

(O-2009-102)

ORDINANCE NUMBER O- 19863 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 28 2009

AN ORDINANCE OF THE CITY OF SAN DIEGO AUTHORIZING
A 25-YEAR JOINT USE AGREEMENT FOR FRANKLIN
ELEMENTARY SCHOOL IMPROVEMENTS.

WHEREAS, the City and the San Diego Unified School District [District] have a long-term recreation agreement regarding the development and maintenance of jointly used facilities pursuant to the Memorandum of Understanding on file in the office of the City Clerk as Document No. RR-297149; and

WHEREAS, under the agreement, the District intends to allow the City to use the District's property at Franklin Elementary School as a public park during non-school hours for the benefit of the community; and the District intends to construct 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:

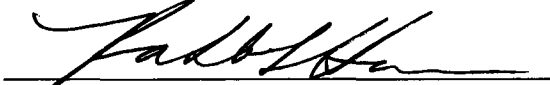
Section 1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a joint use agreement with the San Diego Unified School District for the construction, operation, and maintenance of turfed field and recreational facilities at Franklin Elementary School, under the terms and conditions set forth in the Agreement, on file with the City Clerk as Document No. OO- 19863 .

Section 2. This activity (introducing an ordinance and executing a joint-use agreement) is not a "project" and is therefore not subject to California Environmental Quality Act pursuant to State CEQA Guidelines Section 15060(c)(3). Environmental review for the construction of joint-use improvements will be the responsibility of the District.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the City Council and the public a day prior to the day of passage.

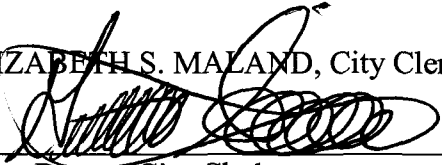
Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Rahbeka H. Harris
Deputy City Attorney

RHH:ca
04/3/09
Aud. Cert.: N/A
Or.Dept:Eng.& CP
O-2009-102
MMS 7990

I hereby certify that the foregoing Ordinance was passed by the Council of the City of Diego,
at its meeting of MAY 19 2009 .

ELIZABETH S. MALAND, City Clerk
By 
Deputy City Clerk

Approved: 5-28-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor