

RESOLUTION NUMBER R- 306695

DATE OF FINAL PASSAGE MAR 25 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING MODIFICATIONS TO DUSTY  
RHODES NEIGHBORHOOD PARK OFF LEASH DOG AREA  
AND AUTHORIZING THE MAYOR OR MAYOR'S  
DESIGNEE TO MAKE ANY AND ALL FUTURE  
MODIFICATIONS TO DUSTY RHODES NEIGHBORHOOD  
PARK OFF LEASH DOG AREA.

WHEREAS, on June 11, 2002, the City Council adopted Resolution No. R-296659,  
which established a 1.0 acre portion of Dusty Rhodes Neighborhood Park as an un-subdivided  
dog off leash area for all dogs with a perimeter fence for a one-year trial period; and

WHEREAS, on November 23, 2004, the City Council adopted Resolution No. R-299884,  
which established Dusty Rhodes Neighborhood Park Dog Off Leash Area [Dusty Rhodes Dog  
Park] as a permanent dog off leash location along with several other successful trial dog off leash  
sites at other City parks; and

WHEREAS, the Dusty Rhodes Recreation Council and the Friends of Dusty Rhodes Dog  
Park have worked closely with their City Council District and requested that the City of San  
Diego's Park and Recreation Department [Department] expand the Dusty Rhodes Dog Park to its  
current configuration of approximately 2.25 acres; and

WHEREAS, in March 2010, at the request of the Dusty Rhodes Recreation Council and  
with the cooperation of the City Council District, the Department expanded Dusty Rhodes Dog  
Park in typical reliance upon the general authority over City parks and beaches conveyed to the

Department Director by City Charter section 55 and San Diego Municipal Code section 22.1502 without recognizing at the time the need to obtain City Council approval; and

WHEREAS, on June 29, 2010, a large dog fatally attacked a small dog within the Dusty Rhodes Dog Park, which prompted community requests to the Department to erect a fence to separate large dogs and small dogs to prevent the recurrence of such an event; and

WHEREAS, given that there have been prior City Council actions regarding Dusty Rhodes Dog Park pursuant to Resolution Nos. R-296659 and R-299884, the Department now seeks the approval of City Council to construct a fence to subdivide Dusty Rhodes Dog Park into two separate areas for small dogs and for large dogs as well as to ratify such action already taken by the Department to expand Dusty Rhodes Dog Park to its current configuration of 2.25 acres; and


WHEREAS, the Department also seeks authority from City Council to modify Dusty Rhodes Dog Park as it may deem appropriate in the future, in conformance with the Department's general authority to manage and regulate the use of parks conferred by City Charter section 55 and San Diego Municipal Code section 22.1502; NOW, THEREFORE,

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

1. That the Mayor or Mayor's designee is authorized to take any and all action necessary to facilitate the construction of a fence to subdivide Dusty Rhodes Dog Park into two segregated areas for small dogs and large dogs.
2. That the current configuration of Dusty Rhodes Dog Park which consists of 2.25 acres is approved.

- 3. That the Mayor or Mayor's designee is authorized to take any and all action to modify Dusty Rhodes Dog Park, now and in the future, in conformance with the general authority conferred by City Charter section 55 without the need for City Council approval unless otherwise required by the City Charter, San Diego Municipal Code, Council Policy, or any other applicable laws or regulations.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
 Kenneth R. So  
 Deputy City Attorney

KRS:mm  
 11/18/2010  
 Or.Dept: Park & Rec.  
 R-2011-528  
 Prolaw# 2010-04226

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 15 2011.

ELIZABETH S. MALAND  
 City Clerk

By   
 Deputy City Clerk

Approved: 3-25-11  
 (date)

  
 JERRY SANDERS, Mayor

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

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 JERRY SANDERS, Mayor