

(O-2003-961)

ORDINANCE NUMBER ~~O-19157~~

ADOPTED ON MAR 03 2003

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AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT USE COOPERATIVE AGREEMENT FOR JOINT USE OF THE FUTURE MAIN LIBRARY WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT OF SAN DIEGO COUNTY, CALIFORNIA, IN SUPPORT OF THE CITY'S APPLICATION FOR A CALIFORNIA READING AND LITERACY IMPROVEMENT AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000 (PROPOSITION 14) GRANT.

WHEREAS, the City of San Diego Public Library is resubmitting the application for a Proposition 14 State Bond grant application for the Main Library in the second round of applications due March 28, 2003. This project will move forward for consideration in the second round as "first priority" project if a joint use agreement with the San Diego Unified School District is in place; and

WHEREAS, in the first round, the City's application was rejected and the City received feedback from the state that the joint use agreement with the San Diego Unified School District should be improved; and

WHEREAS, as specified in the Education Code, section 19994(a)(1), "first priority for new public libraries shall be given to joint use projects in which the agency that operates the library and one more school district(s) have a cooperative agreement. (See sections 20440(d)(1) and Appendix 2 for information about Cooperative Agreements)".

WHEREAS, the City and the San Diego Unified School District desire to cooperate in the establishment and use of a joint venture/joint use facility at the site of the Main Library site to serve the educational and recreational need of the students, faculty, and general public using the facility in the City and the District; and

WHEREAS, at the City Council Meeting of February 3, 2003, staff was directed to move forward with an application for the second round of funding for Proposition 14 State Bond grant applications for the Main Library. This project will move forward as a "first priority" project; NOW, THEREFORE,

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

Section 1. That the City Manager or his designee, the Library Director, is authorized and empowered to execute, for and on behalf of the City, an Agreement for the joint venture/joint use facility at the future site of the Main Library located in the San Diego Unified School District in a form substantially similar to the Joint Use Cooperative Agreement on file in the Office of the City Clerk as Document 00-19157 in support of the grant application. The agreement would be null and void if there is no grant awarded.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. 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. Duvemay  
Deputy City Attorney

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