

RESOLUTION NO. ___-2026

RESOLUTION OF THE FORT BRAGG CITY COUNCIL, PURSUANT TO GOVERNMENT CODE SECTION 54221, DECLARING REMNANT RIGHT-OF-WAY PROPERTY AS NOT NECESSARY FOR CITY USE AND DETERMINING SUCH PROPERTY AS EXEMPT SURPLUS, FINDING SUCH DECLARATION EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TAKING RELATED ACTIONS

WHEREAS, the City of Fort Bragg (“City”) is owner in fee simple of certain remnant right-of-way real property depicted in Exhibit A (“Property”); and

WHEREAS, the City owns surplus land in fee simple for which City Council takes formal action in a regular public meeting declaring the land surplus and not necessary for City use under the Surplus Properties Land Act, Government Code Sections 54220-54234 (“Act”) and the City must either declare the land surplus land or exempt surplus land; and

WHEREAS, the Act considers land necessary for City use if the City uses land or plans to use land pursuant to a written plan adopted by City Council, for City work or operations; and

WHEREAS, City staff has determined that the property is right-of-way not suitable for City use; and

WHEREAS, City Council desires to declare the property exempt surplus land and not necessary for City use; and

WHEREAS, the City imposes a restriction that the owner shall use the land for open space purposes only; and

WHEREAS, the Act requires that before City Council disposes of exempt surplus land or engages in negotiations to dispose of exempt surplus land, the City must support such a determination with written findings and shall provide a copy of the written determination to the HCD at least 30 days prior to disposition; and

WHEREAS, the February 9, 2026 agenda report presenting this resolution provides supporting information as the basis for the declaration and findings set forth in this Resolution; and

WHEREAS, the Project is exempt pursuant to the California Environmental Quality Act (“CEQA”) and Title 14, the California Code of Regulations (“CEQA Guidelines”), Section 15060(c)(3).

NOW, THEREFORE, BE IT RESOLVED that the Fort Bragg City Council, does hereby resolve as follows:

1. The previous recitals are true and correct and a substantive part of this Resolution.
2. City Council hereby finds and declares the property depicted in the attached Exhibit A as exempt surplus land because the shape and size make the property unsuitable for housing and because it is former right-of-way that the City will convey to an owner of an adjacent property for open space purposed only upon the transfer of the property.

3. City Council directs the City Clerk to send this Resolution by electronic mail to the California Department of Housing Community Development in compliance with HCD's Surplus Land Act Guideline Section 400.
4. The City has reviewed this Resolution with respect to applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). City staff has determined that the designation of this property as exempt surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. 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 the owner sells the properties to a purchaser and that purchaser proposes a use for the property that requires a discretionary permit and CEQA review, the City will analyze that future use at the appropriate time in accordance with CEQA.
5. City Council authorizes City Officers and staff, jointly and severally, to do all things which they deem necessary or proper to effectuate the purposes of this Resolution and ratifies and confirms any such actions previously taken. Such actions include negotiating in good faith in accordance with the requirements of the Act with any of the Designated Entities that submit a written notice of interest to purchase or lease the properties in compliance with the Act.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 9th day of February, 2026, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSED:**

**Jason Godeke
Mayor**

ATTEST:

**Diana Paoli
City Clerk**