

SSC4
8/31/2021

(R-2022-38)

RESOLUTION NUMBER R-**313689**

DATE OF FINAL PASSAGE AUG 09 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO DECLARING 48.5 ACRES OF CITY-OWNED REAL PROPERTY LOCATED AT 3500, 3250, 3220 AND 3240 SPORTS ARENA BOULEVARD IN THE CITY OF SAN DIEGO SURPLUS LAND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 54220-54234 ON THE CONDITION THAT FUTURE DEVELOPMENT OF THE PROPERTY INCLUDES RENOVATION OR REPLACEMENT OF THE CITY'S CURRENT SPORTS ARENA ON THE PROPERTY AS A REGIONAL ENTERTAINMENT VENUE AND OPERATION OF THAT VENUE FOR CONCERTS, SPORTS, AND OTHER EVENTS; AND RELATED WAIVER OF COUNCIL POLICY 700-10.

WHEREAS, the City of San Diego (City) owns the real property located at 3500, 3250, 3220, and 3240 Sports Arena Boulevard in the City, which collectively consist of approximately 48.5 acres (Property); and

WHEREAS, part of the Property has been used for certain non-municipal uses (such as retail buildings) for more than 50 years, exclusive of the part of the Property on which the City's sports arena, currently known as Pechanga Arena, and associated surface parking lots are located; and

WHEREAS, the City intends to cause the redevelopment of the Property, including renovation or replacement of the City's current sports arena; and

WHEREAS, the California Surplus Land Act (SLA), Government Code sections 54220-54234, requires in Government Code section 54221(b)(1) that the Council take formal action at a regular public meeting to declare the Property surplus land before the City may take any action to dispose of the Property; and

WHEREAS, the California Department of Housing and Community Development (HCD) published its 2021 SLA Guidelines that interpret the SLA to apply to both the proposed sale of surplus land and the proposed leasing of surplus land (subject to limited exceptions not applicable in this instance); and

WHEREAS, the City considers the Property surplus land only if future development of the Property is required to include renovation or replacement of the City's current sports arena on the Property to preserve the existing use, as further described below; and

WHEREAS, Section 202(a)(2)(D)(iv) of the 2021 SLA Guidelines authorizes the City to impose reasonable development conditions or restrictions on the sale or lease of surplus land, which must be reviewed by HCD and included in the City's notice of availability distributed to certain governmental entities and affordable housing sponsors identified in the SLA; and

WHEREAS, the Council's declaration that the Property is surplus land is conditioned on future development of the Property including renovation or replacement of the City's current 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, and the Council intends that the City impose this development condition on the City's disposition of the Property; and

WHEREAS, the Council further intends that the City shall only offer the Property for lease and shall not offer the Property for sale, allowing the City to exercise appropriate long-term control over the use and operation of the sports arena facility for the benefit of the City, local residents, and tourists; and

WHEREAS, the Council intends to waive the requirement in Council Policy 700-10 that the Property be circulated to City departments for review to determine if there is a municipal use

for the Property before the City disposes of the Property because the Property has been the subject of a ground lease for certain non-municipal uses for over 50 years and the future development of the Property is intended to be consistent with land use policies and goals outlined in the Midway-Pacific Highway Community Plan, General Plan, Municipal Code and Climate Action Plan; NOW, THEREFORE,

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

1. The Property is declared surplus land pursuant to the SLA on the condition that future development of the Property includes renovation or replacement of the City's current 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.

2. The Mayor or designee is authorized and directed to issue a notice of availability of the Property for lease pursuant to the SLA with the development condition that future development of the Property must include renovation or replacement of the City's current 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.

3. The requirement in Council Policy 700-10 that the Property be circulated to City departments for review to determine if there is a municipal use for the Property before the City disposes of the Property is waived for lease of the Property in accordance with this Resolution.

APPROVED: MARA W. ELLIOTT, City Attorney

By: /s/ Delmar G. Williams
Delmar G. Williams
Deputy City Attorney

DGW: jep
07/26/2021
Or. Dept.: READ
Doc. No.: 2719975

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 08/03/2021.

ELIZABETH S. MALAND
City Clerk

By: /s/ Matthew R. Hilario
Deputy City Clerk

Approved: 8/6/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on AUG 03 2021, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Joe LaCava | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jennifer Campbell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Stephen Whitburn | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Monica Montgomery Steppe | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Marni von Wilpert | <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"/> |
| Raul A. Campillo | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Vivian Moreno | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sean Elo-Rivera | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage AUG 09 2021

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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