

RESOLUTION NO. _____

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DECLARING CERTAIN REAL PROPERTY LOCATED AT 90 SANTA ROSA AVENUE, 100 SANTA ROSA AVENUE (PORTION), 631 1ST STREET AND 655 1ST STREET (APNs 009-073-023, 009-191-021 (PTN), 009-073-019, 009-073-020, 009-073-021, 009-073-022 AND 009-073-018) TO BE EXEMPT SURPLUS LAND PURSUANT TO GOVERNMENT CODE SECTION 54221(f)(1)(C), AND MAKING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND CEQA GUIDELINES SECTION 15162 THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED

WHEREAS, the City of Santa Rosa ("City") owns in fee simple property located at 90 Santa Rosa Avenue (0.7 acres), 100 Santa Rosa Avenue (6.125 acres), 631 1ST Street (0.33 acres), and 655 1ST Street (0.41 acres), consisting of APNs 009-073-023, 009-191-021, 009-073-019, 009-073-020, 009-073-021, 009-073-022 and 009-073-018 (collectively, the "City Property"); and

WHEREAS, City is the fee simple owner of the City Property which comprises approximately 7.57 acres in downtown Santa Rosa, California; and

WHEREAS, the City Property, less approximately 1.61 acres of APN 009-191-021 containing a portion of the Santa Rosa Creek (the remaining approximately 5.96 acres of City Property being referred to herein collectively as the "Property") is no longer necessary for City's use; and

WHEREAS, the Surplus Land Act, Government Code sections 54220 et seq. (the "Act") applies when a local agency disposes of "surplus land," which is defined in the Act 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." (Government Code section 54221(b)(1)); and

WHEREAS, the Act expressly does "not apply to the disposal of exempt surplus land." (Government Code section 54222.3); and

WHEREAS, under the Act, "exempt surplus land" includes land that a local agency is exchanging for another property necessary for the agency's use. (Government Code section 54221(f)(1)(C)); and

WHEREAS, the Act requires local agencies such as City to declare certain real property they own as either "surplus land" or "exempt surplus land," as supported by written findings, prior to any disposition of the real property; and

WHEREAS, City desires to engage in a property exchange with Museum on the Square, LLC, a California limited liability company ("Exchange Party"), wherein City would transfer the Property to Exchange Party and Exchange Party would transfer that certain property, approximately 0.6 acres in size, owned by Exchange Party commonly known as 520 3rd Street (aka 521 2nd Street), Santa Rosa, CA, 95401 comprising APNs 010-063-019 and 010-063-027 ("520 3rd Street") to City for City's use, which includes City administrative operations, by functioning as the new consolidated city hall; and

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WHEREAS, none of the characteristics listed under Government Code section 54221(f)(2) apply to the Property; and

WHEREAS, the Council has reviewed this Resolution and now desires to declare the Property as exempt surplus land under the Act, based on the findings and justifications contained in this Resolution; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resource Code § 21000 et seq.) (“CEQA”), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.), the City certified an Environmental Impact Report in 2007 for the Downtown Station Area Specific Plan (“DSASP EIR”) (SCH NO. 2006072104), which evaluated potential environmental impacts associated with implementation of the Downtown Station Area Specific Plan (“DSASP”) and

WHEREAS, in 2020, the City approved updates to the DSASP and certified a Supplemental Environmental Impact Report (“2020 SEIR”) evaluating the environmental effects of those updates, which were intended to accommodate and guide additional housing development in downtown Santa Rosa by promoting a denser, walkable, transit-oriented urban core with stronger connections, commercial and cultural activity, and expanded residential opportunities; and

WHEREAS, pursuant to CEQA, when a lead agency takes a subsequent discretionary action related to a project for which an EIR has been certified, the lead agency must determine whether any of the circumstances described in Public Resources Code section 21166 and CEQA Guidelines Section 15162 require preparation of a subsequent or supplemental EIR or other additional environmental review; and

WHEREAS, City staff evaluated the declaration of the Property as exempt surplus land, and the related property exchange described herein, in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and CEQA Guidelines section 15162; and

WHEREAS, based on staff’s evaluation, the City Council finds that declaring the Property to be exempt surplus land pursuant to the Surplus Land Act, and authorizing staff to proceed with the related property exchange process described herein, would not result in substantial changes to the DSASP or the circumstances under which the DSASP is being implemented, and would not involve new information of substantial importance that would require major revisions to the DSASP EIR or 2020 SEIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Accordingly, no subsequent or supplemental EIR or other additional environmental review is required.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa, hereby finds and declares the above recitals are true and correct and are a substantive part of this Resolution and findings of the Council.

BE IT FURTHER RESOLVED that, as the decision-making body for the declaration of the Property as exempt surplus land under the Surplus Land Act, the City Council has independently reviewed and considered the previously certified DSASP EIR, the 2020 SEIR,

any oral or written comments received, and the administrative record before taking action on this Resolution. The Council finds that the DSASP EIR and 2020 SEIR contain a complete and accurate reporting of all of the environmental impacts associated with such declaration.

BE IT FURTHER RESOLVED that based on the substantial evidence set forth in the record, including but not limited to the previously certified DSASP EIR, the 2020 SEIR and all related information presented to the City Council, the Council finds, pursuant to Public Resources Code section 21166 and CEQA Guidelines Section 15162 that no subsequent or supplemental EIR or other additional environmental review is required for the declaration of the Property as exempt surplus land under the Act, or for authorization to proceed with the related property exchange process described in this Resolution, because the action does not involve any of the following:

- (a) Substantial changes in the project which will require major revisions of the DSASP EIR or the 2020 SEIR.
- (b) Substantial changes with respect to the circumstances under which the project is being undertaken which will require major revisions in the DSASP EIR or the 2020 SEIR.
- (c) New information, which was not known and could not have been known at the time the DSASP EIR and 2020 SEIR were certified as complete, becomes available and shows that the proposed project would have new or more significant impacts.

BE IT FURTHER RESOLVED that, having considered the administrative record, the previously certified DSASP EIR, the 2020 SEIR and all written and oral evidence presented to the City Council, the Council finds that the environmental impacts associated with implementation of the DSASP, as relevant to this action, have been adequately addressed within the DSASP EIR and 2020 SEIR. The Council further finds that this Resolution does not require new or additional mitigation measures or alternatives, and there is no substantial evidence in the administrative record showing that adoption of this Resolution would result in significant environmental effects beyond those analyzed in the DSASP EIR and 2020 SEIR or a substantial increase in the severity of previously identified significant effects.

BE IT FURTHER RESOLVED that the Council hereby declares that the Property is exempt from the Act as exempt surplus land pursuant to Government Code section 54221(f)(1)(C), based on the findings contained in this Resolution for the Property, namely that City intends to engage in a property exchange with Exchange Party wherein City gives Exchange Party the Property in exchange for 520 3rd Street, which City will use for administrative operations as its new City hall facility. Furthermore, none of the characteristics listed under Government Code section 54221(f)(2) apply to the Property.

BE IT FURTHER RESOLVED that the City Manager or designee is hereby authorized and directed to send a copy of this Resolution to the California Department of Housing and Community Development in accordance with the requirements of Section 400(e) of the SLA Guidelines.

BE IT FURTHER RESOLVED that if any section, subsection, paragraph, sentence, clause or phrase of this Resolution is declared by a court of competent jurisdiction to be

unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

BE IT FURTHER RESOLVED that the Council directs staff to prepare, execute and file with the Sonoma County Clerk and the State Clearinghouse a Notice of Determination within five (5) working days of the adoption of this Resolution, reflecting the Council's reliance on the previously certified DSASP EIR and 2020 SEIR and its determination, pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, that no subsequent or supplemental EIR or other additional environmental review is required.

BE IT FURTHER RESOLVED that the Custodian of Records for these proceedings is the City Clerk whose address is 100 Santa Rosa Ave, Santa Rosa, CA 95404.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the adoption of this Resolution.

IN COUNCIL DULY PASSED this 18th day of August 2026.

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney