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4/28

304898

RESOLUTION NUMBER R-

DATE OF FINAL PASSAGE MAY 21 2009

A RESOLUTION APPROVING THE DONATION AND MAINTENANCE AGREEMENT FOR KELLOGG PARK TOT LOT.

WHEREAS, on October 7, 2008, by Resolution No. R-304212, the City Council authorized the addition of Capital Improvements Project [CIP] No. 29-977.0, Kellogg Park Play Area Upgrade to the Fiscal Year 2009 CIP budget; and

WHEREAS, the purpose of the Kellogg Park Play Area Upgrade [Project] was to provide for the replacement of play area equipment which was removed due to safety concerns, including corrosion and age of the equipment; and

WHEREAS, Ms. Mary Coakley, on behalf of the Friends of La Jolla Shores [Friends], addressed the Council and stated that the Friends were in the process of raising funds to purchase equipment that could be donated to the City and requested that City staff be allowed to work with the donor group to see if an agreement could be worked out whereby the donor could purchase and have installed play equipment and associated recreational amenities; and

WHEREAS, City staff has worked with the donor group to produce a Donation and Maintenance Agreement that will provide no-cost play equipment installed at the existing play area and address any future additional maintenance costs above the City's norm; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that Mayor be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with Friends of La Jolla Shores, for the donation and maintenance of play area equipment for the

Kellogg Park Tot Lot, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 304898

BE IT FURTHER RESOLVED, that this project is categorically exempt from the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines section 15301 (Existing Facilities).

APPROVED: JAN I. GOLDSMITH, City Attorney

By Shannon Thomas
Shannon Thomas
Deputy City Attorney

ST:pev
04/14/09
Or.Dept:E&CP
R-2009-1070
MMS #7325

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 28 2009

ELIZABETH S. MALAND
City Clerk

By Jan Richardson
Deputy City Clerk

Approved: 5-21-09
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor