

ORDINANCE NUMBER O- 20637 (NEW SERIES)

DATE OF FINAL PASSAGE APR 13 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF THE JOINT USE AGREEMENT FOR MCKINLEY ELEMENTARY SCHOOL.

ITEM # 01  
4/5/16

WHEREAS, the City of San Diego (City) and the San Diego Unified School District (District) have been cooperating in the use of numerous recreational facilities since 1948; and

WHEREAS, the Memorandum of Understanding (MOU) between the City and the District 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; and

WHEREAS, McKinley Elementary School is located at 3045 Felton St., in the North Park Community Planning Area and the proposed facilities at McKinley Elementary School will be developed by the District while the joint use facilities will be maintained by both the District and the City, pursuant to a Joint Use Agreement (Agreement); and

WHEREAS, consistent with the 1948 agreement and the MOU, the Board of Education approved this Agreement on January 26, 2016; and

WHEREAS, the term of the Agreement will allow for City operation and maintenance of approximately 2.5 acres of irrigated, turf-ed multi-use field, associated infrastructure, decomposed granite running track, play courts, fitness apparatus and playground facility; and

WHEREAS, the City and District desire to establish this mutually beneficial arrangement by entering into this Agreement for a twenty-five year period to provide both Parties recreational programs and the City will provide funding for the maintenance pursuant to this Agreement 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:

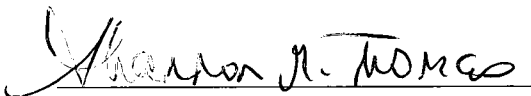
Section 1. That the Mayor or his designee is authorized to execute the Agreement between the City and the District for the construction, operation, and maintenance of a turf field and recreational facilities at McKinley Elementary School, under the terms and conditions set forth in the document on file in the Office of the City Clerk as Document No.

OO- 20637 .

Section 2. 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 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

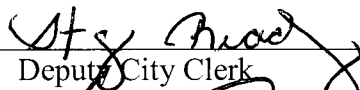
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
03/02/2016  
Or.Dept: Planning  
Doc. No.: 1220909

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 05 2016.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/11/16  
(date)

  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 05 2016, 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 APR 13 2016.

AUTHENTICATED BY:

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

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

(Seal)

By Aty 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

MAR 22 2016, and on APR 13 2016.

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.

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

(Seal)

By Aty Brady, Deputy

Office of the City Clerk, San Diego, California

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