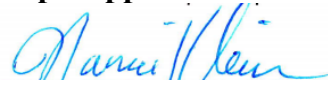



CITY COUNCIL ACTION REQUEST

Department(s): Office of Economic Development	CEQA: DOC with the FMC/Coleman Avenue EIR (SCH# 1999122059), the Airport West Stadium and Great Oaks Place Project EIR (SCH# 2009052053), the General Plan 2040 FEIR (SCH# 2009072096), the General Plan 2040 FSEIR (SCH# 2009072096), and addenda thereto.	Coordination: City Attorney’s Office, City Manager’s Budget Office, Public Works Department, PBCE	Dept. Approval: 
Council District(s): 3			CMO Approval:  10/15/2020

SUBJECT: AMEND DECLARATION OF THE CHAMPIONS WAY PARCEL AS SURPLUS PROPERTY

RECOMMENDATION:

Adopt a resolution declaring a portion of the City-owned Champions Way property (APN 230-59-002) as surplus to the needs of the City pursuant to Cal. Gov. Code §54221(b)(1).

BASIS FOR RECOMMENDATION:

The subject property, a portion of Champions Way (APN 230-59-002) (“Subject Property”), is owned by the City of San José, and located in the City of Santa Clara. The Subject Property was designated by the City Council as surplus to the needs of the municipality by resolution, dated June 16, 2020. Due to a technicality in the language and timing of the resolution and corresponding notice required under Gov. Code Sect. 54222, the California Department of Housing and Community Development is asking the City to re-designate the property as surplus and re-notice accordingly.

In 2014, the City sold the land that would become the Coleman Highline project to a subsidiary of Hunter Storm, Cap Tranche 2 LLC. The Subject Property is a portion of planned roadway that is located in the City of Santa Clara and is not independently developable. The valuation for that sale included compensation to the City for the future right of way parcels within the development area. For convenience, however, it was decided to have the City retain the future rights of way. Also, any potential future transfer of the Subject Property would be encumbered with an Emergency Vehicle Access easement to ensure the City’s access to the segment area is perpetually available within the City of Santa Clara.

In light of the above, City staff has determined that fee ownership of the Subject Property is not needed, nor adaptable to municipal purposes and that a transfer of the Subject Property will better serve the public interest.

If the Subject Property is declared surplus as recommended, the City will then comply with the requirements under California’s Surplus Land Act. City staff will issue a letter notifying the appropriate parties of the City’s declaration of the Champions Way as surplus property. Next steps for the City will be to complete the surplus process by engaging in good faith negotiations with any entities that notice their interest in acquiring the property for public benefit within the required timeframe of the California Surplus Land Act (Cal. Gov. Code §54220 et seq.). The recommendation in this memo does not authorize or approve any transfer of the property.

Commission Recommendation/Input: No commission recommendation or input is associated with this action.

Climate Smart San Jose: The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

COST AND FUNDING SOURCE:

This resolution has no fiscal impact. No costs are associated with this action.

FOR QUESTIONS CONTACT: Nanci Klein, Director of Economic Development, at (408) 535-8184.

Assessor's Parcel Map and Aerial View of Subject Property

