RESOLUTION NO. 75517

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE ESTABLISHING THE FISCAL YEAR 2010-2011 PROPERTY TAX LEVY FOR THE CITY'S GENERAL OBLIGATION BOND INDEBTEDNESS

WHEREAS, at the City of San José's ("City") general election held on November 7, 2000, voters approved Measure O (Neighborhood Libraries Bond) and Measure P (Safe Neighborhood Parks and Recreation Bond) in the not-to-exceed respective amounts of $211,790,000 and $228,030,000 authorizing the issuance of general obligation bonds; and

WHEREAS, at the City's general election held on March 5, 2002, voters approved Measure O (911, Fire, Police, Paramedic and Neighborhood Security Act) in the not-to-exceed amount of $159,000,000 authorizing the issuance of general obligation bonds; and

WHEREAS, pursuant to the above-referenced authorizations, the City has issued eight series of general obligation bonds in the total amount of $589,590,000 (the "Bonds"); and

WHEREAS, the City is obligated to levy ad valorem taxes upon all property within the City subject to taxation by the City, without limitation of rate or amount (except with respect to certain personal property which is taxed at limited rates), for the payment of the debt service on the Bonds; and

WHEREAS, the City is obligated to direct the County of Santa Clara to collect such ad valorem taxes in such amounts and at such times as is necessary to ensure the timely payment of debt service on the Bonds; and

WHEREAS, the amount of the annual ad valorem tax levied by the City to repay the Bonds is determined by the relationship between the assessed valuation of taxable property in the City and the amount of debt service due on the Bonds;

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

1. Pursuant to the provisions of Chapter 14.28 of the San José Municipal Code, an ad valorem property tax is hereby established to be levied on all land and improvements in the City of San José during fiscal year 2010 – 2011 in the amount of 0.035 per $100 in assessed value for the secured and utility tax roll and in the amount of 0.03260 per $100 in assessed value for the unsecured tax roll based on the calculations set forth in the attached Exhibit A.

2. The City's Director of Finance shall cause a certified copy of this Resolution to be delivered to the Auditor of the County of Santa Clara for entry in the assessment book of the respective sums in dollars and cents, to be paid as established by this Resolution.

ADOPTED this 10th day of August, 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

EXHIBIT A

The total debt service requirement for the Bonds for Fiscal Year 2010 – 2011 is $42,858,835. This amount includes the County of Santa Clara administrative fee estimated at $106,880, which is approximately 0.25% of the principal and interest due. The secured tax and utility net assessed value for Fiscal Year 2010 – 2011 is $111,363,167,173. The tax rate for the secured and utility net assessed value for Fiscal Year 2010 – 2011 is 0.035 per $100 in assessed value. The unsecured roll is included in the calculation for the following series of the Bonds for the Fiscal Year 2010 – 2011 levy: Series 2001, Series 2002, Series 2004, Series 2005, Series 2006, Series 2007, Series 2008, and Series 2009. The unsecured net assessed value for Fiscal Year 2010 – 2011 is $7,145,611,666. The tax rate for the unsecured tax roll for Fiscal Year 2010 – 2011 is 0.03260 per $100 in assessed value.