



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 5/23/2017

Agenda Placement: 6J

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

---

**TO:** Board of Supervisors

**FROM:** Steven Lederer - Director of Public Works  
Roads Department

**REPORT BY:** Rick Marshall, Deputy Director of Public Works - Engr - (707) 259-8381

**SUBJECT:** Resolution to comply with Surplus Land Act

---

### **RECOMMENDATION**

Director of Public Works requests adoption of a resolution stating the County's commitment to comply with the Surplus Land Act, as required by the Metropolitan Transportation Commission (MTC) as a prerequisite for receiving future federal transportation funds in the second cycle of the One Bay Area Grant program (OBAG 2).

### **EXECUTIVE SUMMARY**

The Metropolitan Transportation Commission (MTC) has adopted policies to govern the programming of federal transportation funds in the second cycle of the One Bay Area Grant program (OBAG 2). Among those requirements, local agencies must adopt a resolution agreeing to comply with the requirements of Assembly Bill 2135, the Surplus Land Act. This act, adopted by the State Legislature in 2014, requires local agencies to follow certain procedures when disposing of surplus land (defined as land that is determined to be no longer necessary for the agency's use). There are requirements to notify other local agencies and potential affordable housing sponsors of the agency's intent to sell the property. The legislation has already been adopted and is in effect, but the requirement to adopt this resolution is an effort on MTC's part to strengthen the link between transportation funding and housing policy.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

The Metropolitan Transportation Commission (MTC) has adopted policies to govern the programming of federal transportation funds in the second cycle of the One Bay Area Grant program (OBAG 2). OBAG 2 funding is based on anticipated future federal transportation program apportionments from the regional Surface Transportation Program (STP) and Congestion Management and Air Quality (CMAQ) programs. The County of Napa is seeking funding through these programs and must comply with MTC's requirements in order to be eligible to receive this funding.

Among those requirements, local agencies must adopt a resolution agreeing to comply with the requirements of Assembly Bill 2135, the Surplus Land Act. This act, adopted by the State Legislature in 2014, requires local agencies to follow certain procedures when disposing of surplus land (defined as land that is determined to be no longer necessary for the agency's use). It requires local agencies to provide affordable housing developers the right of first refusal when a local agency is selling or leasing such land. It also requires properties that are developed with ten or more residential units by market-rate developers to include at least 15% of the units in the development at a cost affordable to lower-income households. The legislation has already been adopted and is in effect, but the requirement to adopt this resolution is an effort on MTC's part to strengthen the link between transportation funding and housing policy.

The County is already following the requirements of the Surplus Land Act, most notably in its efforts to dispose of the former Health and Human Services Agency campus on Old Sonoma Road in the city of Napa. No adverse effect is anticipated by adopting the resolution as required by MTC. Staff recommends adoption of the resolution in order to remain eligible for current and future federal transportation funds.

### **SUPPORTING DOCUMENTS**

A . Resolution

CEO Recommendation: Approve

Reviewed By: Bret Prebula