

ORDINANCE NUMBER O- 20827 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 30 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING A JOINT USE AGREEMENT
WITH THE SOLANA BEACH SCHOOL DISTRICT FOR
CARMEL CREEK NEIGHBORHOOD PARK.

ITEM # 52A
5/16/17

WHEREAS, the City of San Diego (City) owns and operates the Carmel Creek
Neighborhood Park located at 4260 Carmel Center Road, San Diego, California (Park); and

WHEREAS, the Solana Beach School District (District) owns and operates the Carmel
Creek School located at 4210 Carmel Center Road, San Diego, California (School); and

WHEREAS, on July 5, 1994, the City and the District entered into the Agreement for the
Maintenance, Operation and Use of the Carmel Creek/Park Joint Use Areas for the Carmel Creek
Neighborhood Park (Original Agreement), which is scheduled to expire on July 4, 2019; and

WHEREAS, the City and the District desire to enter into a new agreement prior to the
expiration of the Original Agreement for an approximate term of 26 years, in order to update the
terms and conditions of the Original Agreement to reflect changes in both parties' respective
practices and understandings (Community Recreation Joint Use Agreement); and

WHEREAS, the joint use areas of the Park are comprised of parking lots and athletic
fields; and

WHEREAS, the Solana Beach School District Board of Education approved the
Community Recreation Joint Use Agreement on August 11, 2016; 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,

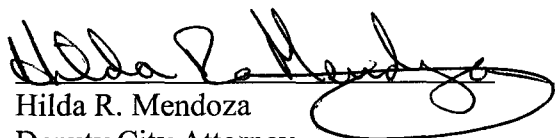
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor, or his designee, is hereby authorized and directed to execute the Community Recreation Joint Use Agreement, on file in the Office of the City Clerk as Document No. OO- 20827, between the City of San Diego and the Solana Beach School District, for the joint use of portions of the Carmel Creek Neighborhood Park.

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: MARA W. ELLIOTT, City Attorney

By 
Hilda R. Mendoza
Deputy City Attorney

HRM:als
02/27/2017
Or.Dept: Park & Rec.
Doc. No.: 1444993

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 16 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/30/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

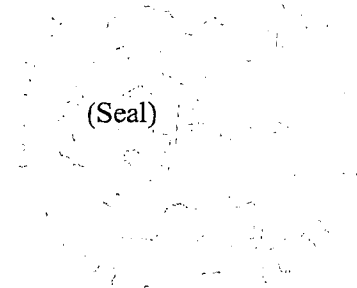
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAY 16 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 30 2017

AUTHENTICATED BY:



(Seal)

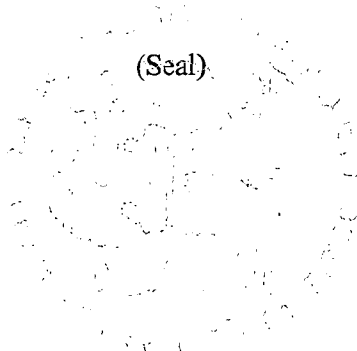
KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

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

By [Signature], 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 APR 25 2017, and on MAY 30 2017.

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 [Signature], Deputy

Office of the City Clerk, San Diego, California
20827
Ordinance Number O-_____