

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION FINDING THAT REAL PROPERTY OWNED BY THE SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION LOCATED IN THE CITY OF PASADENA AT 1383 PRIME COURT, AND IDENTIFIED AS APN 5848-028-900, IS EXEMPT FROM THE SURPLUS LAND ACT, AND TAKING RELATED ACTIONS, INCLUDING A DETERMINATION OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RECITALS:

WHEREAS, pursuant to AB X1 26 (which became effective in June 2011) (as subsequently amended, the "Dissolution Act") and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal. 4th 231 (2011), the Pasadena Community Development Commission ("Former Agency") was dissolved as of February 1, 2012, and the City of Pasadena elected to serve as the successor agency to the Former Agency ("Successor Agency"); and

WHEREAS, pursuant to the Dissolution Act, properties of the Former Agency, including the approximately 0.156-acre vacant property located at 1383 Prime Court, on the west side of Prime Court, south of Rio Grande Street and north of Washington Boulevard in the City of Pasadena, and identified as APN 5848-028-900 (the "Property") transferred to the Successor Agency by operation of law and the Successor Agency owns the Property in fee simple. The Property is described on Exhibit "A", attached hereto; and

WHEREAS, on December 29, 2015, the California Department of Finance ("DOF") approved the Successor Agency's Long Range Property Management Plan ("LRPMP"), prepared pursuant to Health and Safety Code Section 34191.5, which includes the Property and requires the Successor Agency to sell the Property; and

WHEREAS, the Surplus Land Act (Government Code Sections 54220-54234) generally requires the governing board of a local agency that owns land in fee simple which is not necessary for the agency's use to take formal action in a regular public meeting to declare that the land is surplus land or exempt surplus land prior to undertaking other action to dispose of the land; and

WHEREAS, as amended by Assembly Bill 1486, which took effect on January 1, 2020, the Surplus Land Act defines "local agency" for purposes of the Surplus Land Act to include the Successor Agency; and

WHEREAS, Government Code Section 54221(b)(2) defines "surplus land" to include land that been designated in a long range property management plan pursuant to Health and Safety Code Section 34191.5 for sale, but further provides that surplus land

does not include any specific disposal of land to an identified entity described in the long range property management plan; and

WHEREAS Government Code Section 54234(b) also provides that with respect to land that has been designated in a long range property management plan pursuant to Health and Safety Code Section 34191.5 for sale, the Surplus Land Act, as it existed on December 31, 2019, without regard to the changes made to the Surplus Land Act by Assembly Bill 1486, shall apply to the disposition of the land if (i) an exclusive negotiating agreement for disposition is entered into not later than December 31, 2020 and (ii) the disposition is completed not later than December 31, 2022; and

WHEREAS, the Successor Agency's LRPMP states with respect to the Property that the "[a]djacent property owner has expressed a verbal interest in acquiring the parcel to facilitate a possible business expansion of an existing commercial development"; and

WHEREAS, the Successor Agency entered into a six-month exclusive negotiating agreement ("ENA") with respect to the disposition of the Property with such adjacent property owner, Jacobs Ladder, LLC, dated December 11, 2020, and in accordance with the terms of the ENA, the parties extended the ENA Period two times for three (3) months per extension; and

WHEREAS, the parties entered into a First Amendment of the ENA, dated December 6, 2021, to extend the ENA Period for twelve (12) months; and

WHEREAS, the parties entered into a Second Amendment of the ENA, dated November __, 2022, to extend the ENA Period from December 10, 2022 to December 31, 2022; and

WHEREAS, on November 14, 2022 the City Council found that adopting the proposed Resolution is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) (common sense exemption) and State CEQA Guidelines Section 15312 (surplus government property sales).

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The Board of Directors hereby finds, pursuant to Government Code Section 54221(b)(2) that because the Successor Agency's LRPMP describes the disposal of the Property to an identified entity, being Jacobs Ladder, LLC, the adjacent landowner, the Property is not surplus land and therefore the disposition of the Property is not subject to the Surplus Land Act, provided that the Successor Agency disposes of

the Property to Jacobs Ladder, LLC. In addition, the Board of Directors hereby finds pursuant to Government Code Section 54234(b), that because the Successor Agency entered into the ENA with respect to the disposition of the Property prior to December 31, 2020, the disposition of the Property is not subject to the Surplus Land Act, provided that the disposition of the Property is completed not later than December 31, 2022. The Board of Directors further finds that adopting this Resolution is exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) (common sense exemption) and State CEQA Guidelines Section 15312 (surplus government property sales).

SECTION 3. The staff of the Successor Agency are hereby authorized to submit a copy of this Resolution to the California Department of Housing and Community Development.

SECTION 4. The staff and officers of the Successor Agency are hereby authorized, jointly and severally, to take any other such actions as they deem necessary or proper to effectuate the purposes of this Resolution, and all actions previously taken are hereby ratified.

[SIGNATURES TO FOLLOW ON THE NEXT PAGE]

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

VICTOR M. GORDO
CHAIR OF THE SUCCESSOR AGENCY
TO THE PASADENA COMMUNITY
DEVELOPMENT COMMISSION

ATTEST:

MARK JOMSKY
SECRETARY OF THE
SUCCESSOR AGENCY TO THE
PASADENA COMMUNITY
DEVELOPMENT COMMISSION

Approved as to form:



Dion O'Connell
Deputy City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION OF SUBJECT PROPERTY

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Lot 6 of Tract No. 609, in the City of Pasadena, County of Los Angeles, State of California, as per map recorded in Book 15, Page 164, of Maps, in the Office of the County Recorder of said County.

Assessor's Parcel Number: 5848-028-900