ORDINANCE NUMBER O- 18868

(NEW SERIES)

ADOPTED ON \_ OCT 1 6 2000

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXPENDITURE OF \$620,403 FOR USE ON BAYVIEW TERRACE ELEMENTARY SCHOOL - JOINT USE FACILITY, CIP NO. 29-836.0; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A TWENTY-FIVE YEAR AGREEMENT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, AND LEASE OF TURFED FIELDS AND RECREATION FACILITIES AT BAYVIEW TERRACE ELEMENTARY SCHOOL SITE WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT OF SAN DIEGO COUNTY, CALIFORNIA.

WHEREAS, the Bayview Terrace Elementary School [the School] is located in the Pacific Beach Community Planning area and the City has initiated the development of the School's approximately 5.6 acres of decomposed granite multi-purpose fields to accommodate athletic and recreational uses; and

WHEREAS, Capital Outlay and Community Development Block Grant funds in the amount of \$620,403 have been identified for a portion of Phase I of the project implementation which will include turfed multi-purpose fields; and

WHEREAS, Phase II, consisting of baseball backstops and other site furnishings, and Phase III, consisting of sports lighting, will be implemented as funds become identified, and

WHEREAS, the City of San Diego Park and Recreation Department will be completely responsible for maintenance of the ballfields for the twenty-five year term of the joint use agreement; and

WHEREAS, maintenance of other facilities within the joint-use area, including the parking lot, the playground area and the running track, shall be shared between the City of San Diego Park and Recreation Department and the San Diego Unified School District;

NOW, THEREFORE,

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

Section 1. That the expenditure of an amount not to exceed \$620,403 from Bayview Terrace Elementary School - Joint Use Facility, CIP No. 29-836.0, is authorized, solely and exclusively, for the purpose of constructing a portion of Phase I of the Bayview Terrace Elementary School - Joint Use Facility, contingent upon the mutual execution of the Agreement for the Construction, Operation, Maintenance, and Lease of Turfed Fields and Recreation Facilities at Bayview Terrace Elementary School Site referenced below in Section 2.

Section 2. That the City Manager is authorized and empowered to execute, for and on behalf of the City, an Agreement for the Construction, Operation, Maintenance, and Lease of Turfed Fields and Recreation Facilities at Bayview Terrace Elementary School Site with the San Diego Unified School District of San Diego County, California, for the lease and joint use of turfed multi-purpose fields and recreational facilities at the Bayview Terrace Elementary School site, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO- 18868

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By

Richard A. Duvernay
Deputy City Attorney

RAD:lc 09/15/00 Or.Dept:P&R Aud.Cert:2100327 O-2001-52 Form=o&t.frm

## The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

## **CERTIFICATE OF UNALLOTTED BALANCE**

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