



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Julia H. Cooper

SUBJECT: SEE BELOW

DATE: June 1, 2012

Approved

Date

6/5/12

SUBJECT: SET A PUBLIC HEARING ON SEWER SERVICE AND USE CHARGES AND STORM SEWER SERVICE CHARGES TO BE PLACED ON THE FISCAL YEAR 2012-2013 COUNTY ASSESSMENT ROLL

RECOMMENDATION

Adopt a resolution:

- (a) Setting a Public Hearing on Tuesday, August 7, 2012, at 1:30 p.m. for 2012-2013 Sewer Service and Use Charges and Storm Sewer Service Charges based on annual reports of the Director of Finance and direct the City Clerk to publish notice of the time and place of the hearing.
- (b) Allowing the Director of Finance to file, with the City Clerk, the 2012-2013 Sewer Service and Use Charges and Storm Sewer Service Charges on or before July 15, 2012.

OUTCOME

Adoption of the proposed resolution to set an annual Public Hearing is a necessary step in the annual placement of City Sewer Service and Use Charges ("SSUC") and Storm Sewer Service Charges ("SSSC") on the Santa Clara County ("County") Assessment Roll. Staff has estimated net revenues from assessments in 2012-2013 to be approximately \$122.2 million SSUC and \$31.0 million for SSSC.

Adoption of the proposed resolution allowing for the filing of the 2012-2013 annual reports on or before July 15, 2012, will allow adequate time required to provide the most complete and current sewer service charge listing.

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BACKGROUND

Section 15.12.550 of the San José Municipal Code ("Code") requires the Director of Finance to file a report each year with the City Clerk, on or before July 5, or such other date or dates as the City Council may specify by resolution, regarding SSUC and SSSC. Staff is recommending this filing date be moved from July 5, 2012 to July 15, 2012 in order to accommodate the Integrated Billing System process and to allow staff the required time to provide the most complete and current sewer service charge listing. Section 15.16.1410 of the Code requires the Director of Finance to file a report each year with the City Clerk, at least fifteen days in advance of the Council meeting scheduled to hold the Public Hearing. These annual reports describe each parcel of real property receiving sewer and storm services and the dollar amount of the charges to be collected on the County Assessment Roll for the coming fiscal year.

ANALYSIS

Sections 15.12.550 and 15.16.1430 of the Code requires the City Clerk to publish notice of the time and place for the hearing concerning the filing of the Director's annual report, prior to the date of the hearing.

The Finance Department requests that the hearing on 2012-2013 SSUC and SSSC for placement on the County Assessment Roll be set for Tuesday, August 7, 2012, at 1:30 p.m. in the City Council Chambers. The final report on these charges is due to the County Tax Assessor no later than August 10, 2012, to ensure placement on the assessment roll.

EVALUATION AND FOLLOW-UP

The Finance Department will prepare a memo for the August 7, 2012 City Council meeting for the holding of the Public Hearing and recommending approval of the placement of SSUC and SSSC on the 2012-2013 assessment roll, with such modifications as Council may make based on Public Hearing testimony.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**

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- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

After the adoption of this resolution, the City Clerk's Office will publish a notice of the time and place of the Public Hearing as required by San José Municipal Code Sections 15.12.550C and 15.16.1430A. The Public Hearing date is scheduled for August 7, 2012 at 1:30 pm; pursuant to the actions recommended in this staff report. In addition, this memorandum is posted on the City's website for the June 19, 2012 Council meeting.

COORDINATION

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

CEQA

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

/s/
JULIA H. COOPER
Acting Director, Finance Department

For questions, please contact Wendy J. Sollazzi, Division Manager, at (408) 535-7005.

