



CITY CLERK

CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
801 North First Street, Room 116
San José, California 95110
Telephone (408) 277-4424
FAX (408) 277-3285

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Deanna J. Santana, Acting City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 27078**", the original copy of which is attached hereto, was passed for publication of title on the **17th day of February, 2004**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **2nd day of March, 2004**, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, DANDO,
 LeZOTTE, REED, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: GREGORY

DISQUALIFIED: NONE

VACANT: NONE

Said ordinance is effective as of **April 2, 2004**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **3rd day of March, 2004**.

(SEAL)

DEANNA J. SANTANA
ACTING CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

RD:VMT
2/11/04

ORDINANCE NO. 27078

AN ORDINANCE OF THE CITY OF SAN JOSE ADDING A NEW PART 2 TO CHAPTER 20.110 OF TITLE 20 AND A NEW SECTION 20.200.1405 TO CHAPTER 20.200 OF TITLE 20 OF THE SAN JOSE MUNICIPAL CODE TO AUTHORIZE THE DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT TO CANCEL AND PARTIALLY CANCEL WILLIAMSON ACT CONTRACTS RELATING TO PRIME AGRICULTURAL LAND

WHEREAS, the San Jose City Council desires to streamline the process authorized in Government Code sections 51280 through 51287 for the cancellation of Williamson Act contracts adopted by resolution of the City Council pursuant to Government Code section 51200 *et seq.*; and

WHEREAS, the San Jose City Council desires to authorize the Director of Planning, Building And Code Enforcement to administratively cancel such Williamson Act contracts under certain specified circumstances.

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

SECTION 1. A new Part 2 is hereby added to Chapter 20.110 of Title 20 of the San Jose Municipal Code to read in its entirety as follows:

Part 2

WILLIAMSON ACT CONTRACTS - CANCELLATION

20.110.200 Applicability.

The provisions of this part apply to and govern the cancellation and partial cancellation of all Williamson Act contracts entered into by the Council.

20.110.210 Petitions for cancellation; fees.

- A. A landowner may file with the Director a petition for cancellation of any Williamson Act contract or any portion of a Williamson Act contract pursuant to Government Code sections 51282 *et seq.*
- B. The petition for cancellation of any contract or portion of a contract shall include all of the information required by Sections 51280 through 51287 of the Government Code, as amended, and shall be accompanied by payment of any fees required to recover the reasonable cost of services provided by the City relating to the petition for cancellation.

20.110.220 Grant of authority.

- A. The Council hereby authorizes the Director to consider and administratively approve or disapprove of landowner petitions for Williamson Act contract cancellation pursuant to and in accordance with Government Code sections 51280 through 51287 with the exception of those petition-related items listed in Subsection B herein. The Council expressly authorizes the Director in place of the Council to make all necessary determinations and perform all necessary acts to comply with the requirements for Williamson Act contract cancellation mandated by Government Code sections 51280 through 51287. In order to effect said Council authorization, the Director shall perform all of the duties of the

“Council” under, and in the manner required by, Government Code sections 51280 through 51287, inclusive.

- B. The authorization granted to the Director by this Part does not include any of the following:
 - 1. Any action related to environmental clearance where the Director is not authorized to act under Title 21 of the San Jose Municipal Code; and
 - 2. Any reduction, waiver or deferral of the cancellation fee pursuant to Government Code section 51283.

20.110.230 Hearings.

The Director shall administer and conduct all duly noticed public hearings required by Government Code sections 51280 through 51287 in lieu of the Council and in the manner required by Government Code sections 51280 and 51287.

SECTION 2. Section 20.200.1405 is hereby added to Chapter 20.200 of Title 20 of the San Jose Municipal Code to read as follows:

20.200.1405. Williamson Act contract.

“Williamson Act contract” is a contract entered into and approved by resolution of the Council for the preservation of agricultural land pursuant to the provisions of Sections 51200 through 51297.4 of the Government Code of the State of California.

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PASSED FOR PUBLICATION of title this 17th day of February, 2004, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, GREGORY,
LeZOTTE, REED, WILLIAMS, YEAGER, DANDO

NOES: NONE

ABSENT: GONZALES

DISQUALIFIED: NONE



PAT DANDO
Vice Mayor

ATTEST:



DEANNA J. SANTANA
Acting City Clerk

SAN JOSE POST-RECORD

~ SINCE 1910 ~

90 N. First Street, Suite 100, San Jose, California 95113-1225
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BILL CARTER
SAN JOSE CITY CLERK
801 N FIRST ST
SAN JOSE, CA 95110

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of Santa Clara) ss

Notice Type: GORSJ SAN JOSE ORDINANCE (1 PUB)

Ad Description: ORDINANCE #27078

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San Jose City Clerk
2004 FEB 27 A 10:52

SJ#: 641014

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AYES: CAMPOS, CHAVES, CHIRCO, CORTESI, GREGORY, LeZOTTE, REED, WILLIAMS, YEAGER, DANDO
NOES: NONE
ABSENT: GONZALES
DISQUALIFIED: NONE
PAT DANDO, Vice Mayor
ATTEST:
DEANNA J. SANTANA, Acting City Clerk
02/24/04

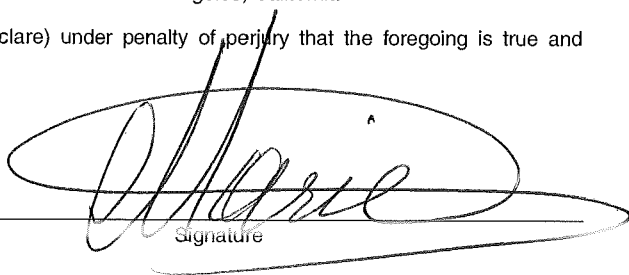
SJ-641014#

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the City of San Jose, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Santa Clara, State of California, under date of February 3, 1922, Case No. 27,844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

02/24/04

Executed on: 02/24/2004
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


Signature