

ORDINANCE NUMBER O- 21808 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 20 2024

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE OPENING AND MAINTENANCE OF A STREET OVER, THROUGH, AND ACROSS A PORTION OF DEDICATED CITY PARKLAND IN PALM RIDGE PARK IN THE OTAY MESA COMMUNITY UNDER SAN DIEGO CHARTER SECTION 55.

WHEREAS, the City of San Diego is the fee owner of the real property generally known as Palm Ridge Park in the Otay Mesa community that was formally dedicated in perpetuity for park and recreation purposes on April 5, 1982 (Dedicated Parkland), under Ordinance No. 15708 and San Diego Charter (Charter) section 55; and

WHEREAS, Charter section 55 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 formally dedicated in perpetuity by ordinance or statute for park, recreation, and cemetery purposes; and

WHEREAS, Charter section 260 transferred to the Mayor all executive authority, power, and responsibilities previously conferred upon 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 the approximately 7,180 square feet of the Dedicated Parkland specifically described in the staff report accompanying this Resolution (Affected Parkland) for widening of the eastbound lanes of Palm Avenue across I-805 to accommodate the Palm Avenue Interstate 805 Interchange project that will rehabilitate the aging bridge and upgrade traffic operations at the Interstate 805 (I-805)/ Palm Avenue Interchange,

including repairs to the bridge approaches and abutments, bridge widening to the south, installation of sidewalk and signals, restriping, signage modifications, a Class IV bicycle facility along Palm Avenue, bridge widening to the north, relocation of northbound on/off ramps, and widening of the two on-ramps (collectively, Project); and

WHEREAS, the Affected Parkland is part of an unused hillside within the Dedicated Parkland and the completed Project will not affect the park and recreation use of the Dedicated Parkland; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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


Section 1. Based on the Mayor's recommendation, the Council finds that the public interest demands the opening and maintenance of a street, over, through, and across the Affected Parkland to accommodate the Project.

Section 2. Opening and maintenance of a street over, through, and across the Affected Parkland is authorized to accommodate the Project.

Section 3. 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 4. 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 
Delmar G. Williams
Deputy City Attorney

DGW:cc
April 18, 2024
April 23, 2024 COR. COPY
Or. Dept: DREAM
Doc. No. 3533388_2

I certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 14 2024.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 5/17/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

(Note: The date of final passage is May 20, 2024, 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 MAY 14 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 20 2024

AUTHENTICATED BY: TODD GLORIA
Mayor of The City of San Diego, California.

(Seal) DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Kristell Medina, 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 29 2024, and on MAY 20 2024.

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) DIANA J.S. FUENTES
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21808