



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jon Cicirelli

**SUBJECT:** See Below

**DATE:** May 19, 2025

Approved

Date:

5/29/25

**COUNCIL DISTRICT: 1**

**SUBJECT: Amendment to the Joint Use Agreement with Archbishop Mitty High School for Use and Maintenance of John Mise Park**

## **RECOMMENDATION**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute an amendment to the existing joint use agreement with the Roman Catholic Welfare Corporation of San José (operating as Archbishop Mitty High School) for the continued shared use and maintenance of John Mise Park.

## **SUMMARY AND OUTCOME**

The Department of Parks, Recreation and Neighborhood Services (Department) is seeking to amend the agreement with Archbishop Mitty High School for joint use of John Mise Park to strengthen the public-private partnership and clarify the roles and contributions of each party. Upon execution of the amendment, Archbishop Mitty High School will continue providing in-kind park maintenance at John Mise Park based on mutually agreeable maintenance expectations; will produce and install signage acknowledging the school's participation and maintenance responsibilities; and, in five years, will make an additional contribution of \$275,000 toward the replacement of the park's artificial turf sports field.

## **BACKGROUND**

John Mise Park is an 11.7-acre City park located in Council District 1 at the intersection of Moorpark Avenue and Mitty Way. The park features an existing artificial turf softball/soccer field, playground, basketball courts, pickleball courts, restrooms, picnic areas, and a parking lot. Archbishop Mitty High School is adjacent to the park and has long used the sports field to support its athletic programming.

On May 22, 2012, the City Council adopted Resolution No. 76248, authorizing a joint use agreement with Archbishop Mitty High School for a term of 13 years with an automatic extension for 12 years if Archbishop Mitty High School complied with all terms of the agreement, for a possible term of 25 years. The resolution and agreement addressed City Charter Section 1700.1, as well as City Council Policy 7-8, "Long-Term Use of City Parklands for Private Enterprise Purposes," that set forth guidelines for long-term agreements under Charter Section 1700.1. The agreement included financial contributions for the renovation of the sports field in the amount of \$3.5 million from the City and \$375,000 from Archbishop Mitty High School, in-kind contributions from Archbishop Mitty High School for park maintenance in exchange for exclusive use of the sports field and parking spaces during certain hours, and a financial contribution of up to \$175,000 from Archbishop Mitty High School for replacement of the artificial turf sports field. The initial term of the agreement is set to expire on or around June 12, 2025.

## **ANALYSIS**

To continue the successful partnership, the Department has negotiated a proposed amendment to the agreement to increase the financial contribution from Archbishop Mitty High School and update several operational provisions to reflect current priorities. The proposed amendment represents a continued public-private investment in John Mise Park as a shared-use facility that benefits both a local school community and the general public.

The proposed amendment includes the following key terms:

- Term: The term of agreement is unchanged, and the automatic extension will commence June 13, 2025, and will continue through approximately June 12, 2037, ensuring continuity in park maintenance and shared use.
- Additional Financial Contribution: Archbishop Mitty High School will contribute an additional \$275,000 in year five of the 12-year extension period. This is above and beyond the prior \$175,000 Replacement Contribution and will support the future replacement of the synthetic turf.
- Maintenance Contribution: Archbishop Mitty High School will continue to provide in-kind park maintenance activities at John Mise Park. Archbishop Mitty High School and Department staff have negotiated technical edits to maintenance expectations, reflecting current turf maintenance specifications and rebalancing certain responsibilities for effectiveness and efficiency. For instance, Archbishop Mitty High School has agreed to take responsibility for tree pruning and basic bioretention area inspection and clearing, while the Department agrees to take responsibility for irrigation lateral and sprinkler head repair and graffiti removal.

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- **Acknowledgment:** Archbishop Mitty High School will, at its own expense, produce and install signage acknowledging its ongoing maintenance responsibilities at John Mise Park and its exclusive use of the synthetic turf field and back parking lot during certain hours. The sign design will be subject to mutual agreement.

In addition to the defined maintenance contributions, Archbishop Mitty High School provides additional support and stewardship of John Mise Park. Its students regularly participate in trash pickup and beautification efforts at John Mise Park as part of their community service activities. The school community also takes part in the City's annual Great American Litter Pickup event, helping maintain the park's cleanliness and appearance. Additionally, John Mise Park is included in Archbishop Mitty High School's daily safety and security walkabouts, further supporting a safe and well-monitored environment for all park users. The City greatly appreciates these contributions above and beyond the agreement's requirements, which also engage students in stewarding their community assets.

### **EVALUATION AND FOLLOW-UP**

Upon City Council approval, the City Manager or her designee will finalize negotiations and execute the amendment to the joint use agreement. Department staff will also confirm the finalized signage design, payment schedule, and mutually agreed-upon edits to the maintenance provisions and provide ongoing oversight of the agreement to ensure compliance with its terms and continued coordination with the partner organization.

### **COST SUMMARY/IMPLICATIONS**

The recommended action has no cost implications. When the Department receives the financial contribution of \$275,000, it will be included in a future capital budget process.

### **COORDINATION**

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

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## **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the June 10, 2025 City Council meeting.

## **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

## **CEQA**

Categorically Exempt, File No. ER25-100, CEQA Guidelines Section 15301, Existing Facilities.

## **PUBLIC SUBSIDY REPORTING**

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Jon Cicirelli  
Director of Parks, Recreation  
and Neighborhood Services

For questions, please contact Avi Yotam, Deputy Director, Parks, Recreation and Neighborhood Services, at [Avi.Yotam@sanjoseca.gov](mailto:Avi.Yotam@sanjoseca.gov) or (408) 547-7614.