

RESOLUTION NUMBER R- **314826**DATE OF FINAL PASSAGE **MAY 23 2023**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THAT CERTAIN FIRST AMENDMENT TO CITY OF SAN DIEGO DISBURSEMENT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO POLICE OFFICERS ASSOCIATION.

WHEREAS, on July 29, 2022, the Council of the City of San Diego (Council) adopted Resolution R-2023-45 approving that certain City of San Diego Lease (Lease) between the City of San Diego (City) and the San Diego Police Officers Association (SDPOA), on file with the Office of the City Clerk as Document No. RR-314252, for a portion of that certain City-owned real property located at 4020 Murphy Canyon Road, San Diego, California 92123 (Premises), to allow SDPOA to operate a childcare facility serving San Diego Police Department officers (Murphy Canyon Childcare Facility); and

WHEREAS, on July 29, 2022, the Council adopted Resolution R-2023-46 accepting \$3,000,000 that the State of California allocated to the City under the California Budget Act of 2021 for the Murphy Canyon Childcare Facility (State Funding) and authorizing and directing the Mayor or designee to negotiate a funding agreement under which the City will disburse the State Funding to SDPOA for expenses related to the development and operation of the Murphy Canyon Childcare Facility; and

WHEREAS, on November 14, 2022, the City and SDPOA entered into that certain City of San Diego Disbursement Agreement (Disbursement Agreement) providing for the disbursement of the State Funding to SDPOA; and

WHEREAS, the Disbursement Agreement provides for the disbursement of the State Funding to SDPOA as follows: (1) up to \$1,090,128 for the costs of constructing certain

improvements on the Premises, as more specifically described in the Lease (Required Improvements), (2) \$954,936 for the Murphy Canyon Childcare Facility's operating expenses for the first year after opening, and (3) \$954,936 for the Murphy Canyon Childcare Facility's operating expenses for the second year after opening; and

WHEREAS, SDPOA notified City staff that it needs additional funds to complete the Required Improvements; and

WHEREAS, the City and SDPOA desire to amend the Disbursement Agreement (First Amendment) to, among other things, provide for the disbursement of the State Funding to SDPOA as follows: (1) up to \$3,000,000 in State Funding for the costs of the Required Improvements, and (2) any amount of the \$3,000,000 in State Funding not already disbursed to SDPOA for the Murphy Canyon Childcare Facility's operating expenses for the first year after opening; 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 approves the First Amendment, including all attachments and exhibits to the First Amendment.
2. The Mayor or designee is authorized and directed, on behalf of the City, to sign and enter into the First Amendment, including all attachments and exhibits to the First Amendment requiring the City's signature, and take all other actions reasonably necessary or desirable to perform the City's obligations under the First Amendment. A copy of the First

Amendment, when fully signed, shall be placed on file with the City Clerk as Document No. RR-

314826

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Julie Gough Inman
Deputy City Attorney

JGI:cw
April 24, 2023
Or.Dept: DREAM
Doc. No.: 3285757

I hereby certify that the foregoing Resolution was passed by the Council of the City of
San Diego, at this meeting of MAY 16 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 5/23/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAY 16 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
Kent Lee	<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 MAY 23 2023.

(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)

DIANA J.S. FUENTES
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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