

RESOLUTION NO. 22-24

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN MATEO COUNTY HARBOR DISTRICT DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT CERTAIN PROPERTY OWNED BY THE DISTRICT LOCATED AT 555 OBISPO ROAD, EL GRANADA (APN: 047-261-040) IS SURPLUS LAND AND NOT NECESSARY FOR THE DISTRICT'S USE, FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS

WHEREAS, the San Mateo County Harbor District ("District") owns certain property located at 555 Obispo Road, El Granada (APN: 047-261-040) in San Mateo County, CA which is described on Exhibit "A", attached hereto and incorporated herein by reference (the "Property"); and

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

WHEREAS, under the Act, land is necessary for the District's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the District regarding District work or operations; and

WHEREAS, the Property is unimproved and is not being used by the District and the District does not plan to use the Property for District work or operations; and

WHEREAS, District staff have determined that the Property is not necessary for the District's work or operations and the District desires to declare that the Property is surplus land and not necessary for the District's use; and

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

WHEREAS, any designated entity desiring to purchase the Property shall provide written notice of their interest to the District within 60 days of the notice of availability; and

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE SAN MATEO COUNTY HARBOR DISTRICT DOES RESOLVE AS FOLLOWS:

SECTION 1. That the above recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. That the District hereby declares the Property is surplus land and

not necessary for the District's use within the meaning of the Act. The basis for this declaration is that the Property is an undeveloped, vacant parcel for which the District has no written plans to use for District work or operations.

SECTION 3. That staff of the District are hereby directed to send a Notice of Availability of the Property for sale to the entities designated in Government Code section 54222 ("Designated Entities") by electronic mail or by certified mail.

SECTION 4. That the staff and officers of the District are hereby authorized, jointly and severally, to take any other such actions as they deem necessary or proper to effectuate the purposes of this Resolution, and all actions previously taken are hereby ratified.

SECTION 5. That the District hereby finds that the actions are not subject to the California Environmental Quality Act ("CEQA") because they are activities that are excluded from the definition of a project by section 21065 of the Public Resources Code and section 15378(b) of the State CEQA Guidelines. This action declares the Property surplus land and directs staff to effectuate the purpose of this Resolution. This is administrative activity of government which will not result in direct or indirect physical changes to the environment. No commitment to any project is being made at this time. CEQA review requirements must be completed before any commitment to a project occurs and appropriate environmental review pursuant to CEQA will be completed at such time.

SECTION 6. That the Board President shall sign and the Deputy Secretary shall attest to the adoption of this Resolution.

ADOPTED this 21st day of September, 2022.

For: Reyering, Zemke, Mattusch, Chang Kiraly, Larenas

Against: None

Absent: None

Abstention: None

Attested: **BOARD OF HARBOR COMMISSIONERS**


Melanie Hadden
Deputy Secretary


Nancy Reyering
President

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

[insert legal description]

