

RESOLUTION NO. 23-076

RESOLUTION OF THE BOARD OF VENTURA COUNTY WATERSHED PROTECTION DISTRICT (DISTRICT) DECLARING THE DISTRICT-OWNED PROPERTY LOCATED ON A PORTION OF ASSESSOR PARCEL NUMBERS 234-0-040-850 AND 234-0-040-830 IN THE UNINCORPORATED AREA OF THE COUNTY OF VENTURA, CALIFORNIA AS EXEMPT SURPLUS LAND, AND TAKING RELATED ACTIONS

WHEREAS, the Ventura County Watershed Protection District (District) owns real property located on a portion of Assessor Parcel Nos. 234-0-040-850 and 234-0-040-830 ("Property"), in the unincorporated area of the County of Ventura, California;

WHEREAS, the Surplus Land Act ("Act"), Government Code section 54220, et seq. ("Act"), requires all local agencies to offer surplus land for sale or lease primarily to affordable home developers before selling or leasing the surplus land to any other individual or entity unless it qualifies as exempt surplus land;

WHEREAS, under the Act, surplus real property is defined as "land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use. Land shall be declared either "surplus land" or "exempt surplus land," as supported by written findings before a local agency may take any action to dispose of it consistent with an agency's policies or procedures";

WHEREAS, Government Code Section 54221(f)(1)(D) provides that surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use is exempt surplus land under the Act;

WHEREAS, the Property is no longer needed by the District for present or prospective District-use;

WHEREAS, the District's Board wishes to convey the Property to the Camarillo Sanitary District ("CSD") at no charge through two grant deeds and an easement deed for CSD for use in connection with its Reclaimed Water Storage Reservoir Project (Project);

WHEREAS, the Camarillo City Council considered an Initial Study of Environmental Impact, Mitigated Negative Declaration (MND), and comments received during the public review process and made findings that there is no substantial evidence that the Project would have a significant adverse effect upon the environment, including on fish, game, and wildlife. On May 26, 2021, the Camarillo City Council adopted the MND and the Mitigation Monitoring and Reporting Program for the Project.

WHEREAS, the Board now desires to declare the transfer of the Property to CSD as an exempt surplus land disposition pursuant to Government Code section 54221(f)(1)(D) of the Act and to authorize the Director of Public Works (Director) or designee to execute two grant deeds and an easement deed to convey the Property to CSD; and

WHEREAS, pursuant to the Surplus Land Act Guidelines issued by the California Department of Housing and Community Development ("HCD") to interpret and implement the

Surplus Land Act, the Board's determination that the transfer of the Property is an exempt surplus land disposition must be provided to HCD for its review at least 30 days prior to disposition;

NOW THEREFORE, BE IT RESOLVED that the Board hereby finds, determines, resolves and orders as follows:

Section 1. The above recitals are incorporated herein by this reference.

Section 2. The Board hereby declares that the Property is not needed by the District for present or prospective District-use.

Section 3. The Board hereby declares that the transfer of the Property to CSD is an exempt surplus land disposition pursuant to Government Code section 54221(f)(1)(D) of the Act.

Section 4. The Director or designee is directed to provide a copy of this Resolution to the California Department of Housing and Community Development ("HCD") so that HCD has an opportunity to object to the Board's finding that the transfer of the Property to CSD is an exempt surplus land disposition.

Section 5. If after 45 days, HCD has not objected to the Board's finding that the disposition of the Property is an exempt surplus land disposition, the Board hereby authorizes the Director or designee to execute the two grant deeds, attached hereto as Exhibits "3" and "4" and incorporated herein by these references, and easement deed, attached hereto as Exhibit "5" and incorporated herein by this reference for the transfer of the Property to CSD.

Upon motion of Board member Parvin, seconded by Board member Gorell and duly carried, the Board hereby approves and adopts this resolution on the 6th day of June, 2023.

By Walter J. V.
Chair, Board of Directors
County of Ventura

ATTEST:

DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California

By: Don Key
Deputy Clerk

