

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE TO EXTEND FOR ANOTHER EIGHTEEN-MONTH PERIOD THE TEMPORARY CLOSURE OF SPRING STREET BETWEEN HEDDING STREET AND ASBURY STREET; ASBURY STREET BETWEEN WALNUT STREET AND IRENE STREET; AND IRENE STREET BETWEEN TAYLOR STREET AND ASBURY STREET**

**WHEREAS**, the City of San Jose ("City") owns and operates the Norman Y. Mineta San José International Airport ("Airport"); and

**WHEREAS**, the Guadalupe Gardens area is located on federally regulated land just south of the Airport in an approach zone, and must be kept clear of inhabitants; and

**WHEREAS**, Spring Street, Asbury Street, and Irene Street in the Guadalupe Gardens area are currently inhabited with illegal camping and are experiencing serious and continuing criminal activity and illegal dumping, all of which is facilitated by vehicular and pedestrian access; and

**WHEREAS**, under California Vehicle Code Section 21101.4, City Council may temporarily close streets when serious criminal activity or dumping is a concern; and

**WHEREAS**, on October 19, 2021, City adopted Resolution No. 80264, to temporarily close to vehicular and pedestrian access on Spring Street between Hedding Street and Asbury Street; Asbury Street between Walnut Street and Irene Street; and Irene Street between Taylor Street and Asbury Street for an eighteen-month period expiring on April 19, 2023;

**WHEREAS**, pursuant to California Vehicle Code Section 21101.4, the City Council held a public hearing on April 11, 2023, and the following conditions continue to exist:

- (1) There has been determined to be serious and continual criminal activity and illegal dumping in the area of the proposed temporary closure, and the City's Police Department recommends closure;
- (2) The subject street is not designated as a through highway or arterial street;
- (3) Pedestrian and vehicular traffic contributes to the criminal activity; and
- (4) The proposed closure will not substantially adversely affect traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of closure; and

**WHEREAS**, in order to continue addressing these challenges, City desires to continue to temporarily close to vehicular and pedestrian access on Spring Street between Hedding Street and Asbury Street; Asbury Street between Walnut Street and Irene Street; and Irene Street between Taylor Street and Asbury Street for another eighteen-month period beginning April 20, 2023 and expiring on October 20, 2024;

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

The extension of the temporary closure to vehicular and pedestrian access of Spring Street between Hedding Street and Asbury Street; Asbury Street between Walnut Street and Irene Street; and Irene Street between Taylor Street and Asbury Street, in the Guadalupe Gardens is hereby approved for an eighteen (18) month period commencing on April 20, 2023 and ending on October 20, 2024.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk