



COUNCIL AGENDA: 12-14-04

ITEM: 2.22(b)

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Terry Roberts

SUBJECT: SEE BELOW

DATE: 12-13-04

Approved

Date

12-14-04

Council District: 10
SNI: N/A

SUBJECT

ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN EXTENSION OF THE EXISTING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN JOSE AND THE SAN JOSE UNIFIED SCHOOL DISTRICT FOR A PROPERTY LEASE FOR A SPORTS FIELD ON MCKEAN ROAD FOR UP TO THREE MONTHS.

RECOMMENDATION

Adoption of a resolution authorizing the City Manager to negotiate and execute a Third Amendment to the Memorandum of Understanding (MOU) between the City of San José and San José Unified School District (SJUSD) regarding the recreational sports field use of certain property in the South Almaden Urban Reserve, extending the term of the MOU to April 22, 2005.

Entering into a Third Amendment to the MOU will allow the City to continue to move forward with the negotiation of terms and conditions for the planning, design, development, use and operation of the property associated with the development of the proposed McKean Road Sports Complex play fields.

BACKGROUND

On January 22, 2002, City Council approved an MOU with San Jose Unified School District, setting forth the understanding between the parties regarding the planning process and the proposed lease. The SJUSD has offered to allow the City to lease a portion of its property in the South Almaden Urban Reserve (Caglia Property) for play fields known as the proposed McKean Road Sports Complex, in consideration of an annual lease fee of \$1.00. On December 7, 2004, the City Council adopted a General Plan Amendment and in a separate action adopted a

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Subject: Adoption of a Resolution Authorizing the City Manager to Negotiate and Execute an Extension of the Existing Memorandum of Understanding Between the City Of San Jose and the San Jose Unified School District for a Property Lease for a Sportsfield on Mckean Road for up to Three Months.

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resolution certifying the final environmental impact report associated with the proposed complex. The SJUSD and City Staff are currently negotiating a proposed lease related to the property for presentation to the SJUSD Board and City Council.

On January 21, 2003, the City Council approved a First Amendment to the MOU to extend the term of the agreement through January 22, 2004, in order to complete the CEQA review process. On October 7, 2003, the City Council approved a Second Amendment to allow additional time to complete the CEQA review process. This Third Amendment would extend the term of the MOU to April 22, 2005, to allow additional time to complete the negotiation of the property lease.

PUBLIC OUTREACH

Community meetings have been held on the proposed McKean Road Sports Complex on the following dates: November 12, 2002; May 3, 2004; October 6, 2004; October 7, 2004; and October 27, 2004. Extensive community input and comment were received at the various community meetings. The Planning Commission considered the matter on November 29, 2004, and the City Council conducted a public hearing on December 7, 2004, and then adopted a General Plan text amendment to allow certain limited, interim outdoor recreational uses on public properties that are consistent with the long-term character of the South Almaden Valley Urban Reserve (SAVUR). In a separate action the Council adopted a resolution certifying the final environmental impact report associated with the proposed project.

COORDINATION

Review of this amendment was coordinated with the Department of Parks, Recreation and Neighborhood Services, the Department of Public Works, the Department of Transportation, City Attorney's Office, and the City Manager's Office CIP Action Team.

CEQA

McKean Road Sports Complex Final Environmental Impact Report, certified by the Planning Commission on November 29, 2004.



TERRY ROBERTS
Deputy City Manager