

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JASON NUTT, ASSISTANT CITY MANAGER
TRANSPORTATION AND PUBLIC WORKS
SUBJECT: DECLARATION OF MULTIPLE CITY OWNED PARCELS AS
EXEMPT AND NON-EXEMPT SURPLUS

AGENDA ACTION: RESOLUTIONS

RECOMMENDATION

It is recommended by the Transportation and Public Works Department that the Council, by sixteen (16) resolutions, declare certain City owned parcels as exempt and non-exempt surplus, authorize and direct the City Manager or their designee to submit Notices of Availability for non-exempt parcels, convey exempt parcels to an adjacent property owner by bid procedure as set out in Council Policy 000-10, and take all necessary action to fully comply with the Surplus Lands Act.

EXECUTIVE SUMMARY

In an effort to dispose of City owned real property that no longer serves a public purpose and in support of City housing goals and maintenance considerations, City staff have identified and are bringing forward for Council consideration twenty City owned parcels. Staff recommends that Council declare thirteen (13) parcels as “exempt surplus land” and authorize Staff to convey these parcels to an adjacent property owner by bid and declare seven (7) parcels as “non-exempt surplus land” or buildable land. Additionally, Staff is requesting Council approval to prepare and submit a Notice of Availability for each “non-exempt” parcel and to authorize the City Manager to take all necessary actions to comply with the Surplus Lands Act (SLA) and carry out Council’s direction in the disposition of the surplus lands.

BACKGROUND

The City owns approximately 1400 pieces of real property. Many are pieces of right of way (ROW) that are left over (unused) from City projects. Real Estate Services has been working to catalogue these parcels and now that cataloging is complete, Staff (Citywide, including Planning and Housing) has reviewed and analyzed 50 of the parcels using specific criteria to determine the operational necessity and potential future use of each parcel. The twenty parcels in this action have been fully reviewed by Staff from many

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departments to understand how they were acquired and what their current or future use is; each meet the surplus criteria (i.e., no further necessary or operational use for the parcel as reviewed by internal City departments, the parcel is not deeded for a specific public purpose that would restrict disposition of it in any way, etc.).

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

The SLA requires local agencies to make land available for affordable housing before selling or leasing the land for another purpose. Under State guidelines, excess property owned by a public agency must be categorized as “exempt” or “non-exempt” surplus land prior to its disposal. Exempt surplus land is land determined by a local agency (and verified by the California Department of Housing and Community Development (HCD)) to meet specific requirements, most specifically land not suitable for housing (i.e., often small parcels, former ROW, parcels with legal restrictions that prohibit housing, landlocked parcels, etc.). Non-exempt surplus land is land that is usually 5,000 square feet or more that may be suitable for housing development.

For all the properties identified in this action, it has been determined (through departmental review) that the City no longer has a public use, now or in the future for these properties.

The following thirteen (13) properties meet the criteria for surplus and are being recommended to Council for declaration as “exempt surplus land” and for conveyance to an adjacent property owner by bid: (a) 0 Russell Avenue, APN 015-101-010; (b) 0 Russell Avenue, APN 015-101-011; (c) 0 Russell Avenue, APN 015-101-008; (d) 0 Parktrail Drive, APN 049-552-016; (e) 0 San Miguel Road, APN 148-031-056; (f) 0 Coffey Lane, APN 058-033-014; (g) 0 Maria Luz Court W, APN 035-360-088; (h) 1038 Stony Point Road, APN 125-191-015; (i) 1120 Stony Point Road, APN 125-192-001; (j) 1136 Stony Point Road, APN 125-192-015; (k) 1200 Stony Point Road, APN 125-193-001; (l) 547 A Street, APN 010-031-011; and (m) 0 Maple Avenue, APN 009-321-051.

Further, the following seven (7) parcels also meet the surplus criteria and are being recommended to Council for declaration as “non-exempt surplus land”: (a) 1942 Rose Avenue, APN 125-191-001; (b) 970 Stony Point Road, APN 125-131-064; (c) 980 Stony Point Road, APN 125-131-060; (d) 988 Stony Point Road, APN 125-131-058; (e) 992 Stony Point Road, APN 125-131-061; (f) 996 Stony Point Road, APN 125-131-057; and (g) 752 Oak Street, APN 009-321-044.

With the exception of 0 Coffey Lane, all 13 of the parcels recommended as “exempt surplus” land are less than 5,000 square feet. 0 Coffey Lane qualifies as “exempt surplus” land as preapproved by HCD, as the property is landlocked and will be offered for

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purchase by the adjacent landowner, or land identified as “exempt surplus” by Council, once approved by HCD, Staff would determine the land value and offer the applicable property to the adjacent property owner(s) by bid with disposition of the land to the highest bidder as outlined in the City Council Surplus Policy 000-10 (“City Surplus Policy”).

For all of the parcels identified as “non-exempt” surplus, each parcel exceeds 5,000 square feet in size and is considered capable of independent development. Once declared “non-exempt surplus” by Council and approved by HCD, Staff would have each property appraised, and send a Notice of Availability (NOA) to all interested California Housing Finance Agency (CalHFA) housing sponsors and local public entities as required under the SLA. These parties would then have 60 days to respond to the NOA, after which Staff would review the notices of interest, determine affordability minimums and negotiate for 90 days in good faith with all respondents meeting the minimum requirements. Under SLA guidelines, proposed developments must include 25% of units at 80% or less AMI, among other requirements. Throughout this process, Staff would return to Council in closed session to discuss next steps, price and terms of negotiation.

Under previous Council direction, staff will bypass the City Council Surplus Policy and follow the Surplus Lands Act for disposition of all the surplus properties. With respect to exempt surplus properties, Staff will follow the bidding process only, the terms and conditions of which are determined by the City’s Right of Way Agent (aka the Real Estate Manager) as outlined under the City Council Surplus Policy (i.e., if only one adjoining landowner, property may be sold directly by negotiation and if more than one adjoining landowner, property may be sold by a private auction by either oral or sealed bid to the adjoining landowner who submitted the highest bid).

FISCAL IMPACT

Approval of this action does not have a negative fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines Section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

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ATTACHMENTS

- Resolution 1- Exempt- 0 Russell Avenue, APN 015-101-010
- Resolution 2- Exempt- 0 Russell Avenue, APN 015-101-011
- Resolution 3- Exempt- 0 Russell Avenue, APN 015-101-008
- Resolution 4- Exempt- 0 Parktrail Drive, APN 049-552-016
- Resolution 5- Exempt- 0 San Miguel Road, APN 148-031-056
- Resolution 6- Exempt- 0 Coffey Lane, APN 058-033-014
- Resolution 7- Exempt- 0 Maria Luz Court W, APN 035-360-088
- Resolution 8- Exempt- 1038 Stony Point Road, APN 125-191-015
- Resolution 9- Exempt- 1120 Stony Point Road, APN 125-192-001
- Resolution 10- Exempt -1136 Stony Point Road, APN 125-192-015
- Resolution 11- Exempt- 1200 Stony Point Road, APN 125-193-001
- Resolution 12- Exempt- 547 A Street, APN 010-031-011
- Resolution 13-Exempt- 0 Maple Avenue, APN 009-321-051
- Resolution 14- Non-Exempt- 1942 Rose Avenue, APN 125-191-001
- Resolution 15- Non-Exempt - 752 Oak Street, APN 009-321-044
- Resolution 16- Non-Exempt- 970 Stony Point Road, APN 125-131-064; 980 Stony Point Road, APN 125-131-060; 988 Stony Point Road, APN 125-131-058; 992 Stony Point Road, APN 125-131-061; 996 Stony Point Road, APN 125-131-057

PRESENTER

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