

ORDINANCE NUMBER O- 1999i (NEW SERIES)

DATE OF FINAL PASSAGE SEP 14 2010

AN ORDINANCE AMENDING CHAPTER 2,  
ARTICLE 6, DIVISION 3 OF THE SAN DIEGO  
MUNICIPAL CODE BY AMENDING SECTION  
26.0301 RELATING TO THE BOARD OF  
LIBRARY COMMISSIONERS.

WHEREAS, on April 19, 2010, the City Council approved a lease between the City of San Diego and the San Diego Unified School District (District) for a charter school within the sixth and seventh floors of the new Central Library, under the terms and conditions set forth in the City of San Diego new Central Library Lease Agreement (Lease), on file with the Office of the City Clerk as Document No. RR-305763; and

WHEREAS, the Lease provides, in part, that one member of the Board of Library Commissioners (Board) shall be an official representative of the District with the same rights as other members and subject to the other provisions of San Diego Municipal Code section 26.0301 governing the Board (Lease Provision); and

WHEREAS, the Lease Provision states that one member of the Board shall be an official representative of the District during the Initial Term of the Lease, defined in the Lease as forty years, commencing on the first day of the month following the occupancy date, provided that the premises are being used by the District for school or school-related purposes; and

WHEREAS, on June 28, 2010, the City Council approved various actions relating to the construction of the New Central Library; NOW THEREFORE,

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

Section 1. That Chapter 2, Article 6, Division 3 of the San Diego Municipal Code is amended by amending section 26.0301, to read as follows:

**§ 26.0301 Board of Library Commissioners**

- (a) [No change in text.]
- (b) Library Board. There is hereby created the Board of Library Commissioners which shall consist of seven members, who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the Council. During the time that the San Diego Unified School District leases space at the Central Library for a school or school related purposes, and as required by the terms of the lease, one member of the Board of Library Commissioners shall be an official representative of the District. The Mayor shall appoint the District member from a list of nominations submitted by the District. The members shall serve two year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than four members shall expire in any year. The expiration date of all terms shall be March 1. During March of each year the Mayor may designate one member as Chairperson; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairperson.
- (c) [No change in text.]
- (d) [No change in text.]

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 3. 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 Rachel C. Lipsky  
Rachel C. Lipsky  
Deputy City Attorney

RL:sc  
07/12/10  
Or.Dept:Mayor

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 07 2010.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 9/14/10  
(date)

[Signature]  
JERRY SANDERS, Mayor

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

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

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