

RESOLUTION NO. 13-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, SUPPORTING THE COSTA MESA COMMUNITY ATHLETIC FOUNDATION AND ITS EFFORTS TO FUND CAPITAL IMPROVEMENTS OF SPORTS FACILITIES AT ESTANCIA HIGH SCHOOL AND COSTA MESA HIGH SCHOOL

THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the Costa Mesa Community Athletic Foundation (referred to herein as the Foundation) is a local non-profit organization that serves the youth of the City of Costa Mesa by providing grants to local youth sports organizations for improvements to facilities and other projects; and

WHEREAS, the City previously partnered with the Foundation to support the construction of capital improvements to the recreational facilities at Estancia High School and Costa Mesa High School; and

WHEREAS, the Costa Mesa City Council desires to continue this partnership to aid in making the City a more attractive community to families, to provide quality facilities for high school age students, and to expand recreational opportunities to all Costa Mesa residents; and

WHEREAS, as part of the Adopted Operating and Capital Improvement Budget for fiscal year 2012-2013, the City Council appropriated \$100,000 for collaboration with the Foundation, and, in a commitment to the people of Costa Mesa, expressed its desire to consider annually continuing this support as part of the budget development process for this same purpose; and

WHEREAS, the City, as a public agency, has fiduciary and legal obligations to members of the public and must govern the expenditure of any public funds with due care and consideration; and

WHEREAS, both the Foundation and the City believe it is timely to establish their mutual commitments and to establish terms and conditions governing these commitments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa that it fully supports and endorses the Foundation in its efforts to raise funds to construct capital improvements of sports facilities at Estancia High School and Costa Mesa High School.

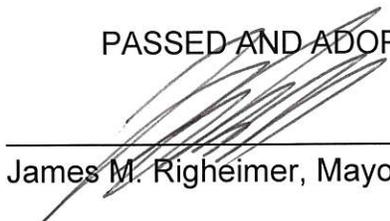
BE IT FURTHER RESOLVED that the City Council desires that the \$100,000 appropriated as part of the Adopted Operating and Capital Improvement Budget for fiscal year 2012-2013 for collaboration with the Foundation, and any money appropriated in subsequent fiscal years for the same purpose pursuant to the City Council's desire continue this level of support, shall be divided equally between Estancia High School and Costa Mesa High School.

BE IT FURTHER RESOLVED that the City Council requires that specific terms and conditions be established regarding the use and expenditure of the public funds committed, that warranties be provided regarding the ongoing maintenance of the facilities once constructed or improved, and commitments established regarding public access to the completed facilities.

BE IT FINALLY RESOLVED that the City Council hereby authorizes the City's CEO to enter into negotiations with the Foundation and other parties as may be

necessary to carry out the commitments established in this resolution and to prepare and administratively execute any necessary agreements consistent with this resolution.

PASSED AND ADOPTED this 19th day of February, 2013.

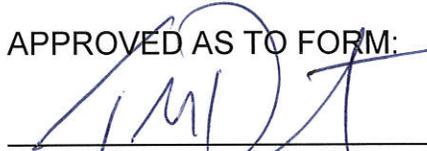

James M. Righeimer, Mayor

ATTEST:



Brenda Green, Interim City Clerk

APPROVED AS TO FORM:



Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, BRENDA GREEN, Interim City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 13-05 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 19th day of February, 2013, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: Genis, Mensinger, Monahan, Righeimer

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Leece

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 20th day of February, 2013.



BRENDA GREEN, INTERIM CITY CLERK