



Staff Report

File #: 23-0015

REQUEST FOR CITY COUNCIL ACTION

DATE: 01/04/2023

TO: Honorable Mayor and City Council Members

FROM: Office of Economic Development

SUBJECT:
Resolution declaring 0.24 acres of excess former City right-of-way exempt surplus land.

EXECUTIVE SUMMARY:

This staff report asks Council to declare 0.24 acres on the corner of Main Street and E 4th Street (APN 117-114-013) as exempt surplus land. The property is a parking lot that was created from a remnant parcel of the Main Street realignment. The parcel meets the definition of "exempt surplus land" because it is a former right-of-way and will be sold to the owner of contiguous land.

RECOMMENDED ACTION:

That the City Council adopt Resolution 2023-003, declaring that the 0.24 acres of former street right-of-way adjacent to 325 S. Main Street is exempt surplus land and is no longer necessary for the City's use.

BACKGROUND & HISTORY:

The property recommended for exempt surplus designation is 0.24 acres of City-owned property of the former Main Street right-of-way and was created as part of the Main Street realignment project from the 1970s. It is currently being utilized for use of parking for the adjacent to private businesses at 325 South Main Street. The right-of-way dedication for the realignment of Main Street was recorded on December 1, 1970. Both the title report and legal description reflect the former street right-of-way post-realignment of Main Street. The parking lot was created as a result of realignment plans that were as-built on June 23, 1969.

The Surplus Land Act (SLA) governs the disposition of City owned property. Per the SLA, the City is required to inventory City-owned property and proceed with declaring City property surplus or exempt surplus. Staff is recommending that Council declare the subject property (APN 117-114-013)

as exempt surplus land.

ANALYSIS:

Per the SLA, before the City can take any action to retain or dispose of land, it must first declare the property as surplus land or exempt surplus land that is not necessary for the City's use. The parcel meets the definition of exempt surplus land pursuant to Government Code Section 54221(f)(1)(E), if it is a former street or right-of-way and is conveyed to the owner of an adjacent property. The owners of 325 South Main street (APN 117-114-004), which is an immediately contiguous adjacent parcel, desire to acquire the parcel from the City.

The City Council's adoption of Resolution 2023-003 would take formal action declaring the 0.24 acres of former right-of-way as exempt surplus land. The City's determination will be submitted to the California Department of Housing and Community Development. Conveyance or sale of the parcel would only take place after an exempt surplus declaration by the Council.

FINANCIAL IMPACT:

The declaration of the parcel as exempt surplus property has no financial impact on the City. However, the City is responsible for the ongoing maintenance and upkeep of the parcel. Declaring it to be exempt surplus would allow for its sale and reduce the ongoing maintenance costs to the City, both of which will have a net positive financial impact.

ENVIRONMENTAL ANALYSIS:

This action before Council is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the Guidelines for CEQA, which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

PREPARED BY: JESS GARCIA, ECONOMIC DEVELOPMENT ADMINISTRATOR

REVIEWED BY: JESSICA GONZALES, ECONOMIC DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Resolution No. 2023-003
2. Exhibit 2 - Legal Description and Property Description