

**CITY OF FAIRFIELD**

**RESOLUTION NO. 2020-201**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD PURSUANT TO GOVERNMENT CODE SECTION 54221 DECLARING THAT CERTAIN REAL PROPERTIES OWNED BY THE CITY ARE SURPLUS LAND OR EXEMPT SURPLUS LAND, AS APPLICABLE, AND NOT NECESSARY FOR THE CITY'S USE, FINDING THAT SUCH DECLARATIONS ARE EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS**

**WHEREAS**, the City of Fairfield is the owner in fee simple of those certain real properties described in the Surplus Land List (Exhibit A) and the Exempt Surplus Land List (Exhibit B), attached hereto and made a part hereof by this reference (Properties); and

**WHEREAS**, under the Surplus Property Land Act, Government Code Sections 54220-54233 (Act), surplus land is land owned in fee simple by the City for which the City Council takes formal action in a regular public meeting declaring the land is surplus and not necessary for the City's use. The land must be declared either surplus land or exempt surplus land; and

**WHEREAS**, under the Act, land is necessary for the City's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the City Council, for City work or operations; and

**WHEREAS**, the Properties are vacant and are not currently being used by the City; and

**WHEREAS**, City staff has evaluated the Properties for their potential to be used for City work or operations, including City facilities; and

**WHEREAS**, City staff has determined that the Properties are not suitable for the City's use; and

**WHEREAS**, the City Council desires to declare that the Properties identified on Exhibit A are surplus land and not necessary for the City's use; and

**WHEREAS**, the City Council desires to declare that the Properties identified on Exhibit B are exempt surplus land and not necessary for the City's use; and

**WHEREAS**, the Act provides that the City may dispose of the Properties declared exempt surplus land without further regard to the requirements of the Act; and

**WHEREAS**, the Act requires that before the City Council disposes of the Properties declared surplus land or engages in negotiations to dispose of the such Properties, the City shall send a written notice of availability of the Properties to certain designated entities identified in the Act, in the manner required by the Act, and engage in good faith negotiations in accordance with the Act with any designated entities that have timely notified the City in accordance with the Act of their interest in leasing or purchasing the Properties for uses authorized by the Act; and

**WHEREAS**, the accompanying staff report provides supporting information upon which the declarations and findings set forth in this Resolution are based.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:**

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. Pursuant to Section 54221(b)(1) of the Act, the City Council hereby declares that the Properties identified in Exhibit A are surplus land and not necessary for the City's use. The Properties are not needed for City work or operations, including City facilities. These Properties do not have potential for City use because the zoning designations are either commercial or industrial uses. Allowable commercial and industrial uses are the highest and best use of the Properties as opposed to any potential City use. The size of some of the Properties are also insufficient to accommodate a City facility and some of the locations of the Properties are not conducive for City operations.

Section 3. Pursuant to Sections 54221(b)(1) and Section 54221(f)(1)(D) and(G) of the Act, the City Council hereby declares that the Properties identified in Exhibit B are exempt surplus land and not necessary for the City's use. As set forth on Exhibit B, the basis for this declaration is that, as applicable, the Properties are surplus land the City is transferring to another local agency for the agency's use or surplus land that is subject to valid legal restrictions that are not imposed by the City and that would make housing prohibited in accordance with Section 54221(f)(1)(G).

Property numbers 1, 3, and 4 on Exhibit B are exempt under Section 54221(f)(1)(D) because the City is transferring to the Fairfield Housing Authority (FHA), a local agency, for the development of low-and-moderate income housing or transit oriented development. These Properties are within a Neighborhood Revitalization Strategic Area (NRSA) and development by the FHA will promote and advance low-and-moderate income housing objectives. Property number 1 has the potential to accommodate a transit-oriented development.

Property number 2 on Exhibit B is exempt under Section 54221(f)(1)(D) because the City is transferring to Fairfield Suisun Sewer District (FSSD), a local agency, for the future development and expansion of the FSSD operational facility which is adjacent to the Property.

Property number 5 on Exhibit B is exempt under Section 54221(f)(1)(G) because the Property is subject to a deed restriction. The use of the property is restricted to activities associated with the grazing of sheep or cattle. This restriction is intended to discourage or otherwise impact any future expansion of the air installation facilities commonly known as Travis Air Force Base thereby legally prohibiting the development of housing or allowing for any feasible mitigation measures.

Section 4. The City Clerk is hereby directed to send a notice of availability for the Properties that are surplus land, to the entities designated in Section 54222 of the Act ("Designated Entities") by electronic mail or by certified mail in accordance with the requirements of the Act.

Section 5. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"). Staff has determined that the proposed land sales will be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15312 (Class 12) of the State CEQA Guidelines because the land sale involves the disposal of surplus public properties not located in areas of Statewide

concern. Under this Section, disposal of these parcels can be exempted under the following conditions:

- Said Properties either have no identified significant values for wildlife habitat or other environmental purposes, and/or
- Said Properties involve sites for development that could be exempted under Section 15332 of the CEQA Guidelines (Infill Development Projects), and/or
- The disposal will permit the sale of the Property to another party to preserve the significant environmental resources (Section 15325 Transfer of Ownership of Land to Preserve Existing Natural Conditions and Historical Conditions)

Section 6. The City Clerk is directed to file a Notice of Exemption pursuant to CEQA Guidelines Section 15062.

Section 7. The officers and staff of the City are hereby authorized, jointly and severally, to do all things which they may deem necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken are hereby ratified and confirmed. Such actions include negotiating in good faith in accordance with the requirements of the Act with any of the Designated Entities that timely submit a written notice of interest to purchase or lease the Property in compliance with the Act.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of October, 2020, by the following vote:

AYES: COUNCILMEMBERS: PRICE / BERTANI / MOY / TIMM / VACCARO

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN: COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK