

RESOLUTION NO. 73817

**RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE
MAKING CERTAIN DETERMINATIONS REGARDING THE
EXPENDITURE OF REDEVELOPMENT AGENCY FUNDS FOR
CERTAIN PUBLIC IMPROVEMENTS IN THE THIRTEENTH STREET
STRONG NEIGHBORHOODS INITIATIVE REDEVELOPMENT
PROJECT AREA**

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 Council has received and considered that certain memorandum entitled “Determinations Regarding Funds Transferred to the City for Public Improvement Project” from the Development Officer of the Redevelopment Agency of the City of San José to the City’s Principal Budget Analyst, dated December 16, 2006 which includes a discussion of certain public improvements in the Thirteenth Street Strong Neighborhoods Redevelopment Project Area (the “Project Area”); and

WHEREAS, the Project Area was created pursuant to the provisions of the California Community Redevelopment Law (California Health and Safety Code Sections 33000, *et. seq.*) and the adoption of a redevelopment plan; and

WHEREAS, in connection with the adoption of the redevelopment plan, the Redevelopment Agency has determined that blighting conditions exist within the Project Area and that the implementation of various public improvements is an element of the redevelopment plan; and

WHEREAS, the implementation plan for the Project Area includes providing safer streets for pedestrian, bicycle and vehicular traffic while minimizing congestion; and

WHEREAS, the improvements referenced in the December 16, 2006 Memorandum are intended to accomplish the goal of eliminating blight within the affected redevelopment area by converting one-way couplets to two-way streets thereby enhancing the area for pedestrian, bicycle and vehicular traffic, minimizing congestion, and upgrading the area’s appearance; and

WHEREAS, the City’s capital budget does not include funding for these public improvements and there are no other reasonable means of financing the project;

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

- A. The City Council hereby determines, based upon the information contained in the memorandum from the Development Officer dated December 16, 2006, that Redevelopment Agency funding of couplet conversions on Julian Street from 4th Street to 10th Street, on St. James Street from 4th Street to 10th Street, and on 4th Street from St. James to Julian Street:
1. Will benefit the impacted Redevelopment Project Area; and
 2. Cannot be reasonably funded by other means; and
 3. Will assist in the elimination of blight in the Project Area by enhancing the area for pedestrian, bicycle and vehicular traffic, minimizing congestion, and upgrading the area's appearance; and
 4. Is consistent with the implementation plan for the Project Area.
- B. The City Council hereby consents to the Redevelopment Agency's funding of those public improvements.

ADOPTED this 12th day of June, 2007, by the following vote:

AYES:	CAMPOS, CHIRCO, CONSTANT, CORTESE, LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS; REED
NOES:	NONE
ABSENT:	NONE
DISQUALIFIED	NONE
VACANT:	DISTRICT 4

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk