



Legislation Text

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**REQUEST FOR CITY COUNCIL ACTION**

DATE: 07/03/2024

TO: Honorable Mayor and City Council Members

FROM: City Manager's Office

SUBJECT:

RESOLUTION DECLARING THE PROPERTY AT 365 NORTH MAIN STREET, KNOWN AS THE CIRCLE CITY CENTER, IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 119-280-060 IS SURPLUS LAND

**EXECUTIVE SUMMARY:**

This staff report asks Council to adopt Resolution 2024-069, declaring 365 North Main Street as surplus land. The property is currently used for City recreational programming.

**RECOMMENDED ACTION:**

**That the City Council**

- a. Adopt Resolution 2024-069, declaring the property at 365 North Main Street and identified as assessor's parcel number 119-280-060 is surplus land and is no longer necessary for the City's use.
- b. Authorize the City Manager, or his/her designee, to follow the procedures outlined in the Surplus Land Act on the disposition of the property.

**BACKGROUND & HISTORY:**

The City acquired the property at 365 North Main Street in January 2016 as part of its North Main Street Specific Plan efforts. The site is currently used as a 1.65-acre commercial retail building called the Circle City Center, which the City's Community Services Department uses for recreational programming. With the construction of a new community building at City Park, this building will no longer be needed for that purpose.

The Surplus Land Act (SLA) governs the disposition of City-owned property no longer needed for the City's use. Per the SLA, the City must inventory City-owned property more than the City's foreseeable needs and proceed with declaring City property surplus or exempt surplus. Staff recommends that the Council declare the subject property (APN 117-191-011) surplus land.

**ANALYSIS:**

Per the SLA, before the City can take any action to retain or dispose of land no longer needed for its use, it must first declare the property surplus or exempt surplus land. The parcel meets the definition of surplus land pursuant to Government Code Section 54221(f)(1)(E) because the property is land owned in fee simple by the city, is suitable for redevelopment, and is no longer necessary for the city's use.

The City Council's adoption of Resolution 2024-069 would constitute formal action declaring 365 North Main Street surplus land. The City's determination will be submitted to the California Department of Housing and Community Development. Additionally, per the SLA, any local agency disposing of surplus land is required first to offer to sell or lease the land to certain entities for specified uses, including low- and moderate-income housing, parks and recreation, school facilities, etc., by sending a written notice of availability (NOA) to such entities and provide for a period of up to 60 days to allow such parties to submit letters of interest. If the City receives a letter of interest from one or more of the entities, the City must enter a 90-day good-faith negotiation period. If the City does not agree to the price and terms with any entity to which the NOA was sent, or if no entity to which the NOA was sent responds to that notice, then the land may be disposed of outside of the SLA.

**FINANCIAL IMPACT:**

The declaration of the parcel as surplus property has no financial impact on the City.

**ENVIRONMENTAL ANALYSIS:**

This action before Council is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15312 of the Guidelines for CEQA, which states that the sale of surplus governmental property that is not located in an area of statewide, regional, or area-wide concern pursuant to Section 15206(b)(4) is exempt from CEQA. Resolution No. 24-066 declares that the property located at 365 North Main Street, which is not located in an area of statewide, regional, or area-wide concern pursuant to Section 15206(b)(4), is surplus land. This action is the first step in disposing of surplus government property and is therefore exempt from the requirements of CEQA, so no environmental analysis is required.

**PREPARED BY:** AMINAH MEARS, DPA, ASSISTANT TO THE CITY MANAGER

**REVIEWED BY:** JUSTIN TUCKER, ASSISTANT CITY MANAGER

**Attachments:**

1. Exhibit 1 - Resolution 2024-069
2. Exhibit 2 - Site Map