

**Memorandum of Understanding between the
Tierrasanta Community Council and Newbreak Church
Draft version dated May 11, 2014**

This Memorandum of Understanding is among the Tierrasanta Community Council, the officially recognized planning group for the Tierrasanta community, Newbreak Church, owner and landlord of the shopping center that includes 10791 Tierrasanta Blvd. regarding the siting and operation of a charter school at the site [need the inclusive addresses of the shopping center and the official name of the shopping center], as ratified by the Tierrasanta Community Council in a vote taken _____, as approved by _____ on behalf of Newbreak Church, and as approved by the Board of Elevate Elementary, the proposed operator of the charter school beginning in the Fall of 2014.

1. Newbreak Church as landlord and Elevate Elementary as the designated operator of the charter school agree that the operation of the charter school on the site will comply with regulations in place by the San Diego Unified School District and the City of San Diego including an approved Conditional Use Permit issued by the City of San Diego for operation of a charter school.
2. Newbreak Church as owner of the shopping center and the Tierrasanta Community Council agree that the conditions within this Memorandum of Understanding (MOU) will continue should the operator of the charter school change at some time in the future. All parties agree that this MOU can be updated and modified by mutual agreement of all parties, and submitted to the City of San Diego as part of the official record for the property.
3. Designated representatives from Newbreak Church, Elevate Elementary or the current operator of a charter school and the Tierrasanta Community Council will meet at least one time per calendar year, at a site, date and time mutually agreeable to all parties, to discuss and review traffic, parking, hours of operation, school security and safety elements of the operation of the charter school. All parties including tenants and owners of the adjacent shopping centers and the Principal of Jean Farb Middle School will be notified of the date, time and location of the meeting at least 14 days in advance of the meeting.
4. Following extensive discussions, it is agreed by all parties signatory to this MOU that the following issues are of importance in the operation of the site as a charter school:
 - a. Pedestrian safety: it is agreed by both parties that the safety of pedestrians entering and exiting the site is a high priority. Newbreak Church and Elevate Elementary or the current operator of the charter school will review the pedestrian safety plan at least annually in conjunction with the San Diego Police Department. It is agreed that pedestrian safety will be assured through a system of volunteers and school staff manning the key crosswalks and drop off areas. Attachment 1 depicts the initial locations where safety guards/monitors will be assigned. Training of parents/students is key to establishing safe and efficient pedestrian patterns. Newbreak and Elevate Elementary or the current operator of the charter school will provide training to all

parents/students at the beginning of each school term and when needed during the school year. Crossing areas will be manned during drop off/pick up periods and students will be accompanied by staff/volunteers when crossing is required during the school day including during a _____ minute period before and after the official start/ending of the school day and any time students are escorted by school staff to other sites in the community including parking and recess/physical education sites at Vista Grande Community Church, Roadrunner Park or other off-campus sites within the Tierrasanta/Murphy Canyon community.

- b. Traffic flow / Traffic control for those dropping off and picking up students: The key to efficient and safe traffic control is training, accountability, and having an appropriate number of volunteer/staff manning the key areas during ingress/egress by students, parents and staff before and after school.

Attachment 1 shows the dual traffic flow routing and placement of volunteer/staff monitors. Newbreak and Elevate Elementary or the current operator of the charter school will employ a proactive approach that provides traffic flow training to all school parents, coupled with a decal QR code or other identification code that will identify cars dropping off or picking up charter school students. Parking for drop off/pick up will not be permitted in the areas adjacent to other businesses/tenants either in the Newbreak owned shopping center or in immediately adjacent commercial centers in order to facilitate flow control. Decals/IDs will readily identify any violators for quick accountability. Newbreak, Elevate Elementary and the Tierrasanta Community Council will work with the San Diego Police Department and City Traffic and Engineering Department to optimize signage and additional enforcement as needed.

Newbreak and the operator of the charter school will establish school hours that will stagger/not conflict with school hours at Jean Farb Middle School in order to reduce the number of vehicles and pedestrians entering and exiting the immediate vicinity of the two schools.

- c. Parking control will be managed by Newbreak and/or Elevate Elementary volunteers and staff using the decal QR for accountability and quick response. A “No Parking” zone will be established at the ATM site and cones utilized to ensure flow/traffic segregation during student drop off and pick up times. Parent parking areas are shown in Attachment 1. Parent parking/stopping/waiting in the purple areas reserved for tenants/businesses is prohibited and will be regularly monitored by volunteers/staff during the designated period before and after school. Parent/caregiver parking for drop off and/or pick up of students who will be walked on and off campus is designated in the East Lot of the Vista Grande Church parking lot or at another site mutually agreeable to all signatories to this document, should that arrangement change in the future.

Parents/caregivers, students, volunteers and staff will be encouraged to cross at

Tierrasanta Blvd. and La Cuenta Drive, or at the intersection of La Cuenta Drive and Baroque Lane, and shall be discouraged from crossing mid-block in front of the Tierrasanta Library.

School administrators and staff shall park in designated parking at the rear of the shopping center or at a specifically designated location offsite.

- d. School security: Newbreak Church and the operator of the charter school shall provide for the security of the students and the school facilities in a manner consistent with established state and San Diego Unified School District regulations.

By the signing of this Memorandum of Understanding, all parties acknowledge and agree that the addition of a charter school at this site will offer additional education choices to the Tierrasanta/Murphy Canyon community, and that the impacts on traffic and parking, and concerns about pedestrian safety and school security are mitigated when implemented in a manner consistent with this agreement.

Dated this _____ day of _____, 2014

President, Tierrasanta Community Council

?????, Newbreak Church

Chairman of the Board, Elevate Elementary

cc: Kevin Faulconer, Mayor, City of San Diego
Todd Gloria, President, San Diego City Council
Scott Sherman, Councilmember, 7th District, San Diego City Council

[I recommend adding the drawings at the end, so the document reads smoothly without the exhibits between the sections]