

RESOLUTION NO. 74417

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE MAKING CERTAIN DETERMINATIONS REQUIRED BY REDEVELOPMENT LAW, HEALTH AND SAFETY CODE SECTION 33445, FOR AGENCY FUNDING OF PUBLIC IMPROVEMENTS IN CONNECTION WITH THE TECH MUSEUM'S INSTALLATION OF A PHOTOVOLTAIC SOLAR GENERATION SYSTEM ON THE ROOF OF PARKSIDE HALL

WHEREAS, the Tech Museum, located within the Park Center Redevelopment Project Area, is a cornerstone attraction within the downtown of San José and has provided special events, exhibits, meeting space, school programs and ongoing opportunities for participation for the community; and

WHEREAS, the Tech Museum of Innovation has entered into a 15-year Power Purchase Agreement with Solar Star, LLC to purchase electrical energy generated by a photovoltaic solar generation system to be constructed and installed on the roofs of Parkside Hall and the Tech Museum; and

WHEREAS, certain improvements are required to Parkside Hall, which is owned by the City of San José ("City"), in order to install the photovoltaic solar generation system ("Project"); 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 implementation plan; and

WHEREAS, the Project benefits the Park Center Redevelopment Project Area because it will improve the use and operation of a prominent public and cultural facility in the Project Area, it will improve the energy efficiency of the Tech Museum, while providing educational opportunities for the Tech Museum to the public associated with energy conservation; and

WHEREAS, sufficient funds to pay for the Project are not included in the City's Capital Budget, and no other reasonable means of financing the Project is available; and

WHEREAS, the Project will assist in the elimination of blight in the Park Center Redevelopment Project Area by bringing additional people to the Tech Museum and surrounding area, which continues to play a significant role in activating the Project Area, and supports restaurants and other cultural and arts venues in the Project Area; and

WHEREAS, the Project is consistent with the adopted implementation plan for the Park Center Redevelopment Project Area, which has as its goals and objectives to establish the Downtown as the 24-hour center of urban life and activity; to provide Downtown cultural and entertainment destinations; to provide new or enhanced cultural, convention, recreational and entertainment facilities; and to collaborate with diverse cultural organizations to create facilities supporting their art;

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

- A. Determines that Agency funding of the Project:
- (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 Park Center Redevelopment Project Area.

B. Consents to the Agency's funding of the Project.

ADOPTED this 10th day of June, 2008, by the following vote:

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

NOES: NONE.

ABSENT: CONSTANT.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk