Council Agenda: 10/28/08
Item: 5.3

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Albert Balagso

SUBJECT: **MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SAN JOSE AND THE EAST SIDE UNION HIGH SCHOOL DISTRICT**

DATE: October 6, 2008

Approved

Date 10-8-08

COUNCIL DISTRICT: 2, 4, 5, 7, 8, 3
SNI AREA: Mayfair
KONA
West Evergreen

RECOMMENDATION

It is recommended that the City Council approve the attached Memorandum of Understanding (MOU) between the City of San Jose and the East Side Union High School District for the shared planning, development and operation of recreational facilities.

OUTCOME

An approved MOU would establish a cooperative relationship between the City and the District and make public their desire to pursue opportunities for the shared development and joint use of recreational projects of mutual interest.

BACKGROUND

In recognition of the shortage of sports fields, the San Jose City Council authorized the Department of Parks, Recreation and Neighborhood Services (PRNS) to conduct a community sports field study. During the data collection phase of that study, it was noted that there was a strong preference for the development of recreational amenities through partnerships.

Since that time, PRNS has been actively pursuing new partnerships for the development of sports fields with school districts. The Department's first success was a partnership with the San Jose Unified School District for the development of the Leland Sports Complex. This project added three artificial turf fields to the City's inventory and provided over 5,000 hours of community access during non-school hours. The proposed MOU between the City of San Jose and the East Side Union High School District seeks to build on the Leland model by expanding the notion of

shared development and joint use from a single project to multiple projects. It also seeks to provide a framework for a new vision of collaboration that will allow the City and the District to act collaboratively now and in the future. The purpose of this memorandum is to provide an overview of the MOU and to seek Council's approval of the document.

ANALYSIS

The proposed MOU is enclosed as Attachment A. This document recognizes that the City and the District each have limited capital resources and intend to leverage those resources, where possible, to benefit the community and the District. It is important to note that the MOU does not obligate either party to enter into a particular shared development/joint use agreement at this point. Instead, it commits each party to explore the feasibility of projects of mutual interest and provides a framework for decision-making and collaborative planning.

To date, five projects have been identified as projects of mutual interest:

1) Construction of a lighted sports complex, with artificial turf, at Independence High School;

2) Construction of a lighted sports complex, with artificial turf, at Overfelt High School;

3) The rehabilitation of the Hillview Branch Library for use by the East Side Union School District and their partners as a digital arts and neighborhood center;

4) Evaluation of Independence High School as the site of a Large Family Aquatics Center; and

5) On-going lease of the pools at Santa Teresa High School and Silver Creek High School for use by the City's Aquatics program.

If the MOU is approved, the parties will negotiate individual shared development/joint use agreements for each of these projects. The goal is to complete the required negotiations, community input processes and environmental impact reports within two years for all five projects. To accomplish this, the MOU outlines a set of guiding principles and key provisions to be included in each shared development/joint use agreement. The first goal is to develop the sports complex agreement with East Side Union High School District by the end of FY 2008-09. In addition, the MOU establishes a decision-making structure that will include a Steering Committee and associated project subcommittees. This structure is similar to the structure established in the Leland agreement.

While much of the proposed MOU is based on the Leland agreement, it is important to note that this MOU creates an even broader spirit of collaboration and cooperation. The agreement with San Jose Unified School Distict was specific to the Leland site. The proposed MOU with East

Side Union High School District expands the concept of shared development from a single site to multiple projects across the District.

The MOU recognizes that the City has an interest in securing access to not only one site, but all eleven school sites within the District. It also recognizes that the District may, from time to time, may have an interest in City facilities for their use (i.e., re-use of the Hillview Library for a digital arts center). The proposed MOU provides for both of these interests. It also recognizes that there may be opportunities in the future for projects of mutual interests and provides a mechanism for those discussions as well.

The District has scheduled two community meetings to discuss the potential partnership with the City. The first was held on September 30 at Overfelt High School and the second will take place on October 6 at Independence High School. City staff is participating with the District in these community meetings. Feedback from the initial meeting at Overfelt was very positive with strong support for the proposed partnership. If the MOU is approved, staff will continue to work with District staff to ensure open communication regarding these projects.

The District's Board of Trustees is scheduled to approve the MOU on October 16th at 7:00 p.m. Staff will report verbally at the 10/28/08 Council meeting on the outcome of their discussions.

CONCLUSION

The proposed MOU between the City and the East Side Union High School District represents an exciting new spirit of collaboration. It provides a strategic framework for shared development and joint use that will enable the City and the District to better serve residents all across the east side of San Jose. In addition, it creates a new model that recognizes that the parties' interests are inter-mingled and best served by the leveraging of resources. Just as the Leland agreement established a new model for shared development for a single site, the proposed MOU with the East Side Union High School District seeks to establish a new model for multiple sites across a school district. With nineteen school districts and numerous individual school sites, this approach will surely help the City to be more efficient and effective in developing successful partnerships with local school districts.

EVALUATION AND FOLLOW-UP

If approved, it is a goal to have individual shared development and joint-use agreements presented to City Council for final approval within two years. The first priority is to develop the agreement for the sports complex with East Side Union High School District by the end of FY 2008-09.

PUBLIC OUTREACH/INTEREST

☑ **Criterion 1**: Requires Council action on the use of public funds equal to $1 million or greater. **(Required: Website Posting)**

☐ **Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**

☐ **Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Two community meetings on the proposed partnership have been scheduled. The first was held on September 30, 2008 at Overfelt High School and the second is scheduled for October 6, 2008. This memorandum will be posted to the City of San Jose's website for the October 28, 2008 City Council Agenda.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

CEQA

Not a project.

ALBERT BALAGSO
Director
Parks, Recreation
and Neighborhood Services

For more information, please contact Cynthia Bojorquez at 535-3581.