

ORDINANCE NO. 2306

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DECLARING THAT THE USE OF SUNSET FIELD AS A PUBLIC PARK IS DISCONTINUED AND ABANDONED

WHEREAS, the City of West Covina (“City”) owns a parcel of property within the southwesterly quadrant of Sunset Avenue and Cameron Avenue, adjacent to the Walnut Creek flood control channel, more particularly described in Exhibit A to this Ordinance, (the “Park Parcel”);

WHEREAS, the City owns an easement to allow parking for the Park Parcel, which easement is more particularly described on Exhibit B to this Ordinance (the “Parking Easement”);

WHEREAS, the City owns easements over two parcels to allow access to and from Sunset Field, and which easements are more particularly described on Exhibit C to this ordinance (the “Access Easements”) (the Park Parcel, the Parking Easement and the Access Easements are collectively referred to in this Ordinance as “Sunset Field”);

WHEREAS, Sunset Field currently contains two baseball fields and related facilities;

WHEREAS, Sunset Field is underutilized when compared to other parks in the City, largely because of its location;

WHEREAS, if the City were to sell Sunset Field, the City would place such sale proceeds into the City’s New Park Acquisition Fund, and use such funds to acquire and develop new park land that would be utilized more;

WHEREAS, the City Council desires to follow the procedures of Article 2 of Chapter 9 of Part 2 of Division 3 of Title 4 of the California Government Code (Sections 38440-38462, “Article 2”), to allow for the eventual sale of Sunset Field, with the placement of the proceeds of any such sale into the City’s New Park Acquisition Fund;

WHEREAS, the City Council reaffirms its intent to place all proceeds of any sale of Sunset Field into the City’s New Park Acquisition Fund;

WHEREAS, funds within the New Park Acquisition Fund may only be used to acquire and develop new park lands;

WHEREAS, the City did not pay for Sunset Park from funds obtained from a special assessment, bond, or any federal or state grant, nor was the land acquired via dedication pursuant to the Subdivision Map Act;

WHEREAS, on November 8, 2016, a special municipal election was held to authorize the abandonment of Sunset Field;

WHEREAS, the City Council intends to sell Sunset Park for fair market value to Queen of the Valley Hospital for expansion of the hospital's facilities, provided such a sale would serve the public interest;

WHEREAS, on April 19, 2016, the City Council adopted a Resolution 2016-34 to declare that the public interest or convenience requires the discontinuance of the Sunset Field as a public park and the intent to call a special election to submit the question of discontinuance to the city electors;

WHEREAS, on June 7, 2016, the City Council adopted Ordinance 2297 calling a special election on whether to discontinue use of Sunset Field as a public park;

WHEREAS, on November 8, 2016 the special municipal election was held, and the electorate voted to allow the abandonment of Sunset Field as a park in furtherance of the proposed sale;

WHEREAS, the City has provided all notice legally required to allow the City Council to vote on this Ordinance;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA ORDAINS AS FOLLOWS:

SECTION 1. Recitals. The recitals stated above are correct.


SECTION 2. Abandonment. The City Council hereby declares that use of Sunset Field for park purposes is discontinued and abandoned.

SECTION 3. Direction to Staff. The City Council directs as follows:

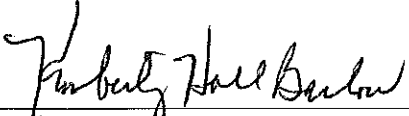
- a. The City clerk shall certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk in accordance with Government Code section 36933.
- b. City staff is directed and authorized to take all prudent actions to effect the purposes of this ordinance, including the completion of the steps necessary to sell Sunset Field as provided for in the ballot measure approved by the voters.

SECTION 4. Effective Immediately. Consistent with Government Code 36937(a), as an ordinance relating to an election, this ordinance shall become effective immediately after adoption.

PASSED, APPROVED AND ADOPTED on this 17th day of January, 2017.



Corey Warshaw
Mayor

APPROVED AS TO FORM:



Kimberly Hall Barlow
City Attorney

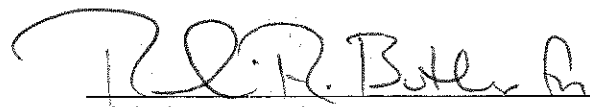
ATTEST:



Nickolas S. Lewis
City Clerk

I, NICKOLAS S. LEWIS, CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 20th day of December, 2016. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 17th day of January, 2017, by the following vote:

AYES: Johnson, Spence, Toma, Wu, Warshaw
NOES: None
ABSENT: None
ABSTAIN: None



Nickolas S. Lewis
City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PARCEL COMMONLY REFERRED TO AS SUNSET FIELD

Parcel 3 of Parcel Map 12870, per map recorded in Book 122, Pages 68 and 69 of Parcel Maps on file in the office of the County Recorder of said County.

Parcel Number 8468-016-910

EXHIBIT B

LEGAL DESCRIPTION OF THE PARKING EASEMENT

(Easement recorded via document 98-4313989 on March 17, 1998 in the Los Angeles County Recorder's office)

AN EASEMENT FOR PARKING PURPOSES OVER THE FOLLOWING DESCRIBED REAL PROPERTY IN THE COUNTY OF LOS ANGELES:

THAT PORTION OF PARCEL 2 OF PARCEL MAP NO. 17372, IN THE CITY OF WEST COVINA COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PER BOOK 184 PAGES 39 AND 40 OF PARCEL MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; LYING NORTHEASTERLY OF THE NORTHWESTERLY LINE OF PARCEL 3 OF SAID PARCEL MAP.

EXHIBIT C

LEGAL DESCRIPTION OF THE ACCESS EASEMENTS

(Easement recorded via document 98-431399 on March 17, 1998 in the Los Angeles County Recorder's office)

AN EASEMENT FOR ACCESS PURPOSES OVER THE FOLLOWING DESCRIBED REAL PROPERTY IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA:

THOSE PORTIONS OF LOT 129 OF E.D. BALDWIN'S FOURTH SUBDIVISION PER MAP BOOK 8 PAGE 186 OF MAPS AND PARCEL 1 OF PARCEL MAP NO. 1327 AND PARCELS 2, 3, AND 4 OF PARCEL MAP NO. 17372 IN THE CITY OF WEST COVINA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA PER BOOK 21 PAGE 12 AND BOOK 184 PAGES 39 AND 40, RESPECTIVELY, OF PARCEL MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; DESCRIBED AS FOLLOWS:

PARCEL 1.

A STRIP OF LAND 30.00 FEET WIDE, THE CENTERLINE BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL 1; THENCE NORTH 41°-25'-00" EAST, ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 1, AND ITS NORTHEASTERLY PROLONGATION, 1,294.23 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL 3.

PARCEL 2.

A STRIP OF LAND 100.00 FEET WIDE, THE NORTHERLY LINE BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF SAID PARCEL 3; THENCE NORTH 48°-34'-54" W. ALONG THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF SAID PARCEL 3, A DISTANCE OF 200.00 FEET.