

RESOLUTION NO. 2024-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
DECLARING CERTAIN PROPERTY SURPLUS LAND LOCATED WITHIN CITY
LIMITS AND FINDING THAT SUCH DECLARATION IS EXEMPT FROM
ENVIRONMENTAL REVIEW PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT GUIDELINES SECTION 15061(B)(3)**

WHEREAS, on January 24, 2023, the City Council approved the City’s Sixth Cycle Housing Element Update; and

WHEREAS, Program 1.H of the Housing Element Update calls for the facilitation of housing on city-owned sites known as Downtown Parking Plazas 7 & 8; and

WHEREAS, Program 1.H of the Housing Element Update requires the City of Los Altos to comply with all provisions of the Surplus Land Act; and

WHEREAS, the City of Los Altos owns a rectangular-shaped parcel, currently utilized for surface level parking, approximately 1.07 acres in size, commonly referred to as “Plaza 7” in Downtown Los Altos, Assessor Parcel Number (APN): 167-39-032;

WHEREAS, the City of Los Altos owns a rectangular-shaped parcel, currently utilized for surface level parking, approximately 1.07 acres in size, commonly referred to as “Plaza 8” in Downtown Los Altos, Assessor Parcel Number (APN): 167-39-007;

WHEREAS, under the Surplus Land Act (SLA), Government Code Sections 54220-54233, surplus land is land owned in fee simple for which a local agency’s governing body takes formal action at a regular public meeting declaring land to be surplus and not necessary for a local agency’s use; and

WHEREAS, under the Surplus Land Act (SLA), “agency’s use” shall include, but not be limited to, land that is being used for agency work or operations, land that a local agency plans to use for agency work or operations pursuant to a written plan adopted by the local agency’s governing board, or land that is disposed of for agency work or operations; and

WHEREAS, under the Surplus Land Act (SLA), “Agency work or operations” includes, but is not limited to, utility sites; watershed property; land being used for conservation purposes; land for demonstration, exhibition, or educational purposes related to greenhouse gas emissions, property owned by a port that is used to support logistics uses, sites for broadband equipment or wireless facilities, buffer sites located near sensitive governmental uses, including, but not limited to, wastewater treatment plants, and waste disposal sites; and

WHEREAS, under the Surplus Land Act (SLA), Agency’s use shall not include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development. Property disposed of for the purpose of investment or generation of revenue shall not be considered necessary for agency’s use; and

WHEREAS, the City of Los Altos has consulted with the California Department of Housing and Community Development (HCD) and confirmed that the identified parcels are determined to be Surplus Land; and

WHEREAS, the City of Los Altos desires to declare that the identified parcels are surplus and not necessary for the City’s “Agency Use”; and

NOW, THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. The above recitals are true and correct and are incorporated herein.

SECTION 2. The City Council hereby declares that the Properties identified are surplus property and not necessary for the City’s agency use.

SECTION 3. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. It has been determined that the adoption of this Resolution will not have a significant environmental impact and is exempt from CEQA pursuant to Section 15061(b)(3). It can be seen with certainty that there is no possibility that the declaration of property as surplus may have a significant effect on the environment, as no development is authorized by this resolution, and any future disposition will require separate environmental analysis if and when the details of such disposition are known.

SECTION 4. The officers and staff of the City are hereby authorized, jointly and severally, to do all things which they may deem necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken are hereby ratified and confirmed. Such actions include negotiating in good faith in accordance with the requirements of the Act with any of the designated entities that submit a written notice of interest to purchase or lease the Property in compliance with the Act.

SECTION 5. This Resolution shall become effective immediately upon its adoption.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 27th day of August 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jonathan D. Weinberg, MAYOR

Attest:

Melissa Thurman MMC, CITY CLERK

