



CITY COUNCIL STAFF REPORT

ITEM NO. 6.6

DATE: February 23, 2026

TO: Honorable Mayor and City Council

FROM: Brandon Cardwell, Innovation and Economic Development Director

SUBJECT: Resolution to declare approximately 1.28 acres of City-owned real property located in the city of Livermore, county of Alameda, state of California, specifically referred to as Assessor's Parcel Number (APN) 99-950-16, as exempt surplus land under the Surplus Land Act, and a Resolution authorizing the City Manager to execute a Purchase and Sale Agreement between the City and the Livermore Area Recreation and Park District.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution to declare approximately 1.28 acres of City-owned property referred to as Assessor's Parcel Number (APN) 99-950-16 as exempt surplus land under the Surplus Land Act and adopt a resolution authorizing the City Manager to execute a Purchase and Sale Agreement between the City and the Livermore Area Recreation and Park District.

DECISION TYPE

Quasi-judicial and Legislative

SUMMARY

Except in certain limited circumstances, the California Surplus Land Act (Government Code sections 54220 et seq., the "SLA") requires public agencies to formally declare property to be either "surplus land" or "exempt surplus land" prior to sale or lease. The SLA generally requires surplus land, i.e. land no longer required for agency use that meets certain size requirements and other criteria, to first be offered to affordable housing developers through a notice and negotiation process prior to disposal. Property that does not meet the definition of surplus land may be declared exempt from the mandatory notification and negotiation procedures. Exempt surplus land includes property proposed for transfer to another local, state, or federal agency. As a public agency, the City of Livermore (City) is subject to the SLA.

The City is the legal fee owner of an approximately 1.28 acre parcel (APN 99-950-16) of real property located in the city of Livermore, county of Alameda, state of California, and more particularly described in Exhibit A - Property attached hereto. For the purposes of this agenda item, the terms "Property" and "Parcel" are used interchangeably to describe this City-owned 1.28 acre real property. The Livermore

Area Recreation and Park District (LARPD), another local agency, currently leases the Property from the City to operate and maintain a skate park recreational facility which LARPD constructed.

LARPD is developing a new pump track facility on its own land adjacent to the Property, and the location of the pump track will require visitors to cross the Property to access the track as shown in Exhibit A - Purchase and Sale Agreement. To facilitate the development and efficient ongoing operation of the pump track and adjacent skate park, the City desires to sell the Property to LARPD, reserving the rights to easements that already exist on the Property. The proposed purchase price is \$12,800, which is based on an appraisal of the Property, including existing improvements and easements, which was completed by Smith and Associates on April 23, 2025; the City and LARPD (the Parties) have reviewed and agreed to the appraisal value.

The Property meets the exemption criteria outlined in Government Code Section 54221(f)(1)(D) and section 103(c)(5) of the State Housing and Community Development ("HCD") Surplus Land Act Guidelines which define "exempt surplus land" to include land that a local agency is transferring to another local, state, or federal agency.

Staff Recommends the City Council adopt a resolution to declare the Property exempt surplus land under the SLA based on the findings and justifications contained in the resolution and adopt a resolution authorizing the City Manager to execute the Purchase and Sale Agreement between the Parties.

DISCUSSION

On August 21, 2000, the Parties entered into a lease for City-owned land to allow LARPD to construct, operate, and maintain a skate park recreational facility. On June 14, 2005, the Parties executed an amendment to the initial lease. The Parties entered into a new lease (Lease) on April 26, 2006, which increased the area of the leasehold to encompass the Property. The Lease's initial term expired in April 2021, and the Parties have continued the lease arrangement under provision 7.13 (Holding Over) of the Lease.

On March 13, 2025, LARPD requested termination of the Lease pursuant to Section 7.15 of the Lease and requested to purchase the Property from the City to facilitate the construction of a new pump track recreational facility. The City accepted the request for termination with the effective date to be at close of escrow of the Purchase and Sale Agreement between the Parties.

The California Surplus Land Act (Government Code sections 54220 et seq., the "SLA") requires that before a local agency takes any action to sell or lease surplus property, it must formally declare the property to be either "surplus land" or "exempt surplus land."

The SLA defines "surplus land" as land owned in fee simple for which a local agency's governing body takes formal action at a regular public meeting declaring that such land is surplus and not necessary for the agency's use. "Exempt" surplus land includes land being transferred to another local, state, or federal agency.

The Property meets the exemption criteria contained in Government Code Section 54221(f)(1)(D) and in HCD's Surplus Land Act Guidelines Section 103(c)(5), as both the City and LARPD are "local agencies" as defined by the SLA in Government Code section 54221(a)(1) and HCD Surplus Land Act Guidelines section 102(s). LARPD will continue to use the Property for its own local agency use.

On October 7, 2025, the Planning Commission approved Consistency Determination CD25-003 determining that disposing of and transfer of the Property to LARPD for the continued use as a park and associated parking lot does not constitute a project for the purposes of the California Environmental Quality Act and is consistent with the General Plan Open Space and Conservation goals, objectives, and policies.

Upon adoption of the resolution to declare the Property as exempt surplus land under the SLA, the City will provide HCD with a copy of the adopted Resolution to review and make findings exempting the parcel from the SLA.

Upon the adoption of the resolution authorizing the City Manager to execute the Purchase and Sale Agreement between the Parties, the City will provide the title company a copy of the fully executed Purchase and Sale Agreement and open escrow for the sale of the Property which will include a provision that the close of escrow will commence once the title company receives the finding letter exempting the Property from the SLA.

FISCAL AND ADMINISTRATIVE IMPACTS

The rent revenues of \$1.00 per year currently being received from the lease will end at the termination and full release of the lease, and the City will receive a lump sum payment upon the close of escrow from the sale of the Property in the amount of \$12,800 directly benefiting the City's General Fund.

COMMUNITY PILLAR

5: A City that Works

GOAL

14: Develop, operate, and maintain the City's infrastructure.

ATTACHMENTS

1. Location Map
2. Resolution - Surplus Land Act Exemption
3. Exhibit A - Property
4. Resolution - Purchase and Sale Agreement
5. Exhibit A - Purchase and Sale Agreement

Prepared by: Mike Pato
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Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director