



Agenda Report

Fullerton City Council

MEETING DATE: MAY 4, 2021

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: CITY MANAGER'S OFFICE

PREPARED BY: MATT FOULKES, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

SUBJECT: SURPLUS PROPERTY DECLARATION FOR ASSESSORS PARCEL NUMBER 029-032-21 – TRIANGULAR LOT LOCATED ON NORTH SIDE OF ELLIS PLACE, EAST OF HARBOR BOULEVARD

SUMMARY

Declaration of the property located on the north side of Ellis Place, east of Harbor Boulevard, Assessor's Parcel Number 029-032-21 as surplus land pursuant to Government Code Sections 54220-54234.

RECOMMENDATION

Adopt Resolution No. 2021-XX.

RESOLUTION NO. 2021-XX - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, DECLARING ASSESSORS PARCEL NUMBER 029-032-21 AS SURPLUS PROPERTY PURSUANT THE SURPLUS LAND ACT (GOVERNMENT CODE SECTIONS 54220-54234)

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Infrastructure and City Assets
- Fiscal and Organizational Stability.

FISCAL IMPACT

This property will require a property appraisal as part of the disposition process at an estimated cost of \$2,000. The appraisal cost does not require a budget request.

DISCUSSION

Assembly Bill 1486, signed by the Governor in October 2019, amended the disposition of surplus land process. The Surplus Property Land Act (Government Code Sections 54220-54234), defines surplus land as “land owned by any agency of the state, or any local agency, that is determined to be no longer necessary for the agency’s use, except property being held by the agency for the purpose of exchange.” The definition of local agency expanded to include land held in the Community Redevelopment Property Trust Fund and land designated in the long-range property management plan either for sale or for future development. Additionally, the term ‘Agency Use’ applies to land used, or planned for use, pursuant to a written plan adopted by City Council for: utility sites, watershed property, land for conservation purposes, land for demonstration, exhibition, or educational purposes related to greenhouse gas emissions and buffer sites near sensitive governmental uses such as wastewater treatment plants.

Following the City Council property surplus declaration, the City will send a notice of availability to sell or long-term lease the surplus property to the entities and agencies identified in Government Code Section 54222 et seq. If one of the entities or agencies desires to purchase the property, it must indicate its intent to do so in writing within 60 days of receiving the notice. The City and the other entity or agency may enter “good faith” negotiations on the price and terms for the disposition of the property. The disposition process will likely include another contractual arrangement with the City such as a Disposition and Development Agreement (DDA) or Purchase and Sale Agreement (PSA).

Nothing prevents the City from obtaining fair market value for the disposition of surplus land. If the parties cannot agree upon price or terms after 90 days of negotiation, the City may dispose of the land without further regard to Surplus Land Act requirements, except if the City enters into an agreement with another entity which results in the construction of ten or more residential units, the new entity shall make at least 15 percent of the units affordable.

Attachments:

- Attachment 1 - Resolution No. 2021-XX