

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE TO TEMPORARILY CLOSE SPRING STREET
BETWEEN ASBURY STREET AND TAYLOR STREET,
WITHIN THE GUADALUPE GARDENS**

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, pursuant to California Vehicle Code Section 21101.4, the City Council held a public hearing on April 11, 2023, and the following conditions 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 address these challenges now, City desires to temporarily close to vehicular and pedestrian access on Spring Street between Asbury Street and Taylor Street;

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

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

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ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk