



**MEETING DATE: 09/06/16**  
**ITEM NO: 2**

## **COUNCIL AGENDA REPORT**

**DATE:** AUGUST 18, 2016

**TO:** MAYOR AND TOWN COUNCIL

**FROM:** LAUREL PREVETTI, TOWN MANAGER

**SUBJECT:** ADOPT A RESOLUTION:

- A. DECLARING CERTAIN REAL PROPERTY AT 4 NEW YORK AVENUE APN 529-27-024 SURPLUS TO THE NEEDS OF THE TOWN.
- B. DIRECTING STAFF TO CONDUCT NOTIFICATION REQUIREMENTS PURSUANT TO CALIFORNIA GOVERNMENT CODE §54222.
- C. DIRECTING STAFF TO EXPLORE OPPORTUNITIES FOR SALE OR LEASE OF THE PROPERTY SUBSEQUENT TO COMPLETION OF THE REQUIRED NOTIFICATIONS.

### **RECOMMENDATION:**

Adopt a resolution (Attachment 1):

1. Declaring certain real property at 4 New York Avenue APN 529-27-024 (Exhibit 1 to Attachment 1) surplus to the needs of the Town.
2. Directing staff to conduct notification requirements pursuant to California Government Code §54222.
3. Directing staff to explore opportunities for sale or lease of the property subsequent to completion of the required notifications.

### **BACKGROUND:**

The property at 4 New York Avenue is an irregularly shaped parcel situated behind the Los Gatos High School and Highway 17. The property consists of approximately 0.67 acres assembled in 1990 from adjacent lots and right of way. The property is encumbered with multiple easements for access and utilities. On the property is a 3,700 square foot building that has been utilized by the Town as a youth serving facility and has been known as "The Venue" and "A Place for Teens."

At the February 12, 2015 Council Meeting, the Council authorized the Youth Commission to issue a Request for Proposals (RFP) for use of the Venue. Subsequently, at the June 2, 2015 Council Meeting,

**PREPARED BY:** MATT MORLEY  
Director of Parks and Public Works

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Reviewed by: \_\_\_\_\_ Assistant Town Manager \_\_\_\_\_ Town Attorney \_\_\_\_\_ Finance

BACKGROUND (cont'd):

the Council heard the results of the RFP and directed staff to proceed with negotiations with KCAT for lease of the Venue in accordance with their proposal. Since that time, staff has been in negotiations with KCAT and has not been able to agree on terms. Additionally, KCAT has established a new Board of Directors that appears to have less interest in the facility.

DISCUSSION:

The Town has no identified municipal need for the property. Identifying this property as surplus and beginning the California Government Code §54222 process allows flexibility for the Town to explore the sale of the property, without obligating the Town to sell the property.

With Council approval, staff will begin the notification process per California Government Code §54222. If interest is expressed by the entities identified, staff will bring that information to the Council for review. Following the 60-day period, if no interest has been expressed, staff will pursue other alternatives for sale or lease of the property, with regular updates for the Council through the appropriate open session or closed session Council meetings.

The property is zoned with a Resource Conservation designation. Subsequent to any sale of the property, the property would be subject to applicable development standards, including the General Plan, Zoning Code, and other applicable ordinances and policies.

CONCLUSION:

Staff recommends that the Council adopt a resolution:

1. Declaring certain real property at 4 New York Avenue APN 529-27-024 (Exhibit 1 to Attachment 1) surplus to the needs of the Town.
2. Directing staff to conduct notification requirements pursuant to California Government Code §54222.
3. Directing staff to explore opportunities for sale or lease of the property subsequent to completion of the required notifications.

FISCAL IMPACT:

There is no fiscal impact from this action.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:

1. Resolution

**RESOLUTION 2016-**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS  
DECLARING REAL PROPERTY AT  
4 NEW YORK AVENUE SURPLUS TO THE NEEDS OF THE TOWN**

**WHEREAS**, the Town of Los Gatos owns certain real property 4 New York Avenue identified by assessor's parcel number (APN) 529-27-024 (Exhibit 1); and

**WHEREAS**, the property at 4 New York Avenue is no longer necessary for municipal use.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the 4 New York Avenue property be deemed surplus to the needs of the Town.
2. That Town staff conduct required notifications per California Government Code §54222.
3. Staff undertake opportunities to sell or lease the property, bringing offers with terms to the Town Council for review as allowed by code.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos held on the 6<sup>th</sup> day of September 2016, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

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