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(O-2009-98)



ORDINANCE NUMBER O- 19844 (NEW SERIES)

DATE OF FINAL PASSAGE APR 22 2009

AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING A 25-YEAR LEASE AND JOINT USE AGREEMENT WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT IN CONNECTION WITH TURFED FIELDS AT MONTGOMERY MIDDLE SCHOOL.

WHEREAS, the City of San Diego and San Diego Unified School District have cooperated on joint use of facilities pursuant to the Memorandum of Understanding on file in the office of the City Clerk as Document No. RR-297149; and

WHEREAS, the District intends to allow the City to use the District's property at Montgomery Middle School as a public park during non-school hours; and the City intends to construct or cause to be constructed certain recreational improvements to the District's property; and

WHEREAS, the City intends to maintain the turfed fields and recreational improvements once constructed; NOW, THEREFORE,

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

Section 1. That the Mayor or his representative is authorized to execute, for and on behalf of the City, a twenty-five year lease and joint use agreement with the San Diego Unified School District [District] for construction, operation, maintenance, and lease of turfed fields at Montgomery 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- 19844.

Section 2. That this activity is exempt from the requirements of the California Environmental Quality Act [CEQA], pursuant to CEQA Guidelines Section 15061(b)(3)

(General Rule); all environmental issues will be considered throughout the design process and any proposed construction will be evaluated under a separate environmental document.

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: JAN I. GOLDSMITH, City Attorney

By Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

SMT:pev  
02/04/09  
Or.Dept:CP&CI  
O-2009-98  
MMS #7684

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 14 2009.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 4-22-09  
(date)

[Signature]  
JERRY SANDERS, Mayor

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

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