

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE
MAKING CERTAIN DETERMINATIONS REGARDING THE
EXPENDITURE OF REDEVELOPMENT AGENCY FUNDS INCLUDED
IN THE AGENCY'S ADOPTED BUDGET, UNDER THE CITY PUBLIC
IMPROVEMENTS LINE ITEM FOR CERTAIN PUBLIC IMPROVEMENTS
IN THE STRONG NEIGHBORHOOD INITIATIVE AREAS**

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency, with the consent of the legislative body, to pay for the costs of certain public improvements if the legislative body determines that: 1) the public improvements benefit the project area; 2) no other reasonable means of financing the improvements are available to the community, and 3) payment for the improvements will assist in the elimination of blight in the project area and is consistent with the implementation plan; and

WHEREAS, the Council has received and considered that certain memorandum entitled "Determinations Regarding Funds Transferred to the City for Public Improvement Project" from the Assistant Director of Finance of the Redevelopment Agency of the City of San José to the City's Capital Budget Coordinator, dated August 18, 2009 which includes a discussion of certain public improvements in the Strong Neighborhood Initiative Project Areas (the "Project Areas"); and

WHEREAS, the Project Areas were created pursuant to the provisions of the California Community Redevelopment Law (California Health and Safety Code Sections 33000, *et. seq.*) and the adoption of a redevelopment plan; and

WHEREAS, in connection with the adoption of the redevelopment plan, the Redevelopment Agency has determined that blighting conditions exist within the Project Areas and that the implementation of various public improvements is an element of the redevelopment plan; and

WHEREAS, the implementation plan for the Project Areas include Revenue Control Upgrades, Convention Center Deck Upgrade, Minor Parking Facility Improvements, Security Improvements, Arena Parking Meters, Parking Technology Improvements, Happy Hollow Furniture, Fixtures, and Equipment, Anti-Graffiti Program, Watson Park Clean-Up and Restoration, and Police Substation Furniture, Fixtures, and Equipment; and

WHEREAS, the improvements referenced in the August 18, 2009 Memorandum are intended to accomplish the goal of eliminating blight within the Project Areas by; and

WHEREAS, the City's capital budget does not include funding for these public improvements and there are no other reasonable means of financing the projects;

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

- A. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Revenue Control Upgrades:
1. Will benefit the impacted Redevelopment Project Area in the downtown by standardizing the revenue control equipment at the City-owned/operated parking garages through upgrades to the credit card processing equipment; and
 2. Cannot be reasonably funded by other means; and
 3. Will assist in the elimination of blight in the Project Area by increasing customer satisfaction and encouraging more visitors to the downtown area; and
 4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parking infrastructure.
- B. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Convention Center Deck Upgrade:
1. Will benefit the impacted Redevelopment Project Area in the downtown by upgrading and repairing the concrete deck of the Convention Center Garage; and
 2. Cannot be reasonably funded by other means; and
 3. Will assist in the elimination of blight in the Project Area by preventing damages to electrical and communication systems on the lower level of the garage in the Convention Center Garage; and
 4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parking infrastructure.
- C. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Minor Parking Facility Improvements:
1. Will benefit the impacted Redevelopment Project Area in the downtown by upgrading parking facilities, including concrete deck sealing, traffic coating, waterproofing replacement, lobby area improvement, staircase replacement, and façade improvements; and

2. Cannot be reasonably funded by other means; and
3. Will assist in the elimination of blight in the Project Area by improving pedestrian and traffic safety and upgrading the appearance of the parking facilities; and
4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parking infrastructure.

D. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Security Improvements:

1. Will benefit the impacted Redevelopment Project Area in the downtown by upgrading parking facilities, including roll-up gates, security fencing, video cameras, and surveillance equipment located at the entry/exit lanes, lobby areas, and stairwells; and
2. Cannot be reasonably funded by other means; and
3. Will assist in the elimination of blight in the Project Area by providing the ability to secure a facility or to monitor activity via camera which will help to provide a safe and clean facility for customers; and
4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parking infrastructure.

E. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Arena Parking Meters:

1. Will benefit the impacted Redevelopment Project Area in the Burbank/DelMonte and Delmas Park areas by providing funds for the installation of parking meters around the Arena; and
2. Cannot be reasonably funded by other means; and
3. Will assist in the elimination of blight in the Project Area by ensuring the efficient and effective operation of off-street parking in the area, thereby improving parking and traffic flow in and around the Arena and encouraging on-street parking which will help bring more visitors; and
4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parking infrastructure.

F. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Parking Technology Improvements:

1. Will benefit the impacted Redevelopment Project Area in the downtown by upgrading parking facilities through the purchase of various types of electronic equipment, including the installation of LED signs that can change based on the direction of the reversible lanes, the installation of a

- dynamic floor count system, and the replacement of incandescent light bulbs with LED bulbs in the parking identification sign; and
 2. Cannot be reasonably funded by other means; and
 3. Will assist in the elimination of blight in the Project Area by ensuring the efficient and effective operation in various parking facilities, thereby improving pedestrian and traffic safety; and
 4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parking infrastructure.
- G. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Happy Hollow Furniture, Fixtures, and Equipment:
1. Will benefit the impacted Redevelopment Project Area in the Tully/Senter area by providing funding for the purchase of miscellaneous fixtures, furnishings, and equipment to support the needs of an expanded facility with increased medical care, food services, education, fee collections, and operations; and
 2. Cannot be reasonably funded by other means; and
 3. Will assist in the elimination of blight in the Project Area by improving the viability of the public spaces, making it more accessible and inviting to the surrounding neighborhoods and general public; and
 4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parks infrastructure.
- H. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of the Anti-Graffiti Program:
1. Will benefit the impacted Redevelopment Project Areas by removing graffiti from both public and private property, such as fences, sidewalks, homes, businesses, and trees; and
 2. Cannot be reasonably funded by other means; and
 3. Will assist in the elimination of blight in the Project Areas by creating a more attractive environment for residents, visitors, and local businesses; and
 4. Is consistent with the implementation plan for the Project Areas by reducing blight and gang graffiti.
- I. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Watson Park Clean-Up and Restoration:

1. Will benefit the impacted Redevelopment Project Area in the 13th Street area by providing funds to assist in restoring and enhancing an important park which provides additional open space and recreational opportunities to the community; and
2. Cannot be reasonably funded by other means; and
3. Will assist in the elimination of blight in the Project Area by encouraging further investment in the neighborhoods, making them more desirable places to visit and live, and by providing additional recreation facilities so that certain crimes related to gang activity should be reduced; and
4. Is consistent with the implementation plan for the Project Area by providing for the improvement of parks infrastructure.

J. The City Council hereby determines, based upon the information contained in the Memorandum from the Assistant Director of Finance dated August 18, 2009, that Redevelopment Agency funding of Police Substation Furniture, Fixtures and Equipment:

1. Will benefit the impacted Redevelopment Project Area in the Edenvale area by providing funding for the purchase of miscellaneous fixtures, furnishings, and equipment to support the needs of the new South San Jose Police Substation; and
2. Cannot be reasonably funded by other means; and
3. Will assist in the elimination of blight in the Project Area by increasing public safety; and
4. Is consistent with the implementation plan for the Project Area by providing for the improvement of public safety infrastructure.

K. The City Council hereby consents to the Redevelopment Agency's funding of those public improvements.

ADOPTED this _____ day of _____ 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk