

AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH

March 22, 2022

SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF LONG BEACH
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution declaring Successor Agency-owned property located at 1827 Pacific Avenue (APN: 7209-022-900) (Subject Property) as "surplus land" as defined in Government Code Section 54220 *et seq.*; and authorize the City Manager, or designee, to take any actions and execute any documents necessary to ensure compliance with the Surplus Land Act and State regulations relating thereto. (District 7)

DISCUSSION

The Successor Agency to the Redevelopment Agency of the City of Long Beach (Successor Agency) is currently fee owner of a parcel located at 1827 Pacific Avenue, APN 7209-022-900 (Subject Property) (Attachment A). On January 24, 2017 and January 25, 2017, the Successor Agency and Oversight Board, respectively, declared the Subject Property as "surplus" and authorized the City Manager to execute all documents necessary, including the Standard Offer, Agreement and Escrow Instructions for Purchase of Real Estate, with Kay Mendoza and/or assignee, for the sale of the Subject Property. Subsequently, the sale was not finalized and escrow did not close, resulting in the Subject Property to be redeclared as "surplus land" and be made to available for purchase. Prior to taking any actions to sell the Subject Property, specific requirements must be met to comply with the State Surplus Land Act (SLA).

The SLA, as codified in Government Code Section 54220 *et seq.*, requires all public agencies to prioritize affordable housing as well as parks and open space when disposing of surplus land. Surplus land is land owned by a local agency that is determined to be no longer necessary for the agency's use. Recent changes to the SLA, through Assembly Bill (AB) 2135, (i) revise procedures for disposition by sale or lease of surplus land by local agencies, (ii) extend the good faith negotiation period with potential affordable housing developers to ninety (90) days, (iii) deepen affordability requirements where an affordable housing project is developed on the site, and (iv) add a requirement that if negotiations with an affordable housing developer are unsuccessful, then any residential development on the surplus land over ten units must make at least 15 percent of the units affordable. Further, AB 2135 no longer allows exceptions and requires local agencies to adopt a resolution declaring property as either "surplus" or "exempt surplus" at a regular public meeting of the agency's governing body.

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The Subject Property does not qualify as exempt under the SLA. The Subject Property is therefore considered to be non-exempt surplus land, as defined by the Government Code Section 54220 *et seq.*, and it is recommended that the City Council, as the legislative body of the Successor Agency, adopt a Resolution making this finding. Upon determination that the Subject Property is non-exempt surplus land, the procedures set forth in the SLA must be followed. Procedures applicable to surplus land require the Successor Agency to issue a written notice of availability of the Subject Property to certain entities, for a period of 60 days, as follows:

- For the purposes of developing low- and moderate-income housing, a written notice of availability of surplus land shall be sent to any “local public entity” as defined in Health and Safety Code Section 50079 within whose jurisdiction the surplus land is located and to “Housing Sponsors” that have notified the California Department of Housing and Community Development of their interest in surplus land. Local public entities include the Long Beach Community Investment Company and the Housing Authority of the City of Long Beach.
- For open space purposes, a written notice of availability of surplus land shall be sent to the Los Angeles County Department of Parks and Recreation, Los Angeles County Regional Park and Open Space District, the State Resources Agency or any agency that may succeed to its powers.
- For the purpose of use by a school district for school facilities construction or open space purposes, a written notice of availability of the surplus land shall be sent to the Long Beach Unified School District.

If the Successor Agency receives a letter of interest from any of the above entities, the Successor Agency would enter into concurrent good faith negotiations with all such entities for a period of 90 days. If terms cannot be agreed upon after 90 days (or if no entity gives notice of interest), the Successor Agency may proceed with disposition of the Subject Property. However, any residential development on the Subject Property that contains 10 or more units must restrict 15 percent of the units for affordable housing. Any agreement for the sale of the Subject Property would be brought before the City Council, as legislative body to the Successor Agency, as well as the Oversight Board, for consideration and submitted to the State Department of Finance for review.

This matter was reviewed by Principal Deputy City Attorney Richard F. Anthony on February 14, 2022 and by Revenue Management Officer Geraldine Alejo on February 25, 2022.

TIMING CONSIDERATIONS

Successor Agency action is requested on March 22, 2022, to allow the Successor Agency to implement actions necessary to comply with the SLA, and to enable the Oversight Board to take action on April 19, 2022.

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March 22, 2022

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FISCAL IMPACT

There is no fiscal impact or local job associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



OSCAR ORCI
DIRECTOR OF DEVELOPMENT SERVICES



THOMAS B. MODICA
CITY MANAGER

ATTACHMENTS RESOLUTION
 A— MAP OF SUBJECT PROPERTY

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO.
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH, ACTING AS THE SUCCESSOR
5 AGENCY TO THE REDEVELOPMENT AGENCY OF THE
6 CITY OF LONG BEACH, DECLARING SUCCESSOR
7 AGENCY-OWNED PROPERTY LOCATED AT 1827
8 PACIFIC AVENUE (APN: 7209-022-900) (SUBJECT
9 PROPERTY) AS "SURPLUS LAND" AS DEFINED IN
10 GOVERNMENT CODE SECTION 54220 ET SEQ.; AND
11 AUTHORIZE THE CITY MANAGER, OR DESIGNEE, TO
12 TAKE ANY ACTIONS AND EXECUTE ANY DOCUMENTS
13 NECESSARY TO ENSURE COMPLIANCE WITH THE
14 SURPLUS LAND ACT AND STATE REGULATIONS
15 RELATING THERETO
16

17 WHEREAS, the City of Long Beach, as Successor Agency to the
18 Redevelopment Agency of the City of Long Beach ("Successor Agency"), currently owns
19 the property located at 1827 Pacific Avenue, APN 7209-022-900 ("Subject Property"); and

20 WHEREAS, on January 24, 2017 and January 25, 2017, the Successor
21 Agency and Oversight Board of the City of Long Beach, respectively, declared the Subject
22 Property as "surplus" and authorized the City Manager to execute all documents
23 necessary for the sale of the Subject Property; and

24 WHEREAS, the sale was not finalized and escrow did not close, resulting in
25 the Subject Property to be redeclared as "surplus land" and to be made available for
26 purchase; and

27 WHEREAS, AB 2135 requires local agencies to adopt a resolution declaring
28 property as either "surplus" or "exempt surplus" at a regular public meeting of the agency's

1 governing body; and

2 WHEREAS, the Subject Property does not qualify as exempt under the
3 State Surplus Land Act, and is therefore considered to be non-exempt surplus land, as
4 defined by the Government Code Section 54220 et seq. and it is recommended that the
5 City Council, as the legislative body of the Successor Agency to the Redevelopment
6 Agency of the City of Long Beach, adopt a resolution making this finding;

7 NOW, THEREFORE, the City Council of the City of Long Beach acting as the
8 Successor Agency to the Redevelopment Agency of the City of Long Beach resolves as
9 follows:

10 Section 1. Declare the property located at 1827 Pacific Avenue, Assessor
11 Parcel Number 7209-022-900, as "surplus land" and authorize the City Manager or
12 designee, on behalf of the Successor Agency to the Redevelopment Agency of the City of
13 Long Beach, to take any actions and execute any documents necessary to ensure
14 compliance with the Surplus Land Act and State regulations relating thereto.

15 Section 2. This Resolution shall take effect immediately upon its adoption
16 by the City Council, and the City Clerk shall certify the vote adopting this Resolution.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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Lona Beach, CA 90802-4664

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I hereby certify that the foregoing resolution was adopted by the City Council
of the City of Long Beach at its meeting of _____, 2022 by the
following vote:

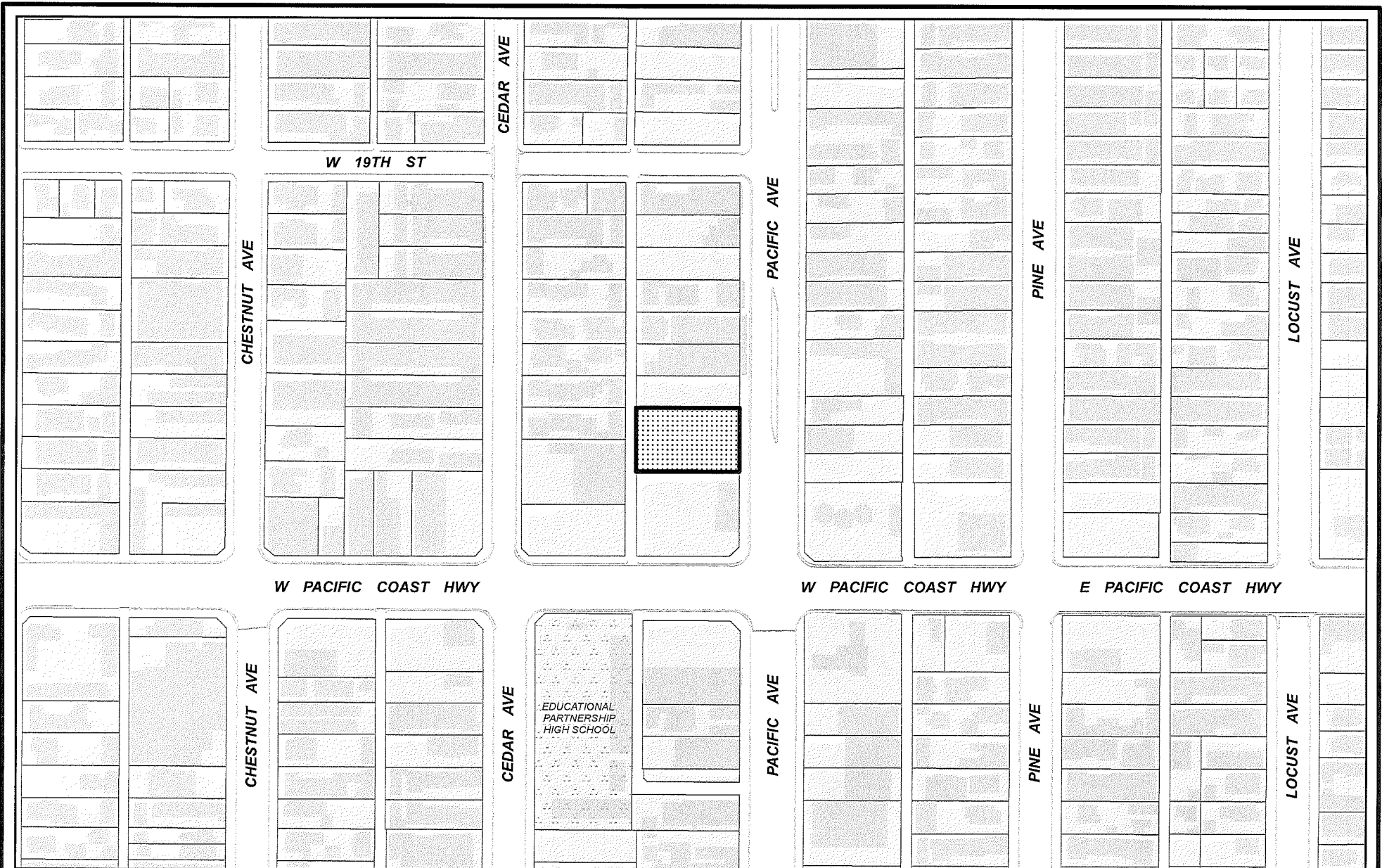
Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers _____

City Clerk



Subject Property:
 1827 Pacific Ave
 AIN: 7209-022-900
 Council District: 6

Attachment A

