

CITY OF FAIRFIELD

RESOLUTION NO. 2021-213

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIRFIELD ORDERING THE SUMMARY VACATION OF A PORTION OF AIR BASE PARKWAY, DECLARING SAID VACATED LAND TO BE EXEMPT SURPLUS LAND, AND AUTHORIZING CONVEYANCE OF SAID VACATED LAND

WHEREAS, the City Council of the City of Fairfield hereby orders the summary vacation of that portion of Air Base Parkway, as conveyed to the County of Solano by document recorded October 7, 1955 in Book 792, page 408, Instrument No. 19471, Solano County Records, which is described and shown on Exhibits “A” and “B” attached hereto and incorporated herein. The City of Fairfield has succeeded to the interests so conveyed. Said Property is located adjacent to the property known as Assessor’s Parcel Numbers 0174-040-200; and

WHEREAS, the council hereby elects to proceed with the summary vacation of said portion of Air Base Parkway, as described under and pursuant to Chapter 4 of Part 3, of Division 9 of the Streets and Highway Code of the State of California (Section §8330 to §8336); and

WHEREAS, the summary vacation is made in accordance with Section §8334(a), which authorizes the summary vacation of excess right-of-way of a public street not required for street purposes if there are no in-place public utility facilities that are in use and would be affected by the vacation purposes; and

WHEREAS, there are no in-place public service easement or public utility facilities within said portion of Air Base Parkway; and

WHEREAS, the City of Fairfield owns the underlying fee title to the proposed area to be vacated; and

WHEREAS, the City proposes to transfer said portion of Air Base Parkway to Century Communities of California, LLC, owner of the adjacent property; and

WHEREAS, the Surplus Land Act does not apply to the disposition of property if the property is exempt surplus land as defined in Government Code Section 54221(f)(1); and

WHEREAS, pursuant to the Surplus Land Act, the council must take formal action in a regular public meeting to declare that property is exempt surplus land, as supported by written findings; and

WHEREAS, Government Code Section 54421(f)(1)(E) defines exempt surplus land to include land that is a former street, right of way, or easement, and is conveyed to an owner of an adjacent property; and

WHEREAS, the council finds that the vacation and conveyance of said portion of Air Base Parkway is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15312 of the CEQA Guidelines, which consists of sales of surplus government property, as the subject property does not have significant value for wildlife habitat or other environmental purposes and is of such shape that it is incapable of independent development or use. In addition, the council finds that said vacation is consistent with the Mitigated Negative Declaration (ER2018-019) for the Monte Verde development project, adopted by council Resolution 2019-219 on September 17, 2019. Therefore, no additional environmental review is necessary.

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

Section 1. The council specifically finds that the facts and determinations contained in the Recitals to this Resolution are true and correct.

Section 2. The council hereby finds that the location, purpose and extent of the proposed vacation of the portion of Air Base Parkway, more particularly described and shown on Exhibits "A" and "B" attached hereto, is consistent with the Fairfield General Plan.

Section 3. The council hereby finds that the portion of Air Base Parkway, more particularly described and shown on Exhibits "A" and "B" attached hereto, is excess right-of-way that is unnecessary for present or prospective public use and is not useful as a non-motorized transportation facility (ie. for bikes and pedestrians).

Section 4. That said portion of Air Base Parkway, more particularly described and shown on Exhibits "A" and "B" attached hereto, is hereby vacated, and from and after the recordation of this resolution such vacated portion no longer constitutes a portion of Air Base Parkway.

Section 5. The city clerk is hereby authorized and directed to record in accordance with Section 8336 of the Streets and Highways Code a certified copy of the resolution, attested by the city clerk and under the seal of this city, in the office of the county recorder of Solano County.

Section 6. The council finds and declares, based on the findings contained herein, that upon vacation said portion of Air Base Parkway; is "exempt surplus land" under the Surplus Lands Act, Government Code Section 54221(f)(1)(E).

Section 7. Upon completion of the vacation, the city manager is hereby authorized to take all actions necessary and proper to effectuate this resolution, including but not limited to (a) submitting a copy of this resolution to the California Department of Housing and Community Development (HCD) in accordance with the Surplus Land Act Guidelines; and (b) executing a grant deed from the City to Century Communities of California, LLC.

PASSED AND ADOPTED this 7th day of September, 2021, by the following vote:

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

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

MAYOR

ATTEST:

CITY CLERK