LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 6.9**

DATE: September 14, 2026

TO: Honorable Mayor and City Council

FROM: Brandon Cardwell, Innovation and Economic Development Director

SUBJECT: Resolution to declare a portion of 7.6 acres of City-owned real property, commonly known as Hagemann Park, as exempt surplus land under the Surplus Land Act.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution to declare approximately 3,124 square feet of City-owned property, referred to as a portion of Assessor's Parcel Number (APN) 099-0189-001, as exempt surplus land under the Surplus Land Act because it qualifies for the “small surplus land parcels” exemption established in Section 54221(f)(1)(B) of the Act and Section 103(c)(3) of the Guidelines; and direct the Innovation and Economic Development Department Director, or his designee, to provide a copy of this resolution to HCD at least thirty (30) days prior to the disposition of a portion of the City owned property.

SUMMARY

The Livermore Heritage Guild (the Guild) proposes to relocate and restore the historic Midway School building on an approximately 3,124-square-foot portion (the Premises) of City-owned Hagemann Park (the Property) and operate it as a public museum. To facilitate a future long-term lease of the Premises, the City must comply with the California Surplus Land Act (SLA).

Staff determined that the Premises qualifies as exempt surplus land under the SLA’s exemption for certain parcels smaller than one-half acre. The California Department of Housing and Community Development (HCD) has preliminarily concurred with this determination in written correspondence.

Adoption of the proposed resolution would declare the Premises exempt surplus land but would not authorize the lease or any physical improvements. Following adoption, staff would submit the resolution and supporting findings to HCD for review. After completion of that review, staff would return to the City Council separately for consideration of the proposed lease.

DISCUSSION

In July 2025, the Guild approached the City about relocating the historic Midway School building from its rural location in the Altamont Hills to an area adjacent to the Guild’s existing Hagemann Ranch site. The

proposed location is within the Property, which is owned by the City and maintained and operated by the Livermore Area Recreation and Park District (LARPD).

City staff worked with the Guild and LARPD to identify a location within Hagemann Park where the Guild could restore and operate the Midway School building as a public museum while avoiding disruption to existing park operations. The identified location is an approximately 3,124-square-foot area depicted in Exhibit B (the Premises).

The California Surplus Land Act (Government Code section 54220 et seq.; SLA) requires a local agency to declare land either "surplus land" or "exempt surplus land," supported by written findings, before taking action to dispose of the land.

Under Government Code section 54221(d) and section 102(i)(1)(B) of the California Department of Housing and Community Development's (HCD) Updated Surplus Land Act Guidelines (Guidelines), a lease entered into on or after January 1, 2024, constitutes a disposition if its total potential term exceeds 15 years, including any extension or renewal options provided in the initial lease. A lease whose total potential term is 15 years or less does not constitute a disposition. A lease on which no development or demolition will occur also does not constitute a disposition, regardless of its term.

The contemplated lease would have an initial term of five years and four five-year extensions, for a maximum potential term of 25 years. Because the project would involve relocating, placing, and restoring the Midway School building and completing associated site improvements, staff is treating the proposed lease as involving development and as a disposition subject to the SLA.

Land that qualifies and is declared "exempt surplus land" is not subject to the SLA's standard notice-of-availability and good-faith negotiation procedures. Exempt surplus land includes land of less than one-half acre (21,780 square feet) that is not contiguous to land owned by the state or a local agency and used for open-space or low- and moderate-income housing purposes.

Staff evaluated the Premises and determined that it qualifies as exempt surplus land under Government Code section 54221(f)(1)(B) and section 103(c)(3) of the Guidelines. The Premises contains approximately 3,124 square feet, or 0.072 acre. Based on the configuration and surrounding uses depicted in Attachment 1, which includes residential property under private ownership, non-residential property under private ownership, and park properties owned by the City of Livermore, as well as HCD's written correspondence, staff determined that the adjoining City-owned community park property does not disqualify the Premises from this exemption. HCD has preliminarily concurred, based on the information provided by the City, that the Premises qualifies as exempt surplus land.

Following adoption of the resolution, staff will submit the adopted resolution and supporting written findings to HCD through the Surplus Land Portal at least 30 days before execution of the proposed lease. HCD will review the declaration for compliance with the SLA and may notify the City if it determines that the declaration or proposed disposition violates the SLA. Staff will not present the proposed lease for approval until HCD has completed its review and the City has addressed any resulting findings.

FISCAL AND ADMINISTRATIVE IMPACTS

There are no significant Fiscal or Administrative Impacts as a result of adopting this resolution.

COMMUNITY PILLAR

4: Inclusive and Inviting Spaces and Places

GOAL

1: Further enhance Livermore's unique sense of place.

ATTACHMENTS

1. Location Map
2. Resolution
3. Exhibit A - Property
4. Exhibit B - Premises

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Approved by:

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Fiscal Review by:

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