

RESOLUTION NO. 74674

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 THE SOFA SIDEWALK DEMONSTRATION PROJECT

WHEREAS, the Redevelopment Agency of the City of San Jose (“Agency”) is presently engaged in redevelopment activities in the Market Gateway Redevelopment Project Area; and

WHEREAS, the South First Street Area Strategic Development Plan was approved on December 17, 2002, and the San Jose Downtown Streetscape Master Plan was approved in 2003; and

WHEREAS, the proposed improvements in the SoFa Sidewalk Demonstration Project, which are consistent with the South First Street Area Strategic Development Plan and the San Jose Downtown Streetscape Master Plan, include three temporary sidewalk extensions for the South First Street sidewalk between San Carlos and San Salvador Streets (“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 Market Gateway Redevelopment Project Area because it will facilitate and encourage the private use of the public realm resulting in a more vibrant Downtown with a livelier pedestrian experience; and

WHEREAS, no other reasonable means of financing the Project is available as the City has no funds currently budgeted or otherwise identified to pay for the Project, and no other source, public or private, has been identified to provide funds to accomplish this Project; and

WHEREAS, increasing sidewalk space and narrowing the travel lanes will make the street more pedestrian friendly, bring more visitors to the Market Gateway Redevelopment Project Area and other Downtown project areas; increased visitors will support the local businesses, stimulate economic investments in the area and will help eliminate economic and other blighting conditions in the Downtown project areas; and

WHEREAS, the Project is consistent with the adopted Five-Year Implementation Plan for the Market Gateway Redevelopment Project Area, which provides for the goal of providing public infrastructure improvements to support private development and the objectives of implementing the Downtown Streetscape, Signage and Parking Master Plans as funding is available and to relocate underground utilities in coordination with planned development;

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 Market Gateway Redevelopment Project Area;
 - (2) cannot be reasonably financed by other means;
 - (3) assists in the elimination of blight in the Downtown project areas;
 - (4) is consistent with the adopted implementation plan for the Market Gateway Redevelopment Project Area.

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

ADOPTED this 18th day of November, 2008, by the following vote:

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

NOES: NONE.

ABSENT: CONSTANT, NGUYEN.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk