

RESOLUTION 2025-XX

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS, CALIFORNIA DECLARING CERTAIN TOWN-OWNED PROPERTY AT 4 TAIT AVENUE AS EXEMPT SURPLUS LAND PURSUANT TO SECTION 54221(f)(1)(B) OF THE STATE SURPLUS LAND ACT

WHEREAS, the Town of Los Gatos (“Town”) owns that certain approximately 12,234 square foot (0.28 acre) real property located at 4 Tait Avenue, Los Gatos, designated as APN: 510-44-054 (“Property”) which is improved with an approximately 2,525 square foot building (“Building”) and ancillary outbuilding originally constructed as a fire station and later used as a museum; and

WHEREAS, the Town has caused an appraisal of the Property to be completed to establish its fair market value. The appraisal establishes that the Property’s highest and best use is for residential purposes, and the fair market appraised value is between \$2.9 and \$3.06 Million, depending on whether the Property can be split into two lots; and

WHEREAS, the museum use was discontinued and the Building closed several years ago, and since that time the Property has been unoccupied and is no longer needed for Town’s use; and

WHEREAS, the Town has determined it is in the Town’s best interest to sell the Property, subject to a requirement that the Building’s façade be preserved and maintained in a manner substantially consistent with its current condition and design; and

WHEREAS, the State Surplus Land Act, Government Code sections 54220 *et seq.* (“Act”), applies when a local agency disposes of land that is surplus and not necessary for the agency’s use; and

WHEREAS, the Act requires local agencies to declare land as “surplus land” or “exempt surplus land” prior to disposition; and

WHEREAS, the Act identifies land that is less than one-half acre or 21,780 square feet and not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes as “Exempt Surplus Land” [Gov. Code Section 54221(f)(1)(B)]; and

WHEREAS, the Property is less than 21,780 square feet and not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes, exempting the transfer of the Property from the Act; and

WHEREAS, pursuant to the Surplus Land Act Guidelines issued by the California Department of Housing and Community Development (“HCD”), any determination by a local

agency that its lands are exempt from the Surplus Land Act must be provided to HCD for its review at least 30 days prior to disposition.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS RESOLVES AS FOLLOWS:

Section 1. Recitals

The recitals above are hereby incorporated and adopted as the findings of the Town Council.

Section 2. California Environmental Quality Act (CEQA)

Adoption of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") pursuant to CEQA Guidelines section 15378, as 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.

Section 3. Declaration of Exempt Surplus Land

- A. Based on the foregoing recitals, the public interest is for the Property to be offered for sale in accordance with applicable law.
- B. The Town Council hereby declares that the Property is not necessary for the Town's use, and is exempt from the Act pursuant to California Government Code section 54221(f)(1)(B).
- C. Pursuant to California Government Code section 54222.3, the Act shall not apply to the disposition of the Property.

Section 4. Actions; Authorizations

- A. The Town Manager is authorized to undertake efforts to sell the Property to a purchaser at a sales price not less than the Property's fair market value, subject to a requirement that the purchaser and its successors and assigns commit to preserve and maintain the Building's façade in a manner substantially consistent with its current design and condition, and to present the Town Manager's recommendation to the Town Council for consideration.
- B. The Town Clerk is hereby authorized and directed to submit a copy of this Resolution to HCD in accordance with the Surplus Land Act Guidelines.

Section 5. Effective Date

This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos held on the 21st day of January 2025, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____, 2025

ATTEST:

CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____, 2025