



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jon Cicirelli

**SUBJECT:** Property Transfer  
Agreement Between the  
City of San José and San  
José Unified School District

**DATE:** September 29, 2025

Approved

Date:

9/30/2025

**COUNCIL DISTRICT: 10**

## **RECOMMENDATION**

Adopt a resolution authorizing the City Manager or her designee to negotiate and execute a Property Transfer Agreement with the San José Unified School District for a building located at 7050 Bret Harte Drive.

## **SUMMARY AND OUTCOME**

Authorizing the City Manager or her designee to negotiate and execute the transfer of a building located at 7050 Bret Harte Drive (Almaden "The Spot" Youth Center) will allow the Parks, Recreation, and Neighborhood Services Department (PRNS) to transfer the building to San José Unified School District (District) to be repurposed for providing services to the surrounding community at Bret Harte Middle School. New services will focus on providing educational support and enrichment resources for students such as hosting small assemblies and student outreach programs including, but not limited to, the District's drug-awareness and bullying presentations with the San José Police Department.

## **BACKGROUND**

PRNS currently possesses one vacant pre-engineered building located at Almaden "The Spot" Youth Center, situated on San José Unified School District property at 7050 Bret Harte Drive. PRNS entered into a 25-year real property lease agreement on July 13, 2000, with San José Unified School District. The lease agreement between the San José Unified School District and the City for purchase and use of a pre-engineered building located at Bret Harte Middle School expired on June 30, 2025.

## **ANALYSIS**

Currently, the site has no City staff assigned to it and no active or planned programming. PRNS previously operated a Recreation of City Kids afterschool program out of the pre-engineered building, but discontinued the program on May 30, 2025, due to continued declining enrollment. The expired lease agreement states that at the end of the term, the City agrees to remove the community center and repair any damage to the site caused by the removal of the community center. Since the removal of the community center would be cost prohibitive, PRNS initiated discussions with the District to resolve the lease expiration terms and develop a more feasible plan for the building. The District has agreed to take ownership of the building, releasing the City from its obligation to remove the community center and repair any damage to the site. Therefore, in coordination with the Public Works Department through the Notice of Intended Donation of Surplus process, the City will initiate the donation of the building as surplus to the San José Unified School District.

Staff recommends transferring the pre-engineered building to San José Unified School District. There would be no service impact because the building site is already vacant. Transferring the building to the District will provide benefits to the students and families of Bret Harte Middle School. The building will be used by the District as a mixed-use classroom for education and enrichment programs and overflow for physical education teachers on rainy days.

## **EVALUATION AND FOLLOW-UP**

No follow-up action with City Council is anticipated.

## **COORDINATION**

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

## **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the October 21, 2025 City Council meeting.

## **COMMISSION RECOMMENDATION AND INPUT**

No commission recommendation or input is associated with this action.

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**CEQA**

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment; and File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.

**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, Parks, Recreation, and  
Neighborhood Services

For questions, please contact Maria De Leon, Deputy Director, Recreation Division, PRNS, at [maria.deleon@sanjoseca.gov](mailto:maria.deleon@sanjoseca.gov) or (408) 795-3116.