

RESOLUTION NUMBER R- **314253**

DATE OF FINAL PASSAGE JUL 29 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY TO ACCEPT, APPROPRIATE, AND EXPEND AN AMOUNT NOT TO EXCEED \$3,000,000 IN FUNDING ALLOCATED TO THE CITY OF SAN DIEGO UNDER THE STATE OF CALIFORNIA BUDGET ACT OF 2021 (SENATE BILL 170) FOR THE MURPHY CANYON CHILDCARE FACILITY AND AUTHORIZING THE MAYOR OR DESIGNEE TO NEGOTIATE AND ENTER INTO A RELATED FUNDING AGREEMENT WITH THE SAN DIEGO POLICE OFFICERS ASSOCIATION.

WHEREAS, the City of San Diego (City) desires to lease a portion of the City-owned property located at 4020 Murphy Canyon Road, San Diego, California 92123, to the San Diego Police Officers Association (SDPOA) to allow SDPOA to operate a childcare facility serving San Diego Police Department officers (Murphy Canyon Childcare Facility); and

WHEREAS, the State of California allocated \$3,000,000 in funding to the City under the State of California Budget Act of 2021 (Senate Bill 170) for the Murphy Canyon Childcare Facility (State Funding); and

WHEREAS, the City received the State Funding and has deposited the State Funding into Management Cost Center 1613000001; and

WHEREAS, the City and SDPOA desire to enter into a funding agreement under which the City will disburse the State Funding to SDPOA for use in providing the Murphy Canyon Childcare Facility (Funding Agreement); and

WHEREAS, the Funding Agreement will require that SDPOA expend the State Funding for expenses relating to the Murphy Canyon Childcare Facility on terms and conditions

consistent with the State of California requirements for receipt and expenditure of the State Funding; and

WHEREAS, the Funding Agreement will further require that the City disburse the full \$3,000,000 of the State Funding to SDPOA as follows: (1) an initial amount of \$1,090,128 for SDPOA's initial development and operating costs for the Murphy Canyon Childcare Facility; (2) \$954,936 for SDPOA's operating costs during the first year of operating the Murphy Canyon Childcare Facility; and (3) \$954,936 for SDPOA's operating costs during the second year of operating the Murphy Canyon Childcare Facility; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

1. The Council accepts the State Funding and ratifies all actions previously taken by or on behalf of the City of San Diego to obtain and receive the State Funding.
2. The Council authorizes the Chief Financial Officer to deposit the State Funding into Management Cost Center 161000001 and to appropriate and expend the State Funding for expenses relating to the Murphy Canyon Childcare Facility consistent with the State of California requirements for receipt and expenditure of the State Funding.
3. The Mayor or designee is authorized, on behalf of the City, and directed to negotiate the Funding Agreement with SDPOA providing for distribution of the State Funding to SDPOA as follows: (1) \$1,090,128 for development and other expenses related to making the Premises suitable for the childcare facility and getting the childcare facility open; (2) \$954,936

for expenses of operating the childcare facility for one year after opening; and (3) \$954,936 for expenses of operating the childcare facility for the second year after opening. Also, the Funding Agreement shall require that SDPOA comply with all State of California requirements for receipt and expenditure of the State Funding and provide the City with documentary evidence of such compliance, along with other appropriate contract terms and conditions determined by the Mayor in consultation with the City Attorney.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Julie Gough Inman
Julie Gough Inman
Deputy City Attorney

JGI:cw
7/19/22
Or.Dept: DREAM
CC No.: N/A
Doc. No. 3034310

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 25 2022.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 7/29/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 25 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 29 2022.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California

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