

ORDINANCE NUMBER O- 21007 (NEW SERIES)

DATE OF FINAL PASSAGE OCT 26 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE EXECUTION OF THE
JOINT USE AGREEMENT FOR HARRIET TUBMAN
CHARTER SCHOOL AND REIMBURSEMENT TO
SAN DIEGO UNIFIED SCHOOL DISTRICT OF \$1,211,040.

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 the City
pursuant to San Diego Resolution No. R-297149 (October 7, 2002), and by the District's Board
of Education on October 8, 2002; and

WHEREAS, the District owns Harriet Tubman Charter School located at 6880 Mohawk
Street, San Diego, in the College Area Community Planning Area (School); and

WHEREAS, the City and District desire to enter into a joint use agreement (Joint Use
Agreement) for 25 years to provide recreational programing for both parties and to reimburse the
District in an amount not to exceed \$1,211,040 for facilities to be constructed by District at the
School, including: a natural turf field, walking path, basketball court, playground, and associated
infrastructure; 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 (Council), as follows:

Section 1. That the Mayor, or his designee, is hereby authorized and directed to execute the Agreement for the Construction, Operation, Maintenance, and Use of Joint Use Facilities at Harriet Tubman Charter School, on file in the Office of the City Clerk as Document No. OO- **21007**, between the City of San Diego and the San Diego Unified School District, for the joint use of a portion of Harriet Tubman Charter School.

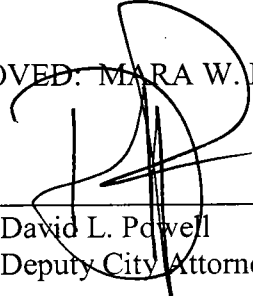
Section 2. That the Chief Financial Officer, or his designee, is hereby authorized to reimburse the San Diego Unified School District for the construction costs of the joint use area in an amount not to exceed \$1,211,040 from project S13000, Harriet Tubman Charter School Joint Use Improvements, from Fund 400127, College Area Development Impact Fees.

Section 3. 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 4. 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



David L. Powell
Deputy City Attorney

DLP:nja
09/10/18
Or. Dept: Park & Rec
Doc. No.: 1831963

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of OCT 23 2018.

ELIZABETH S. MALAND
City Clerk

By Linda Drwin
Deputy City Clerk

Approved: 10/26/18
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

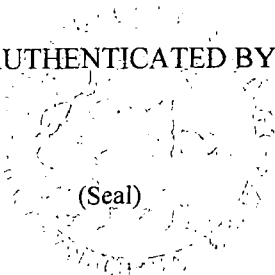
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 23 2018, 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 Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 26 2018

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 Linda Irwin, 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

OCT 09 2018

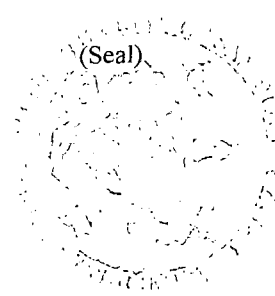
OCT 26 2018

, and on

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 Irwin, Deputy



(Seal)

Office of the City Clerk, San Diego, California

Ordinance Number O- **21007**