

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARA, CALIFORNIA, TO DECLARE THE CITY OWNED VACANT PROPERTY LOCATED AT 2319 GIANERA STREET (APPROXIMATELY 12,478 SF LOT) OWNED BY THE CITY AS SURPLUS LAND

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City is the owner that certain property located at 2319 Gianera Street that contains a single-family home on at 12,478 sf lot (“Property”); and

WHEREAS, the City purchased the property with general funds in 1983 for \$155,000; and

WHEREAS, the Property has not been utilized any purpose since approximately 2012; and

WHEREAS, the SLA requires that before a local agency takes any action to sell or lease its property, it must declare the property to be either “surplus land” or “exempt surplus land;” and

WHEREAS, under the Surplus Land Act (the “SLA”), Government Code § 54220-54233, “surplus land” means land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular meeting declaring that such land is surplus and is not necessary for the agency’s use; and

WHEREAS, the City owns the Property in fee simple, the City does not currently use the Property, and the City has no written or adopted plan for future use of the Property, so the Property is no longer necessary for the City’s use or operations; and

WHEREAS, along with declaring the property surplus, the SLA also requires the City to give written notice of the availability of the Property to certain groups and entities prior to disposing of the Property; and

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WHEREAS, the City Council therefore finds that the Property is surplus land as defined by the SLA and is not necessary for the City's use.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the aforementioned recitals are true and correct and are incorporated herein.
2. That the City Council finds that the 2319 Gianera Street Property is surplus land as defined in the Surplus Land Act (Gov. Code sections 54220 et seq.) and is not necessary for City use.
3. That the City Council finds that the declaration that the Property is surplus land is exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000, et seq.) pursuant to State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), 15378, and 15061(b)(3), as the declaration and activity will not result in a direct or reasonably foreseeable indirect physical change in the environment, the declaration and activity are not a "project" as defined in CEQA, and it can be seen with certainty that there is no possibility that the declaration and activity will have a significant effect on the environment because no development or construction is proposed.
4. That the City's officers and staff are hereby authorized to do all which may be deemed necessary or proper to effectuate the purpose of this Resolution, including but not limited to issuance of a Notice of Availability to the required entities and negotiation for the sale of the Property in accordance with the SLA.

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5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ___ DAY OF _____, 2023, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None