

ORDINANCE NUMBER O- 18291 (NEW SERIES)

ADOPTED ON APR 16 1996

AN ORDINANCE OF THE CITY OF SAN DIEGO  
AUTHORIZING THE CITY MANAGER TO EXECUTE A  
SUBLEASE AND MAINTENANCE AGREEMENT WITH THE  
SAN DIEGO COMMUNITY FOUNDATION RELATING TO  
THE CITY HEIGHTS COMMUNITY CENTER.

WHEREAS, on May 5, 1992, the City Council adopted the City Heights Redevelopment Plan pursuant to the California Community Redevelopment Law (codified as California Health and Safety Code § 33000 et seq.) for the purposes of eliminating blight and stimulating economic development in the City Heights community; and

WHEREAS, Mr. and Mrs. Sol Price ("Price") have generously donated five million dollars (\$5,000,000) to the Foundation for the purpose of developing a City Heights Community Center (including a swim center), and a new state-of-the-art City library in City Heights (the "Project"), upon the conditions that 1) CityLink Investment Corporation ("CIC") serve as the Construction Manager and Developer for the Project, 2) the disbursement of funds for the design and construction of the Project be overseen by Foundation, 3) following the construction of the Project, that the Foundation continue to lease the Project from City for a period of twenty (20) years to help ensure that certain maintenance standards are observed, and 4) that part of the lease monies paid to Foundation by City be used to help support the Town Council for a period of ten (10) years; and

WHEREAS, pursuant to a Ground Lease, on file in the office of the City Clerk as Document No. OO- 18290, and consistent with the above-mentioned gift from Price, City will lease the property upon which the Project is to be located on (the "Leased Property") to Foundation, so that Foundation shall cause the financing for design and construction to occur according to plans and specifications approved by the City; and

WHEREAS, upon completion of the Project's construction, City shall sublease the project for the purpose of operating and maintaining the Community Center and Library; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

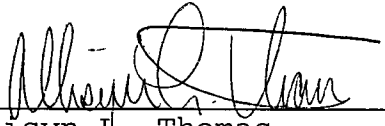
Section 1. The Council hereby approves the Sublease and Maintenance Agreement with the San Diego Community Foundation, a copy of which is on file in the office of the City Clerk as Document No. OO- 18291, and the City Manager is hereby authorized and empowered to execute the Sublease and Maintenance Agreement under the terms and conditions set forth in the Agreement, in the name of The City of San Diego following the effective date of this ordinance.

Section 2. The City Clerk is directed to record the Sublease and Maintenance Agreement within ten (10) days after its execution.

Section 3. This ordinance shall take effect and be in force only upon and after the City acquiring the Leased Property which is the subject of the above-mentioned Ground Lease; however, in the event the City does not acquire the Leased Property within

two (2) years of the adoption of this Ordinance, this Ordinance will be of no further force and effect.

APPROVED: JOHN W. WITT, City Attorney

By   
Allisyn L. Thomas  
Deputy City Attorney

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Or.Dept:MCDC  
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