

ORDINANCE NUMBER O- 19291 (NEW SERIES)

ADOPTED ON JUN 28 2004

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO SUBLEASE AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO COMMUNITY FOUNDATION CHARITABLE REAL ESTATE FUND.

WHEREAS, on April 16, 1996, the City and the San Diego Community Foundation Charitable Real Estate Fund [Foundation] entered into a Sublease and Maintenance Agreement [Agreement] for the purposes of the City's operation and maintenance of the City Heights Community Center and Library located at 3195 Fairmount Avenue, San Diego, California, on file with the City Clerk as Document No. OO-18291; and

WHEREAS, pursuant to the terms of this Agreement, the Foundation agreed to make an annual grant to the City Heights Town Council conditional upon the Town Council raising \$150,000 in matching funds each of the 10 years it is eligible to receive the annual grant; and

WHEREAS, if, in any given year, the Town Council does not raise the matching funds, the monies that would have otherwise been allocated and granted to the Town Council are to be granted to the City to be spent on park and recreation programs in City Heights; and

WHEREAS, the parties now propose to amend the Agreements to allow the additional funds to also be used by the City for library programs in City Heights; NOW, THEREFORE,

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

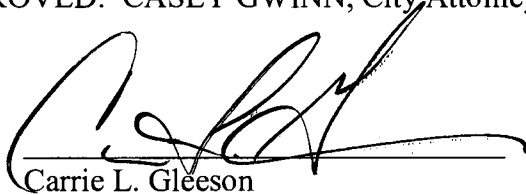
Section 1. That the City Manager is authorized to execute, for and on behalf of the City of San Diego, an amendment to the Sublease and Maintenance Agreement with the Foundation to allow monies granted to the City pursuant to Section 6.2 of the Sublease to be spent on library programs in City Heights in addition to park and recreation programs.

Section 2. 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 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



Carrie L. Gleeson
Deputy City Attorney

CLG:mm
05/27/04
Or.Dept:READ
Aud.Cert:N/A
Job No. 223479
O-2004-140

The Amendment to the Agreement is on file with the office of the City Clerk as Document No. 00-19291.