

RESOLUTION NO. 2026-XXXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS DECLARING CERTAIN PARCELS SURPLUS PROPERTY; DECLARING SAID PROPERTY IS EXEMPT FROM THE SURPLUS LAND ACT; AUTHORIZING THE CITY ATTORNEY TO SEEK CONFIRMATION FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITH RESPECT TO SUCH EXEMPTION.

WHEREAS, the City of San Marcos ("City") is the fee owner of certain vacant real property identified as Assessor's Parcel Numbers 220-222-07-00 and 220-222-23-00 (collectively, "Property"); and

WHEREAS, the City finds that the Property measures approximately 0.48 acres in total size and is bordered by privately owned industrial properties; and

WHEREAS, the land is not located within a coastal zone, is not adjacent to a historical unit of the State Parks System, is not listed on, or determined by the State Office of Historic Preservation to be eligible for listing on, the National Register of Historic Places, and is not located within the Lake Tahoe region as defined in Government Code section 66905.5, and notices of availability of surplus land for open-space purposes were therefore not required to be or were issued pursuant to Government Code section 54221(f)(2); and

WHEREAS, with respect to the Surplus Land Act, California Government Code Section 54221(f)(1)(B) includes within the definition of "Exempt Surplus Land" property that is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes; and

WHEREAS, the characteristics of the Property are met and are consistent with the requirements of Government Code Section 54221(f)(1)(B) with respect to exemption when considered either separately or together, and

WHEREAS, City staff have evaluated the Property and City Council has determined that the Property is not necessary for the City's present or foreseeable use and is therefore surplus to the City's needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Marcos as follows:

1. The foregoing recitals are true and correct, and are incorporated herein by this reference.
2. The City Council hereby finds and declares that Assessor's Parcel Numbers 220-222-07-00 and 220-222-23-00 are surplus to the City's needs and are not necessary for the City's use.
3. Based upon the facts contained in the recitals set forth above, which have been incorporated by reference as though set forth at this point, the City Council hereby declares that the Property is exempt from and not subject to Surplus Land Act requirements, as it meets the requirements of the "exempt surplus land" definition contained in California Government Code section 54221(f)(1)(B), consisting of property that is "less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate - income housing purposes."

4. The parcels, each approximately 0.24 acres, are exempt from the Surplus Land Act consistent with California Government Code section 54221(f)(1)(B) when considered either separately or together.
5. The City Attorney is authorized and directed to submit the City's exemption determination and supporting documentation to the California Department of Housing and Community Development and to take all administrative actions necessary to process and obtain confirmation of such exemption determination.

PASSED, APPROVED, and ADOPTED by the City Council of the City of San Marcos, California, on the 14th of July, 2026, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Rebecca D. Jones, Mayor
City of San Marcos

ATTEST:

Phillip Scollick, City Clerk
City of San Marcos

Exhibit(s):
Exhibit A – Aerial Vicinity Map