306 MINNESOTA AV	42938062	7,198.32	8,645.81	133.00	8,778.81
102	1237542	X00018664	1524 S KING RD	SAN JOSE CA 95122	1524 S KING RD	48612133	8,364.24	9,352.36	133.00	9,485.36
103	1239302	X00019772	3101 ALLENWOOD DR	SAN JOSE CA 95148	3162 DURANT AV	49712032	8,613.30	9,761.26	133.00	9,894.26
104	1239771	X00019398	600 CITADEL DR	COMMERCE CA 90040	2152 MONTEREY RD	47723035	16,928.29	19,178.36	133.00	19,311.36
<b>104 ACCOUNTS \$</b>							<b>194,349.06</b>	<b>\$ 221,629.71</b>	<b>\$ 13,832.00</b>	<b>\$ 235,461.71</b>

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 2024-2025 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 February 6, 2024, the City Council of the City of San José (“City Council”) adopted Resolution No. RES2024-18 setting a public hearing for approval of the Report of the Director of Finance on the Cost of Sidewalk Repairs (“Report”) for May 14, 2024 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 May 14, 2024 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.

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ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

## ATTACHMENT A

**City of San José - Finance Department**  
**Report from the Director of Finance – Sidewalk Repair Costs as of April 16, 2024**  
**Council Meeting: May 14, 2024**

Count	Invoice	Citation	Mailing Address	City, State, ZipCode	Violation Address	APN	Original Balance	Current Balance	Lien Fee	Total Balance
1	1224366	X00018082	1135 DWYER AV 1135 DWYER AV	SAN JOSE CA 95120 SAN JOSE CA 95120	1135 DWYER AV	57721026	72.23	108.11	133.00	241.11
2	1218772	X00014449	709 N 16TH ST	SAN JOSE CA 95112	709 N 16TH ST	24915014	70.71	116.21	133.00	249.21
3	1223558	X00017544	1956 TAMPA WY 1956 TAMPA WY	SAN JOSE CA 95122 SAN JOSE CA 95122	1956 TAMPA WY	49119096	100.00	119.80	133.00	252.80
4	1222505	X00016637	PO BOX 7233 PO BOX 7233	REDWOOD CITY CA 94063 REDWOOD CITY CA 94063	4747 CAPAY DR	56940053	79.97	121.57	133.00	254.57
5	1223501	X00017467	431 AVENIDA PALMAS	SAN JOSE CA 95123	431 AVENIDA PALMAS	46412044	79.97	121.61	133.00	254.61
6	1239303	X00019773	5337 SOUTHBRIDGE PL 5337 SOUTHBRIDGE PL	SAN JOSE CA 95118 SAN JOSE CA 95118	5337 SOUTHBRIDGE PL	56948052	100.00	137.05	133.00	270.05
7	1227184	X00018509	394 N 33RD ST 394 N 33RD ST	SAN JOSE CA 95133 SAN JOSE CA 95133	394 N 33RD ST	25411027	100.00	137.15	133.00	270.15
8	1227288	X00018591	6435 GONDOLA WY 6435 GONDOLA WY	SAN JOSE CA 95120 SAN JOSE CA 95120	6435 GONDOLA WY	57738037	100.00	137.15	133.00	270.15
9	1238834	X00019496	4988 ESTHER DR 4988 ESTHER DR	SAN JOSE CA 95124 SAN JOSE CA 95124	4988 ESTHER DR	42118043	100.00	137.15	133.00	270.15
10	1238910	X00019593	2026 SARASOTA WY 2026 SARASOTA WY	SAN JOSE CA 95122 SAN JOSE CA 95122	2026 SARASOTA WY	49122018	100.00	137.15	133.00	270.15
11	1239396	X00019839	945 N 7TH ST 127 MILAGRO	SAN JOSE CA 95112 BOERNE TX 78006	458 N 7TH ST	24949010	100.00	137.15	133.00	270.15
12	1224305	X00018021	357 ALLEGAN CL 357 ALLEGAN CL	SAN JOSE CA 95123 SAN JOSE CA 95123	357 ALLEGAN CL	68939013	100.00	140.45	133.00	273.45
13	1224326	X00018042	1446 KARL ST	SAN JOSE CA 95122-1640	1498 KARL ST	48622019	100.00	140.45	133.00	273.45
14	1227197	X00018522	3159 CREEKSIDE DR	SAN JOSE CA 95132	218 BANGOR AV	69211128	100.00	140.45	133.00	273.45
15	1237978	X00018875	3200 HILARY DR 3200 HILARY DR	SAN JOSE CA 95124 SAN JOSE CA 95124	4787 CLYDELLE AV	42126109	100.00	140.45	133.00	273.45
16	1221495	X00016081	10025 ORANGE AV 10025 ORANGE AV	CUPERTINO CA 95014 CUPERTINO CA 95014	5114 MCCOY AV	40337010	100.00	141.95	133.00	274.95
17	1222902	X00016929	523 SIOUX LN 523 SIOUX LN	SAN JOSE CA 95123 SAN JOSE CA 95123	523 SIOUX LN	68727031	100.00	145.56	133.00	278.56
18	1223027	X00017094	1177 BRANHAM LN UNIT 195	SAN JOSE CA 95118	3061 CANOAS CREEK CT	45556083	100.00	145.56	133.00	278.56
19	1223149	X00017166	316 HERITAGE VIEW TER	SAN JOSE CA 95125	935 ELM ST	23042034	100.00	145.56	133.00	278.56
20	1223263	X00017336	4060 SHIELDS RD 4060 SHIELDS RD	CANFIELD OH 44406 CANFIELD OH 44406	2623 MERIDIAN AV	44227025	100.00	145.56	133.00	278.56
21	1223419	X00017419	346 CONESTOGA WY	SAN JOSE CA 95123	346 CONESTOGA WY	68925051	100.00	145.56	133.00	278.56
22	1223476	X00017442	3998 BISMARCK DR	SAN JOSE CA 95130	3996 BISMARCK DR	30726009	100.00	145.56	133.00	278.56
23	1222811	X00016839	1192 S 12TH ST	SAN JOSE CA 95112	1192 S 12TH ST	47704019	100.00	148.90	133.00	281.90

ATT. A-1

T-331.002 / 2112023  
Council Agenda: 05-14-2024  
Item No.: 3.6(b)

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

ATTACHMENT A

Count	Invoice Citation	Mailing Address	City, State, ZipCode	Violation Address	APN	Original Balance	Current Balance	Lien Fee	Total Balance
24	1219918 X00015152	2918 BEWCASTLE CT 2918 BEWCASTLE CT	SAN JOSE CA 95132 SAN JOSE CA 95132	2918 BEWCASTLE CT	58905028	100.00	150.85	133.00	283.85
25	1219982 X00015162	1940 MESSINA DR	SAN JOSE CA 95132	1940 MESSINA DR	58605002	100.00	150.85	133.00	283.85
26	1219175 X00014723	1716 ROBERTA DR 1716 ROBERTA DR	SAN MATEO CA 94403 SAN MATEO CA 94403	325 N 18TH ST	24960011	100.00	154.15	133.00	287.15
27	1221562 X00016155	1485 GLENPINE DR	SAN JOSE CA 95125	1637 SAN TOMAS AQUINO RD30719013		121.42	173.91	133.00	306.9
28	1221698 X00016196	7102 GOLDEN GATE DR	SAN JOSE CA 95129	7102 GOLDEN GATE DR	37207025	121.42	173.91	133.00	306.91
29	1224000 X00017745	885 CURTNER	SAN JOSE CA 95125	885 CURTNER AV	43917079	128.16	179.28	133.00	312.28
30	1224367 X00018083	962 WOODTHRUSH CT 962 WOODTHRUSH CT	SAN JOSE CA 95120 SAN JOSE CA 95120	962 WOODTHRUSH CT	70143042	176.69	179.75	133.00	312.75
31	1224397 X00018114	18725 METLER CT 18725 METLER CT	SARATOGA CA 95070 SARATOGA CA 95070	6117 LEAN AV	68926081	179.97	233.58	133.00	366.58
32	1226767 X00018298	3694 MERIDIAN AV	SAN JOSE CA 95124	3694 MERIDIAN AV	44725058	199.91	256.81	133.00	389.81
33	1218845 X00014512	1762 STRAWBERRY LN 1762 STRAWBERRY LN	MILPITAS CA 95035 MILPITAS CA 95035	1528 WILLOWGATE DR	44723138	198.68	282.10	133.00	415.10
34	1219906 X00015140	P O BOX 9456	MINNEAPOLIS MN 55440	1805 HILLSDALE AV	41905028	218.46	300.52	133.00	433.52
35	1238265 X00019121	157 WILLOW ST	SAN JOSE CA 95110	157 WILLOW ST	26437090	269.94	338.35	133.00	471.35
36	1223977 X00017702	6327 COTTLE RD	SAN JOSE CA 95123	6327 COTTLE RD	68951010	510.35	379.45	133.00	512.45
37	1239359 X00019808	433 MARSH ST	SAN LUIS OBISP CA 93401	2738 KOLLMAR DR	48801010	4,665.95	404.28	133.00	537.28
38	1237839 X00018755	1856 ENESCO AV	SAN JOSE CA 95122	1856 ENESCO AV	67020061	393.69	482.44	133.00	615.44
39	1239344 X00019793	1459 CLIFFWOOD DR	SAN JOSE CA 95122	1459 CLIFFWOOD DR	48612038	405.36	482.67	133.00	615.67
40	1239353 X00019802	1375 ORLANDO DR	SAN JOSE CA 95122	1375 ORLANDO DR	48612113	408.12	485.80	133.00	618.80
41	1222510 X00016642	1762 STRAWBERRY LN 1762 STRAWBERRY LN	MILPITAS CA 95035 MILPITAS CA 95035	1528 WILLOWGATE DR	44723138	439.79	552.44	133.00	685.44
42	1220403 X00015592	1612 S KING RD 1612 S KING RD	SAN JOSE CA 95122 SAN JOSE CA 95122	1612 S KING RD	48613015	444.66	586.31	133.00	719.31
43	1239358 X00019807	221 VISTA COVE CL 3312 BLUE MOUNTAIN DR	SACRAMENTO CA 95835 SAN JOSE CA 95127	3312 BLUE MOUNTAIN DR	64729046	559.40	656.96	133.00	789.96
44	1223499 X00017465	359 N 16TH ST	SAN JOSE CA 95112	359 N 16TH ST	24958008	565.80	703.35	133.00	836.35
45	1224005 X00017751	45711 VINEYARD AV	FREMONT CA	0 HASSLER PKWY	67915019	570.00	708.39	133.00	841.39
46	1223984 X00017727	6475 CEBU CT 6475 CEBU CT	SAN JOSE CA 95119 SAN JOSE CA 95119	6475 CEBU CT	70408002	622.55	771.30	133.00	904.30
47	1220401 X00015590	1698 S KING RD 1698 S KING RD	SAN JOSE CA 95122 SAN JOSE CA 95122	1698 S KING RD	48613005	594.39	775.51	133.00	908.51
48	1218433 X00014271	111 W ST JOHN ST STE 950	SAN JOSE CA 95113	905 ALMADEN AV	26438053	596.04	797.27	133.00	930.27
49	1219694 X00015063	6656 CRESTWOOD DR	CASTRO VALLEY CA 94552	325 E TASMAN DR	09784005	627.10	816.83	133.00	949.83
50	1239342 X00019791	1812 BISCAYNE WY	SAN JOSE CA 95122	1812 BISCAYNE WY	48615006	778.71	905.12	133.00	1,038.12
51	1223011 X00017078	865 MINNESOTA AV	SAN JOSE CA 95125	865 MINNESOTA AV	42902053	742.08	914.45	133.00	1,047.45
52	1213973 X00012297	2003 ORLANDO DR	SAN JOSE CA 95122	1883 S KING RD	49119079	1,766.10	966.10	133.00	1,099.10
53	1183764 X1905443	932 DELMAS AV	SAN JOSE CA 95125-1628	932 DELMAS AV	26447097	1,033.77	984.42	133.00	1,117.42
54	1238446 X00019232	75 E SANTA CLARA ST #900	SAN JOSE CA 95113	475 W SAN CARLOS ST	25947083	865.14	1,002.91	133.00	1,135.91
55	1237990 X00018884	3512 SPRING ST  675 TAYLOR WY	REDWOOD CITY CA 94063 1,352.51 SAN CARLOS CA 94070	1703 SAN TOMAS AQUINO RD30719019		1,026.63	1,219.51	133.00	
56	1226729 X00018285	6121 ASHBURTON DR	SAN JOSE CA 95123	6121 ASHBURTON DR	68927027	1,079.60	1,281.20	133.00	1,414.20
57	1237599 X00018724	9861 CHOICEANA AV 1060 S 3RD ST APT 307	HESPERIA CA 92345 SAN JOSE CA 95112	2845 GRANITE CREEK PL	48447050	1,149.00	1,324.09	133.00	1,457.09

ATT. A-2

T-331.002 / 2112023

Council Agenda: 05-14-2024

Item No.: 3.6(b)

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58	1221153 X00015842	4551 STUDENT LN	SAN JOSE CA 95130	4551 STUDENT LN	30707004	1,344.72	1,578.32	133.00	1,711.32
59	1219273 X00014797	1190 FORREST AV	DOVER DE 19904	436 LEWIS RD	49727002	1,199.11	1,579.15	133.00	1,712.15
60	1224409 X00018118	1172 LYNBROOK WY 1172 LYNBROOK WY	SAN JOSE CA 95129 SAN JOSE CA 95129	1172 LYNBROOK WY	37814028	1,344.72	1,589.94	133.00	1,722.94
61	1239295 X00019765	5294 SOUTHBRIDGE PL	SAN JOSE CA 95118	5294 SOUTHBRIDGE PL	56947069	1,416.54	1,625.39	133.00	1,758.39
62	1237561 X00018684	7474 PEGASUS CT 7474 PEGASUS CT	SAN JOSE CA 95139 SAN JOSE CA 95139	7474 PEGASUS CT	70613011	1,640.57	1,880.31	133.00	2,013.31
63	1221867 X00016273	10010 CLAYTON RD	SAN JOSE CA 95127	352 VIEWPARK CL	46241026	1,545.09	1,925.73	133.00	2,058.73
64	1224448 X00018141	1731 FABIAN DR	SAN JOSE CA 95124	1731 FABIAN DR	44242028	1,663.50	1,961.16	133.00	2,094.16
65	1186003 X1906732	7375 ROLLINGDELL DR APT 88 7375 ROLLINGDELL DR APT 88	CUPERTINO CA 95014-5832 CUPERTINO CA 95014-5832	641 N 11TH ST	24935026	2,868.26	1,967.08	133.00	2,100.08
66	1219156 X00014722	4343 SEVEN HILLS RD	CASTRO VALLEY CA 94546	811 CLARKSTON DR	45925007	1,597.56	2,095.74	133.00	2,228.74
67	1221879 X00016285	169 RED RIVER WY 169 RED RIVER WY	SAN JOSE CA 95136 SAN JOSE CA 95136	169 RED RIVER WY	68524047	2,046.28	2,120.07	133.00	2,253.07
68	1224415 X00018124	1485 GLENPINE DR	SAN JOSE CA 95125 2,334.15	1649 SAN TOMAS AQUINO RD	30719014	1,869.60	2,201.15	133.00	
69	1239346 X00019795	1332 CLIFFWOOD DR 1332 CLIFFWOOD DR	SAN JOSE CA 95122 SAN JOSE CA 95122	1332 CLIFFWOOD DR	48617078	2,002.06	2,289.33	133.00	2,422.33
70	1239360 X00019809	1512 MT FRAZIER DR 1512 MT FRAZIER DR	SAN JOSE CA 95127 SAN JOSE CA 95127	1512 MT FRAZIER DR	64722009	2,040.90	2,333.29	133.00	2,466.29
71	1218908 X00014532	4959 LYRIC LN 4959 LYRIC LN	SAN JOSE CA 95111 SAN JOSE CA 95111	4959 LYRIC LN	68457007	2,717.18	2,438.63	133.00	2,571.63
72	1222666 X00016748	1782 FUMIA CT 1782 FUMIA CT	SAN JOSE CA 95131 SAN JOSE CA 95131	1425 HILLSDALE AV	45102116	1,889.88	1,948.12	133.00	2,081.12
73	1222194 X00016329	3142 PENDER ISLAND ST	WEST SACRAMENTO CA 95691	1315 GRANDPARK CL	46239037	1,972.20	2,449.63	133.00	2,582.63
74	1223488 X00017454	2116 HILLSTONE DR 2116 HILLSTONE DR	SAN JOSE CA 95138 SAN JOSE CA 95138	2116 HILLSTONE DR	68030012	2,396.72	2,895.88	133.00	3,028.88
75	1218200 X00014134	4591 VALLEY PKWY SE APT H 4591 VALLEY PKWY SE APT H	SMYRNA GA 30082 SMYRNA GA 30082	54 S 15TH ST	46728168	2,220.60	2,903.51	133.00	3,036.51
76	1237995 X00018889	1902 DANDINI CL 1902 DANDINI CL	SAN JOSE CA 95128 SAN JOSE CA 95128	1902 DANDINI CL	28247032	2,514.23	2,951.82	133.00	3,084.82
77	1224414 X00018123	1043 SWEET AV 1043 SWEET AV	SAN JOSE CA 95129 SAN JOSE CA 95129	1043 SWEET AV	38116046	2,659.62	3,121.13	133.00	3,254.13
78	1239103 X00019685	232 WASHINGTON ST	SAN JOSE CA 95112	232 WASHINGTON ST	24948024	2,746.12	3,131.24	133.00	3,264.24
79	1222661 X00016743	14280 PAUL AV # 5 14280 PAUL AV # 5	SARATOGA CA 95070 SARATOGA CA 95070	1341 VIA DE LOS REYES	57531027	2,755.24	3,143.28	133.00	3,276.28
80	1220402 X00015591	3640 CROPLEY AV	SAN JOSE CA 95132	1536 S KING RD	48612132	2,508.90	3,194.51	133.00	3,327.51
81	1222414 X00016494	PO BOX 661270	ARCADIA CA 91066	1530 HAMILTON AV	42946068	2,916.71	3,514.16	133.00	3,647.16
82	1239769 X00019396	883 MCCREERY AV	SAN JOSE CA 95116	1719 CHAUCER DR	48141035	3,118.81	3,552.93	133.00	3,685.93
83	1218473 X00014282	335 SPRECKELS DRIVE STE G	APTOS CA 95003	700 NICHOLSON LN	09751002	2,850.50	3,720.20	133.00	3,853.20
84	1222659 X00016741	P.O. BOX 7300	SACRAMENTO CA 95899	0 FOXWORTHY AV	44249021	3,268.74	3,724.31	133.00	3,857.31
85	1239348 X00019797	1482 PALMWOOD DR 1482 PALMWOOD DR	SAN JOSE CA 95122 SAN JOSE CA 95122	1482 PALMWOOD DR	48616031	3,389.43	3,859.14	133.00	3,992.14
86	1218201 X00014135	1478 FREELAND DR 1478 FREELAND DR 1478 FREELAND DR	MILPITAS CA 95035 MILPITAS CA 95035 MILPITAS CA 95035	1011 E EMPIRE ST	24923003	3,014.30	3,932.54	133.00	4,065.54
87	1239768 X00019395	21515 HAWTHORNE BLVD STE 390	TORRANCE CA 90503	200 S MARKET ST	25942082	3,746.11	4,262.73	133.00	4,395.73

ATT. A-3

T-331.002 / 2112023

Council Agenda: 05-14-2024

Item No.: 3.6(b)

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



ATTACHMENT A

Count	Invoice Citation	Mailing Address	City, State, ZipCode	Violation Address	APN	Original Balance	Current Balance	Lien Fee	Total Balance
88	1237613 X00018725	10161 ENDFIELD WY	SAN JOSE CA 95127	10161 ENDFIELD WY	48432089	3,787.95	4,310.07	133.00	4,443.07
89	1224583 X00018181	1752 RIVER BIRCH DR	SAN JOSE CA 95131	1752 RIVER BIRCH DR	24121066	3,714.62	4,349.67	133.00	4,482.67
90	1222395 X00016474	1005 RAMONA AV	SAN JOSE CA 95125	1005 RAMONA AV	26453021	3,650.71	4,392.02	133.00	4,525.02
91	1238001 X00018895	693 COAKLEY DR	SAN JOSE CA 95117	693 COAKLEY DR	29940010	3,807.12	4,457.41	133.00	4,590.41
92	1222853 X00016903	1493 PIEDMONT RD	SAN JOSE CA 95132	1493 PIEDMONT RD	58706002	3,891.25	4,685.57	133.00	4,818.57
93	1218193 X00014127	2704 LONGFORD DR 2704 LONGFORD DR	SAN JOSE CA 95132 SAN JOSE CA 95132	2704 LONGFORD DR	58913001	3,690.00	4,808.58	133.00	4,941.58
94	1223056 X00017132	1195 BRITTON AV 1195 BRITTON AV	SAN JOSE CA 95125 SAN JOSE CA 95125	1195 BRITTON AV	42908011	4,380.60	5,271.58	133.00	5,404.58
95	1222863 X00016913	1265 FRANK AV 1725 MERCED ST 1725 MERCED ST	DOS PALOS CA 93620 DOS PALOS CA 93620 DOS PALOS CA 93620	1407 ALMANOR CT	58719030	4,414.24	5,311.86	133.00	5,444.86
96	1223000 X00017051	830 WILLIS AV	SAN JOSE CA 95125	830 WILLIS AV	26441036	4,649.52	5,593.60	133.00	5,726.60
97	1224379 X00018096	5006 MONTREAL DR 13240 VIA BLANC CT 13240 VIA BLANC CT	SAN JOSE CA 95130 SARATOGA CA 95070 SARATOGA CA 95070	5006 MONTREAL DR	40335045	5,403.36	6,316.22	133.00	6,449.22
98	1218913 X00014537	350 BRENTWOOD AV	SAN FRANCISCO CA 94127	1744 JUNCTION AV	23708084	4,899.21	6,376.33	133.00	6,509.33
99	1224581 X00018179	1952 BRANTLEY DR	SAN JOSE CA 95131	1952 BRANTLEY DR	24531031	6,570.99	7,892.78	133.00	8,025.78
100	1239361 X00019810	433 MARSH ST	SN LUIS OBISP CA 93401	2726 KOLLMAR DR	48801047	7,159.38	8,124.84	133.00	8,257.84
101	1223057 X00017133	1306 MINNESOTA AV	SAN JOSE CA 95125	1306 MINNESOTA AV	42938062	7,198.32	8,645.81	133.00	8,778.81
102	1237542 X00018664	1524 S KING RD	SAN JOSE CA 95122	1524 S KING RD	48612133	8,364.24	9,352.36	133.00	9,485.36
103	1239302 X00019772	3101 ALLENWOOD DR 3101 ALLENWOOD DR 3101 ALLENWOOD DR	SAN JOSE CA 95148 SAN JOSE CA 95148 SAN JOSE CA 95148	3162 DURANT AV	49712032	8,613.30	9,761.26	133.00	9,894.26
104	1239771 X00019398	600 CITADEL DR	COMMERCE CA 90040	2152 MONTEREY RD	47723035	16,928.29	19,178.36	133.00	19,311.36
<b>104 ACCOUNTS</b>						<b>\$194,349.06</b>	<b>\$221,629.71</b>	<b>\$13,832.00</b>	<b>\$235,461.71</b>

ATT. A-4

# **PUBLIC HEARING ON RECORDING LIENS ON PROPERTIES FOR REIMBURSEMENT OF THE COSTS OF SIDEWALK REPAIRS**

## **Presenters:**

Rick Bruneau, Director of Finance

John Ristow, Director of Transportation

John Kachmanian, Deputy Director of Finance – Revenue Management



# SIDEWALK REPAIR CRITERIA

- Repair areas may include sidewalk, driveway approach, curb & gutter, and/or parkstrip located adjacent to property.
- Repair criteria includes:
  - Vertical separation of more than one-half ( $1/2$ ) inch.
  - Ramping: rise or depression of more than one (1) inch within eight (8) inches, in conjunction with a vertical separation.
  - Hole or opening in a break or construction joint of one (1) inch or more.
  - Breaking away, spalling, or chipping of concrete with a depth of more than one-half ( $1/2$ ) inch.



# INITIAL SIDEWALK REPAIR NOTICE

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- Sidewalk repairs may include curb, gutter, driveway approach, and/or parkstrip area
- State law ([Streets and Highways Code, Chapter 22 of Division 7, Part 3](#)) and San José Municipal Code ([Section 14.16.2200](#)) place responsibility of sidewalk repairs with the adjacent property owner
- Department of Transportation generates a repair notice after inspection determines repairs are needed
- Inspections conducted as the result of community requests and City staff field observations



# SIDEWALK REPAIR ACTIVITY

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- Vast majority of sidewalk repairs are completed and resolved successfully
- Proposed liens are for property owners who have not reimbursed the City for the expenses associated with City contractor repairs
- FY 2023-2024 Sidewalk Repair Activity (through April 17, 2024)
  - 2,731 sidewalk repairs completed
    - \* 80% of repairs completed by property owner
    - \* 20% of repairs completed by City contractor
  - 2,174 property owners completed sidewalk repairs using their own contractor
    - \* ~\$134K in Sidewalk Repair Inspection Fees
  - 557 properties were serviced by City Contractors
    - \* ~\$61.5K in Sidewalk Repair Inspection Fees
    - \* ~\$1.6M advanced from the General Fund to repair sidewalks



# FINANCIAL HARDSHIP PROGRAM

- FY 2023-2024 Financial Hardship Budget (through April 17, 2024)
  - Transportation received 158 requests for financial hardship and approved 74 properties (~\$282K)
  - In FY 2022-2023, Transportation approved 91 properties for financial hardship (~\$369K)
- Eligibility is based on income guidelines set forth by the U.S. Department of Housing and Urban Development, in accordance with Area Median Income (AMI):

Qualifying Income Limits for Financial Hardship		
Number of Dependents	Below 50% AMI	Below 80% AMI
1	\$62,450	\$96,000
2	\$71,400	\$109,700
3	\$80,300	\$123,400
4	\$89,200	\$137,100
5	\$96,350	\$148,100
6	\$103,500	\$159,050
7	\$110,650	\$170,050
8	\$117,750	\$181,000
Hardship Support	100%	50%



# REPAIRS PROCESS OVERVIEW AND TIMELINE

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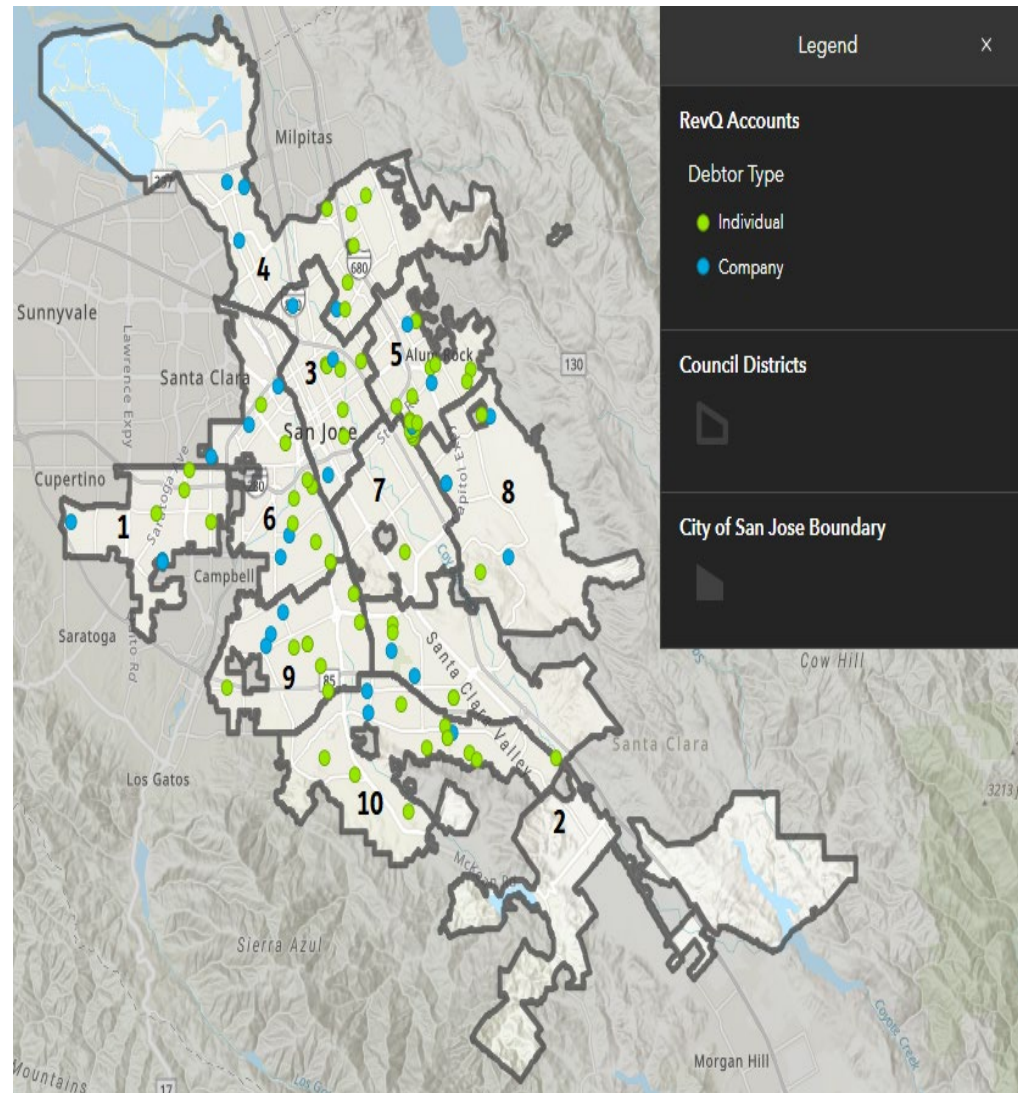
- Phase 1: Sidewalk Repairs & Noticing
  - 3 Repair Notices, including a brochure (with financial hardship information) and property door hanger, are sent to property owner over a 3-month period
  - If the property owner has not completed the repair work, the City contracts to complete the repair(s)
- Phase 2: Invoicing, Payment & Delinquency Process
  - After the repair work is completed, Department of Transportation issues an invoice with an amount due and payment due date
  - If payment is not made by the due date OR the property owner has NOT entered into an agreed-upon payment plan, Finance sends 30-day, 60-day, and final notices
- Phase 3: Lien Process
  - ✓ City Council approves a memorandum to set a public hearing for the cost of sidewalk repairs
  - ✓ Transportation sends two notices of intent to lien to delinquent property owners
  - ✓ Transportation hosts administrative conference(s) for property owners to discuss their bill(s)
  - ❑ City Council holds a public hearing to record liens on properties for the reimbursement of repairs
  - ❑ Special Assessment is placed on the Santa Clara County Secured Property Tax Bill





# DELINQUENT SIDEWALK INVOICES PENDING LIEN

- 104 Delinquent Sidewalk Repair Invoices
- Sidewalk Repair Fees: ~\$194K
- Delinquency Fees: ~\$27K
- Lien Fees: ~\$14K
- **Total: ~\$235K**
- Average Invoice Balance: ~\$2.3K
- Average Invoice Age: ~455 Days





# RECOMMENDATIONS

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- 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 2024-2025 Santa Clara County Secured Property Tax Bill for the cost of sidewalk repairs.

## Presenters:

Rick Bruneau, Director of Finance

John Ristow, Director of Transportation

John Kachmanian, Deputy Director, Finance – Revenue Management

