

DATE SUBMITTED 3/10/2022
SUBMITTED BY ACM
DATE ACTION REQUIRED 3/16/2022

COUNCIL ACTION (X)
PUBLIC HEARING REQUIRED ()
RESOLUTION (X)
ORDINANCE 1ST READING ()
ORDINANCE 2ND READING ()
CITY CLERK'S INITIALS AKB

**IMPERIAL CITY COUNCIL
AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: DECLARATION OF SURPLUS LAND 1. ADOPTION OF RESOLUTION NO. 2022-15 DECLARING REAL PROPERTY OWNED BY THE CITY OF IMPERIAL LOCATED AT 401 E. BARIONI BLVD. AS SURPLUS LAND.	
DEPARTMENT INVOLVED: CITY ATTORNEY/CITY MANAGER'S OFFICE/ COMMUNITY DEVELOPMENT	
BACKGROUND/SUMMARY: The City of Imperial has determined that the real property located at 401 E. Barioni Blvd, adjacent to the Imperial Transit Center, is not of use to the City and recommends that the City Council declare it surplus to begin the process with the State of California Department of Housing & Community Development. The property size is measured at .43 acres, with an estimated value of \$130,000.00. The current structure on the site has been red-tagged by the City's Building Official. The land is currently identified as Commercial Use. Please see the attached resolution and exhibits for further information.	
FISCAL IMPACT: To be determined	ADMIN SERV INITIALS <u>[Signature]</u>
STAFF RECOMMENDATION: It is staff's recommendation to declare the property surplus and begin the process with the State of CA as defined by Government Code Section 54222.	DEPT. INITIALS <u>AKB</u>
MANAGER'S RECOMMENDATION: <u>approve</u>	CITY MANAGER'S INITIALS <u>AKM</u>
MOTION: SECONDED: APPROVED () REJECTED () AYES: DISAPPROVED () DEFERRED () NAYES: ABSENT: REFERRED TO:	

RESOLUTION NO. 2022-20

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IMPERIAL DECLARING PURUSANT TO GOVERNMENT
CODE SECTION 54221 THAT REAL PROPERTY OWNED
BY THE CITY LOCATED AT THE NORTHWEST
CORNER OF HIGHWAY 86 AND BELFORD ROAD IS
SURPLUS LAND AND NOT NECESSARY FOR THE
CITY'S USE**

WHEREAS, the City of Imperial ("City") is the owner in fee simple of that certain real property located at 401 E Barioni Blvd. and described in Exhibit "A", attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, under the Surplus Land Act, Government Code sections 54220 through 54233 (the "Act"), surplus land is land owned in fee simple by the City for which the City Council takes formal action in a regular public meeting declaring the land is surplus and not necessary for the City's use. The land must be declared either surplus land or exempt surplus land; and

WHEREAS, under the Act, land is necessary for the City's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the City Council, for City work or operations; and

WHEREAS, the Property is approximately 0.43 acres in size, with one vacant and dilapidated structure, is not currently being used by the City, and due to its size and location would require significant investment to develop; and

WHEREAS, City staff has evaluated the Property for its potential to be used for City work or operations and determined that the Property is not suitable for the City's use; and

WHEREAS, the City Council desires to declare that the Property is surplus land and not necessary for the City's use; and

WHEREAS, the Act requires that before the City Council disposes of the Property or engages in negotiations to dispose of the Property, the City shall send a written notice of availability of the Property to certain designated entities.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The above-referenced recitals are true and correct and are incorporated herein.
2. The City Council hereby declares that the Property is surplus land and not necessary for the City's use. The basis for this declaration is that the property is of a relatively small size,

there is no planned city facility or building for the site, and due to its size and location would require significant investment to develop.

3. The City Clerk is hereby directed to send a notice of availability, substantially in the form attached hereto as Exhibit "B" and made a part of hereof, to the entities designated in Government Code Section 54222 ("Designated Entities") by electronic mail or by certified mail.

APPROVED, PASSED AND ADOPTED, at the regular meeting of the City Council this 16th day of March, 2022.

Geoff Dale, Mayor

ATTEST:

City Clerk

EXHIBIT A

LEGAL DESCRIPTION

PAR 1 PER PMW ALSO BEING W POR BLK 70 & POR ABAND ST TSTE OF IMPERIAL

A.P.N.: 063-130-007

EXHIBIT B

March 16, 2022

To All Interested Parties:

RE: Notice of Availability/Offer to Sell Surplus Property

As required by Government Code Section 54220 of the State of California, the City of Imperial (City) is providing notification that the City intends to sell the following surplus property:

Surplus Land Property Description	
Jurisdiction Name	City of Imperial
Jurisdiction Type	City
Site Address/Intersection	401 E. Barioni Blvd
City	Imperial
ZIP Code	92251
County	Imperial
Assessor Parcel Number	063-130-007
Consolidated Sites	N/A
General Plan Designation	Commercial
Zoning Designation	C-2
Minimum Density Allowed	N/A
Maximum Density Allowed	N/A
Parcel Size	0.43 acres
Existing Use/Vacancy	One vacant and dilapidated structure
Last Appraised Value	\$130,000.00
Last Appraised Date	April 8, 2021

In accordance with Government Code Section 54222, you have sixty (60) days from the date this offer was sent via certified mail or electronic mail to notify the City of your interest in acquiring the property. However, this offer shall not obligate the City to sell the property to you. Instead, the City would enter into at least ninety (90) days of negotiations with you pursuant to Government Code Section 54223. If no agreement is reached on sales price and terms, or lease terms, the City may market the property to the general public.

As required by Government Code Section 54227, if the City receives more than one letter of interest during this 60 day period, it will give first priority to entities proposing to develop housing where at least 25 percent of the units will be affordable to lower income households. If more than one such proposal is received, priority will be given to the proposal with the greatest number of affordable units. If more than one proposal specifies the same number of affordable units, priority will be given to the proposal that has the lowest average affordability level.

In the event your agency or company is interested in purchasing the property, you must notify the City in writing within sixty (60) days of the date this notice was sent via certified mail or electronic mail. Notice of your interest in acquiring the property shall be delivered to Alexis Brown, Assistant City Manager, at 420 South Imperial Avenue, Imperial, CA 92251. You may also direct your questions to abrown@cityofimperial.org or by calling (760) 355-4371.

Entities proposing to submit a letter of interest are advised to review the requirements set forth in the Surplus Land Act (Government Code Section 54220-54234).