



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**July 19, 2022**

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**TOPIC:** Real Property Sale

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**AGENDA TITLE**

Adopt Resolution to Summarily Vacate a Portion of Santa Ana Boulevard, Authorize a Purchase and Sale Agreement and Approve an Appropriation Adjustment, in the amount of \$130,000, for the Sale of City-owned Real Property Locate at 1247 W. Santa Ana Boulevard, to Rafael and Yolanda Ramos (Non-General Fund)

**RECOMMENDED ACTION**

1. Adopt a resolution to Summarily Vacate excess Santa Ana Boulevard right of way east of Bristol Street.
2. Authorize the City Manager to execute a purchase and sale agreement with Rafael and Yolanda Ramos for the sale of City-owned property located at 1247 W. Santa Ana Boulevard (APN 008-082-29), in the amount of \$130,000, subject to non-substantive changes approved by the City Manager and City Attorney.
3. Approve an appropriation adjustment recognizing revenue in the amount of \$130,000 in the Select Street Construction Fund, Sale of Land revenue account for Fiscal Year 2022-23 from the sale of City-owned property located at 1247 W. Santa Ana Boulevard (APN 008-082-29) and appropriating the same to the OCTA Bristol Street Corridor Improvements, Improvements Other Than Building expenditure account.  
*(Requires five affirmative votes)*

**DISCUSSION**

On June 13, 2022, the City of Santa Ana Planning Commission adopted a resolution approving to vacate a portion of public right-of-way on Santa Ana Boulevard. As presented, during the course of the Bristol Street Improvement Project, the Public Works Agency acquired properties along the Bristol Street corridor. The subject property at 1247 W. Santa Ana Boulevard (APN 008-082-29) (Exhibit 1) was purchased from Rafael and Yolanda Ramos as part of the Bristol Street Improvements from 2nd Street to Civic Center Drive using Orange County Transportation Authority (OCTA) funding appropriated for this project. The purchase price was based on appraised values prepared by a state-licensed appraiser. A portion of this property remains unused and unneeded following project construction, and has been held for purposes of exchange or sale.

The Ramos party has expressed interest in re-acquiring the subject remnant property in order to regain the Ramos Tire parking lot and upgrade their overall site (Exhibit 2). Selling the parcel to another party is challenging due to its small size and the lack of independent utilities. As such, staff recommends direct negotiations with Rafael and Yolanda Ramos to facilitate a sale of this property that will be mutually beneficial to all parties. After discussing with both adjacent property owners, Ramos was the only party that provided an offer to purchase the vacant lot within the requested timeframe.

The property includes a portion of an area being vacated. This area was granted to the City prior to the Bristol Street Improvement project for public street widening and improvements, however is no longer required. The area is approximately 456 square feet, situated behind the existing public sidewalk (Exhibit 3). At this segment Santa Ana Boulevard is 80 feet wide, which is consistent with the proposed General Plan Mobility Element.

This abandonment is being processed as a summary vacation given the area is not required for public street purposes (Exhibit 4). City staff recommends the action because the excess area offers no present or prospective use to the City. There are no visible utilities in the area, however an easement for existing utilities will be reserved in the resolution of vacation.

This property is being disposed of in accordance with the California Surplus Lands Act, Government Code §54220 et seq. On April 21, 2020, the Santa Ana City Council adopted Resolution No. 2020-032 declaring various Properties as surplus land and directed the City Manager to comply with the requirements of Government Code Section 54220 for the sale of surplus land. On April 21, 2020, the City released Notices of Availabilities ("NOA") of surplus properties for a period of sixty (60) days. The NOA's were sent out to all "local public entities," 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 ("HCD") of their interest in surplus land. The NOA's were also sent to local parks agencies and school districts.

The subject property is among those the City declared surplus for which no responses were received from entities receiving the notices of availability; or for which negotiations ended. With no other proposals, the City has completed all Surplus Land Act requirements for disposition. The proceeds from the sale of this property are considered restricted funds and will be used to reimburse the granting agencies, and/or to fund further transportation improvements within the same or similar project.

### **General Plan Consistency**

Before the City can dispose of or acquire any real property, the Planning Commission reviews the proposed transaction for conformity with the General Plan as set forth in California Government Code Section 65402 (a):

“If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if adopted general plan or part thereof applies thereto, until the location, or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof...”

To determine whether the land disposition conforms to the General Plan, the Planning Commission evaluate whether the disposition carries out General Plan policies or is contrary to or would impede the implementation of General Plan policies.

The sale of the surplus property located at 1247 W. Santa Ana Blvd., is consistent with the City’s General plan and the project advances the following goals and policies of the General Plan:

- *Economic Prosperity Goal EP-1: Job Creation and Retention – Foster a dynamic local economy that provides and creates employment opportunities for all residents in the City.*
  - *Policy EP-1.9 Avoid Conflict of Uses – Avoid potential land use conflicts by prohibiting the location of sensitive receptors and noxious land uses in close proximity.* The disposition of surplus land will allow the existing business to expand their operations by providing adequate parking to accommodate the existing business and will be consistent with the uses allowed under C5 Zone (Arterial Commercial) and consistent with the General Plan Land Use designation UN-30.
- *Economic Prosperity Goal EP-3: Business Friendly Environment – Promote a business friendly environment where business thrive and build on Santa Ana’s strengths and opportunities.*
- *Land Use Element Goal LU-2: Land Use Needs – Provide a balance of land uses that meet Santa Ana’s diverse needs.*
  - *Policy LU-2.2 Capture Local Spending. Encourage a range of commercial uses to capture a greater share of local spending, and offer a range of employment opportunities.*

## **ENVIRONMENTAL IMPACT**

In accordance with the California Environmental Quality Act, the proposed abandonment is exempt from further review per section 15305. Categorical Exemption ER No. 2022-023 will be filed for this abandonment.

**FISCAL IMPACT**

Approval of the Appropriation Adjustment will recognize the receipt of \$130,000 into the Select Street Construction Fund, Sale of Land revenue account (No. 05917002-57071) and appropriate the same into the OCTA Bristol Street Corridor Improvements Fund, Improvements Other Than Building expenditure account (No. 05917661-66220). These funds will be available for expenditure on the Bristol Street Corridor Improvement Projects.

The table below summarizes the sales price and Bristol Project revenue.

<b>Parcel ID</b>	<b>Sale Price</b>	<b>Bristol Improvement Fund (Account No. 05917661-66220)</b>
C-11	\$130,000	\$130,000
<b>Total</b>	<b>\$130,000</b>	<b>\$130,000</b>

**EXHIBIT(S)**

1. Location Map – C11
2. Purchase and Sale Agreement – Rafael and Yolanda Ramos
3. Vacation Area
4. Abandonment Resolution

Submitted By: Nabil Saba, P.E., Executive Director – Public Works Agency

Approved By: Kristine Ridge, City Manager