

ORDINANCE NUMBER O-18874 (NEW SERIES)

ADOPTED ON OCT 30 2000

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A TWENTY-FIVE YEAR AGREEMENT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, AND LEASE OF TURFED FIELDS AND RECREATION FACILITIES AT HEARST ELEMENTARY SCHOOL SITE WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT OF SAN DIEGO COUNTY, CALIFORNIA; AUTHORIZING AN AGREEMENT FOR PARTIAL ASSIGNMENT OF JOINT USE AGREEMENT AT HEARST ELEMENTARY SCHOOL SITE AND TERMS OF REIMBURSEMENT TO THE PHOEBE HEARST ELEMENTARY SCHOOL FOUNDATION; ACCEPTING FROM AND THANKING THE DEL CERRO COMMUNITY FOR THEIR DONATION OF \$75,000 FOR PHASE I OF THE HEARST ELEMENTARY SCHOOL - JOINT USE IMPROVEMENTS PROJECT; AUTHORIZING THE APPROPRIATION OF \$330,525 FOR PHASE I OF THE HEARST ELEMENTARY SCHOOL - JOINT USE IMPROVEMENTS PROJECT; AUTHORIZING THE EXPENDITURE OF \$330,525 FROM CIP 29-530.0, HEARST ELEMENTARY SCHOOL - JOINT USE IMPROVEMENTS, FOR CONSTRUCTION OF PHASE I OF THE HEARST ELEMENTARY SCHOOL - JOINT USE IMPROVEMENTS PROJECT; AND DIRECTING THE CITY MANAGER TO MANAGE THE TURFED FIELDS AND RECREATION FACILITIES AT THE HEARST ELEMENTARY SCHOOL AS A DAY USE FACILITY.

WHEREAS, the Hearst Elementary School is located in the Del Cerro area of the Navajo Community Planning area and the surrounding community has initiated the development of the school's approximately four acres of decomposed granite multi-purpose fields to accommodate athletic and recreational uses; and

WHEREAS, the community's fund raising efforts have resulted in a \$75,000 donation towards Phase I of the project implementation which will include turfed multi-purpose fields and other park type amenities on the lower field; and

WHEREAS, Phase II, consisting of irrigation and turfing of the upper field, will be implemented as funds become identified; and

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

NOW, THEREFORE,

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

Section 1. 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 Hearst Elementary School Site [Joint Use Agreement] with the San Diego Unified School District of San Diego County, California, for the construction, lease and joint use of turfed multi-purpose fields and recreational facilities at the Hearst 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-18874 - 1.

Section 2. That the City Manager is authorized and empowered to execute, for and on behalf of the City, an Agreement for Partial Assignment of Joint Use Agreement at Hearst Elementary School Site and Terms of Reimbursement to the Phoebe Hearst Elementary School Foundation [Foundation], under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO-18874 - 2.

Section 3. That the Council accepts and thanks the Del Cerro community for its fund raising efforts and donation of \$75,000 towards Phase I of the CIP 29-530.0, Hearst Elementary School - Joint Use Improvements project.

Section 4. That an appropriation of a total amount not to exceed \$330,525 is authorized, solely and exclusively, for the purpose of establishing a CIP account No. 29-530.0 to provide reimbursement to the Foundation for construction of for Phase I of the Hearst Elementary School - Joint Use Improvements.

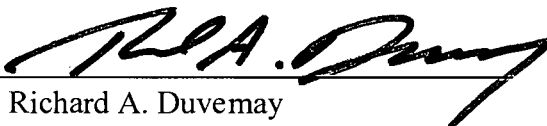
Section 5. That the expenditure of an amount not to exceed \$330,525 from Hearst Elementary School - Joint Use Improvements, CIP No. 29-530.0 is authorized, solely and exclusively, for the purpose of reimbursing the Foundation for construction of Phase I of the Hearst Elementary School - Joint Use Improvements project, in accordance with terms, conditions and City Manager approval of invoices as described in the Agreement for Partial Assignment of Joint Use Agreement at Hearst Elementary School Site and Terms of Reimbursement to the Phoebe Hearst Elementary School Foundation, referenced above in Section 2.

Section 6. That the City Manager is directed upon acceptance of the Project from the Foundation to manage the turfied fields and recreation facilities at Hearst Elementary School as a day use facility only. The placement or construction of temporary or permanent lighting (other than for security) shall not be allowed.

Section 7. 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 6. 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

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