

Item 53
4-18-2017

(O-2017-120)

ORDINANCE NUMBER O- 20816 (NEW SERIES)

DATE OF FINAL PASSAGE APR 26 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO SETTING ASIDE A CERTAIN PORTION OF DEDICATED CITY PARKLAND, COMMONLY KNOWN AS LA JOLLA OPEN SPACE, LOCATED IN THE LA JOLLA COMMUNITY, FOR THE OPENING AND MAINTENANCE OF A CITY STREET PURSUANT TO SAN DIEGO CHARTER SECTION 55.

WHEREAS, the City of San Diego is the owner of 4.50 acres of land in the La Jolla community, commonly known as La Jolla Open Space, which was dedicated for park and recreation purposes on January 9, 1989 (Dedicated Parkland), pursuant to Ordinance No. O-17210 and San Diego Charter Section 55; and

WHEREAS, the Charter provides that, whenever the City Manager recommends it, and the City Council finds that the public interest demands it, the City Council may, without a vote of the people, authorize the opening and maintenance of streets and highways over, through and across City fee-owned land which has heretofore been formally dedicated in perpetuity by ordinance or statute for park, recreation and cemetery purposes; and

WHEREAS, Article XV of the Charter transfers to the elected Mayor all administrative powers, duties and responsibilities previously held by the City Manager; and

WHEREAS, the Mayor now recommends that the public interest demands the opening and maintenance of a street, over, through and across that certain portion of the Dedicated Parkland, in order to complete certain street improvements on the south side of La Jolla Mesa Drive in order to increase driver and pedestrian safety; said street improvements shall include,

but not be limited to, completing a missing section of sidewalk, adding accompanying vehicle turning and travel lanes, as well as a bicycle lane (the La Jolla Mesa Drive Project); and

WHEREAS, that certain portion of the Dedicated Parkland affected by this ordinance is more particularly described in the document entitled "Streets and Highways Use on Dedicated Parkland," comprised of a legal description and Engineer's Drawings Nos. 39812-1-B and 39812-2-B, a copy of which is on file in the Office of the City Clerk as Document No.

OO- 20816; NOW, THEREFORE,

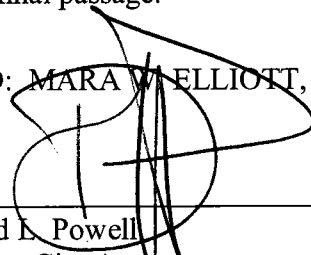
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Council hereby finds that the public interest demands the opening and maintenance of a street, over, through and across that certain portion of the Dedicated Parkland, in order to complete the La Jolla Mesa Drive Project; that certain portion of the Dedicated Parkland is more particularly described in the document entitled "Streets and Highways Use on Dedicated Parkland," comprised of a legal description and Engineer's Drawings Nos. 39812-1-B and 39812-2-B, a copy of which is on file in the Office of the City Clerk as Document No. OO- 20816.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By  _____
David L. Powell
Deputy City Attorney

DLP:slo
01/24/2017
Or.Dept: READ
Doc. No.: 1427729

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 18 2017.

ELIZABETH S. MALAND
City Clerk

By  _____
Deputy City Clerk

Approved: 4/25/17
(date)



KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

"The date of final passage is April 26, 2017, 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 APR 18 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 26 2017

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Hy Chady*, 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

APR 04 2017, and on APR 26 2017.

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.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Hy Chady*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20816</u>