

3.4 Maintenance District Budget Reports for Fiscal Year 2024-2025.

Recommendation:

(a) Adopt resolutions:

(1) Approving the Annual Budget Reports for Fiscal Year 2024-2025 for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21, and 22, as filed or modified by the City Council, and confirming and levying the individual assessments for each Maintenance District, as filed or modified by the City Council; and

(2) Directing the Director of Public Works to deliver the assessment roll to the County of Santa Clara for collection with the property taxes.

(b) Approve an uncodified ordinance approving the Annual Budget Reports for Fiscal Year 2024-2025 for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21, and 22, as filed or modified by the City Council, and to confirm and levy the individual assessments for each Maintenance District specified in the resolutions.

CEQA: Categorically Exempt, File No. ER24-086, CEQA Guidelines Section 15301, Existing Facilities. Council Districts 2, 3, 4, 8, and 10. (Public Works)



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Matt Loesch

SUBJECT: SEE BELOW

DATE: May 13, 2024

Approved

Date

5/21/24

COUNCIL DISTRICTS: 2, 3, 4, 8, 10

**SUBJECT: MAINTENANCE DISTRICT BUDGET REPORTS FOR FISCAL YEAR
2024-2025**

RECOMMENDATION

- (a) Adopt a resolution:
 - (1) Approving the Annual Budget Reports for Fiscal Year 2024-2025 for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21, and 22, as filed or modified by the City Council, and confirming and levying the individual assessments for each Maintenance District, as filed or modified by the City Council; and
 - (2) Directing the Director of Public Works to deliver the assessment roll to the County of Santa Clara for collection with the property taxes.
- (b) Approve an uncodified ordinance approving the Annual Budget Reports for Fiscal Year 2024-2025 for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21, and 22, as filed or modified by the City Council, and to confirm and levy the individual assessments for each Maintenance District specified in the resolutions.

SUMMARY AND OUTCOME

The San José Municipal Code requires City Council approval of a budget report for each of the City's 13 maintenance districts. These districts are authorized to assess the property owners for services that provide "special benefit", and if any "general benefit" is determined, the City must contribute to the district from "generally available funds" to cover that benefit. By consensus of the property owners assessed in these districts, the annual adjustment formulas are not to exceed the average annual change in the Consumer Price Index. The budget tables in each report are the same as proposed in the 2024-2025 Operating Budget. Approval of the recommendation provides

the continued maintenance of enhanced public improvements funded through the levy of special assessments.

BACKGROUND

Maintenance districts deliver services that exceed the City's baseline standards for landscaping. The baseline landscaping standard is supported as a General Fund expense whereas an enhanced standard justifies the additional assessments maintenance districts require to deliver the higher level of landscaping services. The City has two landscape design standards for public landscaping described as Type 1 and Type 2. Type 1 is a lower maintenance design which, in general, includes trees and either hardscape, rocks or mulch around the trees without shrubs or ground cover. The Type 1 design is used in landscape areas maintained with the General Fund. Type 2 landscape features are a higher-level design standard that generally includes trees, shrubs, and flowers and could contain other decorative features, such as fountains and lakes. Type 2 landscape features are financed through the maintenance district assessments.

For Type 2 landscape features, the City has established various special districts to provide enhanced services that are not covered by the General Fund. Certain special districts (i.e., maintenance districts) require separate approval of the impending fiscal year budget by City Council and must be accomplished prior to the County of Santa Clara's typical August 5 deadline for placing items on the County of Santa Clara's property tax bills. Although there are other districts (e.g., community facilities districts) that maintain Type 2 landscape, this report only covers the City's maintenance assessment districts which maintain many of the Type 2 public improvements that provide special benefits to the parcels served. Since the maintenance of these enhanced facilities directly benefit the individual parcels within the district, rather than the City as a whole, the maintenance costs are assessed to these same parcels.

There are currently 13 maintenance districts in San José. Each includes an annual inflationary adjuster approved by the property owners in compliance with the San José Municipal Code and current legislation.

ANALYSIS

The San José Municipal Code requires annual City Council approval of a budget report for each maintenance district, confirming the assessments in the report, and directing that the assessments be collected with the County of Santa Clara's property taxes. While these reports must be approved separately, the maintenance district budgets are also included in the City's Proposed Operating Budget.

The 13 maintenance districts included in this action are shown in the Maintenance Districts Location Map (**Attachment A**) and described in the Maintenance Districts Summary Table

(Attachment B). Each district’s Annual Budget Report for Fiscal Year 2024-2025 will be on file in the City Clerk’s Office prior to the City Council meeting. Each report will include:

1. The maintenance budget;
2. A description of the maintenance items and services;
3. Any property configuration-related changes;
4. The annually adjusted assessments;
5. The assessment roll, and;
6. The assessment diagram (map).

Annual assessment adjustment formulas approved by the property owners for these districts allow adjustments that do not exceed the annual change in the San Francisco-Oakland-Hayward Consumer Price Index, which for this upcoming fiscal year is 3.67%. None of the City’s maintenance districts will exceed this index. Of the 13 districts, 11 will be assessed the maximum assessment.

Current legislation establishes that assessment districts are only authorized to assess for services that provide “special benefit” to a property within the district. The engineer’s report for each district formed must therefore identify that “special benefit,” and it must also determine any “general benefit” that might exist. If “general benefit” is determined, the City must contribute to the district from “generally available funds” to cover that benefit. Since City standards would require minimally landscaped median islands on some of the streets in Maintenance Districts 2, 8, 9, 11, 15, 19, 20, 21, and 22, a City contribution is required. The median islands in Maintenance Districts 1, 5, 13, and 18 are for decorative purposes only; therefore, no City contribution is required for these districts. In Maintenance District 15, there is an additional City contribution of \$22,118 for the maintenance of stormwater treatment in Zone I. The City previously agreed in 2012 to allocate this contribution from the Storm Sewer Operating Fund.

The below **Table** lists estimated costs for the minimal landscape maintenance that the City would provide if these maintenance districts did not exist. Accordingly, the City will contribute this same amount to each maintenance district as outlined below.

Table – Minimal Landscape Maintenance Costs per Maintenance District

MAINTENANCE DISTRICT	CITY CONTRIBUTION
2	\$2,408
8	\$2,353
9	\$23,480
11	\$6,354
15	\$38,754*
18	\$5,000**
19	\$6,195
20	\$21,461
21	\$8,996
22	\$35,223

- * In Maintenance District 15, special benefit Zone I includes the maintenance of stormwater quality treatment improvements. Of this amount, the City contributes \$22,118 from the Storm Sewer Operating Fund (446) to cover the proportionate share of stormwater treatment associated with the public streets within the zone.
- ** In Maintenance District 18, through the Parks, Recreation, and Neighborhood Services Department maintenance budget, the City will pay the water bill (approximately \$5,000 annually) for joint service to the central area of the district and the City's Metzger Ranch. This will compensate the district for the general benefit landscape maintenance service it provides for the grounds around the Metzger Ranch house and barn, preserved as a City of San José historical site.

Each City Council resolution to approve a district report will also:

1. Confirm that the annual assessment does not exceed the annual change in the Consumer Price Index;
2. Confirm the individual assessments as proposed or as modified by City Council;
3. Direct that any required City contributions be made; and,
4. Direct the Director of Public Works to deliver the assessments to the County of Santa Clara for collection with the property taxes.

EVALUATION AND FOLLOW-UP

No additional follow up action with the City Council is expected at this time.

COST SUMMARY/IMPLICATIONS

This City Council action only relates to the property assessments for Fiscal Year 2024-2025. The assessment revenue is shown in the 2024-2025 Proposed Operating Budget Source of Use of Funds Statements for each district's budget. The budgets are considered by City Council as a part of the City Operating Budget hearings.

1. **AMOUNT OF RECOMMENDATION:** All costs for the maintenance districts will be paid by the property owners within the districts by a direct benefit assessment against each benefiting property with the exception of City general benefit contributions.
2. **COST ELEMENTS FOR FISCAL YEAR 2024-2025:** For all maintenance districts, the total Proposed 2024-2025 budget is:

SOURCE OF FUNDS

Beginning Fund Balances	\$ 2,886,773
Transfers	
General Fund*	
MD 2	2,408
MD 8	2,353
MD 9	23,480
MD 11	6,354
MD 15	16,636
MD 19	6,195
MD 20	21,461
MD 21	8,996
MD 22	35,223
Storm Sewer Operating Fund	
MD 15	22,118
Revenue	
Interest	60,450
Taxes and Special Assessments	3,465,800
TOTAL SOURCE OF FUNDS	\$ 6,558,247

USE OF FUNDS

Expenditures	
Non-Personal/Equipment	\$ 2,053,450
Overhead	305,797
Personal Services	1,021,120
Transfers	
City Hall Debt Service Fund	2,322
Ending Fund Balances	
Reserve for Encumbrances	0
Retiree Healthcare Solutions Reserve	0
Unrestricted	3,175,558
TOTAL USE OF FUNDS	\$ 6,558,247

*Excludes Maintenance Districts 1, 5, 13, and 18 because the medians in those districts are for decorative purposes only.

Assessment revenue is received from the County of Santa Clara in January and May in approximately equal payments. As the initial amount for each fiscal year is received seven months after the start of that fiscal year, ending fund balances must be large enough to cover the complete funding of encumbrances for maintenance contracts plus seven months of all other operating costs. All districts have infrequent but major maintenance needs, such as the

repair or replacement of fountains or structures, so replacement funds are accumulated in the ending fund balance.

3. SOURCE OF FUNDING:
- 352 – Maintenance District No. 1 Fund
 - 354 – Maintenance District No. 2 Fund
 - 357 – Maintenance District No. 5 Fund
 - 361 – Maintenance District No. 8 Fund
 - 362 – Maintenance District No. 9 Fund
 - 364 – Maintenance District No. 11 Fund
 - 366 – Maintenance District No. 13 Fund
 - 368 – Maintenance District No. 15 Fund
 - 372 – Maintenance District No. 18 Fund
 - 359 – Maintenance District No. 19 Fund
 - 365 – Maintenance District No. 20 Fund
 - 356 – Maintenance District No. 21 Fund
 - 367 – Maintenance District No. 22 Fund

4. OPERATING COSTS: The recommendations contained in this memorandum are in compliance with the City Council-approved Budget Strategy. Any enhancements to service levels in these districts will be funded by assessments in these districts.

BUDGET REFERENCE

The Maintenance Assessment District Funds specified above are included in the 2024-2025 Proposed Operating Budget.

COORDINATION

This memorandum and related documents were coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Departments of Environmental Services; Planning, Building, and Code Enforcement; and Transportation.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the June 4, 2024 City Council meeting. The Annual Budget Reports are filed in the City Clerk's Office for public review and will also be made available to the property owners within the districts upon request.

HONORABLE MAYOR AND CITY COUNCIL

May 13, 2024

Subject: Maintenance District Budget Reports for Fiscal Year 2024-2025

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COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Categorically Exempt, File No. ER24-086, CEQA Guidelines Section 15301, Existing Facilities.

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/

MATT LOESCH
Director of Public Works

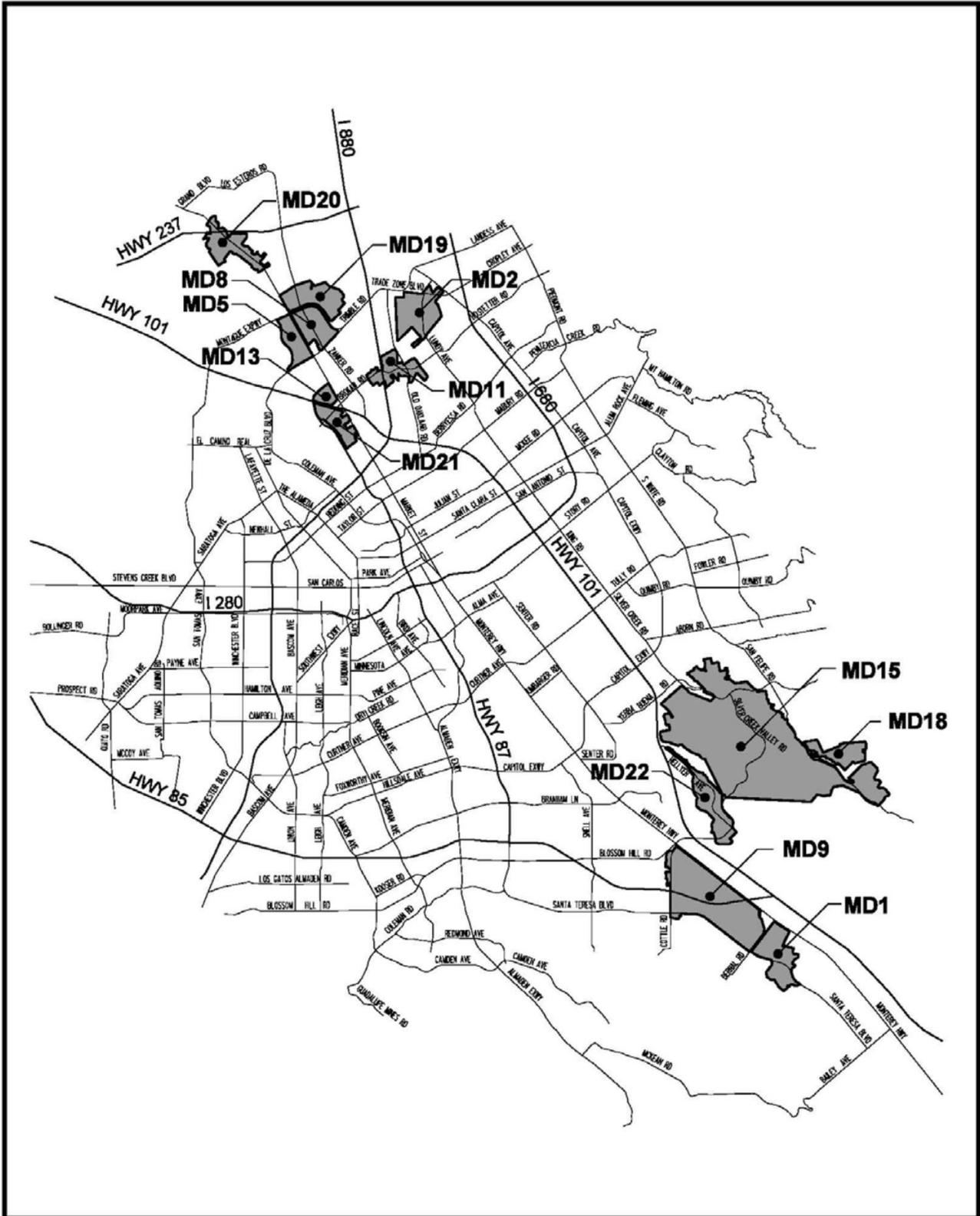
For questions, please contact J. Guevara, Deputy Director of Public Works, at j.guevara@sanjoseca.gov or (408) 535-8300.

ATTACHMENTS:

Attachment A - Maintenance Districts Location Map
Attachment B - Maintenance Districts Summary Table

ATTACHMENT A

Maintenance Districts Location Map





CITY OF SAN JOSE

 CAPITAL OF SILICON VALLEY

PUBLIC WORKS DEPARTMENT

 DEVELOPMENT SERVICES DIVISION

BY: SPECIAL DISTRICTS

VICINITY MAP



NOT TO SCALE

CITY OF SAN JOSE, COUNTY OF SANTA CLARA

 STATE OF CALIFORNIA

MAINTENANCE DISTRICTS

 FISCAL YEAR 2024-2025

ATTACHMENT B

Maintenance Districts Summary Table

DISTRICT NAME & YEAR FORMED	CD*	MAINTENANCE SERVICES	LOCATION / BOUNDARIES	LAND USE	ASSESSMENT		GENERAL BENEFIT CONTRIBUTION
					LEVY	MAX	
MD 1 (Los Paseos) 1979	10	<ul style="list-style-type: none"> • Pedestrian pathway landscape 	North: Monterey Hwy. East: Cheltenham Wy. South: Santa Teresa Blvd. West: Bernal Rd.	Residential / Commercial	\$103,223**	\$103,251**	\$0
MD 2 (Trade Zone – Lundy Ave) 1977	4	<ul style="list-style-type: none"> • Median island landscape • Park strips • Mini parks 	North: Trade Zone Blvd. East: WPRR South: Mc Kay Dr. West: SPRR	Residential / Industrial	\$101,502	\$101,512	\$2,408
MD 5 (Orchard – Plumeria) 1979	4	<ul style="list-style-type: none"> • Median island landscape 	North: Montague Expy. East: N. 1 st St. South: Trimble Rd. West: Guadalupe River	Industrial	\$106,825	\$106,825	\$0
MD 8 (Zanker – Montague) 1980	4	<ul style="list-style-type: none"> • Median island landscape • Park strips 	North: Montague Expy. East: Montague Expy. South: Trimble Rd. West: N. 1 st St.	Industrial	\$131,060	\$131,060	\$2,353
MD 9 (Santa Teresa – Great Oaks) 1981	2 & 10	<ul style="list-style-type: none"> • Median island landscape • Frontage landscape 	North: Monterey Hwy. East: Bernal Rd. South: Santa Teresa Blvd. West: Cottle Rd.	Residential / Industrial / Commercial	\$206,905	\$206,967	\$23,480
MD 11 (Brokaw Rd. – Junction to Old Oakland) 1984	3 & 4	<ul style="list-style-type: none"> • Median island landscape 	North: Fox Ln. East: Ringwood Ave. South: Coyote Creek West: Junction Ave.	Residential / Industrial / Commercial	\$90,310	\$90,313	\$6,354
MD 13 (Karina – O’Nel) 1985	4	<ul style="list-style-type: none"> • Median island landscape 	North: Guadalupe Pkwy. East: N. 1 st St.. South: Brokaw Rd West: Hwy 101	Industrial	\$65,009	\$65,009	\$0

* Council District

** MD 1 receives ad valorem tax estimated at \$310,000 from County tax collections.

ATTACHMENT B

Maintenance Districts Summary Table

DISTRICT NAME & YEAR FORMED	CD*	MAINTENANCE SERVICES	LOCATION / BOUNDARIES	LAND USE	ASSESSMENT		GENERAL BENEFIT CONTRIBUTION
					LEVY	MAX	
MD 15 (Silver Creek Valley) 1992	8	<ul style="list-style-type: none"> • Trail, slope, and conservation area landscape • Median island landscape • Sidewalk and parkstrip landscape • Stormwater quality treatment measures • Enhanced street lighting • Sound walls • Emergency vehicle access areas 	North: Yerba Buena Rd. East: San Felipe Rd. South: Silver Creek Valley Rd. West: Hwy 101/Hellyer Ave.	Residential / Commercial	\$1,794,402	\$2,032,789	\$16,636 \$22,118***
MD 18 (The Meadowlands) 1998	8	<ul style="list-style-type: none"> • Entrance and slope landscape • Pedestrian Path • Street-side of sound walls 	North: The Villages East: Urban service boundary West: San Felipe Rd. South: Richmond Ranch	Residential	\$106,773	\$133,550	\$5,000****
MD 19 (River Oaks Area Landscaping) 2001	4	<ul style="list-style-type: none"> • Median island landscape • Parkstrip landscape • Special paving 	North: River Oaks Pkwy. East: Coyote River South: Montague Expy. West: N. 1st St.	Residential / Commercial	\$200,773	\$200,776	\$6,195

* Council District

*** Storm Sewer Operating Fund Contribution

**** PRNS maintenance budget pays water bill

ATTACHMENT B

Maintenance Districts Summary Table

DISTRICT NAME & YEAR FORMED	CD*	MAINTENANCE SERVICES	LOCATION / BOUNDARIES	LAND USE	ASSESSMENT		GENERAL BENEFIT CONTRIBUTION
					LEVY	MAX	
MD 20 (Renaissance-North First) 2001	4	<ul style="list-style-type: none"> • Median island landscape • Frontage landscape • Sound walls 	North: Nortech Pkwy. East: Rose Orchard Wy. South: Tasman Dr. West: Guadalupe River	Residential / Industrial	\$75,248	\$75,261	\$21,461
MD 21 (Gateway Place Airport Parkway) 2002	3	<ul style="list-style-type: none"> • Median island landscape 	North: Hwy. 101 East: N. 1 st St South: Sonora Ave. West: Guadalupe Pkwy.	Industrial	\$120,689	\$120,694	\$8,996
MD 22 (Hellyer Ave – Silver Creek Valley Road) 2002	2 & 10	<ul style="list-style-type: none"> • Median island landscape 	North: Hwy. 101 East: Hellyer Ave. South: Silver Creek Valley Rd. West: Coyote Creek	Industrial	\$85,700	\$85,700	\$35,223

* Council District

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 1 (LOS PASEOS) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on August 14, 1979, the City Council of San José (“City Council”) adopted Resolution No. 51991 providing for the establishment of the City of San José Maintenance District 1 (Los Paseos); and

WHEREAS, on June 17, 1997, the City Council adopted Resolution No. 67415 providing for the reauthorization of the City of San José Maintenance District 1 (Los Paseos) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the annual average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 1 (Los Paseos) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted

to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 2 (TRADE ZONE BOULEVARD – LUNDY AVENUE) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on July 12, 1977, the City Council of San José (“City Council”) adopted Resolution No. 49041 providing for the establishment of the City of San José Maintenance District 2 (Trade Zone Boulevard – Lundy Avenue); and

WHEREAS, on June 17, 1997, the City Council adopted Resolution No. 67416, providing for the reauthorization of the City of San José Maintenance District 2 (Trade Zone Boulevard – Lundy Avenue) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 2 (Trade Zone Boulevard – Lundy Avenue) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted

NVF:VXC:DJF
05/21/24

to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 5 (ORCHARD PARKWAY - PLUMERIA DRIVE) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on July 17, 1979, the City Council of San José (“City Council”) adopted Resolution No. 51886 providing for the establishment of the City of San José Maintenance District 5A (Orchard Parkway - First Street to Plumeria Drive); and

WHEREAS, on July 17, 1979, the City Council adopted Resolution No. 51887 providing for the establishment of the City of San José Maintenance District 5B (Orchard Parkway and Plumeria Drive); and

WHEREAS, on June 13, 1995, the City Council adopted Resolution No. 65980 providing for the reformation of the City of San José Maintenance Districts 5A and 5B, combined as Maintenance District 5 (Orchard Parkway - Plumeria Drive) in accordance with the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts; and

WHEREAS, on June 20, 2000, the City Council adopted Resolution No. 69686 providing for the reauthorization of the City of San José Maintenance District 5 (Orchard Parkway - Plumeria Drive) pursuant to the provisions of San José Municipal Code Chapter 14.15, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 5 (Orchard Parkway – Plumeria Drive) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.

4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.

5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 8 (ZANKER - MONTAGUE) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on February 5, 1980, the City Council of San José (“City Council”) adopted Resolution No. 52617 providing for the establishment of the City of San José Maintenance District 8 (Zanker - Montague); and

WHEREAS, on June 13, 1995, the City Council adopted Resolution No. 65982 providing for the reformation of City of San José Maintenance District 8 (Zanker – Montague) in accordance with the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts; and

WHEREAS, on June 27, 2000, the City Council adopted Resolution No. 69794 providing for the modification and reauthorization of the City of San José Maintenance District 8 (Zanker - Montague) pursuant to the provisions of San José Municipal Code Chapter 14.15, which was revised to conform to the requirements of California Proposition 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein.

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 8 (Zanker - Montague) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend

City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 9 (SANTA TERESA – GREAT OAKS) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on June 16, 1981, the City Council of San José (“City Council”) adopted Resolution No. 54629 providing for the establishment of the City of San José Maintenance District 9 (Santa Teresa – Great Oaks); and

WHEREAS, on June 11, 1996, the City Council adopted Resolution No. 66686 providing for the reformation of the City of San José Maintenance District 9 (Santa Teresa – Great Oaks) in accordance with the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts; and

WHEREAS, on August 7, 2001, the City Council adopted Resolution No. 70551 providing for the modification and reauthorization of the City of San José Maintenance District 9 (Santa Teresa – Great Oaks) pursuant to the provisions of San José Municipal Code Chapter 14.15, which was revised to conform to the requirements of California Proposition 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget

Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 9 (Santa Teresa – Great Oaks) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the

Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 11 (BROKAW ROAD FROM JUNCTION AVENUE TO OLD OAKLAND ROAD) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on May 8, 1984, the City Council of San José (“City Council”) adopted Resolution No. 57444 providing for the establishment of the City of San José Maintenance District 11 (Brokaw Road from Junction Avenue to Old Oakland Road); and

WHEREAS, on June 11, 1996, the City Council adopted Resolution No. 66688 providing for the reformation of the City of San José Maintenance District 11 (Brokaw Road from Junction Avenue to Old Oakland Road) in accordance with the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts; and

WHEREAS, on August 7, 2001, the City Council adopted Resolution No. 70552 providing for the modification and reauthorization of the City of San José Maintenance District 11 (Brokaw Road from Junction Avenue to Old Oakland Road) pursuant to the provisions of San José Municipal Code Chapter 14.15, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget

Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San Jose (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 11 (Brokaw Road from Junction Avenue to Old Oakland Road) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the

Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 13 (KARINA – O’NEL) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on April 25, 1985, the City Council of San José (“City Council”) adopted Resolution No. 58246 providing for the establishment of the City of San José Maintenance District 13 (Karina - O’Nel); and

WHEREAS, on June 13, 1995, the City Council adopted Resolution No. 65987 providing for the reformation of the City of San José Maintenance District 13 (Karina – O’Nel) in accordance with the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts; and

WHEREAS, on June 20, 2000, the City Council adopted Resolution No. 69687 providing for the modification and reauthorization of the City of San José Maintenance District 13 (Karina - O’Nel) pursuant to the provisions of San José Municipal Code Chapter 14.15, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein.

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 13 (Karina - O’Nel) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend

City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 15 (SILVER CREEK VALLEY) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on August 4, 1992, the City Council of San José (“City Council”) adopted Resolution No. 63973, providing for the establishment of the City of San José Maintenance District 15 (Silver Creek Valley); and

WHEREAS, on June 17, 1997, the City Council adopted Resolution No. 67417, providing for the reauthorization of the City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition 218; and

WHEREAS, on March 28, 2000, the City adopted Resolution No. 69465, providing for the formation of Zone G (Southeast-Central Area) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

WHEREAS, on April 4, 2000, the City adopted Resolution No. 69467, providing for the formation of Zone F (Northerly Nieman Blvd) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15,

referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

WHEREAS, on April 11, 2000, the City adopted Resolution No. 69498, providing for the formation of Zone H (Central Area) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

WHEREAS, on October 30, 2012, the City adopted Resolution No. 76464, providing for the annexation of new territory and formation of Zone I (Cadwallader) into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

WHEREAS, on June 23, 2015, the City adopted Resolution No. 77475, providing for the annexation of new territory into City of San José Maintenance District 15 (Silver Creek Valley) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 15 (Silver Creek Valley) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

NVF:VXC:DJF
05/21/24

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 18 (THE MEADOWLANDS) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on June 23, 1998, the City Council of San José (“City Council”) adopted Resolution No. 68240, a Resolution providing for the establishment of the City of San José Maintenance District 18 (The Meadowlands) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, on October 2, 2007, the City Council adopted Resolution No. 74043, in accordance with the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of California Proposition No. 218, which is a Resolution amending Resolution No. 68240 to increase the current assessment and provide additional maintenance services for certain specified public improvements within the boundaries of City of San José Maintenance District 18 (The Meadowlands), with the assessment increase and additional maintenance services to commence in the 2008-2009 tax year; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget

Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entire administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein.

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 18 (The Meadowlands) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.

5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 19 (RIVER OAKS AREA LANDSCAPING) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on August 7, 2001, the City Council of San José (“City Council”) adopted Resolution No. 70553, providing for the establishment of the City of San José Maintenance District 19 (River Oaks Area Landscaping) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, on October 30, 2012, the City adopted Resolution No. 76466, providing for the annexation of territory into City of San José Maintenance District 19 (River Oaks Area Landscaping) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

WHEREAS, on June 17, 2014, the City adopted Resolution No. 77094, providing for the formation of Zone C (Innovation Drive) into City of San José Maintenance District 19 (River Oaks Area Landscaping) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as Alternative Procedures for Maintenance Districts, as revised to conform to the requirements of Proposition 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein.

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 19 (River Oaks Area Landscaping) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.

4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.

5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 20 (RENAISSANCE – NORTH FIRST LANDSCAPING) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on August 7, 2001, the City Council of San José (“City Council”) adopted Resolution No. 70554, providing for the establishment of the City of San José Maintenance District 20 (Renaissance – North First Landscaping) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in

the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 20 (Renaissance – North First Landscaping) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

NVF:VXC:DJF
05/21/24

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 21 (GATEWAY PLACE - AIRPORT PARKWAY) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on April 30, 2002, the City Council of San José (“City Council”) adopted Resolution No. 70943, providing for the establishment of the City of San José Maintenance District 21 (Gateway Place – Airport Parkway) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in

the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”) officials as contained therein.

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

1. The Annual Assessment in the Annual Budget Report does not exceed the average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 21 (Gateway Place – Airport Parkway) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

NVF:VXC:DJF
05/21/24

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) APPROVING THE ANNUAL BUDGET REPORT FOR MAINTENANCE DISTRICT 22 (HELLYER AVENUE - SILVER CREEK VALLEY ROAD) FOR FISCAL YEAR 2024-2025, AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS AS FILED OR MODIFIED BY THE CITY COUNCIL; AND (2) DIRECTING THE DIRECTOR OF PUBLIC WORKS TO DELIVER THE ASSESSMENT ROLL TO THE COUNTY OF SANTA CLARA FOR COLLECTION WITH THE PROPERTY TAXES

WHEREAS, on April 30, 2002, the City Council of San José (“City Council”) adopted Resolution No. 70944, providing for the establishment of the City of San José Maintenance District 22 (Hellyer Avenue - Silver Creek Valley Road) pursuant to the provisions of San José Municipal Code Chapter 14.15, referred to as the Alternative Procedures for Maintenance Districts, which was revised to conform to the requirements of California Proposition No. 218; and

WHEREAS, because the proposed annual change in the assessment does not exceed the annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index, the Director of Public Works has prepared and filed with the City Clerk an Annual Budget Report for Fiscal Year 2024-2025 (“Annual Budget Report”) according to the requirements of San José Municipal Code Chapter 14.15; and

WHEREAS, the Annual Budget Report contains changes for the fiscal year, the proposed budget, the annual levy, the assessment roll and assessment diagram; and

WHEREAS, the City Council has considered the entirety of the administrative record including the Annual Budget Report, remedied and corrected any errors or informalities in

the Annual Budget Report and revised and corrected any of the acts or determinations of the various City of San José (“City”)

officials as contained therein;

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

1. The Annual Assessment in the Annual Budget Report does not exceed the annual average annual change in the San Francisco-Oakland-Hayward, CA Consumer Price Index.
2. The Annual Budget Report and each of the assessments therein as duly revised and corrected, are hereby approved, confirmed and adopted.
3. The levying of assessments in the City of San José Maintenance District 22 (Hellyer Avenue - Silver Creek Valley Road) for Fiscal Year 2024-2025 in accordance with this Resolution is hereby authorized.
4. The Annual Budget Report quantifies any general and/or special benefit contribution required from the City. City staff is directed to pay any required City contributions as set forth in the Annual Budget Report.
5. The Annual Budget Report together with the certification of the City Clerk as to the place and date of approval by the City Council, shall forthwith be delivered to the Director of Public Works of the City of San José who shall thereafter deliver the assessments to the officer of the County of Santa Clara designated by law to extend City taxes upon the tax roll, and the proper County officer shall cause to be posted

to the tax rolls the assessments to be collected for the fiscal year as set forth in the Annual Budget Report as confirmed.

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

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

DRAFT

ORDINANCE NO.

AN UNCODIFIED ORDINANCE OF THE CITY OF SAN JOSE APPROVING THE ANNUAL BUDGET REPORTS FOR CITY OF SAN JOSE MAINTENANCE DISTRICTS 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21, AND 22 FOR FISCAL YEAR 2024-2025 AS FILED OR MODIFIED BY THE CITY COUNCIL, AND CONFIRMING AND LEVYING THE INDIVIDUAL ASSESSMENTS, AS FILED OR MODIFIED BY THE CITY COUNCIL, SPECIFIED IN THE RESOLUTIONS

WHEREAS, on June 4, 2024, the City Council adopted resolutions approving the Annual Budget Reports for City of San José Maintenance Districts 1, 2, 5, 8, 9, 11, 13, 15, 18, 19, 20, 21, and 22 for Fiscal Year 2024-2025, as filed or modified by the City Council, confirming and levying the individual assessments as filed or modified by the City Council, and directing the Director of Public Works to deliver the assessment roll to the County of Santa Clara for collection with the property taxes; and

WHEREAS, pursuant to the provisions and requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines and Title 21 of the San José Municipal Code, the Director of Planning, Building and Code Enforcement on April 9, 2024, determined that the provisions of this Ordinance are categorically exempt under CEQA Guidelines 15301 (Existing Facilities), File No. ER24-086; and

WHEREAS, the City Council of the City of San José is the decision-making body for this Ordinance and has reviewed, considered, and upheld the exempt determination prior to taking any action on the Ordinance;

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

SECTION 1. The City Council hereby adopts the findings and amounts of the Maintenance District 1 (Los Paseos) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 2. The City Council hereby adopts the findings and amounts of the Maintenance District 2 (Trade Zone Boulevard – Lundy Avenue) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 3. The City Council hereby adopts the findings and amounts of the Maintenance District 5 (Orchard Parkway – Plumeria Drive) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 4. The City Council hereby adopts the findings and amounts of the Maintenance District 8 (Zanker – Montague) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 5. The City Council hereby adopts the findings and amounts of the Maintenance District 9 (Santa Teresa – Great Oaks) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 6. The City Council hereby adopts the findings and amounts of the Maintenance District 11 (Brokaw Road from Junction Avenue to Old Oakland Road) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 7. The City Council hereby adopts the findings and amounts of the Maintenance District 13 (Karina – O'Nel) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 8. The City Council hereby adopts the findings and amounts of the Maintenance District 15 (Silver Creek Valley) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 9. The City Council hereby adopts the findings and amounts of the Maintenance District 18 (The Meadowlands) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 10. The City Council hereby adopts the findings and amounts of the Maintenance District 19 (River Oaks Area Landscaping) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 11. The City Council hereby adopts the findings and amounts of the Maintenance District 20 (Renaissance – North First Landscaping) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 12. The City Council hereby adopts the findings and amounts of the Maintenance District 21 (Gateway Place – Airport Parkway) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 13. The City Council hereby adopts the findings and amounts of the Maintenance District 22 (Hellyer Avenue - Silver Creek Valley Road) assessments for Fiscal Year 2024-2025 specified in Resolution No. RES2024_____, adopted on June 4, 2024.

SECTION 14. The Maintenance District assessments specified in Resolution Nos. RES2024_____, RES2024_____, RES2024_____, RES2024_____, RES2024_____, RES2024_____, RES2024_____, RES2024_____, RES2024_____,

RES2024____, RES2024____, RES2024____ and this Ordinance are for property related services as provided in the California Constitution, Article XIID.

SECTION 15. The provisions of this Ordinance shall take effect retroactive to July 1, 2024.

PASSED FOR PUBLICATION of title this ____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk