

RESOLUTION NO. 73364

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE MAKING CERTAIN DETERMINATIONS REQUIRED BY STATE LAW FOR REDEVELOPMENT AGENCY FUNDING OF PUBLIC IMPROVEMENTS TO PROPERTY THAT IS PUBLICLY OWNED BY SAN JOSE UNIFIED SCHOOL DISTRICT**

**WHEREAS**, Washington Elementary School is located within the Washington area of the Strong Neighborhoods Initiative Redevelopment Project Area ("Project Area") and is the only educational facility in the area, also serving as the primary recreational facility for the community by allowing public use of the school's basketball courts, turf field and play equipment; and

**WHEREAS**, the Washington School Improvement Project includes the installation of synthetic turf, grading, drainage, decomposed granite paths, and fencing and gates ("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 Five-Year Implementation Plan adopted pursuant to California Health and Safety Code Section 33490; and

**WHEREAS**, the proposed Public Improvement is located in and would benefit the Project Area by meeting the needs for additional active recreational use and park space for the surrounding public neighborhood during non-school hours; and

**WHEREAS**, the Public Improvement will assist in eliminating blight within the Project Area by improving the field area that will be available to the public for use during non-school hours; and

**WHEREAS**, sufficient funds to pay for the entire Public Improvement is not included in the City's Capital Budget nor San Jose Unified School District's budget, and there is no other reasonable means of financing the Public Improvement; and

**WHEREAS**, the Public Improvement is consistent with the Project Area's Five-Year Implementation Plan, which provides for improved community facilities such as community playgrounds and for the introduction of additional activities for youth.

**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 Strong Neighborhoods Initiative Redevelopment Project Area;
  - (2) cannot be reasonably financed by other means available to the community;
  - (3) assists in the elimination of blight;
  - (4) is consistent with the adopted Five-Year Implementation Plan for the Project Area.

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B. Consents to the Agency's funding of the Public Improvement.

ADOPTED this 22<sup>nd</sup> day of August, 2006, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE,  
NGUYEN, 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