

RESOLUTION NO. 74845

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 REDEVELOPMENT AGENCY FUNDING OF THE PUBLIC IMPROVEMENTS FOR THE CIVIC AUDITORIUM PHASE 1 RESTORATION PROJECT

WHEREAS, the Civic Auditorium (“Auditorium”) is in need of multiple capital repair and replacement improvements to help intensify its use for general assembly space by Convention Center users and for concerts and other entertainment and to extend the useful life of the facility; and

WHEREAS, the improvements proposed as Phase 1 of the Auditorium restoration include the supply and installation of a permanent audiovisual and sound system, a new elevator and related renovations, new main level toilet rooms and renovations to the mezzanine level toilet rooms, new fire alarm system, wheelchair seating at the balcony, including wheelchair access to the stage and the back of house, replacement of all fixed seating, and non-fixed or portable seating for the main floor (“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 Plaza Redevelopment Project Area (“Project Area”) by improving the functionality and usefulness of a building that is a key public facility within the Project Area; 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 the attractiveness of the Auditorium as a performance venue will bring more visitors to the Project Area and other Downtown project areas, and increased visitors will stimulate economic investments in the area and will assist in the elimination of blighting conditions in the Downtown project areas; and

WHEREAS, the Project is consistent with the adopted implementation plan for the Project Area, which identifies the provision of new or enhanced cultural, convention, recreational and entertainment facilities as one of its goals;

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

- A. Determines that Agency funding of the Project:
- (1) benefits the Park Center Plaza Redevelopment Project Area;
 - (2) cannot be reasonably financed by other means;
 - (3) assists in the elimination of blight in the Downtown project areas; and
 - (4) is consistent with the adopted implementation plan for the Park Center Plaza Redevelopment Project Area.

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

ADOPTED this 24th day of March, 2009, by the following vote:

AYES: CAMPOS, CHU, KALRA, LICCARDO, NGUYEN,
OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CHIRCO, CONSTANT, HERRERA.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk