

RESOLUTION NUMBER R- 305063

DATE OF FINAL PASSAGE JUL 16 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A LETTER OF INTENT WITH
SAN DIEGO UNIFIED SCHOOL DISTRICT TO
NEGOTIATE A LEASE OF TWO FLOORS OF THE
PROPOSED NEW MAIN LIBRARY FOR USE AS A
CHARTER SCHOOL.

WHEREAS, the City has planned for the development of a new main library [Library] to be built on City-owned land and comprised of nine floors; and

WHEREAS, two of the floors were designed for potential future expansion of the Library, with those two floors to be made available for lease in the interim to help cover operating costs or defray construction costs; and

WHEREAS, the State of California has issued a conditional grant [Grant] of \$20 million to the City for the construction of the Library, which expires July 1, 2009; and

WHEREAS, the Grant is included in the original funding projection to build the Library; and

WHEREAS, the projected funding of the Library's construction falls short by \$20 million and the City approached the San Diego Unified School District [District] to discuss possible uses the District might have for the two expansion floors; and

WHEREAS, the District has been negotiating with the City for the incorporation of a school in the Library under a 40-year lease for \$20 million; and

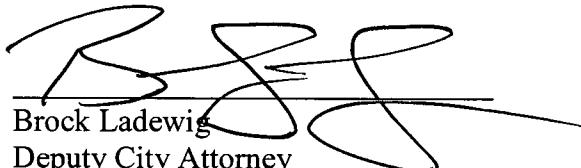
WHEREAS, a letter of intent by the City and the District would demonstrate to the State that the Library project is moving forward with sufficient funding to convince the State to extend the Grant beyond the current deadline; and

WHEREAS, a Letter of Intent [LOI] has been proposed to express the general willingness of the City and the District to lease two floors of the Library to the District on terms to be negotiated and set forth in a lease agreement to be effective if and only if the City builds the Library; and

WHEREAS, the making of the LOI by the City, in light of the information currently available and actually known by the City, is in the best interests of the public health, safety, or general welfare; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Mayor, or his designee, is authorized to execute and deliver the Letter of Intent on file in the Office of the City Clerk as Document No. RR- 305063 related to a proposed lease of two floors of the proposed new main library to the San Diego Unified School District for use as a public charter school.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Brock Ladewig
Deputy City Attorney

BL:mm
06/24/09
Or.Dept: READ
R-2009-1330
MMS #9684

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 07 2009.

ELIZABETH S. MALAND
City Clerk

By Mary Zumaiga
Deputy City Clerk

Approved: 7-16-09
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor