RESOLUTION NO. 75394

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE REPORT OF THE DIRECTOR OF FINANCE ON THE REIMBURSEMENT OF COST FOR SIDEWALK REPAIRS, CONFIRMING THE ASSESSMENTS CONTAINED IN THE REPORT AND DIRECTING THE RECORDING OF LIENS ON THE PROPERTY TAX ROLL 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 April 27, 2010, the City Council of the City of San José ("City Council") adopted Resolution No. 75353 setting a public hearing for approval of the Report of the Director of Finance on the Cost of Sidewalk Repairs ("Report") for June 8, 2010 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 June 8, 2010 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 Final 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.

ADOPTED this 8th day of June, 2010, by the following vote:

AYES:	CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.
NOES:	NONE.
ABSENT:	NONE.
DISQUALIFIED:	NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk

RD:KMM:NGA
5/10/2010

ATTACHMENT A

Department of Finance
Report of the Director of Finance to the City Council on the Cost of Sidewalk Repairs
City of San Jose
Public Hearing June 8, 2010

ACCOUNT#	DATE ASSIGNED	NAME	MAILING ADDRESS	CITY, ST ZIP	PROPERTY ADDRESS	APN#	CURRENT BALANCE	LIEN FEE	TOTAL BALANCE
136613	3/12/2009	WILKERSON, ROGER C WILKERSON, YONG C	6058 CHESBRO AVE	SAN JOSE CA 95123-3917	6058 CHESBRO AV	687-11-022	$ 524.64	$ 13.00	$ 537.64
156263	11/10/2009	NGO, YVONNE THANH	190 EL CAMINITO AVE	CAMPBELL CA 95008	483 BUENA VISTA AV	277-17-042	$ 740.96	$ 13.00	$ 753.96
152421	7/24/2009	PARODI, TIMOTHY A PARODI, SUSAN A	2948 BEWCASTLE CT	SAN JOSE CA 95132-1601	2948 BEWCASTLE CT	589-05-033	$ 761.79	$ 13.00	$ 774.79
137013	4/7/2009	JAHN, ANNETTE R	3397 ARAMIS DR	SAN JOSE CA 95127-4202	3397 ARAMIS DR	647-08-001	$ 753.02	$ 13.00	$ 766.02
136362	2/12/2009	ARELLANO, ROSELIA	114 BERNAL RD	SAN JOSE CA 95119-1302	114 BERNAL RD	706-30-007	$ 761.52	$ 13.00	$ 774.52
135668	12/18/2008	PUGH, TOMMY E	2181 NAOMI RD	FRANKLINVILLE NC 27248	27 CLEAVES AV	261-32-025	$ 793.00	$ 13.00	$ 806.00
135669	12/18/2008	KUHLMANN, FLORENCE A	MR-1013 BIRD AVE	SAN JOSE CA 95125	1013 BIRD AV	264-55-044	$ 801.00	$ 13.00	$ 814.00
135921	1/7/2009	RAMOS, ISRAEL	326 HONEYBELL ST	LOS BANOS CA 93635-9223	1369 SAN JUAN AV	230-32-074	$ 876.50	$ 13.00	$ 889.50
136335	2/12/2009	LI, JIA W	1849 MONTAGE CT	SAN JOSE CA 95131	1849 MONTAGE CT	244-30-045	$ 882.80	$ 13.00	$ 895.80
137094	4/16/2009	NGUYEN, KRISTI	460 S 19TH ST	SAN JOSE CA 95116	460 S 19TH ST	472-38-056	$ 920.00	$ 13.00	$ 933.00
157125	12/9/2009	MOLINA, JOVEL A	347 S 18TH ST	SAN JOSE CA 95116-2704	347 18TH ST	467-51-004	$ 971.12	$ 13.00	$ 984.12
152378	7/24/2009	RAMIREZ, JOSE D	388 N 13TH ST	SAN JOSE CA 95112-1832	388 13TH ST	249-56-034	$ 993.15	$ 13.00	$ 1,006.15
152393	7/24/2009	LUCICH, MICHAEL J LUCICH, SLADANA	14920 WINCHESTER BL	LOS GATOS CA 95030-2306	790 BIRD AV	264-45-065	$ 1,075.75	$ 13.00	$ 1,088.75
135907	1/7/2009	ST JAMES ENTERPRISES L.P.	985 UNIVERSITY AVE STE 12	LOS GATOS CA 95032	125 SAN PEDRO ST	259-32-006	$ 1,140.20	$ 13.00	$ 1,153.20
136612	3/12/2009	COTA, JESUS J COTA, MARIA TERESA/morgan stanley	199 OBERT DR	SAN JOSE CA 95136-3105	199 OBERT DR	685-19-026	$ 1,143.16	$ 13.00	$ 1,156.16
135908	1/7/2009	ST JAMES ENTERPRISES L.P.	985 UNIVERSITY AVE STE 12	LOS GATOS CA 95032	115 SAN PEDRO ST	259-32-009	$ 1,179.00	$ 13.00	$ 1,192.00
136357	2/12/2009	HENNEKE, JOHN C	377 AVENIDA ARBOLES	SAN JOSE CA 95123-1408	5224 ROEDER RD	684-31-153	$ 1,199.00	$ 13.00	$ 1,212.00
152406	7/24/2009	GUERRA, MAYRA M	1204 LOCUST ST	SAN JOSE CA 95110-3319	1204 LOCUST ST	434-11-054	$ 1,523.70	$ 13.00	$ 1,536.70
136610	3/12/2009	GAUDINEZ, ROBERT M GAUDINEZ, MELANIE	1058 WILSHAM DR	SAN JOSE CA 95132-2937	1058 WILSHAM DR	591-20-043	$ 1,374.56	$ 13.00	$ 1,387.56
152387	7/24/2009	GORA, LESTER K	2357 GOMES RD	FREMONT CA 94539-4423	118 RAINIER ST	261-31-033	$ 1,457.00	$ 13.00	$ 1,470.00
152423	7/24/2009	SALAMAT, MANUEL T SALAMAT, ANTONINA	3494 ROCKY MOUNTAIN DR	SAN JOSE CA 95127-4852	3494 ROCKY MOUNTAIN DR	647-26-027	$ 1,484.45	$ 13.00	$ 1,497.45
135922	1/7/2009	MCCLAIN, SAMUEL MCCLAIN, ANNA M	1968 MARQUES AVE	SAN JOSE CA 95125-4646	1968 MARQUES AV	446-26-025	$ 1,487.00	$ 13.00	$ 1,500.00
156250	11/10/2009	IMWALLE-TULLY RD II ASSCS LLC	P O BOX 59365	SCHAUMBURG IL 60159-0365	1708 TULLY RD	670-28-005	$ 1,553.22	$ 13.00	$ 1,566.22
152413	7/24/2009	MENESES ET AL, JULIE LANDIE, ROSE	132 N 33RD ST	SAN JOSE CA 95116-1214	132 33RD ST	481-13-116	$ 1,554.06	$ 13.00	$ 1,567.06
152803	8/13/2009	LOVATO, MARCO LOVATO, ASHLEY	315 S BUENA VISTA AVE	SAN JOSE CA 95126	315 BUENA VISTA AV	277-17-030	$ 1,603.89	$ 13.00	$ 1,616.89
136358	2/12/2009	IRAHETA, HAYDEE	5222 ROEDER RD	SAN JOSE CA 95111-4063	5222 ROEDER RD	684-31-154	$ 1,601.00	$ 13.00	$ 1,614.00
135920	1/7/2009	FOSTER, JIM	1437 SAN JUAN AVE	SAN JOSE CA 95110-1445	1437 SAN JUAN AV	230-32-066	$ 1,643.00	$ 13.00	$ 1,656.00
152370	7/24/2009	ROSS ET AL, ROBERT C	4986 WILMA WAY	SAN JOSE CA 95124-5328	946 6TH ST	235-10-020	$ 1,728.32	$ 13.00	$ 1,741.32
136834	3/25/2009	PHAM, JENNY	325 N 15TH ST	SAN JOSE CA 95112-1841	325 15TH ST	249-56-052	$ 1,734.15	$ 13.00	$ 1,747.15
136438	2/24/2009	SCHENONE, HEIDI SCHENONE, TIM	2526 LOST OAKS DR	SAN JOSE CA 95124-4941	2526 LOST OAKS DR	421-12-031	$ 1,839.92	$ 13.00	$ 1,852.92
136341	2/12/2009	ZANKER BROTHERS	1033 THE ALAMEDA	SAN JOSE CA 95126	1033 THE ALAMEDA	261-02-027	$ 1,918.52	$ 13.00	$ 1,931.52
136436	2/24/2009	LEE TRUSTEE, RAYMOND T	2104 LA MIEL WY	CAMPBELL CA 95008	2104 LA MIEL WAY	404-12-023	$ 1,997.76	$ 13.00	$ 2,010.76
156249	11/10/2009	TRAN, YEN T	1929 RIGOLETTO DR	SAN JOSE CA 95122-1340	1929 RIGOLETTO DR	670-26-016	$ 2,411.37	$ 13.00	$ 2,424.37
136830	3/25/2009	CRAWFORD, ADRIAN L	143 N 12TH ST	SAN JOSE CA 95112-3433	146 12TH ST	467-16-022	$ 2,547.35	$ 13.00	$ 2,560.35
136360	2/12/2009	HOCK INVESTMENT CO INC ET AL	P O BOX 696000	SAN ANTONIO TX 78269-600	448 BLOSSOM HILL RD	692-26-003	$ 2,971.68	$ 13.00	$ 2,984.68
156246	11/10/2009	LOPEZ, FRANCISCO	3288 BLUE MOUNTAIN DR	SAN JOSE CA 95127-4701	3288 BLUE MOUNTAIN DR	647-29-043	$ 3,227.16	$ 13.00	$ 3,240.16
136359	2/12/2009	ALLEN, MARIA ALLEN, JOHN	6067 SANTA YSABEL WY	SAN JOSE CA 95123-3944	6067 SANTA YSABEL WAY	687-12-039	$ 3,294.65	$ 13.00	$ 3,307.65
152400	7/24/2009	WATSON, EDWARD K	2942 BELL AVE	SAN JOSE CA 95133-2409	368 BUENA VISTA AV	277-18-012	$ 5,840.08	$ 13.00	$ 5,853.08
155309	10/1/2009	RON ABTA TRUSTEE C/O MARTY LEVY	3190 SO BASCOM AV #200	SAN JOSE CA 95124	467 BUENA VISTA AV	277-17-041	$ 11,238.09	$ 13.00	$ 11,251.09
						TOTAL	$ 71,547.54	$ 507.00	$ 72,054.54

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