

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE PASADENA COMMUNITY DEVELOPMENT COMMISSION DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE SUCCESSOR AGENCY LOCATED IN THE CITY OF PASADENA AT 145 N. RAYMOND AVENUE AND IDENTIFIED AS APN 5723-021-901 IS SURPLUS LAND AND NOT NECESSARY FOR THE SUCCESSOR AGENCY'S USE, TAKING RELATED ACTIONS, AND FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER 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 property located at 145 N. Raymond Avenue, which is approximately 18,017 square feet in area and identified as APN 5723-021-901 (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, under the Surplus Land Act (Government Code Sections 54220-54234) surplus land is land owned in fee simple by a local agency which is not necessary for the agency's use and for which the governing board takes formal action in a regular public meeting declaring that the land is surplus. The land must be declared either surplus land or exempt surplus land; and

WHEREAS, the Successor Agency is a local agency within the meaning of the Surplus Land Act; and

WHEREAS, under the Surplus Land Act, land is necessary for a local agency's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the governing body of the local agency, for the local agency's work or operations; and

WHEREAS, the Property is not necessary for the Successor Agency's use within the meaning of the Surplus Land Act because the Dissolution Act requires the Successor Agency to wind up the affairs of the Former Agency, including selling the Property pursuant to the LRPMP, and the Successor Agency will be formally dissolved when all of the Former Agency's enforceable obligations have been retired or paid off and its real property has been disposed of; and

WHEREAS, Government Code Section 54221(f)(1)(B) provides that, except as provided in paragraph (2) of Section 54221(f), "exempt surplus land" means surplus land that is less than one-half acre in size and is not contiguous to land owned by a state or local agency that is used for open-space or low and moderate income housing; and Government Code Section 54221(f)(1)(J) provides that, except as provided in Paragraph 2 of Section 54221(f), "exempt surplus land" means surplus land that is subject to an existing lease entered into prior to September 30, 2019 that makes housing on the site prohibited if there is no feasible method to satisfactorily mitigate or avoid the prohibition on the site; and

WHEREAS, paragraph (2) of Government Code Section 54221(f) provides that notwithstanding paragraph (1) of Section 54221(f), a written notice of availability of surplus land for open-space purposes shall be sent to the entities described in subdivision (b) of Government Code Section 54222 (park and recreation departments in the city and county in which the land is located, regional park authorities having jurisdiction within the area in which the land is located, and the State Resources Agency) before disposing of the surplus land, provided the surplus land does not meet the criteria in subparagraph (H) of paragraph (1) (subsequently renumbered as paragraph (K)), if the land is listed on the National Register of Historic Places; and

WHEREAS, the Property qualifies as "exempt surplus land" pursuant to paragraphs (B) and (J) of Government Code Section 54221(f)(1) because the Property is less than one-half acre in size, not contiguous to land owned by a state or local agency that is used for open-space or low and moderate income housing, and is subject to a lease between the Former Agency (now Successor Agency) and the Armory Center for the Arts, dated May 31, 2001, which requires the lessee to use the Property for an art center and such other related activities normally carried on by an art center through the term of the lease, which expires in 2031; and

WHEREAS, because the Property is listed on the National Register of Historic Places and does not meet the criteria in subparagraph (K) of paragraph (1) of Government Code Section 54221(f), a notice of availability of the Property must be sent to the entities described in subdivision (b) of Government Code Section 54222; and

WHEREAS, the Successor Agency Board of Directors desires to declare that the Property is surplus land and to send a written notice of availability of the Property for purchase to the entities described in subdivision (b) of Section 54222 in accordance with the Surplus Land Act; and

CHAIR OF THE SUCCESSOR AGENCY
TO THE PASADENA COMMUNITY
DEVELOPMENT COMMISSION

ATTEST:

SECRETARY OF THE
SUCCESSOR AGENCY TO THE
PASADENA COMMUNITY
DEVELOPMENT COMMISSION

Approved as to form:


Dion O'Connell
Deputy City Attorney

WHEREAS, the Staff Report accompanying this Resolution provides supporting information upon which the declaration and findings set forth in this Resolution are based.

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 declares pursuant to the Surplus Land Act that the Property is surplus land, as defined in the Surplus Land Act, and not necessary for the Successor Agency's use.

SECTION 3. Staff of the Successor Agency, jointly and severally, are hereby authorized and directed, in consultation with the Successor Agency's Executive Director and legal counsel, to send a notice of availability of the Property, in the form and manner required by the Surplus Land Act, to the entities designated in subdivision (b) of Government Code Section 54222 ("Designated Entities") and 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. Such actions include, without limitation, negotiating in good faith in accordance with the requirements of the Surplus Land Act with Designated Entities that submit a written notice of interest to purchase the Property in compliance with the Surplus Land Act.

SECTION 4. The Board of Directors hereby finds that the declaration that the Property is surplus land, as defined in the Surplus Land Act, is exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000, *et seq.*) pursuant to State CEQA Guidelines Sections 15061(b)(3) (common sense exemption), and 15312 (surplus government property sales).

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

EXHIBIT "A"

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

Lots 22 and 23 in Block "A" of the Legge Tract, in the City of Pasadena, in the County of Los Angeles, State of California, as per Map recorded in Book 7, Page 99, of Miscellaneous Records of said county.

Excepting that portion now included in Raymond Avenue, presumed to be the East 19 feet.

Excepting and reserving, all oil, gas, and other hydrocarbon substances in and under said property within 500 feet of the surface thereof.

APN: 5723-021-901

ADDRESS: 145 N. Raymond Avenue, Pasadena, CA (Primary)

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CITY OF PASADENA
CITY ATTORNEY
CIVIL DIVISION