

RESOLUTION NO. 73124

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE MAKING CERTAIN DETERMINATIONS REQUIRED BY STATE LAW FOR THE EXPENDITURE OF REDEVELOPMENT AGENCY FUNDS ON CERTAIN PUBLIC IMPROVEMENTS TO THE FALLON HOUSE**

**WHEREAS**, the Agency has prepared plans and specifications for public improvements to the Fallon House, which include restoration and repair of the specialty metal roof and integral gutter system, replacement of rotted and deteriorated soffits, restoration of exterior trim features, new window and wall flashings, and new subsurface drainage piping ("Public Improvement"); and

**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 proposed Public Improvement would benefit the Julian-Stockton Project Area ("Project Area") by upgrading the existing condition of a historic structure; and

**WHEREAS**, the Public Improvement will assist in eliminating blight within the Project Area by upgrading the existing condition of a registered historic landmark and preventing additional damage; and

**WHEREAS**, the Public Improvement is not included in the City's Capital Budget and there is no other reasonable means of financing the Public Improvement; and

**WHEREAS**, the Public Improvement is consistent with the Project Area Implementation Plan, which provides for the preservation of historic buildings and revitalization of buildings along San Pedro Street, a major destination in Downtown San Jose.

**NOW, THEREFORE**, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SAN JOSE:

- A. Determines that Agency funding of the Public Improvement:
  - (1) benefits the Julian-Stockton Redevelopment Project Area;
  - (2) cannot be reasonably financed by other means;
  - (3) assists in the elimination of blight;
  - (4) is consistent with the adopted Implementation Plan for the Project Area.
  
- B. Consents to the Agency's funding of the Public Improvement.

ADOPTED this 28<sup>th</sup> day of March, 2006, by the following vote:

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

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

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RON GONZALES  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk