

RESOLUTION NUMBER R-296663

ADOPTED ON JUNE 11, 2002

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO DESIGNATING AN OFF-LEASH AREA FOR DOGS
AT MADDOX NEIGHBORHOOD PARK.

WHEREAS, on May 30, 1972, the City Council approved by Ordinance No. 10843 the first off-leash areas for dogs in San Diego at Fiesta Island and Dog Beach; and

WHEREAS, San Diego Municipal Code section 63.0102 authorizes the Park and Recreation Director [Director] to designate dog exercise and training [Off-Leash] areas in City-owned parks; and

WHEREAS, in 1993, the Director authorized a trial Off-Leash area at Grape Street Park in Balboa Park; on April 12, 1999, City Council approved by Resolution No. R-291472 amended Off-Leash area boundaries and hours at Grape Street Park; and in 2000, the Director authorized continuing the boundaries and hours of the trial Off-Leash area at Grape Street Park; and

WHEREAS, in 1996, the Director authorized trial Off-Leash areas at Nates Point and Morley Field behind the tennis courts, both in Balboa Park; and in 2001, the Director authorized trial Off-Leash areas at Maddox Neighborhood Park and Cadman Community Park; and

WHEREAS, there continues to be an unmet recreational demand by the public for areas where dogs can legally be off-leash; and

WHEREAS, the City Council recognizes that Off-Leash dog activity to be a valid recreational use; and

WHEREAS, areas authorized to be Off-Leash areas benefit the residents of San Diego; and

WHEREAS, the trial Off-Leash are for one year of the 0.43-acre area of Maddox Neighborhood Park in Mira Mesa has now successfully concluded; and

WHEREAS, Mira Mesa Dog group has requested expansion of the Off-Leash area by 0.22 acres; and

WHEREAS, on February 12, 2002, the entire 0.65 acre area was unanimously endorsed by the Mira Mesa Recreation Council to be a designated Off-Leash area; and

WHEREAS, the Council desires to establish the entire 0.65 acre area of Maddox Neighborhood Park as an Off-Leash area; and

WHEREAS, Councilmember Brian Maienschein desires to provide \$5,000 from District Five's Fiscal Year 2002 Infrastructure Improvement Fund to the Mira Mesa Recreation Council, a non-profit association [MMRC], for the purpose of constructing an Off-Leash area for dogs in Maddox Neighborhood Park; and

WHEREAS, after receiving the \$5,000 from the City, MMRC will forward the amount to the City's Park and Recreation Matching Funds Program; NOW, THEREFORE,

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

1. That the Council hereby designates an Off-Leash area for dogs at Maddox Neighborhood Park, in Mira Mesa.

2. That the Off-Leash area is described as approximately 0.65 acres in the Maddox Neighborhood Park, which includes the original 0.43-acre trial Off-Leash area and also includes Mira Mesa Dog group's requested expansion of the area by 0.22 acres, as indicated in Exhibit A (Map of Maddox Neighborhood Park), and will include a perimeter fence and mow curb.

3. That the Council directs the City Manager, or designee, to implement the off-leash area at Maddox Neighborhood Park.

4. That the Council authorizes amendment of the Fiscal Year 2002 Capital Improvements Program Budget by adding CIP No. 29-607.0, Maddox Neighborhood Park Improvements.

5. That the Agreement between the City and MMRC (attached as Exhibit B), regarding the transfer of funds between the City and MMRC for the purpose of constructing an Off-Leash Area for dogs in Maddox Neighborhood Park, is approved.

6. That the transfer of \$5,000 to MMRC from Fund No. 10529 Council District Five Infrastructure Fund, for the purpose of constructing an Off-Leash area for dogs at Maddox Neighborhood Park, is approved.

7. That the total amount the City will provide MMRC under the terms of the Agreement shall not exceed \$5,000 from Fund No. 10529, Council District Five Infrastructure Improvement Fund.

8. That the City Manager, or designee, is authorized to execute, on behalf of the City, the Agreement between the City and MMRC. A copy of the Agreement, when executed, shall be placed on file in the Office of the City Clerk as Document No RR- 296663

9. That the Council authorizes amendment of the Fiscal Year 2002 Capital Improvements Budget by increasing CIP No. 29-607.0, Maddox Neighborhood Park Improvements, in the amount of \$43,980 from the following funds:

Fund No. 10529, Council District Five Infrastructure Improvement Fund, in the amount of \$5,000;

Fund No. 10365, Park and Recreation Matching Funds, in the amount of \$1,290 (from Mira Mesa Dog);

From Fund No. 10365, Park and Recreation Matching Funds in the amount of \$6,290;

From Fund No. 11210, West Mira Mesa Park Service District Fees, in the amount of \$1,400; and

From Fund No. 79006, Mira Mesa Facilities Benefit Assessment, in the amount of \$30,000.

10. That the Council appropriates and authorizes the City Auditor and Comptroller to expend an amount not to exceed \$43,980 from CIP No. 29-607.0, Maddox Neighborhood Park Improvements, from the following funds:

Fund No. 10529, Council District Five Infrastructure Improvement Fund, in the amount of \$5,000;

Fund No. 10365, Park and Recreation Matching Funds, in the amount of \$1,290 (from Mira Mesa Dog);

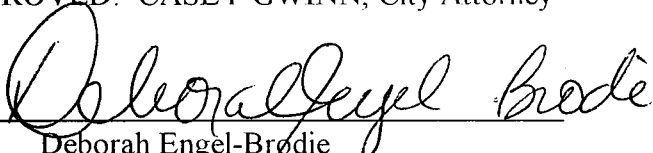
From Fund No. 10365, Park and Recreation Matching Funds in the amount of \$6,290;

From Fund No. 11210, West Mira Mesa Park Service District Fees, in the amount of \$1,400;

From Fund No. 79006, Mira Mesa Facilities Benefit Assessment, in the amount of \$30,000, consistent with Project 15-93 in the adopted 2001 Mira Mesa Public Facilities Financing Plan, adopted by City Council on November 14, 2000, by

Resolution No. R-294145, for the purpose of constructing an off-leash area for dogs and constructing Americans with Disabilities Act park improvements at Maddox Neighborhood Park.

APPROVED: CASEY GWINN, City Attorney

By 
Deborah Engel-Brodie
Deputy City Attorney

DEB:pev
05/31/02
06/19/02 Rev. 1
Or.Dept:Pk&Rec
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R-2002-1708
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**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 2201178

ORIGINATING
DEPT. NO.: 441

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$91,003.00 Fund: Various

Purpose: Authorizing the expenditure for the City to implement Off Leash Areas for Dogs in various existing City parks. Dusty Rhodes and Maddox Park projects are contingent upon receipt of donations.

Date: June 3, 2002 By: *[Signature]*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	11480			9544					\$11,315.00
002	0	79002			9544					\$14,500.00
003	0	10365	10365	2444	4279	20202				\$10,700.00
004	0	11430			9544					\$1,107.00
005	0	11210			9544					1,400.00
TOTAL AMOUNT										\$91,003.00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$5,000.00

Vendor: Mira Mesa Recreation Council

Purpose: Authorizing the expenditure for the City to implement Off Leash Areas in various exiting City Parks.

Date: June 3, 2002 By: *[Signature]*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
011	0	10529	10529	5000	4279	5000				\$5,000.00
TOTAL AMOUNT										\$5,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

[Signature] - 296663

JUN 11 2002

AC 2201178

