

50

ORDINANCE NUMBER O- 13767 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 15 2008

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A FIRST AMENDMENT TO THE JOINT USE AGREEMENT WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT FOR THE THURGOOD MARSHALL MIDDLE SCHOOL.

WHEREAS, on March 27, 2007, the City of San Diego [City] and the San Diego Unified School District [District] entered into an agreement for the construction, operation, maintenance, and lease at future Thurgood Marshall Middle School, on file in the office of the City Clerk as Document No. OO-19582; and

WHEREAS, the District intends to make improvements to the fields at Thurgood Marshall Middle School to make the fields suitable for recreational use and the City would like to make use of the District improvements; and

WHEREAS, the City agrees to maintain the turfed fields once constructed; NOW, THEREFORE,

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

Section 1. That the Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, a First Amendment to the Joint Use Agreement with the San Diego Unified School District for the Thurgood Marshall Middle School, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO- 13767.

Section 2. That this activity is not a Project, and is therefore not subject to California Environmental Quality Act [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 4. 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 Shannon Thomas  
Shannon Thomas  
Deputy City Attorney

ST:sc  
06/03/08  
Aud.Cert.: AC2800809  
Or.Dept:Park & Rec  
O-2008-163

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL - 8 2008.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 7-15-08  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2800809  
ORIGINATING 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: \_\_\_\_\_ Fund: \_\_\_\_\_

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										

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: \$20,000.00

Vendor: San Diego Unified School District

Purpose: Authorizing funds to execute a First Amendment to Agreement for Construction at Thurgood Marshall Middle School, joint use agreement for the purpose of reimbursing the cost of improvements. CIP 29-920.0

Date: May 22, 2008 By: *Rd Rucita*  
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	39301			9544					\$20,000.00
TOTAL AMOUNT										\$20,000.00

FUND OVERRIDE

*0-13767*

JUL 08 2008