

ORDINANCE NUMBER O- 19582 (NEW SERIES)

DATE OF FINAL PASSAGE MAR 27 2007

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A 25 YEAR JOINT USE AGREEMENT WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF TURFED FIELDS, RESTROOM, PARKING LOT, DRINKING FOUNTAINS, BACKSTOPS, AND RECREATIONAL FACILITIES AT THURGOOD MARSHALL MIDDLE SCHOOL.

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 the City of San Diego [City], the lease and Agreement between City and San Diego Unified School District [District] for the construction, operation and maintenance of turfed fields, restroom, parking lot, drinking fountains, backstops, and recreational facilities at Thurgood Marshall Middle School in the Scripps Miramar Ranch Community Planning Area, on file in the office of the City Clerk as Document Number OO- 19582.

Section 2. Authorizing the addition of CIP No. 29-920.0, Future Thurgood Marshall Middle School, to the Fiscal Year 2007 Capital Improvements Program.

Section 3. Authorizing a \$2,059,000 increase in the Fiscal Year 2007 Capital Improvements Program Budget in CIP No. 29-920.0, Future Thurgood Marshall Middle School by \$1,370,000 in Special Park Fee, Fund No. 11230, \$480,000 from CIP No. 29-717.0, Fairbrook Neighborhood Park-Acquisition, Fund No. 11230, \$33,702 in Village and Country Settlement, Fund No. 10604, and a total of \$175,298 from Miramar Ranch North Development Agreement funds 392110 (\$24,192), 392131 (\$21,210), 392133 (\$23,901), 392143 (\$23,691), 392162 (\$2,962) and 392164 (\$79,342).


Section 4. Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$2,059,000 from CIP No. 29-920.0, Future Thurgood Marshall Middle School, for the purpose of reimbursement to District for the construction of facilities as described in the Future Thurgood Marshall Middle School Joint Use Agreement.

Section 5. That this activity is categorically exempt from CEQA Guidelines pursuant to State CEQA Guidelines Section 15301.

Section 6. 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 7. 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
Deputy City Attorney

PAM:cfq
11/16/06
Aud.Cert.: 2700499
Or.Dept:P&R
O-2007-53
MMS#4070

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 20 2007

ELIZABETH S. MALAND
City Clerk

By Jana Richardson
Deputy City Clerk

Approved: 3-27-07
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2700499
DEPT. _____
NO.: 446

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$2,059,000.00 Fund: 10230/10604/392110/392131/392133

Purpose: Authorizing the Transfer, appropriation and expenditure of funds for Future Thurgood Marshall Middle School Joint Use Agreement, CIP 299200.

Date: January 22, 2007

By: *Yeshi Bezu*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001	0		11230		9544						\$1,370,000.00
002	0		10604		9544						33,702.00
003	0		392110		9544						24,192.00
004	0		392131		9544						21,210.00
005	0		392133		9544						23,901.00
006	0		392143		9544						23,691.00
007	0		392162		9544						2,962.00
008	0		392164		9544						79,342.00
009	0		30244	105	4279	297170					480,000.00
TOTAL AMOUNT											\$2,059,000.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____

Vendor: _____

Purpose: _____

Date: _____

By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT											

AC-361 (REV 2-92)

FUND OVERRIDE

2700499

0-19582

MAR 20 2007