

## Legislation Text

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**PREPARED BY:** CHARLES CHING, A2CM

**DATE OF MEETING:** 04/17/17

**SUBJECT:**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO TO COMPLY WITH ASSEMBLY BILL 2135, SURPLUS LAND ACT

**CITY MANAGER RECOMMENDATION**

Adopt Resolution

**COMPLIANCE STATEMENTS**

*New Revenue Enhancements* are adopted policy items under the FY 2015-17 Council Priority Workplan, effective October 1, 2016.

**CEQA Compliance Statement**

Not a project under CEQA.

**BACKGROUND**

The Metropolitan Transportation Commission adopted Resolution No. 4202, outlining the programming, policy and project selection criteria for the One Bay Area Grant Program (OBAG 2), including certain requirements to access these funds. One of the grant program requirements is for the applicant of OBAG 2 grant funds to adopt a resolution stating that the applicant will comply with Assembly Bill 2135 (2135), the Surplus Land Act. The premise of this requirement is the need for low and moderate housing units in the Bay Area and the limited funding sources available to secure land for the construction of these housing units. Therefore, public lands can play a critical role in increasing the availability of land for affordable housing.

In addition, Assembly Bill 2135 requires local agencies to inventory the land they own every year. If land is no longer needed, a local agency must follow certain procedures prior to disposal of this "surplus" land. The intent behind the disposal procedures is to promote the use of surplus land for affordable housing, parks, recreation and open space purposes, and transit-oriented development. The disposal procedures provide a right of first refusal to entities agreeing to use the land for, among other things, affordable housing.

The City Council adopted an inventory of properties in March of 2016 and at that time determined that no properties were surplus. Staff anticipates bringing forward the 2017 inventory at a later City Council meeting with a discussion of foreseeable property needs.

**FISCAL IMPACT**

The proposed resolution has no fiscal impact. However, passage of the resolution not only complies with the law, but puts the City in a position to receive additional grant funding.