

ORDINANCE NUMBER O- **21880** (NEW SERIES)

DATE OF FINAL PASSAGE **OCT 14 2024**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF SIX JOINT USE AGREEMENTS BETWEEN THE CITY OF SAN DIEGO AND SAN DIEGO UNIFIED SCHOOL DISTRICT FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, AND USE OF JOINT USE FACILITIES AT ANGIER ELEMENTARY SCHOOL, BARNARD ELEMENTARY SCHOOL, ERICSON ELEMENTARY SCHOOL, WEGEFORTH ELEMENTARY SCHOOL, WHITMAN ELEMENTARY SCHOOL, ZAMARANO ELEMENTARY SCHOOL, AND RELATED ACTIONS.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

A. Since 1948, the City of San Diego (City) and the San Diego Unified School District (District) have enjoyed a long-standing partnership made possible by a strong collaboration between the City and the District to maximize the joint use of public facilities and resources for educational and community use.

B. The District owns Angier Elementary School located at 8460 Hurlbut Street in the Serra Mesa Community, Barnard Elementary School located at 2445 Fogg Street in the Pacific Beach Community, Ericson Elementary School located at 11174 Westonhill Drive in the Mira Mesa Community, Wegeforth Elementary School located at 3443 Ediwhar Avenue in the Serra Mesa Community, Whitman Elementary School located at 4050 Appleton Street in the Clairemont Community, and the Zamarano Elementary School located at 2655 Casey Street in the Skyline-Paradise Hills Community (District Schools).

C. The City and the District are party to current Joint Use Agreements at five of the six District Schools. However, the City and District desire to terminate the Prior Agreements and

enter into six new agreements as follows: (1) a 25-year Joint Use Agreement regarding facilities at Angier Elementary School for the operation, maintenance, and use of joint use facilities; (2) a 25-year Joint Use Agreement regarding facilities at Barnard Elementary School for the operation, maintenance, and use of joint use facilities; (3) a 25-year Joint Use Agreement regarding facilities at Ericson Elementary School for the operation, maintenance, and use of joint use facilities; (4) a 25-year Joint Use Agreement regarding facilities at Wegeforth Elementary School for the operation, maintenance, and use of joint use facilities; (5) a 25-year Joint Use Agreement regarding facilities at Whitman Elementary School for the operation, maintenance, and use of joint use facilities; and (6) a 25-year Joint Use Agreement regarding facilities at Zamarano Elementary School for the operation, maintenance, and use of joint use facilities.

D. The terms of the new agreement with Angier Elementary School will allow for the operation, maintenance, and use of approximately 3.4 acres of natural grass playfield, decomposed granite walking track, concrete hardcourts, asphalt parking lot, city backstop and ballfield, and associated infrastructure.

E. The terms of the new agreement with Barnard Elementary School will allow for the operation, maintenance, and use of approximately 5.44 acres of natural grass playfield, asphalt parking lot, city backstop and ballfield, and associated infrastructure.

F. The terms of the new agreement with Ericson Elementary School will allow for the operation, maintenance, and use of approximately 6.23 acres of natural grass playfield, asphalt parking lot, city backstops and ball infield, and associated infrastructure.

G. The terms of the new agreement with Wegeforth Elementary School will allow for the operation, maintenance, and use of approximately 4.16 acres of natural grass playfield,

decomposed granite walking track, asphalt parking lot, asphalt walking track, city backstop and ball infield, comfort station, and associated infrastructure.

H. The terms of the new agreement with Whitman Elementary School will allow for the operation, maintenance, and use of approximately 4.75 acres of natural grass playfield, decomposed granite walking track, asphalt parking lot, and associated infrastructure.

I. The terms of the new agreement with Zamarano Elementary School will allow for the operation, maintenance, and use of approximately 3.05 acres of natural grass playfield and associated infrastructure.

J. Under San Diego City 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 Council of the City of San Diego.

K. The Office of the City Attorney prepared this Ordinance 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 and accurate.

#### ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. The Agreement for Angier Elementary School, on file in the Office of the City Clerk as Document No. OO-20561, is terminated upon the commencement date of the agreement for Angier Elementary School authorized by this Ordinance.

Section 2. The Agreement for Barnard Elementary School, on file in the Office of the City Clerk as Document No. OO-18863, is terminated upon the commencement date of the agreement for Barnard Elementary School authorized by this Ordinance.

Section 3. The Agreement for Ericson Elementary School, on file in the Office of the City Clerk as Document No. OO-19422, is terminated upon the commencement date of the agreement for Ericson Elementary School authorized by this Ordinance.

Section 4. The Agreement for Wegeforth Elementary School, on file in the Office of the City Clerk as Document No. OO-20420, is terminated upon the commencement date of the agreement for Wegeforth Elementary School authorized by this Ordinance.

Section 5. The Agreement for Zamarano Elementary School, on file in the Office of the City Clerk as Document No. OO-19164, is terminated upon the commencement date of the agreement for Zamarano Elementary School authorized by this Ordinance.

Section 6. The Mayor, or designee, is hereby authorized and directed to execute the new Agreement for the Construction, Operation, Maintenance, and Use of Joint Use Facilities at Angier Elementary School, on file in the Office of the City Clerk as Document No. OO- **21880-1**, between the City of San Diego and the San Diego Unified School District, for the joint use of a portion of Angier Elementary School.

Section 7. The Mayor, or designee, is hereby authorized and directed to execute the new Agreement for the Construction, Operation, Maintenance, and Use of Joint Use Facilities at Barnard Elementary School, on file in the Office of the City Clerk as Document No. OO- **21880-2**, between the City of San Diego and the San Diego Unified School District, for the joint use of a portion of Barnard Elementary School.

Section 8. The Mayor, or designee, is hereby authorized and directed to execute the new Agreement for the Construction, Operation, Maintenance, and Use of Joint Use Facilities at Ericson Elementary School, on file in the Office of the City Clerk as Document

No. OO- 21880-3, between the City of San Diego and the San Diego Unified School District, for the joint use of a portion of Ericson Elementary School.

Section 9. The Mayor, or designee, is hereby authorized and directed to execute the new Agreement for the Construction, Operation, Maintenance, and Use of Joint Use Facilities at Wegeforth Elementary School, on file in the Office of the City Clerk as Document

No. OO- 21880-4, between the City of San Diego and the San Diego Unified School District, for the joint use of a portion of Wegeforth Elementary School.

Section 10. The Mayor, or designee, is hereby authorized and directed to execute the new Agreement for the Construction, Operation, Maintenance, and Use of Joint Use Facilities at Whitman Elementary School, on file in the Office of the City Clerk as Document

No. OO- 21880-5, between the City of San Diego and the San Diego Unified School District, for the joint use of a portion of Whitman Elementary School.

Section 11. The Mayor, or designee, is hereby authorized and directed to execute the new Agreement for the Construction, Operation, Maintenance, and Use of Joint Use Facilities at Zamarano Elementary School, on file in the Office of the City Clerk as Document

No. OO- 21880-6, between the City of San Diego and the San Diego Unified School District, for the joint use of a portion of Zamarano Elementary School.

Section 12. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 13. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By Catherine C. Morrison  
Catherine C. Morrison  
Deputy City Attorney

CCM:jvg  
September 6, 2024  
Or.Dept: Park & Rec.  
Doc. No. 3781643

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on OCT 08 2024.

DIANA J.S. FUENTES  
City Clerk

By Kristelle Medina  
Deputy City Clerk

Approved: 10/11/24  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

(Note: The date of final passage is October 14, 2024, 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 OCT 08 2024, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 14 2024.

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 Krystell Medina, 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

SEP 24 2024, and on OCT 14 2024.

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) DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Krystell Medina, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- **21880**