



The City of San Diego

Staff Report

DATE ISSUED: September 9, 2021

TO: City Council

FROM: Department of Real Estate and Airport Management

SUBJECT: Declare 48.5 acres of City-owned property at 3500, 3250, 3220 & 3240 Sports Arena Blvd. "surplus land" pursuant to CA Government Code sections 54220-54234, supersede Resolution R-313689 in its entirety, and waive the Council Policy 700-10 requirement that "surplus land" be circulated for review by City Departments to determine if there is a municipal use for the land prior to disposition.

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Council District(s): 2

OVERVIEW:

Declare 48.5 acres of City-owned real property located at 3500, 3250, 3220 and 3240 Sports Arena Blvd. (the "Property") "surplus land" pursuant to California Government Code sections 54220-54234, supersede Resolution R-313689 in its entirety, and waive the Council Policy 700-10 requirement that "surplus land" be circulated for review by City Departments to determine if there is a municipal use for the land prior to any disposition of the land.

PROPOSED ACTIONS:

Declare 48.5 acres of City-owned real property located at 3500, 3250, 3220 and 3240 Sports Arena Blvd. "surplus land" pursuant to California Government Code sections 54220-54234, supersede Resolution R-313689 in its entirety, and waive the Council Policy 700-10 requirement that "surplus land" be circulated for review by City Departments to determine if there is a municipal use for the land prior to any disposition of the land.

DISCUSSION OF ITEM:

On August 3, 2021, City Council adopted Resolution R-313689 declaring the Property "surplus land" subject to the condition that future development of the Property include renovation or replacement of the City's current sports arena as a regional entertainment venue and operation of that venue for concerts, sports, and other events, consistent with similar arenas in large cities in the United States.

The California Department of Housing and Community Development ("HCD") subsequently reviewed Resolution R-313689 and informed the City on September 8, 2021, that HCD interprets the definition of "surplus land" in Government Code section 54221(b) as not allowing "conditional" declarations of surplus land. HCD recommended that the City adopt a resolution declaring the property "surplus land" without any conditions.

The new resolution eliminates the “conditional” surplus land declaration and unconditionally declares the Property surplus land. The new resolution, though, specifically states the intent of the City to impose the condition that future development of the Property include renovation or replacement of the sports arena on the Property as a regional entertainment venue and operation of that venue for concerts, sports, and other events, consistent with similar arenas in large cities in the United States in the notice of availability for the Property. Additionally, the new resolution states that it supersedes the conditional surplus land declaration for the Property in Resolution R-313689.

Future sale or lease of the Property will be addressed in a future Council action. This action does not authorize or require the sale or lease of the Property. This action is simply to supersede Resolution R-313689, unconditionally declare the Property surplus land, and waive the Council Policy 700-10 requirement that “surplus land” be circulated for review by City Departments to determine if there is a municipal use for the land prior to any disposition of the land.

Staff recommends that Council adopt the new resolution.

City Strategic Plan Goal(s)/Objective(s):

Goal #3: Create and sustain a resilient and economically prosperous City.

Objective #1: Create dynamic neighborhoods that incorporate mobility, connectivity, and sustainability.

Fiscal Considerations:

N/A. This action is limited to declaring the Property surplus land.

Charter Section 225 Disclosure of Business Interests:

N/A - There is no agreement associated with this action.

Environmental Impact:

The Council action declaring the Property “surplus land” in accordance with California Government Code sections 54220-54234, is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(2) as it would not result in a direct or reasonably foreseeable indirect physical change in the environment. This activity does not commit the City to a definite course of action, and thus does not constitute a formal approval of any agreement related to the Property pursuant to CEQA Guidelines Section 15352. The future lease for the Property will be subject to CEQA review at a future date pursuant to CEQA Guidelines Section 15004, which provides direction to lead agencies on the appropriate timing for environmental review.

Equal Opportunity Contracting Information (if applicable):

This action is exempt from EOC review per the August 7, 2019, memo from the Purchasing & Contracting Director titled ‘Request for Mayoral and/or City Council Action - Actions Exempt from Equal Opportunity Contracting Program Review’.

Previous Council and/or Committee Actions:

July 23, 2021 Land Use and Housing Committee meeting and August 3, 2021 City Council meeting.

Key Stakeholders and Community Outreach Efforts:

N/A

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Management

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Chief Operating Officer