

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS**

Meeting Date: June 12, 2019

Subject/Title: Public Hearing on, and Adoption of, a Resolution Designating Stations 95 and 57 as Surplus Real Property

Submitted by: Brian Helmick, Fire Chief

RECOMMENDATION FOR ACTION

Staff recommends that the East Contra Costa Fire Protection District (District) Board of Directors (Board) hold a public hearing and adopt a resolution designating Station 95 (in Bethel Island) and Station 57 (in Byron) as surplus real property in accordance with Board Policy No. 231.

STRATEGIC INITIATIVE

East Contra Costa Fire Protection District Strategic Plan 2019-2023 and Implementation Action Plan (IAP):

- Goal D: Modernize stations, apparatus, and equipment
 - Strategy D2: Establish and implement existing station and equipment budgets and reserves to fund future major maintenance and replacement needs.

PREVIOUS ACTION

On May 14, 2018, the Board discussed the process for designating and disposing of surplus real property.

On December 12, 2018, the Board adopted its new Board Policies, including Policy 231, "Disposal of Surplus Property or Equipment," which reflects current State law on the subject.

On May 8, 2019, the Board received an update on upcoming activities related to this proposed action.

SUBJECT BACKGROUND

Staff has concluded that two decommissioned fire stations (Station 95 and Station 57) that are owned by, and are under the control of, the District, may constitute surplus land eligible for disposition under California's statutory procedures and District policy.

Under Policy 231 and Government Code Sections 54220 *et seq.*, if the District identifies real property it owns that is no longer needed by the District, it may dispose of these properties as surplus real property by sale or lease to eligible public entities after (a) holding a public hearing where the District designates the real property as surplus, (b) the District extends written offers or notices to the local agencies specified in the Government Code, and (c) the District negotiates in good faith with any public entity that submits written notification of its intention to purchase/lease the property in question.

In the event that no public entity receiving the written offers objects to the sale or notifies the District that it intends to purchase or lease the surplus property, or a mutually-satisfactory sale or

lease price cannot be agreed upon during the required ninety (90) day negotiation period, the District may proceed to dispose of the property by sale or lease to a private person or entity.

On May 31, 2019, the District published in The Press (www.thepress.net) a notice of public hearing regarding the proposed surplus real property designations.

The attached proposed resolution would designate Stations 95 and 57 as surplus and authorize the Fire Chief, or his designee, to proceed with extending notice letters to the appropriate public entities, to negotiate in good faith with any proposed purchasers or lessees of Station 95 and/or Station 57, and to take all other steps necessary to give effect to the resolution. Proposed terms and conditions of any purchase and sale or lease agreements will be presented to the Board for consideration and approval as negotiations proceed.

FISCAL IMPACT

Proceeds from any sale or lease, less any applicable costs or fees related to such sale or lease, will be deposited in the District's Operating Fund.

Attachment: Resolution

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS**

RESOLUTION NO. 2019-__

**AUTHORIZING THE DESIGNATION OF STATION 95 AND STATION 57
AS SURPLUS REAL PROPERTY**

WHEREAS, the East Contra Costa Fire Protection District (District) is the owner of two de-commissioned fire stations known as Station 95, which is located at 3045 Ranch Lane, Bethel Island, CA and Station 57, which is located at 3024 First Street, Byron, CA (each, a "Property" and together, the "Properties"); and

WHEREAS, the District has determined that the Properties, which are no longer used in connection with the District's fire protection or prevention services, are surplus to the District's needs and burden the District with unnecessary expenses and other costs; and

WHEREAS, under California Government Code Sections 54220 *et seq.* (Code) and the District's Board Policy No. 231 (Policy), the District may declare real property as surplus following a public hearing on such declaration, and may dispose of any real property it designates as surplus property pursuant to the procedures established in the Code and Policy; and

WHEREAS, the District has held a properly-noticed public hearing on the declaration of Station 97 and Station 57 as surplus at this June 12, 2019 Board meeting.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Contra Costa Fire Protection District hereby declares that Station 95 and Station 57 are surplus real property; and

BE IT FURTHER RESOLVED THAT the Board hereby authorizes the Fire Chief, or his designee, to serve notices of offers to sell or lease each Property for the purpose of developing low- and moderate-income housing, for park and recreational purposes, or for public school purposes to the requisite public entities identified in accordance with the Code and Policy; and

BE IT FURTHER RESOLVED THAT the Board hereby authorizes the Fire Chief, together with the District's legal counsel, to begin negotiations on the lease or sale of the Properties, as the case may be, with interested public entities or with private persons or entities as permitted under the Code.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a regular meeting held on the 12th day of June, 2019 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Brian J. Oftedal
President, Board of Directors

ATTEST:

Brian Helmick
Clerk of the Board