



Legislation Details (With Text)

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Title: RESOLUTION - Declaring property located on the southwest corner of West Herndon and North Brawley Avenues (APN 507-03-048ST) to be surplus and directing staff to comply with the Surplus Land Act

Sponsors: Office of Mayor & City Manager

Indexes:

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Attachments: 1. Exhibit A Map Herndon and Brawley Avenues, 2. RESO - Declaring APN 507-03-048ST to be Surplus & Directing Staff to Comply with Surplus Land Act 3.19.20

Date	Ver.	Action By	Action	Result
3/19/2020	1	City Council	adopted	Pass

REPORT TO THE CITY COUNCIL

March 19, 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 southwest corner of West Herndon and North Brawley Avenues (APN 507-03-048ST) 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 southwest corner of West Herndon and North Brawley Avenues (APN 507-03-048ST) 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 southwest corner of West Herndon and North Brawley Avenues (APN 507-03-048ST) 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.

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

Exhibit A: Map