

Item to 8/4/15
Subitem-A #51
(O-2016-8) 9/15

ORDINANCE NUMBER O- 20561 (NEW SERIES)

DATE OF FINAL PASSAGE SEP 24 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING AND AUTHORIZING THE JOINT
USE AGREEMENT FOR ANGIER ELEMENTARY SCHOOL;
AND TAKING RELATED ACTIONS.

WHEREAS, the Memorandum of Understanding (MOU) between the City of San Diego (City) and District's Board of Education (Board of Education) for the Development and Maintenance of Joint Use Facilities, was adopted by San Diego Resolution No. R-297149 (October 7, 2002), and by the Board of Education on October 8, 2002, consistent with the 1948 Recreation Agreement and MOU, which the Board of Education approved this joint use agreement on June 24, 2014; and

WHEREAS, Angier Elementary School is located at 8450 Hurlbut Street, in the Serra Mesa Community Planning Area and the proposed facilities at Angier Elementary School will be developed by the City while the joint-use field will be maintained pursuant to this agreement proposed; and

WHEREAS, the City and District desire to establish this mutually beneficial arrangement by entering into this Agreement for a twenty-five (25) year period to provide for both Parties recreational programs and the City will provide all funding for the proposed joint use improvements as well as all on-going maintenance costs for the life of the Agreement; and

WHEREAS, under Charter section 99, no contract, agreement or obligation extending for a period of more than five years may be authorized except by Ordinance approved by a two-thirds majority vote of the City Council; NOW, THEREFORE,

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

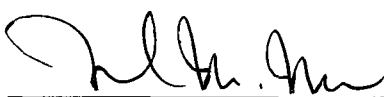
Section 1. That the Mayor, or his designee, is authorized to execute, for and on behalf of the City, the lease and joint-use agreement between the City and the San Diego Unified School District for the construction, operation, and maintenance of a turf field and recreation facilities at Angier Elementary School (Agreement) under the terms and conditions set forth in the document on file in the Office of the City Clerk as Document No. OO 20561

Section 2. That the Chief Financial Officer, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. 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 

Mark M. Mercer
Deputy City Attorney

MMM:cw
07/20/15
Or.Dept: Public Works/Engineering
CC No.: N/A
Doc. No.: 1044718

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of SEP 15 2015

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9/22/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on SEP 15 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 24 2015

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Sty Brady, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

AUG 04 2015

, and on SEP 24 2015

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Sty Brady, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20561