

ORDINANCE NUMBER O- 20879 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 08 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXECUTION OF THE
JOINT USE AGREEMENT FOR CREATIVE PERFORMING
MEDIA ARTS MIDDLE SCHOOL.

ITEM # 55A

12/5/17

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, Creative Performing Media Arts (CPMA) Middle School is located at 5050 Conrad Avenue, in the Clairemont Mesa Community Planning Area and the proposed facilities at CPMA Middle School will be developed by the District while the joint use facilities will be maintained by 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 July 11, 2017; and

WHEREAS, the terms of the Agreement will allow for City operation, maintenance and use of approximately 8.0 acres of irrigated natural turf field, decomposed granite walking track, decomposed granite field, asphalt hardcourts, asphalt parking lot, drinking fountain, and associated infrastructure; 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,

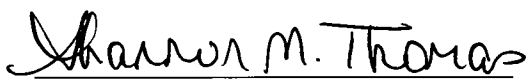
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

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 CPMA Middle School, under the terms and conditions set forth in the document on file in the Office of the City Clerk as Document No. OO- 20879.

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 
Shannon M. Thomas
Deputy City Attorney


SMT:als
10/24/2017
Or.Dept: Planning
Doc. No.: 1610919

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 05 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/18/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 05 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 DEC 08 2017

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 Stacy 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

NOV 13 2017, and on DEC 08 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 Stacy Brady, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 20879