

ORDINANCE NUMBER O- 20921 (NEW SERIES)

DATE OF FINAL PASSAGE APR 24 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXECUTION OF THE
JOINT USE AGREEMENT WITH THE SAN DIEGO UNIFIED
SCHOOL DISTRICT FOR CUBBERLEY ELEMENTARY
SCHOOL.

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, the Play All Day Parks Program (Program) is an initiative put forth in 2016 by Mayor Kevin L. Faulconer and the superintendent of the District, Cindy Marten, to break ground on over 45 new joint-use park sites citywide in the next five to ten years; and

WHEREAS, this is an ambitious goal made possible by strong collaboration between the City and the District and will serve to strengthen the long-standing partnership between the city and the school district to maximize the shared (joint) use of public facilities and resources for education and community use; and

WHEREAS, the new joint-use parks will be opened on existing school sites, and for the most part, will be constructed with the school district's Proposition S and Z bond funding; and

WHEREAS, the District expects to bid the contract for Cubberley Elementary joint use facilities this spring with completion scheduled in FY 2019; and

WHEREAS, the Cubberley Elementary School is located at 3201 Marathon Drive, in the Serra Mesa Community Planning Area and the proposed facilities at Cubberley Elementary 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 on February 13, 2018; and

WHEREAS, the terms of the Agreement will allow for City operation, maintenance and use of approximately 3.65 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 operation, maintenance, and joint use facilities at Cubberley Elementary School, under the terms and conditions set forth in the document on file in the Office of the City Clerk as Document No. 00-20921.

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
Shannon M. Thomas
Deputy City Attorney

SMT:als
03/01/2018
Or.Dept:Planning
Doc. No.: 1663384

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 10 2018.

ELIZABETH S. MALAND
City Clerk

By Linda Brown
Deputy City Clerk

Approved: 4/19/18
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

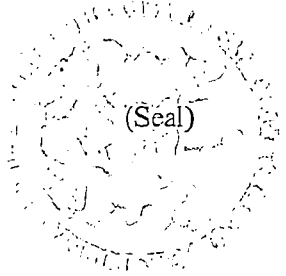
(NOTE: The date of final passage is April 24, 2018, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

Passed by the Council of The City of San Diego on APR 10 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 APR 24 2018

AUTHENTICATED BY:



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

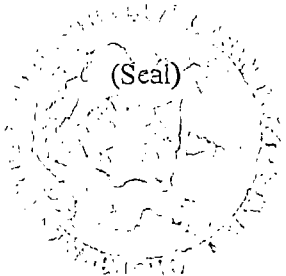
ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Brown, 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 20 2018, and on APR 24 2018

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.

By Linda Brown, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 20921