

## Resolution No: 2024-XXX

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF SANTA ANA DECLARING 3RD STREET AND MAIN STREET PARKING LOT AS EXEMPT SURPLUS LAND PURSUANT TO THE EXEMPT SURPLUS LAND ACT AND AUTHORIZING, PURSUANT TO AN EXEMPTION FROM CEQA, THE SALE OF THE PARKING LOT PROPERTY TO THE CITY

BE IT RESOLVED BY THE GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Governing Board of the Successor Agency to the Former Community Redevelopment Agency of the City of Santa Ana hereby finds, determines and declares as follows:

- A. Pursuant to AB X1 26 (enacted in June 2011 and amended from time to time, the "Dissolution Act") and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal.4th 231 (2011), all redevelopment agencies within the State of California, including the Community Redevelopment Agency of the City of Santa Ana ("Former Agency"), were dissolved.
- B. On January 9, 2012, pursuant to section 34173 of the California Health and Safety Code ("HSC"), the City of Santa Ana ("City") elected to serve as Successor Agency to the dissolved Former Agency ("Successor Agency").
- C. The Successor Agency is tasked with winding down the Former Agency's affairs.
- D. Pursuant to HSC section 34175(b), all assets, including real properties, of the Former Agency transferred to the control of the Successor Agency by operation of law.
- E. The Former Agency acquired that parking lot located at 3<sup>rd</sup> Street and Main Street, APN 398-601-02 ("Property"). The Property is subject to a Parking Space Agreement dated May 18, 1993 (recorded with the County on September 14, 1993), as amended on March 16, 2001 (recorded with the County on May 8, 2001), and the agreement assured the owners of the adjacent property located at 200 North Main Street (Builders Exchange Building) with the future availability of 60 parking spaces exclusively for the use of those owners. The Former Agency and the successive owners of the Property are bound by this Parking Space Agreement.
- F. The Property is also subject to a Property Maintenance License and Revocable Access Easement Agreement entered into on October 11, 2019 (recorded with the County on October 16, 2019), for a three-year period, with automatic renewals every one-year period, for ingress and egress to provide entry to the parking lot. The Successor Agency and the successive owners of the Property are bound by this Property Maintenance License and Revocable Access Easement Agreement.

- G. Pursuant to the Long Range Property Management Plan attached to Oversight Board Resolution No. 2015-04, the Successor Agency intends to sell the property to the City for the appraised market value.
- H. The Property is (i) not within a coastal zone, (ii) not adjacent to a historical unit of the State Parks System, (iii) not listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places, and (iv) not within the Lake Tahoe region as defined in section 66905.5.
- I. The Successor Agency now desires to declare the Property as exempt surplus land in order to authorize the sale to the City for its use.

Section 2. The Successor Agency hereby finds and declares the Property exempt surplus land pursuant to California Government Code section 54221(f)(1)(D), based on the true and correct written findings found in Section 1, incorporated herein by this reference.

Section 3. The Successor Agency hereby authorizes the City Manager to execute any and all documents necessary to complete sale of the Property to the City.

Section 4. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the sale of the Property is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) as the Property's existing use as a parking lot will continue, such that the sale is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment as it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. Alternatively, the sale of the Property is exempt from CEQA pursuant to CEQA Guidelines Section 15301 as the Property will continue to be operated as a parking lot, its existing use.

Section 5. This Resolution shall take effect immediately upon its adoption by the Successor Agency, and the Secretary of the Successor Agency shall attest to and certify the vote adopting this Resolution.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Valerie Amezcua  
Chair

APPROVED AS TO FORM:  
Sonia R. Carvalho, City Attorney

By:   
Andrea Garcia-Miller  
Assistant City Attorney

AYES: Successor Agency Members \_\_\_\_\_

NOES: Successor Agency Members \_\_\_\_\_

ABSTAIN: Successor Agency Members \_\_\_\_\_

NOT PRESENT: Successor Agency Members \_\_\_\_\_

**CERTIFICATE OF ATTESTATION AND ORIGINALITY**

I, Jennifer Hall, Secretary of the Successor Agency, do hereby attest to and certify the attached Resolution No. 2024-XXX to be the original Resolution adopted by the Governing Board of the Successor Agency to the Former Community Redevelopment Agency of the City of Santa Ana on September \_\_\_\_, 2024.

Date: \_\_\_\_\_

\_\_\_\_\_  
Successor Agency Secretary