



April 13, 2023

The Honorable Phil Ting
California State Assembly
1021 O Street, Suite 8230
Sacramento, CA 95814

RE: **AB 480 (Ting): Surplus lands**
As amended 4/05/23 – OPPOSE UNLESS AMENDED
Set for hearing 4/26/23 – Assembly Housing and Community Development Committee

Dear Assembly Member Ting:

The League of California Cities (Cal Cities), California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the Rural County Representatives of California (RCRC), write to inform you of our Oppose Unless Amended position on your Assembly Bill 480, which would make changes to the Surplus Lands Act (SLA) that will interfere with the disposal of both exempt surplus land and land that is for the agency's use. Our concerns are consistent with our position on similar measures in previous years.

Exempt Surplus Land

AB 480 would require an agency to notify the California Department of Housing and Community Development 30 days prior to the disposal of "exempt surplus lands." There is no apparent purpose for this requirement since the SLA does not "apply to the disposal of exempt surplus land" (Government Code Section 54222.3). If the notification provision remains in the bill, then we would ask for the following amendment to Section 54221.5(d):

Notwithstanding Section 54222.3, ~~30 days~~ before disposing of land declared "exempt surplus land," a local agency shall provide the Department of Housing and Community Development a written notification of its declaration and findings in a form and manner prescribed by the department. **A local agency shall not be liable for the penalty imposed by subdivision (a) if the department does not notify the agency that the agency is in violation of this article within 30 days of receiving the notification.**

Land for Agency's Use

AB 480 would add Section 54221.5 to the Government Code which states in (a) "Before taking any action to dispose of land, a local agency shall declare that the land is either "surplus land" or "exempt surplus land." This change runs contrary to the definition of "surplus land" which makes it clear that land for an "agency's use" is not surplus land. Land that is for an "agency's use" is neither surplus land nor exempt surplus land and, therefore, should not be included in Section 54221.5

To address this concern, AB 480 should be amended as follows:

Before taking any action to dispose of surplus land, a local agency shall declare that the land is either "surplus land" or "exempt surplus land" as specified in this section. The declaration shall be supported by written findings before the local agency may dispose of the land in a manner that is consistent with this section and the local agency's policies.

For the reasons stated above, our organizations are opposed to AB 480 unless it is amended to address our concerns. If you need additional information about our position on AB 480, please contact Jason Rhine (Cal Cities) at jrhine@calcities.org, Mark Neuberger (CSAC) at mneuberger@counties.org, Jean Hurst (UCC) at jkh@hbeadvocacy.com, or Tracy Rhine (RCRC) at trhine@rcrcnet.org,


Sincerely,



Jason Rhine
Cal Cities



Mark Neuberger
CSAC



Jean Hurst
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Tracy Rhine
RCRC

cc: The Honorable Buffy Wicks, Chair, Assembly Housing and Community Development Committee
Members and Consultants, Assembly Housing and Community Development Committee