

ORDINANCE NUMBER O- 20800 (NEW SERIES)

DATE OF FINAL PASSAGE APR 13 2017

AN ORDINANCE SETTING ASIDE AND DEDICATING CITY-OWNED LAND KNOWN AS "MORLEY GREEN MINI PARK" IN THE CITY OF SAN DIEGO, CALIFORNIA, FOR A PUBLIC PARK.

WHEREAS, San Diego Charter Section 55 (Charter) provides that all real property owned in fee by the City of San Diego (City) that is dedicated by ordinance for park and recreation purposes shall not be used for any but park and recreation purposes without a changed use or purpose being authorized by a two-thirds vote of the people; and

WHEREAS, on April 22, 2014, the Council of the City of San Diego, acting in its capacity as the board of the Successor Agency, approved the Long Range Property Management Plan (LRPMP) by Resolution No. R-308897; and

WHEREAS, on April 22, 2014, by Resolution No. R-308898, the Council of the City of San Diego approved the acceptance of the governmental use properties set forth in the LRPMP, upon approval of the LRPMP by the Oversight Board and the California Department of Finance (DOF); and

WHEREAS, on May 18, 2015, the Oversight Board approved the Successor Agency's transfer of the governmental use properties set forth in the LRPMP to the City outside of the LRPMP; and

WHEREAS, by letter dated August 28, 2015, the DOF approved the Successor Agency's transfer of the governmental use properties set forth in the LRPMP to the City outside of the LRPMP; and

WHEREAS, Morley Green Mini Park was identified in the LRPMP as a governmental use property and to be conveyed to City with the understanding that the City would dedicate Morley Green Mini Park for park and recreation purposes as a population-based park; and

WHEREAS, on November 24, 2015, Morley Green Mini Park was conveyed by the Successor Agency to City; and

WHEREAS, City desires to dedicate Morley Green Mini Park in perpetuity for park and recreation purposes; NOW, THEREFORE,

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

Section 1. That the City Council has determined that there are no unusual circumstances which indicate dedication consideration of Morley Green Mini Park should be deferred.

Section 2. That the City-owned land known as Morley Green Mini Park, a description of which is attached hereto as Exhibit A and incorporated herein by this reference, is set aside and dedicated in perpetuity for park and recreation purposes.

Section 3. That the Council of the City of San Diego hereby specifically reserves the right to establish underground public service easements under, through and across the dedicated property so long as the construction and maintenance of the subject easements do not substantially negatively impact the availability of the property for use for park and recreational purposes.

Section 4. That the City Clerk is authorized and directed to record in the office of the San Diego County Recorder a certified copy of this ordinance.

Section 5. 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 6. That this ordinance shall take effect and be in force on the thirtieth day from
and after its final passage.

APPROVED: MARIA W. ELLIOTT, City Attorney

By



David L. Powell
Deputy City Attorney

DLP:als:slo
11/08/2016
Or.Dept: Park & Rec.
Doc. No.: 1445056

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 04 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4/12/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER,
Mayor

"The date of final passage is April 13, 2017, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature signature of approval!"

Passed by the Council of The City of San Diego on APR 04 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 13 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 Hy Ready, 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

MAR 14 2017, and on APR 13 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 Hy Ready, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 20800

EXHIBIT A

MORLEY GREEN MINI PARK
LEGAL DESCRIPTION

Lots 2 and 3 in Block 53 of Linda Vista Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 2883, filed in the Office of the County Recorder of San Diego County, July 2, 1952.

Assessor's Parcel No: 431-320-22