



## Legislation Details (With Text)

**File #:** 19-238      **Version:** 1      **Name:**  
**Type:** Public Hearing/General Business      **Status:** Agenda Ready  
**File created:** 2/19/2019      **In control:** Council and Authorities Concurrent Meeting  
**On agenda:** 6/4/2019      **Final action:**  
**Title:** Public Hearing: Adoption of a Resolution Overruling Protests and Ordering that the Alternative Method for the Levy of Benefit Assessment be Made Applicable to the City of Santa Clara Parking Maintenance District No. 122 - Franklin Square (Not to be Heard prior to 7:00 PM)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Director's Report FY 2019/20, 3. Resolution No. 19-8686, 4. Notice of Public Hearing, 5. Resolution No. 19-8717

Date	Ver.	Action By	Action	Result
6/4/2019	1	Council and Authorities Concurrent Meeting	Approved	Pass
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## REPORT TO COUNCIL

### SUBJECT

Public Hearing: Adoption of a Resolution Overruling Protests and Ordering that the Alternative Method for the Levy of Benefit Assessment be Made Applicable to the City of Santa Clara Parking Maintenance District No. 122 - Franklin Square (Not to be Heard prior to 7:00 PM)

### BACKGROUND

Parking Maintenance District No. 122 - Franklin Square was formed in 1965 to maintain the parking lots, arcade, fountains, sidewalk, landscaping, irrigation, lights and utilities within Franklin Square, which is bounded by Benton Street, Homestead Road (formerly known as Liberty Street), Monroe Street and Jackson Street. In 2002, the City Council passed a motion at a public hearing in which the City assumed all future costs for operation and maintenance. The property owners within PMD No. 122 would contribute a total of \$14,200 annually to pay for capital repairs of the parking lot and associated walkways, minus the earned interest on the accumulation balance.

### DISCUSSION

On April 9, 2019, Council adopted Resolution 19-8686 (Attachment 3) related to the proposed maintenance assessments for PMD No. 122. The Resolution established June 4, 2019 as the date that City Council would hear testimony and act upon the Resolution (Attachment 1) and Director's Report (Attachment 2).

The proposed biennial operating budget includes funding for routine maintenance and operations performed by the Public Works Department in the amount of \$168,853 that is funded by the General Fund. This budget includes funds for 0.5 full-time employee to perform exterior grounds

maintenance services, contracted cleaning of parking lots and interior walkways, and fountain maintenance.

There are no proposed Capital outlay expenditures to cover maintenance and improvements of parking lots and associated walkways in FY 2019/20. Capital outlay in the amount of \$180,000 was budgeted in FY 2018/19 to resurface and stripe both parking lots this spring. This work was funded by previously collected property owner assessments.

Proposition 218 requires that written ballots be sent and returned if there are proposed increases greater than any previously approved assessments. Since the proposed assessments of \$11,441 (\$14,200 minus \$2,759 interest) for FY 2019/20 are less than the greatest assessment amount previously approved of \$14,200, no ballots and approvals are required from the property owners. Therefore, Staff's recommendation includes a provision to overrule any protests, if received. The assessments to the property owners cannot be distributed until the Director's Report is approved at a public hearing.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

### **FISCAL IMPACT**

Approval of the proposed assessment maintains the funding source for future repairs to parking lots and walkways located within Franklin Square.

### **COORDINATION**

This report has been coordinated with the Finance Department and the City Attorney's Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

On April 17, 2019, the Notice of Public Hearing for the June 4 Council meeting was published in the Santa Clara Weekly. In addition, the notice was posted at the City Clerk's Office, as well as at the public information desk at each City of Santa Clara public library, and mailed to all property owners within the District.

### **ALTERNATIVES**

1. Adopt a Resolution overruling any protests and ordering that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122 and approving, confirming, and adopting the Director's Report for FY 2019/20.
2. Do not adopt a Resolution to move forward with collecting the property owner assessments. The City would need to fund future extraordinary repairs with General Fund monies if the property owner assessments are not collected.

## **RECOMMENDATION**

Alternative 1:

Adopt a Resolution overruling any protests and ordering that the alternative method for the levy of benefit assessment be made applicable to the City of Santa Clara Parking Maintenance District No. 122 and approving, confirming, and adopting the Director's Report for FY 2019/20.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

## **ATTACHMENTS**

1. Resolution
2. Director's Report FY 2019/20
3. Resolution No. 19-8686
4. Notice of Public Hearing