

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, DECLARING APN 459-282-13T TO
BE SURPLUS AND DIRECTING STAFF TO COMPLY WITH
THE SURPLUS LAND ACT

WHEREAS, under the Surplus Land Act, Government Code Section 54220-54234, surplus land is defined as "land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use."; and

WHEREAS, land shall be declared either "surplus land" or "exempt surplus land," as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency's policies or procedures; and

WHEREAS, "agency's use" shall include, but not be limited to, land that is being used, or is planned to be used pursuant to a written plan adopted by the local agency's governing board, for work or operations, including, but not limited to, utility sites, watershed property, land being used for conservation purposes, land for demonstration, exhibition, or educational purposes related to greenhouse gas emissions, and buffer sites near sensitive governmental uses, including, but not limited to, waste water treatment plants, but shall not include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development or property disposed of for the sole purpose of investment or generation of revenue; and

WHEREAS, staff has identified a parcel located on First and Nevada, currently used as green space (APN 459-282-13T), as potential surplus real property; and

WHEREAS, pursuant to Government Code Section 54222, City staff will send a written offer to sell the surplus property to the entities and agencies identified in Government Code Section 54222 *et seq.* If one of the entities/agencies desires to purchase the property after having received notice, it must indicate its intent to do so in writing within sixty days of receiving the notice, and the City and the other entity/agency may negotiate price and terms for the disposition of the property; and

WHEREAS, pursuant to Government Code Section 54230.5, City staff will provide to the Department of Housing and Community Development a description of the notices of availability sent, and negotiations conducted with any responding entities, in regard to the disposal of each parcel of surplus land; and

WHEREAS, in the event no agreement is reached between the City and any interested entity/agency to whom notice is provided, staff will present Council with proposals for disposition of the surplus property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City Council hereby declares the parcel located on First and Nevada, currently used as green space (APN 459-282-13T), and any rights, title and interest herein, surplus.

2. City staff is hereby directed to send all notices and take all actions required by the Surplus Property Land Act.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2021.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2021
Mayor Approval/No Return: _____, 2021
Mayor Veto: _____, 2021
Council Override Vote: _____, 2021

YVONNE SPENCE, MMC CRM
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Laurie Avedisian-Favini Date
Assistant City Attorney