

(O-99-17 Cor. Copy 2)

ORDINANCE NUMBER O- 18570 (NEW SERIES)

Re-ADOPTED ON AUG 07 1998

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAN DIEGO AT THE MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 1998, ONE PROPOSITION RATIFYING AN ORDINANCE ADOPTED BY THE CITY COUNCIL AUTHORIZING THE EXCHANGE OF PORTIONS OF PUEBLO LOTS 1304 AND 1306, CONSISTING OF APPROXIMATELY 30 ACRES, IN RETURN FOR 47.7 ACRES OF PROPERTY LOCATED IN THE SAN DIEGUITO RIVER VALLEY.

WHEREAS, San Diego City Charter Section 219 requires that any sale or exchange of Pueblo Lands owned by The City of San Diego which are situated North of the North line of the San Diego River must be first authorized by an ordinance duly passed by the Council and thereafter ratified by the electors of the City of San Diego.

WHEREAS, by Ordinance No. O- 18559, adopted on AUG 07 1998, the Council of The City of San Diego is calling a Municipal Election to be consolidated with the Statewide General Election on November 3, 1998, for the purpose of submitting to the qualified voters of the City one or more ballot propositions; and

WHEREAS, the City Council desires to submit to the voters at that Municipal Election one proposition ratifying an ordinance adopted by the City Council that authorizes the exchange of portions of Pueblo Lots 1304 and 1306 consisting of approximately 30 acres, in return for 47.7 acres of property in the San Dieguito River Valley; NOW, THEREFORE,

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

Section 1. One proposition ratifying an ordinance authorizing the exchange of certain Pueblo Lands is hereby submitted to the qualified voters of the City at the Municipal Election to be held November 3, 1998, the proposition to read as follows:

PROPOSITION

AN ORDINANCE AUTHORIZING THE EXCHANGE OF PORTIONS OF PUEBLO LOTS 1304 AND 1306, CONSISTING OF APPROXIMATELY 30 ACRES, IN RETURN FOR 47.7 ACRES OF PROPERTY IN THE SAN DIEGUITO RIVER VALLEY.

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

Section 1. The City of San Diego be and it is hereby authorized to exchange all or any portion of the unratified portions of Pueblo Lots 1304 and 1306, consisting of approximately thirty acres. The aforementioned Pueblo Lots are located generally in the University City area, west of Interstate 805 and north of Nobel Drive, as is more particularly shown in the plat map on file in the Office of the City Clerk as Document No. 00- 18569 -1.

Section 2. The exchange of the above-described Pueblo Lands is being made for the general purpose of accommodating scientific research activities, research and development activities, corporate headquarters, high technological manufacturing activities, and related or similar uses on the property.

Section 3. The property in the San Dieguito River Valley to be acquired by the City of San Diego in exchange for Pueblo Lots 1304 and 1306 consists of approximately 47.7 acres and is generally located east of Interstate 5, south of Via De La Valle, and east of El Camino Real, as is more particularly shown in the map on file in the Office of the City Clerk as Document

00- 18569 -2
No. . The 47.7 acres to be acquired by the City of San Diego are located in the North

City Future Urbanizing Area, and are presently designated in the North City Future Urbanizing Area Framework Plan for development of up to 47 single family residences. The property is also designated in the Open Space Element of the Progress Guide and General Plan as open space. It is anticipated that the open space designation will remain.

Section 4. This ordinance shall become effective only after: (a) it is ratified by a majority vote of the qualified electors of The City of San Diego voting at the Municipal Election to be held in this City on November 3, 1998; and, (b) a settlement agreement resulting in the dismissal of the case *San Dieguito Partnership v. City of San Diego*, San Diego Superior Court case numbers 707254, 711525 and 718166 is approved by the City Council.

-----END OF PROPOSITION-----

Section 2. The proposition shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 3 of this ordinance.

Section 3. On the ballot to be used at this Municipal Election, in addition to any other matters required by law, there shall be printed substantially the following:

PROPOSITION ____ . RATIFICATION OF ORDINANCE NO. <u>O-18569</u> (New Series) Shall Ordinance No. <u>O-18569</u> be ratified? This ordinance authorizes the transfer of approximately 30 acres of City-owned land in exchange for 47.7 acres of land within the planning area for the San Dieguito River Park.	YES	
	NO	

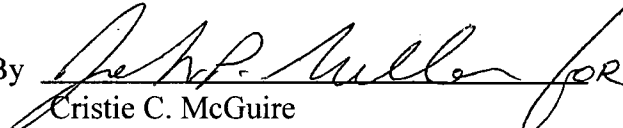
Section 4. An appropriate mark placed in the voting square after the word "yes" shall be counted in favor of the adoption of this proposition. An appropriate mark placed in the voting square after the word "No" shall be counted against the adoption of the proposition.

Section 5. The City Clerk shall cause this ordinance to be published once in the official newspaper on the Friday following adoption by the City Council. No other notice of election on this proposition need be given.

Section 6. Pursuant to California Elections Code Section 9295, this measure will be available for public examination for no fewer than ten calendar days prior to being submitted for printing in the sample ballot. During the examination period, any voter registered in the City may seek a writ of mandate or an injunction requiring any or all of the measure to be amended or deleted. The examination period will end on the day that is 75 days prior to the date set for the election. The Clerk shall post notice in his office of the specific dates that the examination period will run.

Section 7. Pursuant to section 17 of the San Diego City Charter, this ordinance relating to elections shall take effect on AUG 07 1998, which is the day of its introduction and passage.

APPROVED: CASEY GWINN, City Attorney

By 
Cristie C. McGuire
Deputy City Attorney

CCM:jrl
7/17/98
07/23/98
07/27/98
Or.Dept:Clerk
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