



Legislation Details (With Text)

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**Title:** RESOLUTION - Declaring property located on the southeast corner of Broadway and Elizabeth Avenues (APN 452-114-34T) to be surplus and directing staff to comply with the Surplus Land Act

**Sponsors:** Office of Mayor & City Manager

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Property Map

Date	Ver.	Action By	Action	Result
8/20/2020	1	City Council	continued	

**REPORT TO THE CITY COUNCIL**

**August 27, 2020**

**FROM:** WILMA QUAN, City Manager  
Office of Mayor and City Manager’s Office

ALDI DODDS, Deputy City Manager  
Office of Mayor and City Manager’s Office

**SUBJECT**  
RESOLUTION - Declaring property located on the southeast corner of Broadway and Elizabeth Avenues (APN 452-114-34T) to be surplus and directing staff to comply with the Surplus Land Act

**RECOMMENDATION**

Staff recommends that the City Council approve the attached Resolution declaring property located on the southeast corner of Broadway and Elizabeth Avenues (APN 452-114-34) as potential surplus real property.

**EXECUTIVE SUMMARY**

On January 1, 2020, the Surplus Land Act was amended to include additional requirements Cities must follow when disposing of surplus property. One of the new requirements states that a local agency’s governing body must take formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use. The attached resolution brings forward property

located on the southeast corner of Broadway and Elizabeth Avenues (APN 452-114-34T) for Council's consideration. Staff has determined the property to be surplus based on the following facts: the property was previously declared surplus in May of 2017; the property is currently vacant; and the property is not necessary for the City of Fresno's (City) use. As such, the property must be declared surplus in order to proceed with the additional Surplus Land Act requirements and potential disposition.

## **BACKGROUND**

Modification of the Surplus Land Act went into effect January 1, 2020. The definition of local agency was revised to include "every city" and as such it applies to charter cities. The modifications are summarized below:

- Requires legislative bodies to take formal action in a regular public meeting to declare land surplus;
- Prohibits the negotiations between a disposing agency and interested entities from including deal terms that would reduce or disallow residential use of the site;
- Requires disposing agency to send a notice of availability to specified agencies and housing sponsors that have notified the Department of Housing and Community Development of their interest. Agencies have 60 days to respond;
- Requires disposing agency, prior to agreeing to the terms for the disposition of surplus land, to provide specified information about its disposition process to the Department of Housing and Community Development (HCD). HCD then has 30 days to review the information and submit written findings to the disposing agency if HCD determines the proposed land disposal will violate requirements of this new law. Violations would be subject to monetary penalties or enforcement action. HCD is required to implement these provisions beginning January 1, 2021;
- Requires disposing agency to develop a list of specified sites owned by the city that have been sold, leased or otherwise disposed of in the prior year. The list must include the entity to whom each site was transferred and the intended use for the site.

Declaring the above mentioned property surplus will allow the City to fulfill the additional requirements of the Surplus Land Act and move forward with disposition. The subject property is located at 724 Elizabeth Street in Fresno, California. The current zoning is Public and Institutional (PI), and the parcel is approximately 28,314 square feet or 0.65 acres. The Broker Opinion of Value of the property is between \$5.00-\$7.00 per square foot or \$141,570-\$198,198.

## **ENVIRONMENTAL FINDINGS**

This is not a project for the purposes of CEQA.

## **LOCAL PREFERENCE**

Approval of this resolution is not subject to local preference.

## **FISCAL IMPACT**

There is no fiscal impact to the City.

Attachment:

Resolution  
Property Map