

**RESOLUTION NO. 74868**

**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 REDEVELOPMENT AGENCY FUNDING OF CONSTRUCTION OF IMPROVEMENTS FOR THE PROPOSED AUTUMN STREET EXTENSION PROJECT**

**WHEREAS**, the Autumn Street Extension Project (“Project”) consists of the design and construction of a new alignment of Autumn Street, requiring acquisition of property, clearance of hazardous materials, and building demolition in the Julian-Stockton Redevelopment Project Area; 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 Julian Stockton Redevelopment Project Area (“Project Area”) by improving the traffic flow into and around Downtown San José, thereby enabling continued development of housing and offices within the City’s core and creating new development opportunities 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

**WHEREAS**, the Project will assist in the elimination of blighting conditions in the Project Area by allowing for the continued development of Downtown while also opening new development sites in the Project Area for private investment and by helping to eliminate economic blight by creating improved access to private development sites, which are essential to activating the Project Area and supporting other business and restaurants in the Project Area; and

**WHEREAS**, the Project is consistent with the adopted implementation plan for the Project Area, which identifies the provision of public infrastructure improvements to support private development and for the continued development of Downtown as the transportation hub of the region as two of its goals;

**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 Julian Stockton Redevelopment Project Area;
- (2) cannot be reasonably financed by other means;
- (3) assists in the elimination of blight in the Julian Stockton Project Area; and
- (4) is consistent with the adopted implementation plan for the Julian Stockton Redevelopment Project Area.

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

ADOPTED this 7<sup>th</sup> day of April, 2009, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,  
NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: CHIRCO.

DISQUALIFIED: LICCARDO.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk