



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** May 4, 2021  
**TO:** Christine Daniel, City Manager  
**FROM:** Sheri Hartz, City Clerk  
**SUBJECT:** Resolution Of The City Council Of The City Of Emeryville In Support Of Assembly Bill 1271 (Ting) – Surplus Land Act

### RECOMMENDATION

This report offers the City Council the opportunity to consider adoption of a Resolution supporting AB 1271 concerning strengthening provisions in the Surplus Land Act (SLA) to promote the use of public land for affordable housing.

### BACKGROUND

At the April 20, 2021 regular City Council meeting, Council Member Bauters requested and received majority support that an item be added to the May 4, 2021 City Council meeting agenda for the City Council to consider adopting a Resolution of support for pending state legislation and authorizing the Mayor to send a letter of support. This report addresses AB 1271.

### DISCUSSION

Councilmember Bauters requested that the City Council consider supporting AB 1271 (Ting). The Legislative Counsel's Digest includes the following regarding this bill:

"This bill would add to the definition of "exempt surplus land" a former military base or other planned residential or mixed-use development of adjacent or nonadjacent parcels of greater than 5 total acres, that are subject to a written plan, where at least one of the owners is a local agency and meets other specified criteria. This bill would provide that the surplus land provisions described above do not preclude a local agency that purchases surplus land from a disposing agency from reconveying the surplus land to a nonprofit or for-profit housing developer for development of low- and moderate-income housing as authorized under other provisions of law. The bill would provide that any local agency disposing of surplus land to a specified entity that intends to use the land for specified purposes, including low- and moderate-income housing purposes, may provide for a payment period of up to 20 years in any contract of sale or sale by trust deed for the land. If the original responding entity agrees to the price, the bill would require another period of not less than 90 days for the parties to agree on the terms of the sale. The bill would require the Department of Housing and Community Development to maintain copies of the notices of availability on its internet website and make them available as a downloadable PDF. The bill would make other technical changes. By increasing the duties of local agencies, this bill would impose a state-mandated local program."

## **FISCAL IMPACT**

There are no direct fiscal impacts to the City from the adoption of this Resolution.

## **STAFF COMMUNICATION WITH THE PUBLIC**

This item was requested by Council Member Bauters at the April 20, 2021 meeting

## **CONFLICT OF INTEREST**

Not applicable

## **CONCLUSION**

Whether to adopt a Resolution supporting AB 1271 is at the Council's discretion.

**PREPARED BY:** Sheri Hartz, City Clerk

## **APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Christine Daniel, City Manager

## **ATTACHMENTS**

- Draft Resolution
- Sample Letter for Mayor's Signature on behalf of the entire Council
- AB 1271 Fact Sheet