

City Attorney's Impartial Analysis

Measure L, if approved, will permit the use of approximately 3/4 of an acre of Lincoln Glen Park immediately south of the Willows Senior Center located on 2175 Lincoln Avenue, for the construction of a fire station. Lincoln Glen Park comprises approximately 6.4 acres along Lincoln Avenue, approximately one mile south of the Willow Glen Business District.

Section 1700 of the City Charter prohibits the City Council from granting permits, licenses, leases or concessions or other interests in a City park for more than 3 years, without voter approval. The purpose of this ballot measure is to obtain voter approval to locate a new fire station on a portion of a public park, thereby complying with this Charter section.

The proposed site for the fire station is currently used as a parking lot. The existing parking lots at Lincoln Glen Park, consisting of 204 parking spaces, will be reduced in size by up to 34 parking spaces as a result of this project. Construction of the new fire station in this area will not reduce recreational uses of other portions of the park. Access to the parking spaces from Lincoln Avenue will be provided by a new driveway constructed as a part of the project.

This measure only addresses construction of a fire station on Lincoln Glen Park. During City Council's consideration of this ballot measure on August 5, 2008, the City Council passed a motion specifying that no decision had been made with respect to the sale or closure of Fire Station 6 which is located at 1386 Cherry Avenue, San Jose.

A "yes" vote on this measure is a vote to allow the City to use 3/4 of an acre of Lincoln Glen Park to construct and operate a fire station.

A "no" vote on this measure is a vote against allowing the City to construct a fire station on a portion of Lincoln Glen Park.



Richard Doyle, City Attorney

City of San Jose