

RESOLUTION NO. 73610

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE OPPOSING CALIFORNIA SENATE BILL 49**

**WHEREAS**, on January 3, 2007, State Senator Carole Migden introduced in the California State Senate proposed statewide legislation (SB 49) to prohibit a local agency or redevelopment agency from providing financial assistance to a sports stadium project that involves the relocation of a professional sports team franchise from the territorial jurisdiction of one local agency to another within the same market area; and

**WHEREAS**, the proposed statewide legislation is intended to preclude public-private financial assistance that includes but is not limited to: bonds or other forms of indebtedness, loans, grants, subsidies, guaranties, tax incentives, conveyance of real property, rebates, rent credits and other forms of direct or indirect financial assistance to the professional sports franchise, any of its developer partners, or any of their affiliates, contractors, or agents in connection with a sports stadium project; and

**WHEREAS**, the proposed statewide legislation is intended to apply specifically to a franchise or other entity operated for the exhibition of National Football League games, and any affiliate organized to develop or operate a sports stadium; and

**WHEREAS**, the San Francisco 49ers, an NFL franchise that has its headquarters and training facilities in the City of Santa Clara and currently plays its home games at Candlestick Park in San Francisco, has publicly stated its interest in moving all of its operations outside of San Francisco and is considering the City of Santa Clara; and

**WHEREAS**, the proposed statewide legislation's definition of "market area" is either a geographic area that is recognized by the NFL as the territory for a professional sports franchise up to 100 miles or any other larger geographic area as the relevant market for the professional sports franchise up to 100 miles, the real intent of said legislation is to specifically prohibit a move by the San Francisco 49ers from the City of San Francisco to the City of Santa Clara or any other Bay Area municipality; and

**WHEREAS**, the San Francisco 49ers, already an economic social and recreational asset for all the cities in the Bay Area, by moving closer to San José would increase economic, social and recreational benefits for our residents; and

**WHEREAS**, the passage of SB 49 would eliminate the ability of San José and other municipalities to reap such benefits and could force the San Francisco 49ers out of the Bay Area entirely;

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

The City Council of the City of San José wholly opposes the proposed statewide legislation (SB 49) due to its deleterious effects on San José's economy and quality of life and those of our neighboring cities and counties.

ADOPTED this 23<sup>rd</sup> 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