

ORDINANCE NUMBER O- 20767 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 08 2016

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF THE GOLF DIVISION'S EQUIPMENT LEASE, MARKETING PARTNERSHIP AGREEMENT, FINANCING AGREEMENT, AND RELATED EXPENDITURES.

WHEREAS, the City has operated a municipal golf program since 1915; and

WHEREAS, the Golf Division operates three City golf complexes: Balboa Park 18-hole and 9-hole courses; Mission Bay 18-hole executive golf course; and Torrey Pines 18-hole North Course and 18-hole South Course; and

WHEREAS, the Golf Division desires to enter into a long term contract for the lease of golf course maintenance equipment for all three of its golf complexes combined with a Corporate Marketing Partnership; and

WHEREAS, the goal is to obtain new golf course maintenance equipment for the City's three golf complexes to upgrade golf course conditions with the use of modern golf course equipment; and

WHEREAS, the new equipment will allow the Golf Division to improve golf course conditions which will improve the golfing experience for City residents and visitors, and to increase their enjoyment of the City's golf courses; and

WHEREAS, the new equipment will not be owned by the City and repairs covered by warranty will now be the responsibility of the lessor of the equipment, and therefore this warranty repair work does not fall under the provisions of San Diego Charter section 117(c); and

WHEREAS, the new equipment is also needed to provide the meticulous golf conditions dictated by the PGA Tour in the yearly Farmers Insurance Open and to uphold the City's commitment in hosting the most demanding of major golf tournaments, the 2021 US Open at Torrey Pines; and

WHEREAS, the Corporate Marketing Partnership will provide the needed financial support for the Golf Division's Agronomy Program that brings in highly qualified volunteers from around the country to assist the Golf Division in maintaining the golf courses for both the yearly Farmers Insurance Open and for the 2021 US Open; and

WHEREAS, the agreements with Turf Star and PNC will extend beyond five years; 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 adopted 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 contract between the City and Turf Star, Inc., for the purpose of providing the City's Golf Division with leased golf course equipment. Request for Proposal (RFP) No.: 10072787-17-R.

Section 2. That the Mayor, or his designee is authorized to execute the Marketing Partnership Agreement between the City and Turf Star, Inc., for the purpose of entering into a corporate marketing sponsorship to provide financial and in-kind support to the Golf Division for the yearly Farmers Insurance Open and the 2021 US Open (RFP) No.: 10072787-17-R.

Section 3. That the Mayor, the Chief Operating Officer, the Chief Financial Officer or any of their respective designee is authorized to execute the Master Lease between the City and PNC Equipment Finance, LLC (RFP) No.: 10072787-17-R, and any subsequent leases pursuant to the Master Lease.

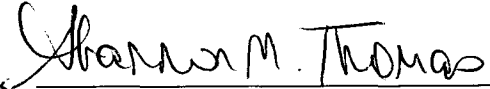
Section 4. That the Chief Financial Officer is authorized to expend an amount not to exceed \$488,200 from the Golf Enterprise Fund No. 700043, for the remainder of FY 2017, solely and exclusively to provide funds for the Master Lease, contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that funds are, or will be, on deposit with the City Treasurer.

Section 5. That the Chief Financial Officer is authorized to expend an amount not to exceed \$13,511,800 from the Golf Enterprise Fund No. 700043, for the remaining term of the Master Lease beginning in FY 2018, solely and exclusively to provide funds for the Master Lease, contingent upon Council approval of the Annual Appropriations Ordinance for the applicable fiscal year, and contingent upon the Chief Financial Officer first furnishing one or more certificates demonstrating that funds are, or will be, on deposit with the City Treasurer.

Section 6. 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 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   
Shannon M. Thomas  
Deputy City Attorney

SMT:als  
11/02/2016  
Or.Dept: Park & Rec.  
Doc. No.: 1375006\_3

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 06 2016.

ELIZABETH S. MALAND  
City Clerk

By Linda Bruen  
Deputy City Clerk

Approved: 12/18/16  
(date)

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on DEC 0 6 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"/>
District 3 - (Vacant)	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 08 2016

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 Genda Bruen, 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

NOV 15 2016, and on DEC 08 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.

(Seal)

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

By Genda Bruen, Deputy

Office of the City Clerk, San Diego, California

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