



Memorandum

TO: HONORABLE CHAIR AND
MEMBERS OF THE CITY OF SAN JOSE
APPEALS HEARING BOARD

FROM: Rick Bruneau

SUBJECT: SEE BELOW

DATE: June 4, 2024

**SUBJECT: PUBLIC HEARING CONFIRMING AND AUTHORIZING THE
RECORDING OF SPECIAL ASSESSMENT LIENS ON THE SANTA CLARA
COUNTY SECURED PROPERTY TAX ROLL FOR COLLECTION OF
DELINQUENT SOLID WASTE COLLECTION SERVICE ACCOUNTS**

RECOMMENDATION

Staff recommends the Appeals Hearing Board:

- a) Conduct a Public Hearing on July 11, 2024, at 6:30 P.M, or when it is heard at that meeting confirming and authorizing the recording of special assessment liens on the Santa Clara County secured property tax roll for collection of delinquent solid waste collection service accounts; and
- b) Adopt a resolution to:
 - 1) Confirm the Special Assessment Report of the Director of Finance and the delinquent Residential Solid Waste Collection Service Charges, Late Charges and Administrative Fees and Charges contained therein; and
 - 2) Direct the Director of Finance to place a special assessment and secure a lien in the amount of any delinquent customer account balance against the related parcels with the Santa Clara County Tax Assessor's Office and Recorder's Office, respectively.

SUMMARY AND OUTCOME

This action confirms a Special Assessment against the residential parcel owner for unpaid Solid Waste Collection Service Charges detailed in the Special Assessment Report of the Director's Report (Director's Report), as well as fees and charges. These special assessments will be recorded and placed on the Santa Clara County Secured Property Tax Roll for collection purposes. Adoption of the proposed resolution also secures the special assessment by placing a lien against the parcels detailed in the Director's Report until the special assessment is placed on the 2024-2025 Santa Clara County Secured Property Tax Roll.

HONORABLE CHAIR AND MEMBERS OF THE CITY OF SAN JOSE APPEALS HEARING BOARD

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CEQA

This action is not a project under the California Environmental Quality Act (CEQA) file PP17-004, fiscal related activity with no commitment or other project that would result in a potentially significant physical impact on the environment.

COORDINATION

This item has been coordinated with the City Attorney's Office and the Secretary to the City's Appeals Hearing Board.



RICK BRUNEAU
Director of Finance

For questions, please contact John Kachmanian, Deputy Director of Finance – Revenue Management, at (408) 535-7034.

CITY OF SAN JOSE
DIRECTOR'S REPORT
SOLID WASTE SPECIAL ASSESSMENTS
5/30/2024
LIEN CYCLE L24B

237	L24B	47732125	2838846	1618588601	TRAN KIM	1558 CRUCERO DR	\$1,734.00	\$7.00	\$83.00	\$1,824.00	\$6.00	\$1,830.00
238	L24B	28425047	2829275	1618534634	GEORGIA PROPERTIES LLC	1660 DE ROSE WY	\$1,737.07	\$7.00	\$83.00	\$1,827.07	\$6.00	\$1,833.07
239	L24B	26406068	2436766	1618211501	KRACKELER JOSEPH J III TRUSTEE & ET AL	1233 PEDRO ST	\$1,876.46	\$7.00	\$83.00	\$1,966.46	\$6.00	\$1,972.46
240	L24B	38107044	2851486	1618246913	WANG DAVID ET AL	4398 MOORPARK AV	\$1,935.43	\$7.00	\$83.00	\$2,025.43	\$6.00	\$2,031.43
241	L24B	37512050	2415541	1618087280	TISHMAN SPEYER ARCHSTONE	5608 STEVENS CREEK BL	\$1,936.05	\$7.00	\$83.00	\$2,026.05	\$6.00	\$2,032.05
242	L24B	29931036	2662286	1618324694	ROQUE PERCIVAL B	804 HAMANN DR	\$1,983.90	\$7.00	\$83.00	\$2,073.90	\$6.00	\$2,079.90
243	L24B	47227054	2853687	1618439357	PARMA VICTORY LLC	620 S 3RD ST	\$2,091.51	\$7.00	\$83.00	\$2,181.51	\$6.00	\$2,187.51
244	L24B	27457025	2845882	1618455260	CHOU YONWEN AND ARIENE TRUSTEE	216 DI SALVO AV	\$2,127.77	\$7.00	\$83.00	\$2,217.77	\$6.00	\$2,223.77
245	L24B	47728054	2374365	1618121516	VILLA RIGOBERTO	1351 CARNELIAN DR	\$2,186.73	\$7.00	\$83.00	\$2,276.73	\$6.00	\$2,282.73
246	L24B	28426012	2418978	1618675238	LAM DIEN HAN AND DANG HUONG TRUSTEE	1725 STOKES ST	\$2,210.92	\$7.00	\$83.00	\$2,300.92	\$6.00	\$2,306.92
247	L24B	38107037	2149204	1618508129	WU QINGZHI	642 BOLTON CT	\$2,307.77	\$7.00	\$83.00	\$2,397.77	\$6.00	\$2,403.77
248	L24B	26406065	2290856	1618144583	KRACKELER RITA BUNGE I TRUSTEE & ET AL	1215 PEDRO ST	\$2,572.42	\$7.00	\$83.00	\$2,662.42	\$6.00	\$2,668.42
249	L24B	28426030	2282493	1618552211	NGUYEN DINH D AND NHIE HONG	1670 DE MARIETTA AV	\$2,858.31	\$7.00	\$83.00	\$2,948.31	\$6.00	\$2,954.31
250	L24B	30356002	2850810	1619569983	WANG YAN	3207 MALLARD CT 204	\$2,957.09	\$7.00	\$83.00	\$3,047.09	\$6.00	\$3,053.09
251	L24B	47228062	2852717	1618687034	RAMIREZ HILDA	343 E REED ST	\$3,073.10	\$7.00	\$83.00	\$3,163.10	\$6.00	\$3,169.10
252	L24B	47224006	2838595	1618592171	WLC CITY PROPERTIES LLC	650 S 8TH ST	\$3,074.66	\$7.00	\$83.00	\$3,164.66	\$6.00	\$3,170.66
253	L24B	42917007	2507672	1618136570	TALIA MARK TRUSTEE	1164 BRACE AV	\$3,353.70	\$7.00	\$83.00	\$3,443.70	\$6.00	\$3,449.70
254	L24B	29943035	2477918	1618645334	WELLS DEBRA L	800 TERESI CT	\$3,421.00	\$7.00	\$83.00	\$3,511.00	\$6.00	\$3,517.00
255	L24B	29932011	2508890	1618136882	BROWN RODNEY ET AL	3831 BARKER DR	\$3,496.61	\$7.00	\$83.00	\$3,586.61	\$6.00	\$3,592.61
256	L24B	27717041	2854228	1618646246	354 N 5TH STREET LLC	467 S Buena Vista	\$3,499.73	\$7.00	\$83.00	\$3,589.73	\$6.00	\$3,595.73
257	L24B	26128004	2448171	1618674275	ZABEL FARRELL F AND DORIS E TRUSTEE	1068 EUGENE AV	\$3,500.20	\$7.00	\$83.00	\$3,590.20	\$6.00	\$3,596.20
258	L24B	27907045	2840105	1618658705	GU-GUIDE LIMITED PARTNERSHIP	2930 HUFF AV	\$3,593.87	\$7.00	\$83.00	\$3,683.87	\$6.00	\$3,689.87
259	L24B	24943064	2533223	1618359851	CASTELLUCCI ANTONIO AND RITA TRUSTEE	460 N 1ST ST	\$3,955.25	\$7.00	\$83.00	\$4,045.25	\$6.00	\$4,051.25
260	L24B	42916079	2385995	1618062929	CHERNIAVSKY JOHN AND ALEXIS	1275 OLD WILLOW PL	\$4,286.24	\$7.00	\$83.00	\$4,376.24	\$6.00	\$4,382.24
261	L24B	56706035	2048419	1618383239	WANG CHAOHAO	1655 MERRILL DR	\$4,403.36	\$7.00	\$83.00	\$4,493.36	\$6.00	\$4,499.36
262	L24B	29907029	2491010	1618220471	COMMUNITY HOUSING DEVELOPERS INC	3678 BRIDGEPORT CT	\$4,452.88	\$7.00	\$83.00	\$4,542.88	\$6.00	\$4,548.88
263	L24B	24918020	2051537	1618504574	BAYSHORE ESTATES APTS LP	855 N BAYSHORE RD	\$5,308.01	\$7.00	\$83.00	\$5,398.01	\$6.00	\$5,404.01
264	L24B	9220090	2525579	1618433135	SHEN XIZHE AND LU JIEHUA TRUSTEE	3120 LANDESS AV	\$5,442.90	\$7.00	\$83.00	\$5,532.90	\$6.00	\$5,538.90
265	L24B	47713051	2382975	1618550108	LE-NGUYEN NHIE HONG AND NGUYEN DINH	1739 MCLAUGHLIN AV	\$5,706.60	\$7.00	\$83.00	\$5,796.60	\$6.00	\$5,802.60
266	L24B	68433087	2611342	1618320290	COMMUNITY HOUSING DEVELOPERS INC	510 BRANHAM LANE EAST 0	\$7,570.81	\$7.00	\$83.00	\$7,660.81	\$6.00	\$7,666.81
267	L24B	43425023	2838569	1618592489	ALTERRA SJ PARTNERS LLC ET AL	1640 LA ROSSA CL	\$8,590.01	\$7.00	\$83.00	\$8,680.01	\$6.00	\$8,686.01
268	L24B	26101112	2838211	1619557149	CATALYST IMPACT FUND I	787 THE ALAMEDA 0	\$8,707.15	\$7.00	\$83.00	\$8,797.15	\$6.00	\$8,803.15
269	L24B	37233002	2048684	1618408091	WONG GILBERT TRUSTEE & ET AL	7203 VIA VICO 0	\$10,369.28	\$7.00	\$83.00	\$10,459.28	\$6.00	\$10,465.28
270	L24B	27413031	2848640	1618121408	988 HARRISON C LLC	1263 PARK AV	\$10,620.69	\$7.00	\$83.00	\$10,710.69	\$6.00	\$10,716.69
271	L24B	48403052	2590020	1618510985	PULIDO JULIETTE L TRUSTEE	84 ELODIE WY	\$10,689.38	\$7.00	\$83.00	\$10,779.38	\$6.00	\$10,785.38
272	L24B	45539020	2614056	1618344575	TISHMAN SPEYER ARCHSTONE-SMITH	3100 RUBINO DR	\$16,541.93	\$7.00	\$83.00	\$16,631.93	\$6.00	\$16,637.93
273	L24B	26101113	2854098	1619567721	HGIT 715 WEST JULIAN LP	717 W JULIAN ST	\$17,560.85	\$7.00	\$83.00	\$17,650.85	\$6.00	\$17,656.85
274	L24B	26103052	2329706	1618362596	ALAMEDA FINANCING LP	1300 THE ALAMEDA 0	\$36,084.02	\$7.00	\$83.00	\$36,174.02	\$6.00	\$36,180.02
275	L24B	28403034	2209025	1618215362	WILLOW PARK APTS LLC	1451 CURCI DR	\$83,518.59	\$7.00	\$83.00	\$83,608.59	\$6.00	\$83,614.59

\$447,440.70 \$1,925.00 \$22,825.00 \$472,190.70 \$1,650.00 \$473,840.70

AFFIDAVIT OF MAILING

STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

I, Richard Gene Bruneau, being duly sworn, state that I am a citizen of the United States, the Director of Finance for the City of San José. On June 4, 2024, I mailed or have caused to be mailed a Notice of Intent to Assess Property ("Notice") which specifically addresses delinquency account status and notice of public hearing in the form prescribed by Section 9.10.1240 of the San José Municipal Code. A true and correct copy of the Notice is attached herewith. The Notices were sent to each of the person whose names are shown on a list maintained in the Finance Department Utility Billing Group at the respective addresses shown on said list, by property addressing and depositing copies of said Notice in the United States mail in San Jose, California, at which time the Notices had fully prepaid postage placed thereon in order to facilitate delivery service by United States mail between the place of mailing and the places so addressed or whereby regular communication by United States mail occurs. Said list is by this reference incorporated herein as if set at length.

Date: 6/4/2024


Richard Gene Bruneau
Director of Finance

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Clara

On June 4, 2024 before me, Rebecca Todd, Notary Public.
Date Here Insert Name and Title of the Officer

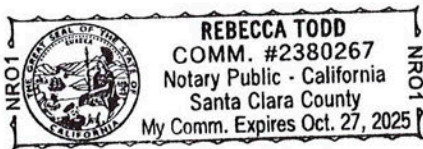
Personally appeared Richard Gene Bruneau
Name(s) of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Rebecca Todd
Signature of Notary Public



[REDACTED]
[REDACTED]
[REDACTED]

Parcel Number: [REDACTED]
Account No: [REDACTED]
Lien Cycle: L24B
Service Period Ending: 06/30/2024
Service Address: [REDACTED]

DUE DATE: 06-12-2024
Delinquent Amount Due: \$110.18

NOTICE OF PUBLIC HEARING AND INTENT TO LIEN PROPERTY

As of May 30th, 2024, the City of San José ('City') has not received full payment for garbage services at the above referenced service address and the account is now delinquent. **The total balance due on your account is \$103.18, plus a \$7.00 delinquent notice fee for a total of \$110.18.** San José Municipal Code ('Code') Section 9.10.1200 holds the property owner responsible for payment of services at the address. Under Code Sections 9.10.1220 and 9.10.1260, the City is authorized to secure a lien and special assessment against the property for the delinquent balance including any late fees and administrative charges as set forth in the schedule of fees.

If you received this notice in error or no longer own the property, please call the City's Customer Contact Center at (408) 535-3500 between 8:00 AM and 5:00 PM, Monday through Friday.

LIEN AND SPECIAL ASSESSMENT PROCEEDINGS

The City intends to place a special assessment lien on the property located at the address above if payment of the delinquent amount due of \$110.18 is not received by June 26, 2024. **On June 27th, 2024, at 6:30 p.m., or when it can be heard on that Agenda, the San José Appeals Hearing Board (Board) will hold a Public Hearing to hear any protests or objections about this delinquency. You have a right to appear and state any objections to the assessment. Please contact the Customer Contact Center (408) 535-3500 at least one week prior to the hearing to find out if a remote appearance is available. Otherwise, you must attend in person:**

When: **June 27, 2024, 06:30 p.m.**, or when it can be heard on that Agenda
What: Appeals Hearing Board, Public Hearing on Special Assessments
Where: Council Chambers, San Jose City Hall
200 E. Santa Clara Street San Jose

The Board may revise or correct the assessment and will make a final decision on the special assessment. The Board's decision is final and conclusive.

If the delinquent amount due is not paid in full the day before the Public Hearing, the City will ask the Board to add an additional \$83.00 administrative fee and \$6.00 special assessment fee to the total amount owed, increasing the lien on your property by \$89.00. To avoid the Public Hearing, additional fees and charges, and a lien on your property, your payment for the delinquent amount due of \$110.18 must be received at least one day before the scheduled hearing. Payment may be paid in person at San José City Hall 1st floor Cashier's window or paid by phone at (408) 535-3500. If paying by mail, please use the enclosed payment stub.

Para obtener la traducción, por favor llame al Servicio al Cliente de la Ciudad al 408-535-3500.

Để được trợ giúp về dịch thuật ngôn ngữ, xin vui lòng gọi cho Dịch Vụ Khách Hàng của Thành Phố (408) 535-3500.



Please return this portion with your payment

Account No.	Delinquent Amount Due	Due Date	Amount Enclosed
[REDACTED]	\$110.18	Jun 26, 2024	

[REDACTED]
[REDACTED]
[REDACTED]

Make Payment to:

CITY OF SAN JOSÉ
PO BOX 888242
LOS ANGELES, CA 90088-8242