

RESOLUTION NO. 73631

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE TRANSFER OF OWNERSHIP OF 438 COLEMAN AVENUE FROM THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE TO THE CITY OF SAN JOSE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECT THE LAND TRANSFER AND THE LEASE OF THE PROPERTY TO THE FRIENDS OF THE GUADALUPE RIVER PARK AND GARDENS**

**WHEREAS**, in December 2002, the Council of the City of San Jose ("City") approved the Guadalupe Gardens Master Plan, which specified that a resource center should be located at the perimeter of the Guadalupe Gardens area; and

**WHEREAS**, the Redevelopment Agency of the City of San Jose ("Agency") and City purchased property to be used as a resource center, located at 438 Coleman Avenue, adjacent to the Julian-Stockton Redevelopment Project Area and consisting of an approximately 6,322 square foot single-story industrial building situated on a 13,068 square foot parcel ("Property"); and

**WHEREAS**, fee title to the Property was taken in the Agency's name; and

**WHEREAS**, on June 29, 2004, the Agency and City entered into a Cooperation Agreement for the transfer of the Property to the City, and on that same date the City Manager was authorized by the City Council to negotiate and execute an agreement with the Friends of the Guadalupe River Parks and Gardens ("Friends") for the operation and maintenance of the Property; and

**WHEREAS**, since the Property is in the Agency's name, the Agency has negotiated a lease with the Friends to provide a public resource center, public restrooms, and office

space to the Friends and the City's Parks, Recreation and Neighborhood Services department; and

**WHEREAS**, the City wishes to accept the transfer of the Property from the Agency subject to the executed lease between the Agency and Friends;

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

1. The transfer of ownership of 438 Coleman Avenue from the Agency to the City of San Jose is approved.

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2. The City Manager is authorized to execute all documents necessary to effect the lease between the Agency and the Friends of the Guadalupe River Park and Gardens and execute all documents required to transfer the Property from the Agency to the City.

ADOPTED this 30<sup>th</sup> day of January, 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CONSTANT, CORTESE,  
LICCARDO, NGUYEN, PYLE, WILLIAMS; REED

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

VACANT: DISTRICT 4, DISTRICT 6

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk