

RESOLUTION NUMBER R- 305093

7/14

DATE OF FINAL PASSAGE JUL-22 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A GRANT OF EVENT LICENSE AND AGREEMENT WITH THE NEW CHILDREN'S MUSEUM FOR THE CHILDREN'S MUSEUM PARK.

WHEREAS, pursuant to that certain Disposition Agreement between the Redevelopment Agency of the City of San Diego (Agency) and the Children's Museum, a California nonprofit public benefit corporation (Museum) dated August 18, 1994, and as amended by the Amendment to the Disposition Agreement and Lease dated April 14, 1999, the First Implementation Agreement to Disposition Agreement dated December 7, 2001, the Second Implementation Agreement to Disposition Agreement dated December 4, 2002, the Third Implementation Agreement to Disposition Agreement dated March 29, 2006, and the Fourth Implementation Agreement to Disposition Agreement dated April 16, 2008 (collectively, Disposition Agreement), the Children's Museum Park (Park) was designed by the Museum and constructed by the Agency; and

WHEREAS, the City of San Diego (City) has also entered into a Landscape Maintenance Agreement with the Museum dated April 21, 2003, which provides that the Museum is to be responsible for the maintenance and operation of the Park to City of San Diego Park and Recreation Department standards; and

WHEREAS, pursuant to Resolution No. RA-2009-130, the Agency transferred fee title to the Park to the City, in accordance with the Disposition Agreement; and

WHEREAS, in recognition of the Museum's commitment to maintenance of the Park, the Disposition Agreement provides for the conveyance of an Event License to the Museum for use of the Park for events associated with the Museum operation; and


WHEREAS, the Event License sets forth specific parameters allowing the Museum exclusive use of the Park area for Museum events such as children's classes, structured play time, and promotional events between specific hours of the day and for no more than 100 hours each month, of which no more than 48 hours in any given month can occur on weekends; and

WHEREAS, this activity is not a project and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3);

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, the Mayor or his designee is authorized to execute and deliver that certain GRANT OF EVENT LICENSE AND AGREEMENT with the Museum, filed in the Office of the San Diego City Clerk as Document No. RR- 305093 ;

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Kimberly Ann Davies
Deputy City Attorney

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05/27/09
07/13/09 COR. COPY
Aud. Cert: N/A
Or. Dept. P&R
2009-1193
MMS#9312
Companion: RA-2009-130, R-2009-1199, O-2009-143 and O-2009-153

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 5 JUL 14 2009.

ELIZABETH S. MALAND
City Clerk

By Mary Zuzawa
Deputy City Clerk

Approved: 7-22-09
(date)

JL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor