



Legislation Text

File #: 2021-0243, **Version:** 1

To: Sonoma County Board of Supervisors

Department or Agency Name(s): General Services

Staff Name and Phone Number: Caroline Judy, General Services: 707-565-8058

Vote Requirement: Majority

Supervisory District(s): Fifth

Title:

Resolution Declaring Certain County Owned Parcels in Forestville as Exempt Surplus Land and Intent to Sell

Recommended Action:

- A) Notice of Intent to Adopt a Resolution to declare certain real property located at Terrace Drive, Forestville, Sonoma County, California (APN: 081-150-050 and 081-150-051) as exempt surplus land pursuant to Gov't Code Section 54220 et seq. ("Surplus Land Act") and provide for Terms and Conditions under which the sale shall be conducted.
- B) Authorize the Director of General Services to execute a real property purchase agreement and complete other steps or documents reasonably required to effect said sale, subject to final approval of the Board of Supervisors.

(Fifth District)

Executive Summary:

Purpose. The Department of General Services requests that certain County-owned real property located on Terrace Drive, Forestville, Sonoma County, California (APN: 081-150-050, 081-150-051) be declared as exempt surplus land and, further, that the intention to sell such property be declared. Disposing of the property will enable the County to generate revenue both from the sale of surplus land and from future property tax proceeds, and eliminate liability as to the property and recurring vegetation management responsibility and costs.

Discussion:

The General Services Department seeks to surplus certain real property located on Terrace Drive, Forestville, Sonoma County, California (APN: 081-150-050 and 081-150-051). The property is not currently used nor do any plans exist to use the parcels for governmental or other public purposes. Under the Government Code Section 54220 et seq. ("Surplus Land Act"), the County must consider sale of parcels for which there is no governmental or other public use. The County is required to annually review the property portfolio and identify properties that could be sold if there is no identified governmental use. The properties in Forestville were identified through the annual review process in 2018, but competing work in the General Services Real Estate division did not allow sufficient resources to progress the surplus process.

Adjacent property owners have expressed interest in acquiring the subject properties from the County.

In December 2020, General Services hired the appraisal firm Ward Levy to conduct a formal appraisal of five

parcels on Terrace Drive in Forestville. The Appraisal described each parcel as being of limited value due to, among other factors, moderate to steep sloping topography. Given these slopes, the small individual lot sizes, and the need to develop on-site septic systems, that would require cost-intensive engineering, the appraisal report concluded that “in all likelihood the lots would not be developable individually, with the highest and best use of each of the individual subject parcels as vacant land to augment the privacy and lot size of an adjacent owner's property.”

The Department seeks approval to sell two of the parcels that qualify as “exempt surplus land” under the Surplus Land Act because they are each under 5,000 square feet, provided they are sold to a contiguous landowner.

Resolution. The proposed Resolution Declaring Certain County Owned Parcels in Forestville as Exempt Surplus Property and Intent to Sell contains the following:

1. **Declaration of Exempt Surplus Property.** The Properties, being under 5,000 square feet in area, and made available for purchase by a contiguous landowner, are declared to be “exempt surplus land” within the meaning of Government Code Section 54221(e).
2. **Authorization to Determine Terms with Sale, Subject to Final Board Approval.** Pursuant to California Government Code Section 25526.5, the Board of Supervisors authorizes the Director of the General Services (the “Director”) to proceed with efforts to sell the exempt surplus land to a contiguous landowner; provided, however, that the Board of Supervisors must grant final approval of the terms and conditions and authorize execution of a deed pursuant to Government Code Section 25535 and County Code 2-153.
3. **Authorization to Execute Purchase Agreement.** The Director is hereby authorized to execute a real property purchase agreement, in form approved by County Counsel. Any such agreement shall contain a contingency for final approval of the Board of Supervisors as required by Government Code Section 25535 and County Code 2-153.
4. **Authorization to Execute Other Documents and Complete Other Steps Reasonably Required to Dispose of the Properties.** The Director is hereby authorized to prepare escrow instructions, execute other documents, and take other steps reasonably required to effect said sale, subject to approval in form by County Counsel, and contingent upon final approval by the Board of Supervisors.
5. **Directions to Post Notice.** The Director is directed to post notice of any sale in accordance with Government Code Section 25526.5.
6. **California Environmental Quality Act (“CEQA”).** The sale of property pursuant to the surplus procedures set forth in Government Code section 54220 *et al.* is categorically exempt from CEQA unless the property proposed for sale is located in an “area of statewide, regional, or area wide concern” identified in CEQA Guidelines section 15206(b)(4) or other exception applies. The subject properties are not located in any of the listed critical environmentally sensitive area of statewide, regional, or areawide concern. Further, the

proposed surplus sale does not commit the County to a particular course of action regarding the development of the properties. Thus, the disposal of the properties is exempt under CEQA, including under CEQA Guidelines sections 15061(b)(3) and 15352. The Board hereby directs staff to post a notice of exemption.

Project Costs and Construction Schedule. None. County intends to sell the subject properties “as is”.

Procedural Authority.

Government Code Section 25526.5, Government Code Section 54220 et seq., and County Code 2-150 et seq.

Prior Board Actions:

None

FISCAL SUMMARY

Expenditures	FY 20-21 Adopted	FY21-22 Projected	FY 22-23 Projected
Budgeted Expenses	\$10,000		
Additional Appropriation Requested			
Total Expenditures	\$10,000		
Funding Sources			
General Fund/WA GF	\$10,000		
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	\$10,000		

Narrative Explanation of Fiscal Impacts:

It is anticipated that any County costs such as escrow fees incurred in sale of the parcels will be covered by sale proceeds.

Staffing Impacts: None			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Attachment 1: Resolution

Related Items “On File” with the Clerk of the Board:

None