

RESOLUTION NO. 2022-0224

Adopted by the Sacramento City Council

June 28, 2022

Declaring that the City-owned Property Located at 490 and 492 Arden Way in Sacramento, California is Exempt Surplus Land Being Transferred to the State of California for Purposes of Affordable Housing and Related Services

BACKGROUND

- A. The City of Sacramento ("City") owns the real property in fee simple located at 490 and 492 Arden Way in Sacramento, California, which is more specifically identified as Assessor's Parcel Numbers 275-0134-004 and 275-0134-005 (collectively, the "Property"). The Property has gone unused by the City for some time because of the age of the building, deferred maintenance, and required accessibility modifications. The Property is not historic and does not need to be retained by the City.
- B. The Surplus Land Act (California Government Code sections 54220 through 54234) is generally intended to make a local agency's surplus land (*i.e.*, land not needed for the local agency's use) available for potential acquisition by affordable housing sponsors or other local public entities.
- C. Before the City can dispose of the Property, the Property must be declared 'surplus land' or 'exempt surplus land,' as supported by written findings, by formal action of the City Council at a regular public meeting (Government Code section 54221(b)(1)).
- D. Written findings supporting an exempt surplus land declaration must be provided to the California Department of Housing and Community Development (HCD) for review at least thirty (30) days before the City's disposition of the land pursuant to Section 400(e) of the HCD's Surplus Land Act Guidelines (SLA Guidelines).
- E. The State of California Department of Housing and Community Development (HCD), which is a "State agency" as defined in California Government Code section 54221(a)(1), seeks to acquire the Property to facilitate the construction and operation of public facilities that will create affordable housing.
- F. If the City conveys the Property to the State of California for this public purpose, the Property will be exempt surplus land pursuant to California Government Code section 54221(f)(1)(D) because the City will be disposing of the Property by transferring it to the State of California Department of Housing and Community Development for the stated use.

- G. Declaring the Property exempt surplus land, contingent upon the City's transfer of the Property to the State of California, does not require that the City convey the Property to the State of California, nor does it require that such a transfer contain any specific term or condition.
- H. A declaration that the Property is exempt surplus land is contingent upon the City's transfer of the Property to the State of California, and if for any reason the City does not convey the Property to the State of California, the City Council does not intend for this declaration to have any force or effect.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The above recitals are true, correct and are specifically incorporated in and made a substantive part of this Resolution.
- Section 2. The City Council, with this action, declares that the Property is not necessary for the City's use and is exempt surplus land pursuant to California Government Code section 54221(f)(1)(D).
- Section 3. The City Council authorizes the City Manager, or the City Manager's designee, to complete the necessary steps and accompanying documents to transfer the Property to the State of California at no cost and for the purposes of affordable housing and related services.
- Section 4. Transfer of the 0.14-acre parcels at 490 and 492 Arden Way is in the best interest of the City under City Code section 3.88.090(A)(2).

Adopted by the City of Sacramento City Council on June 28, 2022, by the following vote:

Ayes: Members Ashby, Guerra, Harris, Jennings, Loloee, Schenirer, Valenzuela, Vang,
and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest:



07/12/2022

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.