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ORDINANCE NUMBER O- 20048 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 11 2011

AN ORDINANCE OF THE CITY COUNCIL APPROVING A JOINT USE AGREEMENT WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT FOR THE CONSTRUCTION AND MAINTENANCE OF RECREATIONAL FACILITIES AT ROOSEVELT MIDDLE SCHOOL; ACCEPTING FUNDS FROM THE SCHOOL DISTRICT; AND TAKING RELATED ACTIONS.

WHEREAS, the City and the San Diego Unified School District have cooperated on joint use of recreational facilities since 1948; and

WHEREAS, on October 7, 2002, the City Council approved a Memorandum of Understanding with the San Diego Unified School District for the development and maintenance of joint use facilities, on file in the Office of the City Clerk as Document No. RR-297149; and

WHEREAS, the City and the San Diego Unified School District desire to construct and maintain a multipurpose field and other improvements to be shared by students and the public at Roosevelt Middle School; 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 25-year lease and Joint Use Agreement with the San Diego Unified School District for the construction, operation, and maintenance of a turf field and recreational facilities at Roosevelt Middle School, under the terms and conditions set forth in the Agreement, on file with the City Clerk as Document No. OO- 20048.

Section 2. That pursuant to the above referenced Agreement, construction of the project is subject to future approval of the City Council and the School Board.

Section 3. That the Mayor or his designee is authorized to accept a contribution of \$600,000 from the San Diego Unified School District for the purpose of designing and developing the project, and to deposit such funds into CIP S-00761, Roosevelt Middle School – Joint Use Improvements, in Fund 400264, Private and Other Contributions,.

Section 4. That an increase of \$600,000 in the Fiscal Year 2011 Capital Improvement Program Budget is hereby authorized in CIP S-00761, Roosevelt Middle School – Joint Use Improvements, in Fund 400264, Private and Other Contributions, contingent upon a fully executed Joint Use Agreement and receipt of funds from the San Diego Unified School District.

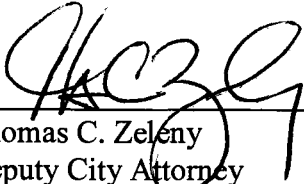
Section 5. That the Chief Financial Officer is hereby authorized to appropriate and expend \$600,000 from CIP S-00761, Roosevelt Middle School – Joint Use Improvements, in Fund 400264, Private and Other Contributions, solely and exclusively for the above referenced project, contingent on a fully executed Joint Use Agreement and provided the City Comptroller first issues one or more certificates demonstrating the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Section 6. 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 prior to the day of its passage.

Section 7. 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



Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
09/13/10
C.Cert:N/A
Or.Dept:Eng&CP
O-2011-28

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego,
at its meeting of APR 26 2011.

ELIZABETH S. MALAND, City Clerk

By

Carmina J. Tajano
Deputy City Clerk

Approved:

5-11-11

(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed:

(date)

JERRY SANDERS, Mayor