

**RESOLUTION NO. 74594**

**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 FOR THE PROPOSED EDENVALE COMMUNITY CENTER**

**WHEREAS**, development of a community center is the number three priority in the Edenvale/Great Oaks Neighborhood, and in 2006 the Caroline Davis Intermediate School was identified as the logical site, and within the campus, approximately a two acre site located at the corner of Edenvue Drive and Branham Lane East was chosen as the ideal location; and

**WHEREAS**, a joint use agreement between the City of San José (“City”), the Redevelopment Agency of the City of San José (“Agency”) and the Oak Grove School District (“School District”) has been negotiated for the design, construction, operation, and maintenance of the proposed Edenvale Community Center, which defines each entity’s obligations; and

**WHEREAS**, the proposed community center will be approximately 20,204 square feet and include a gymnasium, multi-purpose room, computer lab, combined dance/fitness room that can serve as a stage, two early childhood recreation classrooms, open space for early childhood recreation, administration and common areas (“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 SNI Project Area because it meets the need for a place for sports, arts, learning, cultural and enrichment activities, gathering and socializing and services that support and assist in the advancement and improvement of life skills for the surrounding neighborhood; and

**WHEREAS**, the City has limited funds budgeted or otherwise identified for the Project, and the School District does not have sufficient funds to pay for the Project included in its 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 SNI Project Area by providing educational and recreational opportunities for neighborhood youth, which is expected to reduce juvenile delinquency and loitering in and about businesses, thereby attracting additional private investment and encouraging the existing businesses to remain in the area; and

**WHEREAS**, the Project is consistent with the adopted implementation plan for the SNI Project Area, which includes a goal for the neighborhood investment districts of providing for public facilities that support or enhance residential environments through the construction of new community centers, and by creating programs to address the needs of the neighborhoods, particularly for youth;

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

A. Determines that Agency funding of the Project:

- (1) benefits the SNI Project Area;
- (2) cannot be reasonably financed by other means;
- (3) assists in the elimination of blight in the SNI Project Area;
- (4) is consistent with the adopted implementation plan for the SNI Project Area.

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

ADOPTED this 23rd day of September, 2008, by the following vote:

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

NOES: NONE.

ABSENT: CAMPOS.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk