

RESOLUTION NO. 14-23

RESOLUTION OF THE BOARD OF DIRECTORS OF RUNNING SPRINGS WATER DISTRICT DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT CERTAIN REAL PROPERTY OWNED BY THE DISTRICT AT ASSESSOR PARCEL NUMBER 328-09-171 LOCATED NEAR ALDER COURT IN RUNNING SPRINGS, CALIFORNIA IS NON-EXEMPT SURPLUS LAND, APPROVING THE FORM OF NOTICE OF AVAILABILITY THEREFOR, AUTHORIZING THE GENERAL MANAGER TO COMPLY WITH THE SURPLUS LAND ACT, AND FINDING THE FOREGOING CATEGORICALLY EXEMPT FROM CEQA REVIEW

WHEREAS, the Running Springs Water District (the "District") is the owner in fee simple of that certain real property identified as Assessor Parcel Number 328-09-171, which is approximately 17,128 square feet in size and is located near Alder Court in Running Springs, California, as identified and depicted in "Exhibit A" attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the District no longer has any use for the Property; and

WHEREAS, the Surplus Land Act, Government Code sections 54220 *et seq.* (as amended, the "Act"), applies when a local agency disposes of "surplus land," as that term is defined in Government Code section 54221; and

WHEREAS, the Property is "surplus land" under the Act, because it is land owned in fee simple by the District for which the Board of Directors will take formal action (in the form of adoption of this resolution) in a regular public meeting declaring that the land is surplus and is not necessary for the District's use; and

WHEREAS, the Act requires that prior to the disposal of any surplus land, unless an exemption applies, a local agency must issue a Notice of Availability to, among others, affordable housing developers, and thereafter, if any entity submits a qualified Notice of Interest within sixty (60) days of issuance of the Notice of Availability, the local agency must negotiate in good faith for at least ninety (90) days with any such submitting entities; and

WHEREAS, the Property is not exempt from the Act; and

WHEREAS, a form of Notice of Availability is attached hereto as "Exhibit B."

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Running Springs Water District as follows:

SECTION 1. The above recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The Board of Directors hereby finds and declares that the Property is "surplus land" as used in the Act, because the Property is owned in fee simple by the District, and the Property is surplus and not necessary for the District's use.

SECTION 3. The Board of Directors hereby approves the form of Notice of Availability substantially in the form attached hereto as “Exhibit B.”

SECTION 4. The Board of Directors hereby authorizes the General Manager or designee to take all necessary actions to fully comply with the Act without further need to obtain further Board approval.

SECTION 5. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) (“CEQA”). District staff has determined that the designation of the Property as non-exempt surplus, approval of the form of Notice of Availability, and authorization for the General Manager to comply with the Act do not have the potential for creating a significant effect on the environment and are therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3), because such actions do not constitute a “project” as defined by the CEQA Guidelines, Section 15378. In the alternative, even if the actions contemplated here constituted a “project” under CEQA, they involve the sale of surplus government property, which is exempt from environmental review under CEQA pursuant to a Class 12 categorical exemption. Specifically, the government Property is not located in an area of statewide, regional or areawide concern as defined in CEQA Guidelines section 15206(b)(4). The Property is not located in any of the following: the Lake Tahoe Basin, the Santa Monica Mountains Zone, the California Coastal Zone, an area within ¼ mile of a wild and scenic river, the Sacramento-San Joaquin Delta, the Suisun Marsh, or the jurisdiction of the San Francisco Bay Conservation and Development Commission. Therefore, the Board of Directors’ adoption of this Resolution is exempt from CEQA review. Finally, adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. If and when any of the Property is sold to a purchaser, and that purchaser proposes a use for the Property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

SECTION 6. If any section, subsection, paragraph, sentence, clause or phrase of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

SECTION 7. The Secretary shall certify to the adoption of this Resolution.

ADOPTED this 20th day of September, 2023.

Ayes: GRABOW, CONRAD, ACCIANI

Noes: 0

Abstentions: 0

Absent: TERRY, DYBERG





Tony Grabow
PRESIDENT

ATTEST:

COUNTY OF SAN BERNARDINO)
STATE OF CALIFORNIA)


I, Amie R. Crowder, Secretary of the Board of Directors of the Running Springs Water District, do hereby certify that Resolution No. 14-23 was adopted at a regular meeting of the District held on the 20th day of September 2023 by the following vote:

AYES: GRABOW, CONRAD, ACCIANI

NOES: 0

ABSENT: 0

ABSTAIN: TERRY, DYBERG


Amie R. Crowder
DISTRICT SECRETARY

DATED: September 20, 2023



EXHIBIT A

PROPERTY DESCRIPTION

The Property is described as follows:

Common Description: APN 328-09-171, located near Alder Ct.

Details: Parcel Map 5053 Parcel No. 2

Aerial Depiction:

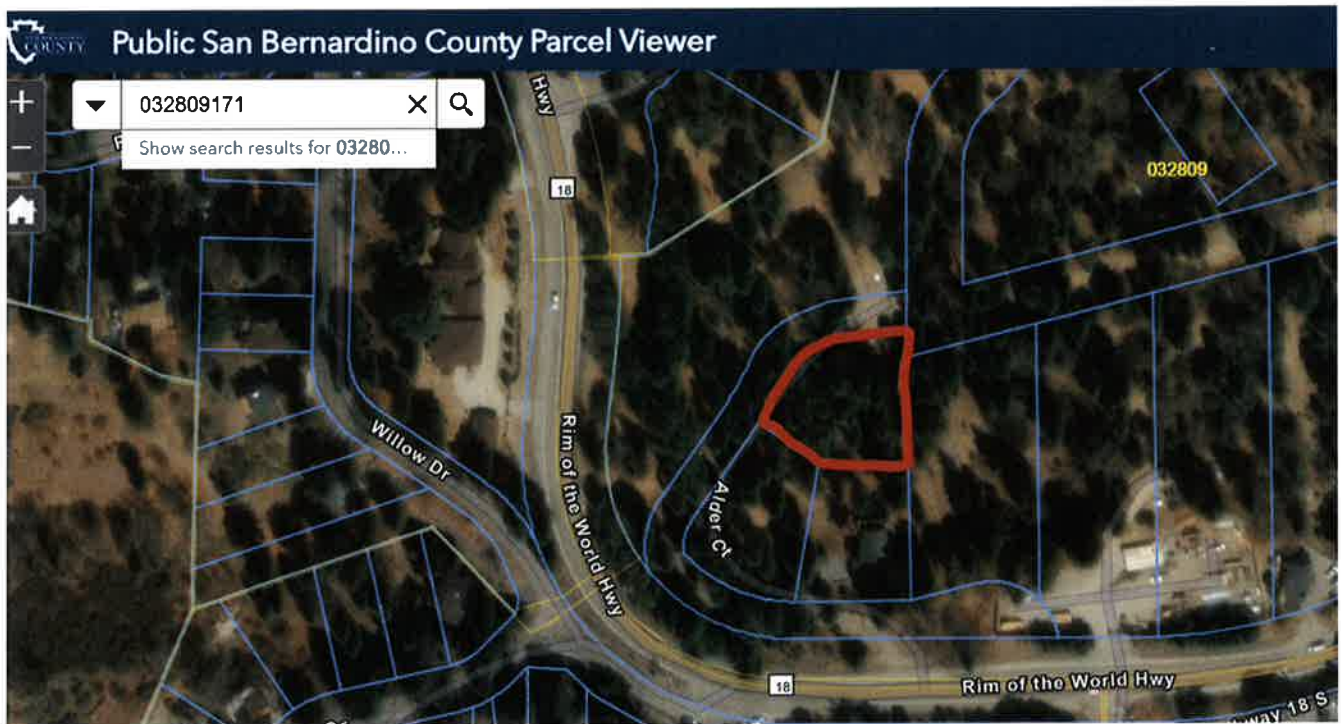


EXHIBIT B

**FORM OF NOTICE OF AVAILABILITY (COVER LETTER AND PROPERTY
DESCRIPTION)**

September 20, 2023

To All Interested Parties:

RE: Notice of Availability/Offer to Sell/Lease Surplus Property

As required by Government Code Section 54220 of the State of California, the Running Springs Water District is providing notification that the District intends to sell/lease the surplus property listed in the accompanying table.

In accordance with Government Code Section 54222, you have sixty (60) days from the date this offer was sent via certified mail or electronic mail to notify the District of your interest in acquiring the property. However, this offer shall not obligate the District to sell/lease the property to you. Instead, the District would enter into at least ninety (90) days of negotiations with you pursuant to Government Code Section 54223. If no agreement is reached on price and terms, the District may market the property to the general public.

As required by Government Code Section 54227, if the District receives more than one letter of interest during this 60 day period, it will give first priority to entities proposing to develop housing where at least 25 percent of the units will be affordable to lower income households. If more than one such proposal is received, priority will be given to the proposal with the greatest number of affordable units. If more than one proposal specifies the same number of affordable units, priority will be given to the proposal that has the lowest average affordability level.

In the event your agency or company is interested in purchasing/leasing the property, you must notify the District in writing within sixty (60) days of the date this notice was sent via certified mail or electronic mail. Notice of your interest in acquiring the property shall be delivered to:

Ryan Gross, General Manager
Running Springs Water District
PO Box 2206
Running Springs, CA 92382

You may also direct your questions to rgross@runningspringswd.com or by calling 909-403-5387.

Entities proposing to submit a letter of interest are advised to review the requirements set forth in the Surplus Land Act (Government Code Section 54220-54234).

Attachment: Property Description Form

**Running Springs Water District, a special district operating under County Water District Law
 Notice of Availability Property Description
 PROPERTY DESCRIPTION FORM (Attachment to NOA Cover Letter)**

| | Parcel 1 | Parcel 2 | Parcel 3 | Parcel 4 | Combined Parcels |
|---|---|-----------------|-----------------|-----------------|-------------------------|
| Property Address / Intersection | 30991 Alder Ct (approx. - no address). Nearest intersection: Alder Ct and Rim of the World Hwy | n/a | n/a | n/a | n/a |
| City | Running Springs | | | | |
| ZIP Code | 92382 | | | | |
| County | San Bernardino | | | | |
| Assessor Parcel No | 328-09-171 | | | | |
| Parcel Size | 0.39 acres | | | | |
| Zoning Designation | HT/RS -10M - Res. Single Family | | | | |
| General Plan Designation | Single Residential (RS) | | | | |
| Existing Use | Vacant | | | | |
| Minimum and Maximum Density Allowed (units/acre) | One | | | | |
| Min. Sales Price (if any) | fair market value | | | | |
| Last Appraised Value | \$25,000.00 | | | | |
| Last Appraised Date | 7/27/2023 | | | | |
| Site Constraints: N/A | | | | | |
| Additional Information: N/A | | | | | |