

**RESOLUTION NO. 73395**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE REQUESTING THAT THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA RECOGNIZE AND DESIGNATE A LOCAL REDEVELOPMENT AUTHORITY FOR THE PVT GEORGE L. RICHEY UNITED STATES ARMY RESERVE CENTER, LOCATED AT 155 WEST HEDDING STREET, UNDER APPLICABLE FEDERAL BASE REALIGNMENT AND CLOSURE REGULATIONS**

**WHEREAS**, the Secretary of Defense of the United States of America has published in the Federal Register and transmitted to the Congressional Defense Committees and the Defense Base Closure and Realignment Commission (the "Commission") a list of military installations that the Secretary of Defense recommends for closure or realignment; and

**WHEREAS**, PVT George L. Richey United States Army Reserve Center, located at 155 West Hedding Street, San José, California 95110 (the "Richey USARC Site") was placed on the list of military installations recommended for closure or realignment; and

**WHEREAS**, the Commission has presented its Final Report to President George W. Bush; and

**WHEREAS**, Richey USARC Site was included in the Final Report of the Commission on military installations recommended for closure or realignment; and

**WHEREAS**, President George W. Bush concurred with and sent the Commission's Final Report to the United States Congress for legislative review; and

**WHEREAS**, Congress allowed the Commission's recommended list of military installations to be closed or realigned as set forth in the Final Report to pass into law; and

**WHEREAS**, on September 12, 2006, the City Council of the City of San José held a duly noticed public hearing on whether the City Council should request that the United States Department of Defense under applicable federal base realignment and closure processes recognize and designate a local redevelopment authority for the Richey USARC Site (an "LRA"); and

**WHEREAS**, under applicable base closure regulations and processes, an LRA must comprise representatives from jurisdictions with zoning authority over the closing base site; and

**WHEREAS**, the City Council of the City of San José: (a) is the duly elected legislative body of the City of San José, the jurisdiction in which the Richey USARC Site is physically located, and, as such, is the jurisdiction with zoning authority over the Richey USARC Site, and (b) represents the citizens of the City of San José; and

**WHEREAS**, the closure of Richey USARC Site represents a significant opportunity for community and economic redevelopment in the area; and

**WHEREAS**, the County of Santa Clara ("County") also has indicated an interest in the Richey USARC Site as an integral part of County's existing government center campus; and

**WHEREAS**, City and County may enter into a cooperative arrangement to establish an LRA comprising representatives of the City and County; and

**WHEREAS**, City desires to participate in and be recognized as a part of any designated LRA for the Richey USARC Site and to participate in the preparation of a land reuse plan for the Richey USARC Site in accordance with base closure regulations and processes, which land reuse plan would serve as a planning document that would establish the vision for base redevelopment, articulate community goals to guide the planning process for the Richey USARC Site, identify economically and environmentally feasible land uses of the Richey USARC Site, and include a balancing of the needs of the homeless with other community development objectives; and

**WHEREAS**, City, as a recognized participant in a designated LRA for the Richey USARC Site, would also participate in the establishment of a Citizen's Advisory Committee during the redevelopment planning process to solicit input from a broad and inclusive group of community stakeholders interested in the redevelopment of the Richey USARC Site; and

**WHEREAS**, once recognized and designated as part of an LRA for the Richey USARC Site by the United States Department of Defense under the Act, City may become eligible to receive economic adjustment assistance funding for operation and reuse planning from the Office of Economic Adjustment of the United States Department of Defense.

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE AS FOLLOWS:

**SECTION 1.** That the City of San José does hereby formally request that the United States Department of Defense, pursuant to applicable federal base realignment and closure laws, regulations and processes, and through the Office of Economic

Adjustment, recognize the City of San José as a participant in any designated Local Redevelopment Authority for the Richey USARC Site and confer upon the City of San José all powers and authorities of a participant in a Local Redevelopment Authority under all applicable base closure and realignment laws, regulations and processes of the United States of America.

**SECTION 2.** That the City Clerk file or cause to be filed with the Office of Economic Adjustment of the United States Department of Defense a true and correct certified copy of this Resolution upon its adoption.

**SECTION 3.** That this resolution shall be effective immediately upon its adoption.

**ADOPTED** this 12<sup>th</sup> day of September, 2006, by the following vote:

AYES: CAMPOS, CHIRCO, CORTESE, LeZOTTE, NGUYEN,  
PYLE, REED, WILLIAMS, YEAGER, CHAVEZ

NOES: NONE

ABSENT: GONZALES

DISQUALIFIED: NONE

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CINDY CHAVEZ  
Vice Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk