

ORDINANCE NUMBER O- 20836 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 21 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO SETTING ASIDE A CERTAIN PORTION OF DEDICATED PARKLAND LOCATED IN THE MISSION VALLEY PRESERVE AND SEFTON FIELD, FOR THE OPENING AND MAINTENANCE OF A HIGHWAY PURSUANT TO CHARTER SECTION 55 FOR THE STATE OF CALIFORNIA'S INTERSTATE 8 SAFETY IMPROVEMENT PROJECT.

WHEREAS, the City of San Diego is the owner of the Mission Valley Preserve, which was dedicated for park and recreation purposes on June 19, 2000 (Preserve), pursuant to Ordinance No. O-18817 and San Diego Charter Section 55; and

WHEREAS, the City of San Diego is the owner of Sefton Field, which was dedicated for park and recreation purposes on July 21, 2009 (Field), pursuant to Ordinance No. O-19880 and San Diego Charter Section 55; and

WHEREAS, the Preserve and the Field are hereinafter referred to collectively as the "Dedicated Parkland"; and

WHEREAS, the California Department of Transportation is constructing the I-8 Safety Improvement Project (Project), which includes the addition of one lane, enhanced striping and signage along westbound Interstate 8 (I-8), between Hotel Circle and the junction with Interstate 5, within the City of San Diego, California; 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 highway, over, through and across that certain portion of the Dedicated Parkland, in order to complete the Project to provide safety improvements that will enhance traffic operations and help improve traffic conflicts; and

WHEREAS, that certain portion of the Dedicated Parkland affected by this ordinance is more particularly described in the documents entitled "Easement Deed Highway" and "Easement Deed," including legal descriptions, copies of which are on file in the Office of the City Clerk as Document Numbers RR- 311184-1 and RR- 311184-2 ; and

WHEREAS, if the City Council finds that the public interest demands the opening and maintenance of a highway, over, through and across that certain portion of the Dedicated Parkland, in order to complete the Project, the Mayor will seek authorization to convey the requested easements to the State of California through a separate action; 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 highway, over, through and across that certain portion of the Dedicated Parkland, in order to complete the westbound expansion of Interstate 8 by the California Department of Transportation's I-8 Safety Improvement Project; that certain portion of the Dedicated Parkland is more particularly described in the documents entitled "Easement Deed Highway" and "Easement Deed," including legal descriptions, copies of which are on file in the Office of the City Clerk as Document Numbers RR- 311184-1 and RR- 311184-2 .

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 Hilda R. Mendoza
Hilda R. Mendoza
Deputy City Attorney

HRM:als
05/22/2017
Or.Dept: READ
Doc. No.: 1506811

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 20 2017.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 6/21/17
(date)

[Signature]
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 20 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 21 2017

AUTHENTICATED BY:

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

(Seal)

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

By [Signature], 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

JUN 06 2017

JUN 21 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.

(Seal)

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

By [Signature], Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20836</u>