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11/29/06

ORDINANCE NUMBER O- **19554** (NEW SERIES)

DATE OF FINAL PASSAGE **DEC 06 2006**

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A 25 YEAR JOINT USE AGREEMENT WITH DEL MAR UNION SCHOOL DISTRICT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF TURFED FIELDS AND RECREATIONAL FACILITIES AT THE CARMEL VALLEY COMMUNITY PARK SOUTH.

WHEREAS, the City of San Diego shall provide the design and construct the improvements and the Del Mar Union School District [District] shall reimburse City for the cost of those improvements that are associated with the recreational and educational needs of District; and

WHEREAS, City and District shall calculate the financial contributions of each Party for this Agreement pursuant to "Exhibit B" of Agreement; and

WHEREAS, City and District desire to establish this mutually beneficial arrangement by entering into this Agreement for a twenty-five (25) year period to provide for both parties' recreational and/or educational programs; NOW, THEREFORE,

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

Section 1. That the Mayor or his designee is authorized to execute, for and on behalf of City, the lease and Agreement between City and District for the construction, operation and maintenance of turfed fields and recreational facilities at the Carmel Valley Community Park South (Ocean Air Community Park) in the Carmel Valley Community Plan Area, on file in the office of the City Clerk as Document Number OO- **19554**.

Section 2. That this activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Peter A. Mesich
Peter A. Mesich
Deputy City Attorney

PAM:cfq
10/10/06
Or.Dept:P&R
O-2007-43
MMS#3956

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 28 2006

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 12-6-06
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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