

RESOLUTION NO. 75345

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT POWERS AGREEMENT FOR THE SILICON VALLEY REGIONAL INTEROPERABILITY AUTHORITY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT TO THE SECOND AMENDED JOINT FUNDING AGREEMENT FOR THE SILICON VALLEY INTEROPERABILITY PROJECT

WHEREAS, the Santa Clara County/Cities Managers formed the Silicon Valley Regional Interoperability Project ("SVRIP") in 1998 to enhance interagency coordination and communication between public safety agencies and to exchange critical information and resources in real time during an emergency; and

WHEREAS, the SVRIP operates under the general direction of the Santa Clara County/Cities Managers' Association and under the Second Amended Joint Funding Agreement entered into by the cities of Campbell, Cupertino, Gilroy, Los Altos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, San José, Santa Clara, Saratoga, and Sunnyvale; the towns of Los Gatos and Los Altos Hills; the South Santa Clara County Fire District; the County of Santa Clara; San José State University; and the Santa Clara Valley Water District ("Second Amended Joint Funding Agreement"); and

WHEREAS, the SVRIP includes all of the projects undertaken under the auspices of the Second Amended Joint Funding Agreement and its predecessors, the First Amended Joint Funding Agreement and the Joint Funding Amendment; and

WHEREAS, the most notable project undertaken by SVRIP has been the implementation of Phase 1 of the Emergency Communications network which established a regional microwave communications network to improve communications

between emergency first responders within the County, with Phase II commencing in September 2009; and

WHEREAS, the joint exercise of powers provided under the Second Amended Joint Funding Agreement are no longer sufficient to address the expanded opportunities and objectives of the SVRIP, which include pursuit of grant funding on a regional basis to construct, operate or maintain multi-jurisdictional projects; and

WHEREAS, the City desires to approve a first amendment to the Second Amended Joint Funding Agreement which allows the assets and obligations of the SVRIP to be transferred to a new joint powers authority; and

WHEREAS, the City desires to enter into a Joint Powers Agreement to become a member of the Silicon Valley Regional Interoperability Authority ("SVRIA"); and

WHEREAS, pursuant to San Jose Municipal Code Section 4.32.010, in order to enter into a joint powers agreement creating a joint powers authority with the power to issue revenue bonds, the City Council must find that the public interests and necessity demand that (a) the SVRIA acquire, construct, maintain, and operate the SVRIP and the projects entered into pursuant to the SVRIA Joint Powers Agreement, and (b) the SVRIA be empowered to exercise the power to issue revenue bonds.

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

1. The City Council hereby determines, based upon the information contained in the memorandum from Deputy City Manager Deanna Santana to the Public Safety, Finance and Strategic Support Committee, dated March 11, 2010, that the public interests and necessity demand that:

- a. The Silicon Valley Regional Interoperability Authority ("SVRIA") acquire, construct, maintain, and operate the Silicon Valley Regional Interoperability Project ("SVRIP") and the projects entered into pursuant to the SVRIA Joint Powers Agreement; and
 - b. The SVRIA be empowered to exercise the power to issue revenue bonds.
2. The City Manager is hereby authorized to execute the SVRIA Joint Powers Agreement.
 3. The City Manager is hereby authorized to execute the Amendment to the Second Amended Joint Funding Agreement to allow the SVRIP to transfer its assets to a joint powers authority.

ADOPTED this 20th day of April, 2010, by the following vote:

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

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk