

**RESOLUTION NO. 74569**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ MAKING CERTAIN DETERMINATIONS REQUIRED BY REDEVELOPMENT LAW, HEALTH AND SAFETY CODE SECTION 33445, FOR AGENCY FUNDING OF PUBLIC IMPROVEMENTS AT THE SAN JOSÉ MCENERY CONVENTION CENTER SOUTH HALL**

**WHEREAS**, the Redevelopment Agency of the City of San José (“Agency”) is the owner of the parcel of land on which the San José McEnery Convention Center South Hall is located, bordered by Viola Street, Market Street, Balbach Street and Almaden Avenue and located within the Monterey Corridor Redevelopment Project Area (“Site”); and

**WHEREAS**, portions of the Site are underutilized and could be placed into more productive use, and representatives from the area have requested improvements to the Site to make it more attractive for the adjacent neighborhood and downtown visitors; and

**WHEREAS**, the proposed improvements at the San José McEnery Convention Center South Hall include planting of trees and ground cover adjacent to the sidewalks along Balbach Street, slurry sealing the asphalt and restriping the parking lot, relocation of existing parking lot light fixtures and addition of new fixtures to attain desired lighting levels (“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 Monterey Corridor Redevelopment Project Area because it reduces the impact of overflow parking in the adjacent Market Almaden neighborhood by making available public parking and improving the lighting, security and landscaping of the site; and

**WHEREAS**, sufficient funds to pay for the entire Project is not included in the City's Capital Budget, and no other reasonable means of financing the Project is available, and no other source, public or private, has been identified to provide funds to accomplish this Project; and

**WHEREAS**, the Project will assist in the elimination of blight in the Monterey Corridor Redevelopment Project Area by reducing or eliminating adverse impacts of overflow parking from Convention Center events and nightclub activity in the South First Street Area in the adjoining Market Almaden neighborhood, and improving the appearance of Balbach Street by creating a more attractive neighborhood for residents; and

**WHEREAS**, the Project is consistent with the adopted implementation plan for the Merged Redevelopment Project Area;

**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 Monterey Corridor 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 Merged Redevelopment Project Area.

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

ADOPTED this 26th day of August, 2008, by the following vote:

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

NOES: NONE.

ABSENT: CAMPOS, CONSTANT, WILLIAMS.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk