



## CITY MANAGER'S OFFICE

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## CITY COUNCIL STAFF REPORT

Meeting: July 6, 2023

### Subject

Consider actions for the surplus determination and disposal of 10301 Byrne Avenue, Assessor Parcel Number (APN) 357-11-020.

### Recommended Action

1. Authorize the City Manager to record a Roadway Dedication (Attachment A) for a portion of 10301 Byrne Avenue, APN 357-11-020 (Property); and
2. Adopt Resolution No. 23-XXX (Attachment B) declaring the remaining property at 10301 Byrne Ave, APN 357-11-020 surplus to the needs of the City and direct the City Manager to proceed with outreach as required by the Surplus Land Act; and
3. Authorize the City Manager to offer the Property for sale subsequent to completion of the requirements of the Surplus Land Act.

### Reasons for Recommendation

On December 19, 2017 the City Council approved the purchase of the Property at 10301 Byrne Avenue. The purpose of the purchase was to facilitate right-of-way modification to create space for an enhanced pedestrian entrance to Blackberry Farm.

Following the purchase, staff studied various improvements to enhance pedestrian and bicycle access to Blackberry Farm, and prepared roadway dedication documents including a revised Plat and Legal description for the Property that, when recorded with the County, will dedicate a portion of the Property frontage along San Fernando Avenue for roadway purposes. This dedication would provide adequate space to construct pedestrian and bicycle access improvements to Blackberry Farm. Upon recordation of the documents with the County, the City will no longer have a use for the remaining residential portion of the Property.

The Surplus Land Act (Act) (California Government Code Section 54222 et seq), defines the process for disposition of real property owned by government entities. In summary, prior to offering the property for sale, the City must offer this property for sale or lease to the following types of organizations as defined in the Act:

1. Public entities and Housing Sponsors for the development of low- or moderate-income housing.
2. Entities involved in parks, recreation, and open space.
3. School districts.

Any interested entity would have 60 days to respond to the notice as provided by the City. Should the City receive a response from an interested entity, the City will need to negotiate in good faith for the sale or lease of the property for terms satisfactory to the City. If there is expressed interest in the property through this process, staff will work toward a market rate proposal for Council consideration. Should the City receive no interest in the property, the City may proceed to sell the property through a defined process at market price.

To facilitate sale of the property following the notification process, staff proposes listing the property with a qualified residential real estate agent and selling the property to the highest qualified proposer following at least two weeks on the market with no seller contingencies or requirements. The final sale amount and terms will be presented to the City Council for approval at a future date.

#### Sustainability Impact

The recordation of the Roadway Dedication will allow for future pedestrian and Bicycle access to Blackberry Farm, enhancing the connection to the surrounding neighborhood.

#### Fiscal Impact

There is no fiscal impact from the recommended actions in this report. Future revenue will be received by the General Fund in the event of the sale of the property.

#### California Environmental Quality Act (CEQA)

The proposed project is exempt from CEQA under CEQA Guidelines section 15312 (surplus government property sales).

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Prepared by: Matt Morley, Assistant City Manager

Approved for Submission by: Pamela Wu, City Manager

Attachment:

A – Plat and Legal Descriptions for APN 357-11-020

B – Draft Resolution Declaring the Property Surplus

C – Aerial map showing the property location.