

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, DECLARING CERTAIN REAL PROPERTY LOCATED ON 12281 W. GARDEN GROVE BLVD., GARDEN GROVE, CALIFORNIA, APN 231-422-13 AS EXEMPT SURPLUS LAND

WHEREAS, the City of Garden Grove (“City”) is a California municipal corporation and general law city; and

WHEREAS, the City is the owner of certain real property located at 12281 W. Garden Grove Blvd. in the City. The parcel is a former wellsite (former Well No. 93C) and is approximately 1,810 square feet in size, Assessor’s Parcel No. 231-422-13 (herein, “Property”); and

WHEREAS, the City wishes to dispose of the Property, which is only usable by the adjacent property; and

WHEREAS, the Property is not suitable for development because its size is substantially less than the minimum legal residential building lot size, contains a 6” PVC water line for which an easement must be reserved and which will make it usable only by the owner of the adjacent property as an extension of their single family residence back yard; and

WHEREAS, pursuant to GC Section 54221(b)(1) of the California Surplus Land Act (GC Sections 54220-54234) (“SLA”), the City Council must declare real property to be “surplus land” or “exempt surplus land” before the City Council takes action to sell or otherwise dispose of real property; and

WHEREAS, GC Section 54221(f)(1)(B) defines “exempt surplus land” to include surplus land that is (i) less than 5,000 square feet in area, (ii) less than the minimum legal residential building lot size for the jurisdiction in which the parcel is located, or 5,000 square feet in area, whichever is less, and sold to the owner of contiguous land; and

WHEREAS, pursuant to Section 103(b)(3)(B) of the Surplus Land Act Guidelines (“SLA/HCD Guidelines”) issued by the State of California, Department of Housing and Community Development (“HCD”), local agency surplus land that is either less than 5,000 sq. ft. in area or less than the minimum legal residential building lot size for the jurisdiction in which the parcel is located, or 5,000 sq. ft. in area, whichever is less is exempt from the provisions of Articles II and III of the SLA/HCD Guidelines; and

WHEREAS, pursuant to the SLA, the City Council must take formal action in a regular public meeting to declare that the Property is exempt surplus land, as supported by written findings, which is the subject and intention of this Resolution; and

WHEREAS, by this Resolution the City Council declares pursuant to Government Code Sections 54221(b)(1) and 54221(f)(1)(B) that the Property is exempt surplus land

because the Property is a former well site of only 1,810 square feet and the City intends to sell and convey the Property to the adjacent property owner; and

WHEREAS, pursuant to the SLA/HCD Guidelines, any determination by a local agency that its surplus land is exempt from the SLA must be provided to HCD for its review at least 30 days prior to disposition; and

WHEREAS, under the California Environmental Quality Act ("CEQA") this declaration is exempt pursuant to Section 15312 of the State CEQA Guidelines (Title 14, California Code of Regulations); and

WHEREAS, this action declares the Property as exempt surplus land and directs staff to effectuate the purpose of this Resolution, and this administrative activity of government will not result in direct or indirect physical changes to the environment; and there is no commitment to a particular scope of development other than the objective for development and operation of affordable housing on the Property, and in this regard, CEQA review requirements will be completed before any commitment to a selected proposal and project occurs and appropriate environmental review pursuant to CEQA will be completed at such time; and

WHEREAS, by this Resolution the City Council intends to authorize and direct the City Manager to cause submittal of a copy of this Resolution to HCD in accordance with the SLA/HCD Guidelines; and

WHEREAS, the City Council intends that the City Manager, and her designees, be authorized to take any other such actions as they deem necessary or proper to effectuate the purposes of this Resolution.

NOW THEREFORE BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF GARDEN GROVE as follows:

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

Section 2. The City Council declares the former wellsite located at 12281 Garden Grove Blvd. (APN 231-422-13) as exempt surplus land under Government Code Section 54221(f)(1)(B) and pursuant to Section 103(b)(3)(B) of the SLA/HCD Guidelines.

Section 3. The City Council authorizes and directs the City Manager to cause submittal of a copy of this Resolution to HCD in accordance with the SLA/HCD Guidelines.

Section 4. The City Manager and her designees are authorized to take any other such actions as they deem necessary or proper to effectuate the purposes of this Resolution, and all actions previously taken, if any, are hereby ratified; and

Section 5. The City Council finds that this declaration and action is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15312 of the CEQA Guidelines (Surplus Government Property Sales).

Section 6. The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED by the City Council of the City of Garden Grove, California, this 25th day of July 2023 by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steve Jones, Mayor

Attest:

Teresa Pomeroy, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF GARDEN GROVE)

I, Teresa Pomeroy, CMC, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution No. 2023-____ was duly and regularly adopted by vote of the City Council of the City of Garden Grove at its regular meeting held on the 25th day of July 2023, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

Teresa Pomeroy, City Clerk