

RESOLUTION NO. 73592

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 MCCABE HALL

WHEREAS, the Agency and the City of San Jose's Public Works staffs jointly developed specifications for the proposed replacement of McCabe Hall's Heating, Ventilation and Air Conditioning ("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; and

WHEREAS, the proposed Public Improvement is located in and would benefit the Park Center Project Area ("Project Area") by maintaining the functionality and usefulness of McCabe Hall, which is located adjacent to the Tech Museum and is in a key location within the Project Area. Completion of the Public Improvement would also substantially improve the difficult working conditions for the Tech Museum staff working in the building; and

WHEREAS, the Public Improvement will assist in eliminating blight within the Project Area by maintaining the useful life of the building; 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 rehabilitation of existing buildings.

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 Park Center 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 9th day of January, 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CONSTANT, CORTESE,
LICCARDO, NGUYEN, PYLE, WILLIAMS; REED

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

VACANT: DISTRICT 4, DISTRICT 6

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC

City Clerk