



Report to City Council

TO: Mayor and City Council

FROM: Brian Mohan, Assistant City Manager (Administration)

AGENDA DATE: September 17, 2024

TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CA, DECLARING PURSUANT TO CALIFORNIA GOVERNMENT CODE § 54221 THAT REAL PROPERTY IDENTIFIED AS APN 486-280-044 IS SURPLUS LAND & IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER CEQA (REPORT OF: ECONO

TITLE SUMMARY: A Resolution of the City Council of the City of Moreno Valley, California, Declaring Pursuant to California Government Code § 54221 That The Real Property Identified As APN 486-280-044 (Located At The Sec Of Alessandro Boulevard And Lasselle Street) Is Surplus Land And Not Necessary For The City's Use At This Time, Finding That Such Declaration Is Exempt From Environmental Review Under The California Environmental Quality Act, And Approving Certain Related Actions

Recommendation(s)

That the City Council:

1. Adopt City Council Resolution No. 2024-xx declaring pursuant to California Government Code § 54221 that the real property identified as APN 486-280-044 (located at the SEC of Alessandro Boulevard and Lasselle Street) is surplus land and not necessary for the City's use at this time, finding that such declaration is exempt from environmental review under the California Environmental Quality Act, and approving certain related actions.

SUMMARY

Pursuant to the California Surplus Land Act (Government Code §§ 54220-54232) (“SLA”), all local agencies (i.e., all counties, cities, special districts, school districts of any kind or class, empowered to acquire and hold real property) must comply with the requirements of the SLA prior to disposing of real property. Portions of the City-owned real property identified as APN 486-280-044 (located at the SEC of Alessandro Boulevard and Lasselle Street) (“Property”) are designated in the General Plan and Zoning Ordinance as either Multifamily Residential (R30) or Open Space (OS). In order to effectuate the purposes of the General Plan and Zoning Ordinance and realize the Property’s development opportunity potential, it will be necessary to sell the Property in the future to a qualified development entity with the resources and experience needed to develop the Property and achieve its highest and best uses. Based on the provisions of the SLA, it is necessary to declare the Property as surplus, issue a Notice of Availability to certain parties designated by the State, receive and evaluate statements of interest received (if any) and prepare for and file with the California Department of Housing and Community Development (“HCD”) a compliance report. Staff recommends that the City Council authorize this process by adopting the attached resolution.

DISCUSSION

The attached Resolution concerns that certain real property identified as APN 486-280-044 (located at the SEC of Alessandro Boulevard and Laselle Street) consisting of approximately 8.47 acres, as more particularly described within Exhibit “A” to the attached Resolution. An approximately 5.61-acre portion of the Property is zoned Multifamily Residential (R30) and an approximately 2.86-acre portion of the Property is zoned Open Space (OS) (the “Applicable Zoning”).

Pursuant to the SLA and the Guidelines issued by the HCD (the “Guidelines”), in order for real property to be disposed of, for any purpose, such land must first undergo the noticing process set forth in the SLA and expounded upon by the Guidelines. The SLA, as expounded upon by the Guidelines, provides that such land shall be declared either surplus land or exempt surplus land (if specific criteria are met, which do not apply to the Property) before a public entity may take action to dispose of it.

GC § 54222, requires a public entity, if it declares land it owns to be surplus and not necessary for the public entity’s use, to provide written notice thereof to certain local agencies and housing sponsors designated by HCD (the “Notice Recipients”); the form of the Notice of Availability is included within Exhibit “A” to the attached Resolution. The Notice of Availability provides the Notice Recipients a 60-day opportunity to provide a written expression of interest to negotiate for the sale or lease of real property consistent with the parameters for such negotiations provided by the SLA.

Failure to follow the procedures described in the SLA with respect to the noticing process and related actions, may subject a public entity to financial and other penalties and measures and may frustrate the ability of the public entity to further its achievement of development goals. The Notice of Availability is not a request for proposals, does not bind the public entity to any disposition of real property and such real property remains

subject to the Applicable Zoning. The SLA does not impose any mandates or timeframes with respect to the disposition of real property. In addition to the foregoing, under the SLA and the Guidelines, HCD has certain monitoring responsibilities concerning negotiations with Notice Recipients, if any, for the purpose of confirming that such negotiations were conducted within the parameters described in the SLA. If approved, the attached Resolution will confirm the City Council's declaration that the Property is surplus and authorize the distribution of the Notice of Availability to the Notice Recipients.

Pursuant to § 15060 (c) (3) of the California Environmental Quality Act (the "CEQA") Guidelines (i.e., California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387), approval of this Resolution is exempt from CEQA because the actions described herein will not result in a direct or indirect physical change in the environment and the actions described herein are not a "Project", as defined within § 15378 of the CEQA Guidelines. If and when the Property is sold to a purchaser and that purchaser proposes a use for the Property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

ALTERNATIVES

Alternative 1: Adopt the attached resolution, declaring pursuant to California Government Code § 54221 that the real property identified as APN 486-280-044 (located at the SEC of Alessandro Boulevard and Lasselle Street) is surplus land and not necessary for the City's use at this time, finding that such declaration is exempt from environmental review under the California Environmental Quality Act, and approving certain related actions.

Staff recommends this alternative as it will allow the City to ultimately ensure the accomplishment of the City's goals related to creating essential development opportunities.

Alternative 2: Do not adopt the resolution, which will table the Surplus Land Act process to a future time.

Staff does not recommend this alternative.

FISCAL IMPACT

There is no impact with this action.

NOTIFICATION

The notice of this meeting has been posted and publicized pursuant to the Brown Act and City policies, including posting of the agenda for this public meeting of the City Council.

PREPARATION OF STAFF REPORT

Prepared By:
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Department Head Approval:
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CITY COUNCIL GOALS

Community Image, Neighborhood Pride and Cleanliness: Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

Positive Environment: Create a positive environment for the development of Moreno Valley's future.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development**
- 2. Public Safety**
- 3. Library**
- 4. Infrastructure**
- 5. Beautification, Community Engagement, and Quality of Life**
- 6. Youth Programs**

Report Approval Details

Document Title:	STAFFREPORT_ALESSANDRO AND LASSELLE SLA_EDH.docx
Attachments:	- Resolution 2024-XX.docx
Final Approval Date:	Sep 10, 2024

This report and all of its attachments were approved and signed as outlined below:

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