

REQUEST FOR COUNCIL ACTION



CITY COUNCIL MEETING DATE:

OCTOBER 20, 2020

TITLE:

**RECEIVE AND FILE DOG PARK AT
CENTENNIAL PARK INFORMATIONAL
UPDATE**

CLERK OF COUNCIL USE ONLY:

APPROVED

- ☐ As Recommended
- ☐ As Amended
- ☐ Ordinance on 1st Reading
- ☐ Ordinance on 2nd Reading
- ☐ Implementing Resolution
- ☐ Set Public Hearing For _____

CONTINUED TO _____

FILE NUMBER _____

/s/ Kristine Ridge

CITY MANAGER

RECOMMENDED ACTION

Receive and file Dog Park at Centennial Park informational update.

DISCUSSION

On December 3, 2019, the City Council directed the City Manager to study the feasibility of a dog park at Centennial Park.

On March 3, 2020, the City Council discussed the feasibility of a dog park at Centennial Park and provided direction to staff.

On July 7, 2020, the City Council was provided a Receive-and-File Dog Park update. The City Council provided direction to staff, which included moving forward with efforts to build a dog park located at Centennial Park (3.54-acre undeveloped area) and returning to the City Council at a future date with additional options for a dog park that includes an educational component (teaching, trainings, signage, spay-and-neuter information, how to care for animals, etc.) since the land can only be used for educational purposes.

Originally, the property, owned by the City of Santa Ana, had a deed restriction requiring park and recreational uses only. In 1988, the City of Santa Ana deeded the property to the National Park Service, who then transferred the site to the U.S. Department of Education. The U.S. Department of Education conveyed the land to the City of Santa Ana for use as a Police/Fire Training Facility. The 30-year deed restriction required the City to use the site only for educational purposes.

On September 28, 2020 a letter (Exhibit 1) was sent to the U.S. Department of Education to start the process of releasing 3.54-acre site from educational use restriction and to use for recreational purposes to build a future dog park. In response, the U.S. Department of Education provided the following options for the City of Santa Ana to consider:

1. Wait until March 7, 2021 when the 30-year educational deed restriction expires.
2. Enact the Abrogation provision (Exhibit 2), which essentially is a "buy out" provision.

Since the City does not currently have funding identified to build the dog park, waiting until the educational deed restriction expires is in the best interest of the City. Once the deed expires, the educational use restrictions automatically terminate on the property (the entire property), and the City can use the (entire) property, however decided, without involvement of U.S. Department of Education, National Park Service, or U.S. General Services Administration.

FISCAL IMPACT

There is no fiscal impact associated with the item.

Submitted By: Lisa Rudloff, Executive Director – Parks, Recreation, and Community Services Agency

Exhibits: 1. Letter U.S. Department of Education
2. 30-Year Educational Deed Restriction

MAYOR
Miguel A. Pulido
MAYOR PRO TEM
Juan Villegas
COUNCILMEMBERS
Phil Bacerra
Nelida Mendoza
David Penaloza
Vicente Sarmiento
Jose Solorio



CITY MANAGER
Kristine Ridge
CITY ATTORNEY
Sonia R. Carvalho
CLERK OF THE COUNCIL
Daisy Gomez

CITY OF SANTA ANA

CITY MANAGER'S OFFICE
20 Civic Center Plaza • P.O. Box 1988
Santa Ana, California 92702
www.santa-ana.org

September 28, 2020

Via E-mail

Barbara L. Shawyer
Federal Real Property Assistance Program
U.S. Department of Education
400 Maryland Avenue, SW
Washington DC, 20202-4553

RE: Change of Land Use at Centennial Park 3000 W. Edinger Avenue, Santa Ana, CA

Dear Mrs. Shawyer:

The City of Santa Ana is currently using the property on the southwest corner of Centennial Park as a Police/Fire Training Center (Deed enclosed). Originally, the property owned by the City of Santa Ana had a deed restriction, requiring park and recreational uses only. In 1988, the City of Santa Ana deeded the property to the National Park Service, which then transferred the site to the U.S. Department of Education. The U.S. Department of Education conveyed the land to the City of Santa Ana for use as a Police/Fire Training Facility.

It is the desire of the City of Santa Ana to use the majority of the site for recreational purposes. Specifically, 3.54 acres as a future Dog Park and continue use of the cemented area that facilitates the Police/Fire Training (enclosed Site Plan). Preliminary conversations of this proposal was discussed with the National Park Service and the U.S. General Services Administration. Both agencies verbally indicated the process is relatively simple and the request should start with the U.S. Department of Education to relinquish the site back to recreational purposes.

This letter is to start the process and request the U.S. Department of Education release 3.54 acres for recreational purposes. The City Council is in support of this land use change and the community is looking forward to the construction of the first dog park in Santa Ana.

Please let me know the next steps to move this process forward.

Sincerely,

Kristine Ridge, City Manager

C: Lisa Rudloff, Executive Director, Parks, Recreation and Community Services
David Valentin, Police Chief

Attachments: Deed 88-082586
Site Plan

SANTA ANA CITY COUNCIL

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Mayor
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Mayor Pro Tem, Ward 5
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Nelida Mendoza
Ward 6
nmendoza@santa-ana.org

19C-3

88-082586

SEE OFFICIAL RECORDS - IN
AGREEMENT FILE
jd(44) A-88-009
2/5/88
Original 1-2-88
282

CC. CU
PD
RES
7/9/88
Council Subpoena & Hearing
RECORDING REQUESTED BY:
Clerk of the Council
CITY OF SANTA ANA
20 Civic Center Plaza
Santa Ana, CA 92701

WHEN RECORDED MAIL TO:
CITY OF SANTA ANA
CLERK OF THE COUNCIL
P.O. BOX 1988
SANTA ANA, CA 92702

This is to certify that this document
is presented for free recording by
the City of Santa Ana under Government
Code Section 6103.

Certificate of Acceptance is now attached for
re-recording.

EXEMPT
C6

88-320163

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA

-8 55 AM FEB 25 '88

Lee A. Branch COUNTY
RECORDER

EXEMPT
C11

LOOK

DEED

POLICE/FIRE TRAINING FACILITY - CENTENNIAL PARK

THIS INDENTURE, made this 16th day of February,
1988, by and between the CITY OF SANTA ANA, a municipal corp-
oration of the State of California, party of the first part,
hereinafter referred to as the Grantor, and the UNITED STATES
OF AMERICA, party of the second part, hereinafter referred to
as the Grantee,

W I T N E S S E T H

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA

-12 30 PM JUL 5 '88

Lee A. Branch COUNTY
RECORDER

1. That on June 1, 1969, Grantee, by Quitclaim Deed
dated June 1, 1969, recorded on August 1, 1969, in Book 9037,
Page 694 of the Official Records of Orange County, California
deeded to Grantor certain property for public park and recreation
purposes only, hereinafter referred to as "said real property";
and

2. That Grantor desires to not utilize a portion of
said real property, which portion is hereinafter shown on Exhibit
"A," attached hereto and incorporated herein by reference, for
park and recreation purposes in order that Grantor will have the

19C-4

C: 915

opportunity to acquire said portion for public health, safety and educational purposes as well as to enhance public recreational use;

NOW, THEREFORE, pursuant to the terms contained in that certain Quitclaim Deed from the UNITED STATES OF AMERICA to the CITY OF SANTA ANA, recorded in Book 9037, Page 694 of the Official Records of Orange County, California, the Grantor does by these presents revert unto the United States of America all the Grantor's right, title and interest in and to all that certain real property situated in the City of Santa Ana, County of Orange, State of California, hereinafter referred to as "said premises," shown on attached Exhibit "A" and described as follows:

All that certain real property in the City of Santa Ana, County of Orange, State of California, described as follows:

Beginning at the most Westerly Southwest corner of that parcel of land shown on a map recorded in Book 98, page 10 of Records of Survey of said County, said corner being a point in a non-tangent curve, concave Westerly, having a radius of 23,093.31 feet, a radial line to said point bears North 68°17'44.6" West; thence Northeasterly 317.41 feet along said curve through a central angle of 00°47'15"; thence South 87°44'45" East 456.37 feet; thence South 02°15'15" West 75.00 feet; thence South 87°44'45" East 600.00 feet; thence South 02°15'15" West 225.00 feet to a point in a line which bears North 87°44'45" West and passes through the point of beginning; thence Westerly 1,160.00 feet more or less to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said Grantee, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has executed the conveyance the day and year first hereinabove written.

ATTEST:

Janice C. Guy
JANICE C. GUY
CLERK OF THE COUNCIL

CITY OF SANTA ANA, a
municipal corporation
of the State of California

Daniel H. Young
Daniel H. Young, Mayor

APPROVED AS TO CONTENT:

David N. Ream
David N. Ream, City Manager

APPROVED AS TO FORM:

Edward J. Cooper
Edward J. Cooper
City Attorney

STATE OF CALIFORNIA)
) SS.

State of California }
County of Orange } SS.

88-082586



On this 17th day of February, in the
year 1988, before me _____, Clerk of the
Council or William D. Baron, Deputy Clerk of the
Council of the City of Santa Ana personally appeared
JANICE C. GUY, personally known to me (or
proved to me on the basis of satisfactory evidence)
to be the person who executed this instrument as
Janice C. Guy, Clerk of the Council
of the City of Santa Ana and acknowledged to me that
the City of Santa Ana executed it.

W.D. Baron

88-320163

7435

88-082586

MOHAWK
DRIVE

EDINGER AVENUE

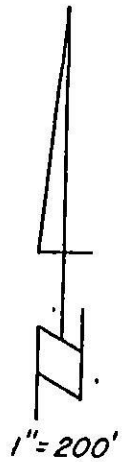
350'
RIVER

175'

175'

CENTENNIAL PARK

**Proposed Police/Fire
Training Facility**



7435
88-320163

PCL 1
PM 38-1

PCL 2

PCL 3

PCL 1

PM 23-48

TRACT

3238

19C-7
EXHIBIT A

88-320163

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the deed dated the 16th day of February, 1988 from the City of Santa Ana is hereby accepted by the undersigned officer or agent on behalf of the Department of the Interior and the grantee consents to recordation thereof by its duly authorized officer.

Date:

June 6, 1988

By:

John D. Cherry
 Associate Regional Director
 Western Region
 National Park Service

COUNTY OF SAN FRANCISCO)
)
 STATE OF CALIFORNIA)

SS

On this 6th day of June, 1988, before me, the subscriber, personally appeared John D. Cherry, to be known and personally known to me to be the Associate Regional Director, Western Region, National Park Service, of the United States of America, acting by and through the Secretary of the Interior, a governmental agency of the United States of America, and known to me to be the same person described in and who executed the foregoing instrument as such Associate Regional Director aforesaid, as the act and deed of the United States, for and on behalf of the Secretary of the Interior, and he acknowledged that he executed the foregoing instrument for and on behalf of the United States of America, for the purposes and uses therein described.



Mary E. Meredith
 NOTARY PUBLIC
 Mary E. Meredith

My Commission expires:

March 26, 1989

REQUEST FOR COUNCIL ACTION



915
(DEED 7435 -
A-88-009)

C: 710✓
C: 715✓

CITY COUNCIL
AGENDA DATE February 16, 1988

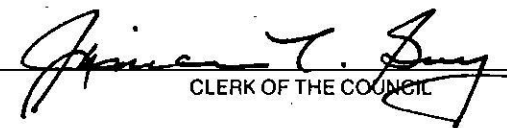
DATE OF COUNCIL ACTION FEB 16 1988

Resolution No. 88-11
adopted.

Approved as recommended.

TITLE Authorize Mayor to execute deed of
release and City Manager to execute appli-
cation for 4 acres of the southwest corner
of Centennial Park.


CITY MANAGER


CLERK OF THE COUNCIL

RECOMMENDED ACTION

Authorize Mayor to execute deed of release and City Manager to execute application for 4 acres of the southwest corner of Centennial Park. (with UNITED STATES OF AMERICA)

DOCUMENT ON FILE IN CLERK'S OFFICE

EXECUTIVE SUMMARY

Staff has identified four (4) acres of unimproved land at the southwest corner of Centennial Park for a new Police/Fire Training Facility. The property is currently owned by the City of Santa Ana with a deed restriction requiring that the property be used for park and recreational uses only. Through discussions with the National Park Service and other federal agencies, we have discovered a process whereby the City can deed our property to the National Park Service which will then transfer the site to the Department of Education. The Department of Education will then convey the land to the City of Santa Ana for use as a Police/Fire Training Facility. The Department of Education has already stated its support for the City's Police/Fire Training Facility and the National Park Service has indicated support for the proposed land transfer.

19C-9086

60C

60.B. MEMORIAL PARK POOL - APPROPRIATION ADJUSTMENT NO. 091

MOTION: Approve. (Requires five affirmative votes.)

APPROPRIATION ADJUSTMENT NO. 091 - Transferring \$3,000.00 from account 11-591-Memorial Pool Charges to account 11-248-201-Aquatics - Utilities.

MOTION: Acosta SECOND: Pulido

VOTE: AYES: Acosta, Griset, Hart, May, McGuigan, Pulido
NOES: None
ABSENT: Young

FILE 310.05 ✓
915 ✓

60.C. POLICE/FIRE TRAINING FACILITY - CENTENNIAL PARK

- MOTION: 1) Authorize the City Manager to execute Application for Purchase of Real Property at Centennial Park as Public Benefit Allowance.
- 2) Approve deed transfer and authorize execution by Mayor and Clerk of all necessary documents in connection with transfer.
A-88-009
DEED 7435

3) Adopt resolution.

RESOLUTION NO. 88-11 - A Resolution of the City Council of the City of Santa Ana to Obtain 4 Acres of Centennial Park for a Police/Fire Training Facility.

MOTION: Acosta SECOND: Pulido

VOTE: AYES: Acosta, Griset, Hart, May, McGuigan, Pulido
NOES: None
ABSENT: Young

FILE 710 ✓
715 ✓
915 ✓

60.D. LABOR AGREEMENT WITH SANTA ANA FIREMEN'S BENEVOLENT ASSOCIATION

- MOTION: 1) Authorize the City Attorney to prepare and the Mayor and Clerk to execute the agreement.

AGREEMENT NO. A-88-008 - BETWEEN THE CITY OF SANTA ANA AND SANTA ANA FIREMEN'S BENEVOLENT ASSOCIATION - Memorandum of Understanding for a 30-month period July 1, 1987 through December 31, 1989 - Human Resources Agency.