

CITY OF FAIRFIELD

RESOLUTION NO. 2021-59

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD AUTHORIZING THE TRANSFER OF EXEMPT SURPLUS LAND OWNED BY THE CITY AND LOCATED AT 421 MADISON STREET (APN 0030-275-010), TO THE FAIRFIELD HOUSING AUTHORITY, FINDING THAT SUCH AUTHORIZATION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS

WHEREAS, the City of Fairfield is the owner in fee simple of that certain real property located at 421 Madison Street (APN: 0030-275-010) ("Property"); and

WHEREAS, under the Surplus 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, the City Council, by its Resolution No. 2020-201, adopted on October 20, 2020, declared that the Property is not necessary for the City's use and is exempt surplus land pursuant to Government Code Section 54221(f)(1)(D) because the City will transfer the Property to the Fairfield Housing Authority to promote and advance low- and moderate-income housing objectives, which benefits the City, the Fairfield Housing Authority, and the community; and

WHEREAS, the transfer of the Property will be for the City's use in that it assists the City in meeting its obligations under the Housing Element of its General Plan to provide affordable housing pursuant to its Regional Housing Needs Assessment allocation, and is consistent with the Legislature's declaration of a housing shortage for persons and families of low and moderate income, and the declaration that housing is of vital importance to the health, safety, and welfare for every Californian pursuant to Government Code Section 54220(a); and

WHEREAS, the Act provides that the City may dispose of the Property without further regard to the requirements of the Act; and

WHEREAS, on November 13, 2020, subsequent to the adoption of Resolution No. 2020-201, the California Department of Housing and Community Development ("HCD") released draft Surplus Land Act Guidelines and on October 9, 2019 HCD released final guidelines ("Guidelines") that specify that surplus land that is transferred to another local agency, state, or federal agency for the transferor agency's use is exempt from Article II (Surplus Land) and Article III (Requirements To Be Placed on Surplus Lands for Affordable Housing) of the Guidelines; and

WHEREAS, Sections 103(e) and 400(e) of the Guidelines provide that a local agency that determines that property is exempt from the Act shall support such a determination with written

findings and shall provide a copy of the written determination to HCD at least 30 days prior to disposition; and

WHEREAS, Article V of the Guidelines provide that HCD will review the information submitted by local agencies pursuant to the Section 400 of the Guidelines; and

WHEREAS, the City Council wishes to reaffirm its declaration set forth in Resolution No. 2020-201 that the Property is exempt surplus land pursuant to Section 54221(f)(1)(D) of the Act because the City is transferring the Property to the Fairfield Housing Authority for the Fairfield Housing Authority's use and the City's use as described above; and

WHEREAS, the City will comply with Articles IV and V of the Guidelines prior to conveying the Property to the Fairfield Housing Authority; and

WHEREAS, the Fairfield Planning Commission has reviewed the proposed transfer of the Property for affordable housing purposes for conformity with the City of Fairfield General Plan and found, pursuant to Government Code Section 65402(a), that the proposed transfer of the Property conforms with the General Plan.

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. Staff is hereby authorized and directed to provide a copy of the City Council's written determination to HCD in the form and manner required by the Guidelines.

Section 3. The transfer of the Property by the City to the Fairfield Housing Authority is hereby authorized and approved. The City Manager or the City Manager's designee is hereby authorized and directed to execute and deliver a quitclaim deed, substantially in the form as attached hereto, to effect and evidence such transfer after consultation with the City Attorney regarding compliance with Articles 4 and 5 of the Guidelines.

Section 4. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"). The Property is not located in an area of statewide, regional, or areawide concern identified in Section 15206(b)(4) of the State CEQA Guidelines, and thus the disposition of the Property is exempt from CEQA pursuant to Section 15312 of the State CEQA Guidelines.

Section 5. The City Clerk is directed to file a Notice of Exemption pursuant to CEQA Guidelines Section 15062.

Section 6. The officers of the City are hereby authorized and directed, jointly and severally, to execute such instruments and do any and all things which they may deem necessary or advisable to effectuate this Resolution.

Section 7. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 6th day of April, 2021, by the following vote:

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

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

MAYOR

ATTEST:

CITY CLERK