



CITY OF RANCHO CUCAMONGA

DATE: June 2, 2021

TO: Mayor and Members of the City Council
President and Members of the Boards of Directors

FROM: John R. Gillison, City Manager

INITIATED BY: Lori Sassoon, Deputy City Manager/Administrative Services

SUBJECT: Consideration of Resolutions Approving Covenants and Restrictions for Real Property pursuant to Government Code Section 54233.
(RESOLUTIONS NO. 2021-041, 2021-042, FD 2021-008, FD 2021-009, FD 2021-010) (FIRE/CITY COUNCIL)

RECOMMENDATION:

Staff recommends that the City Council and Fire Board adopt the resolutions.

BACKGROUND:

The City and the Fire District are the owners in fee simple of certain real properties ("Properties") located at the following locations:

- Etiwanda Depot – This .54-acre site is located at 7089 Etiwanda Avenue. The 3,200 sq/ft historic Etiwanda Depot is located on this site owned by the City.
- Town Center property – This 7.13-acre undeveloped property consists of two parcels and is located at the northwest corner of Haven Avenue and Town Center Drive, directly west of City Hall. This site is owned by the City.
- Civic Center/Utica property – This .92-acre undeveloped property is located just east of the City Hall complex and is owned by the Rancho Cucamonga Fire Protection District.
- San Bernardino Road Fire Station – This .47-acre property is located on the north side of San Bernardino Road, west of Archibald Avenue. The fire station is obsolete and will soon be replaced by the new Public Safety Facility nearing completion further west of this location. The site is owned by the Rancho Cucamonga Fire Protection District.
- San Bernardino Road properties – The Fire District also owns two (2) undeveloped properties further west on San Bernardino Road: 9547 San Bernardino Road (.81 acres) and 9561 San Bernardino Road (.56 acres).

Under the Surplus Land Act, Government Code Sections 54220-54233 ("Act"), surplus land is land owned in fee simple by the City/District for which the City Council/Fire Board takes formal action in a regular public meeting declaring the land is surplus and not necessary for the each agency's use. The Act provides that land shall be declared either surplus land or exempt surplus land before the agency may take action to dispose of it consistent with the agency's policies or

procedures. This action was taken by the City and the Fire Board through adoption of resolutions in December 2020.

The Act requires that before the City Council or Fire District Board disposes of any of these properties or engages in negotiations to dispose of these properties, the City/Fire must send a written notice of availability ("NOA") of the properties, which includes the location and a description of each property, to certain designated entities. These notices were sent on December 17, 2020. One (1) affordable housing provider, Volunteers of America Los Angeles (VOALA), responded to the NOA and expressed interest in all six (6) properties. Negotiations continued through May 16, 2021, but price and terms were not reached with VOALA for any of the City or Fire parcels.

ANALYSIS:

The Surplus Land Act provides that if the City/Fire does not agree to price and terms with a designated entity or if no designated entity responds to the NOA, the City/Fire can proceed to sell or lease these properties to any entity. However, as described above, if ten or more residential units are developed on a property, not less than 15% of the total residential units developed on a property must be made available at an affordable housing cost or affordable rent to low income households pursuant to a covenant recorded against the land.

The proposed resolutions will approve the placements of the required covenants and restrictions on the six properties to require the development of affordable housing if ten or more residential units are developed on a property. Following adoption of the resolutions, staff will record the covenants and restrictions, and submit the required documentation to the California Department of Housing and Community Development (HCD) to complete the surplus process for these parcels.

FISCAL IMPACT:

None.

COUNCIL MISSION / VISION / GOAL(S) ADDRESSED:

This action is in keeping with the Council's vision to creating an equitable, sustainable, and vibrant city, by setting the stage for the appropriate, high-quality reuse of these properties in the future.

ATTACHMENTS:

Attachment 1 – City Resolution re: Haven Avenue

Attachment 2 – City Resolution re: 7089 Etiwanda Avenue

Attachment 3 – Fire Resolution re: 8340 Utica

Attachment 4 – Fire Resolution re: 9561 San Bernardino Road

Attachment 5 – Fire Resolution re: 9547 San Bernardino Road

Attachment 6 – Fire Resolution re: 9612 San Bernardino Road