

RESOLUTION NO. _____

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF
CALIFORNIA, SITTING AS THE GOVERNING BOARD OF THE HOUSING
AUTHORITY OF THE COUNTY OF SAN MATEO**

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**RESOLUTION: A) DECLARING CERTAIN HOUSING AUTHORITY OF THE
COUNTY OF SAN MATEO-OWNED REAL PROPERTY KNOWN AS MIDWAY
VILLAGE PHASE 2, LOCATED AT 45 MIDWAY DRIVE, DALY CITY,
CALIFORNIA, AS EXEMPT SURPLUS LAND; AND B) DIRECTING THE
EXECUTIVE DIRECTOR OF THE HOUSING AUTHORITY OF THE COUNTY OF
SAN MATEO TO FOLLOW THE PROCEDURES SET FORTH IN THE SURPLUS
LAND ACT, CALIFORNIA GOVERNMENT CODE SECTION 54220, ET SEQ.**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, sitting as the Board of Commissioners of the Housing Authority of the County of San Mateo ("HACSM"), that

WHEREAS, on October 9, 2019, Governor Newsom signed Assembly Bill 1486 ("AB 1486"), which significantly amended the Surplus Land Act, California Government Code Section 54220, *et seq.*, and became effective on January 1, 2020 (as amended, "SLA") and among material changes to the SLA, AB 1486 expanded the definition of "local agency" to include a housing authority; and

WHEREAS, under the SLA the term "surplus land" means land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular meeting declaring that such land is surplus and is not necessary for the agency's use; and

WHEREAS, under the SLA the term "agency's use" means land that is being

used or is planned to be used pursuant to a written plan adopted by the local agency's governing board; and

WHEREAS, under the SLA "surplus land" that meets one or more specified conditions, including the development of affordable housing subject to certain regulations, can be designated "exempt surplus land" as defined in Government Code Section 54221(1); and

WHEREAS, if the surplus land is exempt, the SLA will not apply to the disposal of such "exempt surplus land" pursuant to Government Code Section 54222.3; and

WHEREAS, HACSM owns in fee simple certain parcels of real property located at Midway Village Phase 2, Daly City, California (APNs 005-330-020, 005-330-200, 005-330-030, 005-330-210, 005-330-040), which comprises approximately 1.79 acres ("Property"); and

WHEREAS, the long-term development plan for the Property is for a new construction, mixed-use affordable multi-family residential and commercial project, with an affordable housing component in which all units are restricted as affordable; and

WHEREAS, under the SLA, HACSM may take formal action in a regular public meeting to declare land as "surplus land" or "exempt surplus land"; and

WHEREAS, HACSM finds and determines that the foregoing recitals are true and

correct and are a substantive part of this Resolution: the Property is hereby declared to be "exempt surplus land"; and, HACSM affirms it has not adopted a written plan for the "agency's use" of this Property as such terms are defined in the SLA; specifically, since the Property is intended to be used for 100 percent affordable housing development, the Property is declared to be "exempt surplus land" pursuant to Government Code Section 54221(f)(1)(F), which applies to surplus land put out to open, competitive bid by a local agency, provided all entities identified in subdivision (a) of Section 54222 were invited to participate in the competitive bid process, for an affordable housing development that meets the specific requirements of either subdivision (i) of Section 54221(f)(1)(F); and

WHEREAS, the list of entities in subdivision (a) of Section 54222 was first released by the California Department of Housing and Community Development (HCD) on December 31, 2019, and HACSM released a competitive bid invitation on June 29, 2017, prior to HCD's release of the list of entities to be notified in a competitive bid process and reasonable efforts were made to notify all known entities/interested persons to the agency's competitive bid process prior to the existence of HCD's expression-of-interest list, pursuant to the SLA Guidelines (2021) Section 103(b)(3)(F)(iii).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors, sitting as the Board of Commissioners of the Housing Authority of the County of San Mateo adopts the recitals set forth above as findings of fact.

BE IT FURTHER RESOLVED that the Board of Supervisors, sitting as the Board of Commissioners of the Housing Authority of the County of San Mateo hereby (A) declares certain Housing Authority of the County of San Mateo-owned real property

known as Midway Village Phase 2, located at 45 Midway Drive, Daly City, California, as exempt surplus land, and (B) directs the Executive Director of the Housing Authority of the County of San Mateo to follow the procedures set forth in the Surplus Land Act, California government Code Section 54220, et seq..

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