



SURPLUS LAND DECLARATION – 3917 LONG BEACH BOULEVARD

City Council Meeting—October 5, 2021



CITY OF
LONG BEACH

Surplus Land Act

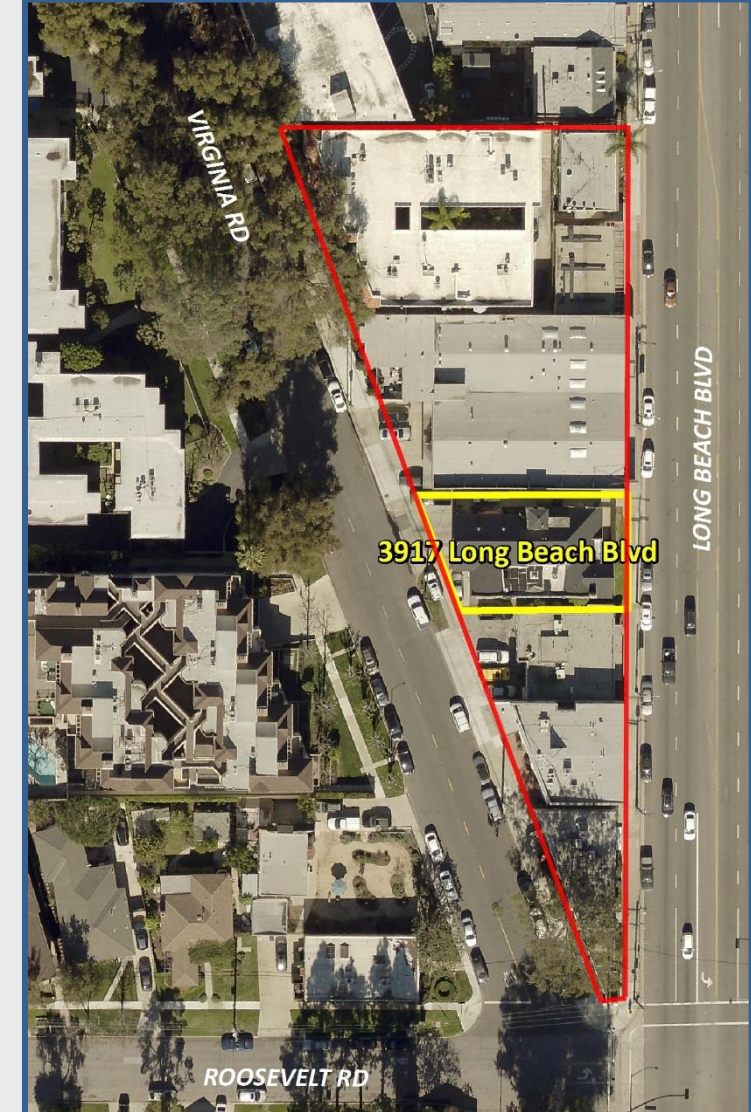
Government Code Section 54220 et seq.

- **Purpose**: Intended to prioritize reuse of surplus land for affordable housing, parks, and schools.
- **Application**: All public land declared surplus.
- **Notable AB 2135 Amendments (effective January 1, 2020)**:
 - ✓ Expands definition of a local agency to include agencies not previously subject to the SLA.
 - ✓ Clarifies disposition to include leasing and not just sales.
 - ✓ Clarifies local agency use does not include commercial or industrial uses, including nongovernmental retail, entertainment, or office development.
 - ✓ No longer allows exceptions but expands exemptions available (i.e., size, affordability).
 - ✓ Requires City Council action to declare a property “surplus” or “exempt surplus” prior to disposition.
 - ✓ Requires written notice of availability to State of California Department of Housing and Community Development as well as housing sponsors.
 - ✓ Requires local agency to submit process to HCD for compliance verification, does include a 60-day cure period if noticed of violation.
 - ✓ Imposes penalties if property disposition found in violation of SLA.

3917 Long Beach Boulevard

Property History

- **Use:** Operated as Fire Station 9 until July 2019.
- **Building Condition:**
 - ✓ First complaint of visible mold in 2000.
 - ✓ Since that time, number of investigations have occurred including mold, fungal, asbestos, lead-based paint and indoor air quality.
 - ✓ Remediation attempts made but fungal/mold and water leakage issues persist.
 - ✓ Currently vacant, personnel was relocated to temporary station at 2019 East Wardlow Road.
- **Remediation Required:** Removal, replacement, and/or redesign of several areas required to remediate and return to habitable condition including, but not limited to, roof, drains, windows, framing, flooring, subfloor and joints.



Planning Commission

EIR/Surplus Land Act

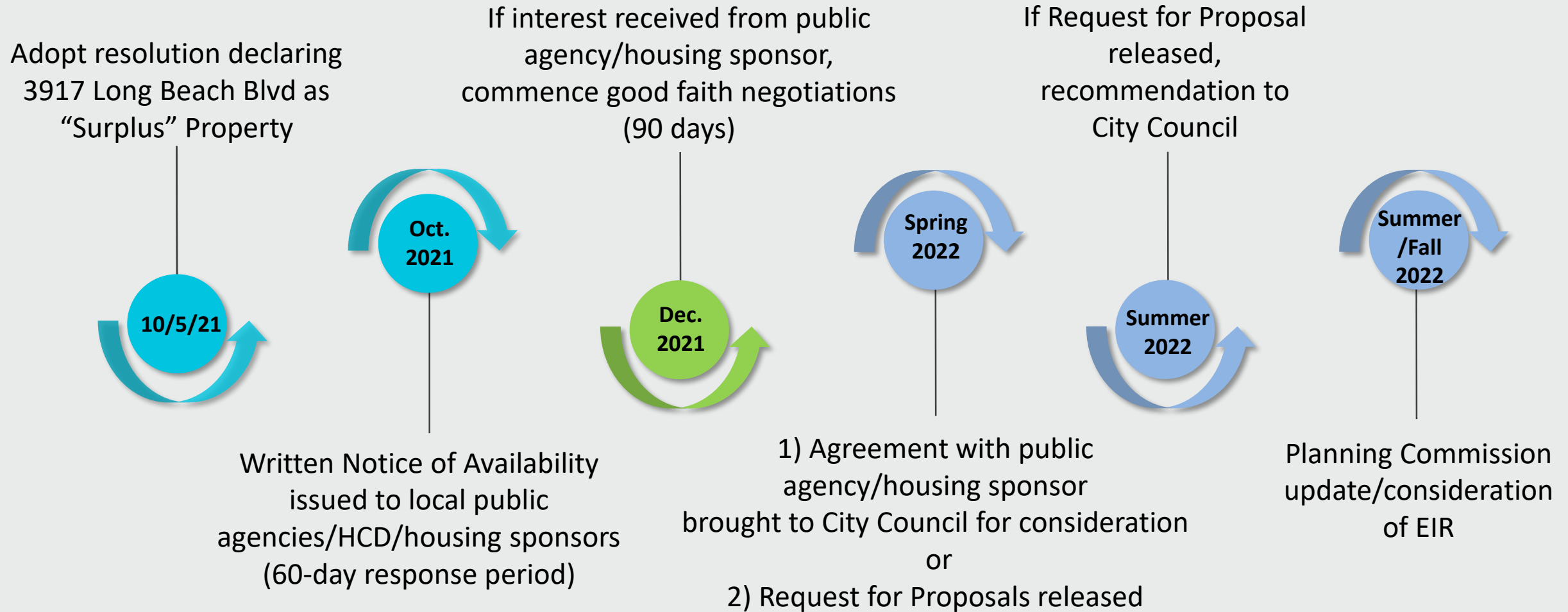
- An Environmental Impact Report (EIR) was considered at Planning Commission's June 17, 2021 agenda for potential demolition of the building but did not preclude re-use.
- Vote to accept EIR was held over until City could solicit interest in Subject Property.
- Solicitation of proposals for re-use (adaptive or otherwise) prior to surplus could potentially violate Surplus Land Act subjecting City to possible monetary fines.
- City initiated compliance with Surplus Land Act, the first step is for local agency to declare "surplus" or "exempt surplus".
- Once SLA compliance completed, an EIR would still need to be certified by the Planning Commission.
- SLA Compliance does not bypass Planning Commission's consideration of the EIR.

Surplus Land Declaration

Compliance Requirements

- City's re-use requires significant and costly modifications, long-term risk as well as maintenance and security measures resulting in an ongoing obligation to the General Fund.
- Disposition would allow interested parties an opportunity to reactive the property, generate sales proceeds and return the property to tax rolls.
- Disposition is use-neutral allowing interested parties to propose different uses including re-use of the building, or not, as feasible.
- Disposition requires local agency's governing body to adopt resolution declaring as either "surplus" or "exempt surplus" at a regular meeting.
- Subject Property does not qualify as "exempt surplus" land under SLA.
- Upon adoption of resolution, City required to follow process outlined in the SLA.
- Once SLA process is completed, should an agreement not be reached with any of the entities noticed, a Request for Proposals could be released.
- Any reuse of the Subject Property would be subject CEQA review.

Next Steps



Recommendation

Recommend the City Council:

- Adopt a Resolution declaring City-owned property located at 3917 Long Beach Boulevard (APN 7139-013-900) (Subject Property) as "surplus land" as defined in Government Code Section 54220 *et seq.*; and authorize the City Manager, or designee, to take any actions and execute any documents necessary to ensure compliance with the Surplus Land Act and State regulations relating thereto.