

RESOLUTION NO. 73711

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE PROVIDING A THREE-YEAR NOTICE TO THE ROTARY CLUB OF SAN JOSE OF ANY ACTION BY THE CITY TO CHANGE THE NAME OF ROTARY HERITAGE PLAZA OR REMOVE THE ROTARY PLAZA PAVERS DURING THEIR USEFUL LIFE, EXCEPT FOR PURPOSES OF PUBLIC SAFETY

WHEREAS, in 2004, representatives of the Rotary Club of San Jose approached the Redevelopment Agency of the City Of San Jose ("Agency") about the possibility of the Rotary Club Endowment funding a plaza in the Guadalupe River Park to celebrate the City's heritage; and

WHEREAS, the Rotary has requested a three-year prior notice in the event there is an action to change the name or remove the pavers, bearing the Rotary Heritage Plaza lettering, in the Plaza; and

WHEREAS, the Rotary has requested a three-year prior notice in the event there is an action to change the name or remove the pavers, bearing the Rotary Heritage Plaza lettering, in the Plaza; and

WHEREAS, the City Charter restricts the City from granting a real property interest in an open and dedicated public park, such as agreeing to retain certain pavers bearing the Rotary's name at the Rotary Heritage Plaza; and

WHEREAS, City staff recommends that City Council agree to provide prior notice to the Rotary if a new name for the Plaza is being considered by City Council or if the pavers are to be removed, with the caveat that the City retains the right to remove the pavers or other physical components of the Rotary Heritage Plaza for purposes of public safety without the three-year noticing requirement;

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

The City will provide a three-year notice to the Rotary Club of San Jose of any action by the City Council to change the name of Rotary Heritage Plaza or any action by the City to remove the Rotary Plaza pavers during their useful life, except for purposes of public safety.

ADOPTED this 27th day of March, 2007, by the following vote:

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

NOES: NONE

ABSENT: CONSTANT

DISQUALIFIED: NONE

VACANT DISTRICT 4

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk