



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 01/21/2025

ITEM NO: 19

DATE: January 16, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: Resolution Declaring Town-Owned Property at 4 Tait to be Exempt Surplus Land Pursuant to the State Surplus Land Act [Gov. Code Section 54221(f)(1)(B)] and Authorizing Town Manager to Pursue Disposal of the Property and Make Recommendations to the Town Council.

RECOMMENDATION:

Adopt a resolution declaring Town-owned property at 4 Tait Avenue to be exempt surplus land pursuant to the state Surplus Land Act [Government Code Section 54221(f)(1)(B)] and authorizing the Town Manager to pursue disposal of the property and make recommendations to the Town Council.

BACKGROUND:

The Town owns real property located at 4 Tait Avenue (Assessor's Parcel No. 510-44-054), which is improved with a building of approximately 2,525 square feet and an ancillary outbuilding originally constructed as a fire station and later used as a museum. The museum use was discontinued several years ago. The building and outbuilding are currently unoccupied. The Town is exploring the disposition of the property.

The State Surplus Land Act, which is codified in Government Code Sections 54220 (hereinafter referred to as the "Act"), applies when a local agency disposes of land that is surplus and not necessary for the agency's use. The Act requires local agencies to declare land as "surplus land" or "exempt surplus land" prior to disposition. Land that is less than ½ acre or 21,780 square feet and not adjacent to land owned by a state or local agency used for open space or low and moderate-income housing, is exempt from provision of the Act.

PREPARED BY: Gabrielle Whelan
Town Attorney

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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SUBJECT: Resolution Declaring 4 Tait to be “Exempt Surplus Land”

DATE: January 15, 2025

DISCUSSION:

The Town Attorney’s Office has prepared a resolution declaring the property to be “exempt surplus land.” The draft resolution has been approved by the California Department of Housing and Community Development (“HCD”). The next step is for the Town Council to adopt the resolution and staff to transmit the adopted resolution to HCD at least 30 days prior to the property’s disposition.

ENVIRONMENTAL ASSESSMENT:

In accordance with CEQA Guidelines Section 15378, adoption of this Resolution is exempt from the California Environmental Quality Act (“CEQA”) because it does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

CONCLUSION:

If the Town Council adopts this Resolution, the Resolution will be transmitted to HCD and the Town Manager’s Office will pursue options for disposition of the property and return to the Town Council.

COORDINATION:

The Town Attorney’s Office coordinated with the Town Manager’s Office in the preparation of this report.

Attachments:

1. Resolution Declaring Town-Owned Property at 4 Tait Avenue Exempt Surplus Land