

ORDINANCE NUMBER O- 20076 (NEW SERIES)

51
7/26/11

DATE OF FINAL PASSAGE AUG 04 2011

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A JOINT USE AGREEMENT WITH THE SAN DIEGO UNIFIED SCHOOL DISTRICT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, AND LEASE OF JOINT USE FACILITIES AT LANGUAGE ACADEMY / MONTEZUMA ELEMENTARY SCHOOL.

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

WHEREAS, on October 7, 2002, the City Council adopted a Memorandum of Understanding (MOU) with the District for the development and maintenance of Joint Use Facilities, on file with the City Clerk as Document No. RR-297149; and

WHEREAS, City and District mutually desire to construct, operate, maintain, and lease the Joint Use Facilities to be shared by students and the public at the Language Academy / Montezuma Elementary School; and

WHEREAS, City and District intend to contribute equitably to the development and maintenance of the Joint Use Facilities during the 10-year term; 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 10-year lease and Joint Use Agreement with the District for the construction, operation, and maintenance of a synthetic turf field and accessibility improvements at the Language Academy School / Montezuma Elementary School, under the terms and conditions set forth in the Agreement, on file with the City Clerk as Document No. OO- 20076.

Section 2. That the Chief Financial Officer, or designee, is authorized to appropriate and expend an amount not to exceed \$215,628 from CIP S-00972, Language Academy / Montezuma

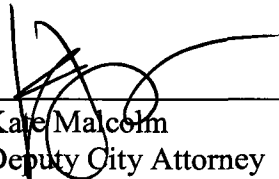
Elementary School – Joint Use Improvements, Fund No. 400127, College Area DIF for development of the above referenced project.

Section 3. That the Mayor, or his designee, is authorized to accept a contribution of \$1,049,209.85 from the Community Development Block Grant, solely and exclusively for the construction of Language Academy / Montezuma Elementary School – Joint Use Improvements.

Section 4. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

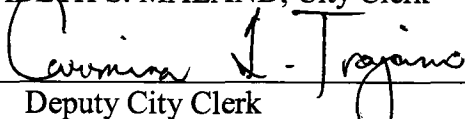
APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Kate Malcolm
Deputy City Attorney

KM:mb
06/28/11
C.Cert: N/A
Or.Dept:Eng&CP

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

ELIZABETH S. MALAND, City Clerk

By  _____
Deputy City Clerk

Approved: 8-9-11
(date)



JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor