

RESOLUTION R2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 (B)(1) THAT A 3.75-ACRE PORTION OF REAL PROPERTY OWNED BY THE CITY LOCATED AT 1403 W. ATHERTON DRIVE IS SURPLUS LAND, AND TAKING RELATED ACTIONS, AND DETERMINE THE PROPERTY EXEMPT FROM CEQA REVIEW UNDER SECTIONS 15378 AND 15061 (B)(3) OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS

WHEREAS, the City obtained the property located at 1403 W. Atherton Drive (A.P.N. 226-160-22) (Property) using general fund revenues in February 2025; and

WHEREAS, under the Surplus Land Act, Government Code Sections 54220-54234 ("Surplus Land Act"), surplus land is land owned in fee simple by a local agency, which is not necessary for the local agency's use and for which the governing board takes formal action in a regular public meeting declaring the land is surplus. The land must be declared either surplus land or exempt surplus land; and

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

WHEREAS, a 3.75-acre portion of the Property is not necessary for the City's use within the meaning of the Surplus Land Act because the Property is neither being used nor planned to be used, for City work or operations; and

WHEREAS, the City Council desires to declare the approximate 3.75-acre portion of the Property surplus land and dispose of the Property in accordance with the Surplus Land Act; and

WHEREAS, the Surplus Land Act requires that before the City disposes of surplus property or engages in negotiations to dispose of surplus property, the City shall send a written notice of availability of the property to certain designated entities in accordance with the Surplus Land Act; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as follows:

ATTACHMENT 1

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.
2. Pursuant to Section 54221(b)(1) of the Surplus Land Act, the City Council hereby declares that the Property is not necessary for the City's use within the meaning of the Surplus Land Act and is surplus land.
3. The City Clerk is hereby directed to send a notice of availability of the Property to the entities designated in Government Code Section 54222 ("Designated Entities") by electronic mail or by certified mail in accordance with the requirements of the Surplus Land Act.
4. The City Council finds that the declaration of the Property as surplus land does not constitute a project under the California Environmental Quality Act (CEQA), as set forth in section 15378 of title 14 of the California Code Regulations. The declaration of the Property as surplus land 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. Furthermore, to the extent that the declaration is construed as a project under CEQA, it is nonetheless exempt from review under section 15061 (b) (3) of title 14 of the California Code of Regulations because it can be seen with certainty that there is no possibility that the mere declaration of the Property as surplus may have a significant effect on the environment.
5. The staff and officers of the City are hereby authorized and directed, jointly and severally, to execute such instruments and do any and all things which they may deem necessary or advisable to effectuate this Resolution and all such actions previously taken are hereby ratified. Such actions include negotiating in good faith in accordance with the requirements of the Surplus Land Act with all Designated Entities that submit a written notice of interest in response to the City's notice of availability in accordance with the Surplus Land Act.
6. This Resolution shall take effect on the effective date immediately.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the 15th day of April, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTACHMENT 1

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk