

RESOLUTION NO. 2021 - ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, AUTHORIZING THE SALE OF REAL PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 182-076-01, 182-076-02, 182-076-03, AND 220-420-08

WHEREAS, in October 2019 the California Legislature passed, and the Governor signed, AB 1486, which modified the Surplus Lands Act ("SLA") to create new mandates relating to the disposition of real property on public agencies, including charter cities, operable as of January 1, 2020; and

WHEREAS, on October 13, 2020, pursuant to Resolution 2020-8822, the City Council declared parcels identified as APNs 182-076-01, 182-076-02, 182-076-03 (collectively, "Sycamore Property"), and APN 220-420-08 ("Valpreda Property"), collectively referenced as "the Properties", to be surplus to the City's needs; and

WHEREAS, as required by the SLA, a Notice of Availability of Surplus Property was issued on October 14, 2020 for the Sycamore Property and the Valpreda Property, and sent to applicable agencies to apprise of the availability of surplus land for those purposes authorized in the SLA; and

WHEREAS, one inquiry related to the Valpreda Property was received in response to the issuance of all of the above-referenced Notices of Availability, and following receipt of information concerning said Property, the developer determined it would not pursue acquisition of the same; and

WHEREAS, the applicable time period required by the SLA to hold the Sycamore Property and the Valpreda Property for potential negotiation and acquisition by applicable agencies and interested parties for purposes delineated in the SLA expired in December, 2020, and interest has been expressed in such Properties by other potential purchasers; and

WHEREAS, the City has fulfilled applicable requirements of the SLA and has been able to sell the Sycamore and the Valpreda Property after December 13, 2020, and desires to acknowledge ability to effectuate disposition of such Properties since that date, and to authorize the sale of such Properties at prices at or the latest appraised value for the same.

WHEREAS, on February 23, 2021, pursuant to Resolution 2021-8855, the City Council authorized budgeting of the proceeds of the sale in the Fiscal Year 2020-21 Operating Budget; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARCOS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are hereby incorporated into this Resolution by this reference.

Section 2. Adoption of this Resolution does not have the potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and thus does not constitute a “project” as defined by Public Resources Section 21065, and it is therefore exempt from CEQA or other environmental review pursuant to CEQA Guidelines section 15061(b)(3).

Section 3. The City Manager, in conjunction with the City Attorney, is and has been authorized from and after December 13, 2020 to negotiate and document the sale of the Sycamore Property and the Valpreda Property to agencies, entities, or parties other than those to which Surplus Lands Act notice were required to be provided, and they are hereby authorized to negotiate purchase and sale terms, finalize applicable documents, and take any and all actions needed to implement and complete such sales, provided the sales price is at or above the last appraised value for each such Property.

PASSED, APPROVED AND ADOPTED at a regular meeting of the the City Council of the City of San Marcos held on the 23rd day of March, 2021, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED:

Rebecca D. Jones, Mayor

ATTEST:

Phillip Scollick, City Clerk