

RESOLUTION NO. 73197

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT WITH THE BOYS AND GIRLS CLUB OF SILICON VALLEY PROVIDING FOR THE PURCHASE BY THE CITY OF THE SMYTHE CLUBHOUSE SPORTS FIELD FOR AN AMOUNT NOT TO EXCEED \$1,000,000 AMONG OTHER THINGS

WHEREAS, Boys And Girls Club of Silicon Valley has approached the City seeking ways to find additional funding to continue Boys and Girls Club programs and operations;

WHEREAS, the City And Boys And Girls Club Of Silicon Valley desire to investigate whether they can reach mutually acceptable terms for the City to purchase title to the sports field located at The Smythe Clubhouse.

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

The City Manager is hereby authorized to negotiate with the Boys and Girls Club ("B&GC") of Silicon Valley, with the goal of reaching a mutual understanding on the terms upon which B&GC would sell to the City fee title to the existing sports field ("Sports Field") at the Smythe Clubhouse, which may include such terms and conditions as the City Manager deems reasonable, including without limitation; (i) the City will pay an amount not to exceed \$1,000,000 to purchase fee title to the existing Sports Field, (ii), the payments to B&GC will be made in installments which are conditioned upon B&GC complying with certain requirements such providing an approved fundraising and business plan and reducing operational costs, and (iii) the terms, conditions, dates and times that B&GC may use the Sports Fields for B&GC programs, and (iv) such other reasonable terms and conditions as determined by City Manager. The City Manager and B&GC are also authorized to evaluate facilities in the greater Downtown area that may be suitable sites for B&GC to run an afterschool program under the City's afterschool program.

The City Manager shall return to City Council for final approval of any agreement reached with B&GC pursuant to this resolution.

ADOPTED this 6th day of June, 2006, by the following vote:

AYES: CAMPOS, CHIRCO, CORTESE, LeZOTTE, NGUYEN,
PYLE, WILLIAMS, YEAGER, CHAVEZ

NOES: NONE

ABSENT: REED; GONZALES

DISQUALIFIED: NONE

CINDY CHAVEZ
Vice Mayor

ATTEST:

LEE PRICE, MMC
City Clerk