

RESOLUTION 24-16
A RESOLUTION OF THE WOODSIDE FIRE PROTECTION DISTRICT BOARD OF
DIRECTORS DECLARING A LEASED AREA OF REAL PROPERTY
TO BE EXEMPT SURPLUS LAND UNDER THE SURPLUS LAND ACT AND FINDING
THIS ACTION EXEMPT FROM CEQA

WHEREAS, the Woodside Fire Protection District (hereinafter identified as the "District") is a special district organized pursuant to applicable provisions of the California Health & Safety Code, and is a "local agency" within the meaning of the Surplus Land Act; and

WHEREAS, the District is an owner in fee simple of a parcel of real property located at 3111 Woodside Road, Woodside, California 94062, Assessor Parcel Number 072-191-070, (the "Property"); and

WHEREAS, on January 16, 1997, the District entered into a Personal Communications Site Service Agreement (hereinafter identified as the "Site Agreement") with Pacific Bell Mobile Services ("PBMS") to use approximately 350 square feet of the Property for installing and operating a personal communications services system; and

WHEREAS, on June 25, 2007, the District entered into a First Amendment of that Site Agreement recognizing TMO CA/NV LLC dba T-Mobile as successor in interest to PBMS and, among other things, extending the term of the Site Agreement, which is currently in effect and remains subject to renewal options through 2037; and

WHEREAS, T-Mobile West LLC ("T-Mobile"), the successor in interest to TMO CA/NV LLC, desires to enter into a Second Amendment of that Site Agreement to modify the area it is using on the Property for an antenna tower and related facilities (the "Antenna Facilities"), as described in Exhibit A to this Resolution (hereinafter identified as the "Leased Area"); and

WHEREAS, the Surplus Land Act, Government Code sections 54220 et seq. (as amended, the "Act"), applies when a local agency disposes of "surplus land," as that term is defined in Government Code section 54221, which includes the entering of a lease for surplus land, which is for a term longer than 15 years, inclusive of any extension or renewal options included in the terms of the initial lease, entered into on or after January 1, 2024; and

WHEREAS, the identified Leased Area is "surplus land" under the Surplus Land Act, because it is land owned in fee simple by the District for which the Board of Directors will take formal action (in the form of adoption of this resolution) in a regular public meeting declaring that the land is surplus and not necessary for the District's use; and

WHEREAS, the Act exempts certain surplus land from its requirements, including, pursuant to Government Code section 54221(f)(I)(B), land that is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes; and

WHEREAS, the Leased Area is "exempt surplus land" under the Act, because it is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low-and moderate-income housing purposes; and

NOW, THEREFORE, BE IT RESOLVED, by the Woodside Fire Protection District Board of Directors as follows:


Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. The Board of Directors hereby declares that (i) the Leased Area is surplus land and not necessary for the District's use, and (ii) the Leased Area is exempt from the Act pursuant to section 54221(f)(1)(B) of the Surplus Land Act. The basis for this declaration is the finding that the Leased Area is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low-and moderate-income housing purposes.

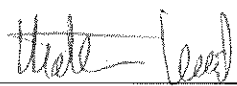
Section 3. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). The Board of Directors determines that the declaration of the Property as "exempt surplus land" under the Act does not constitute a project under CEQA, and no environmental assessment is required.

Section 4. The Fire Chief is hereby authorized to execute a proposed Second Amendment of the Site Agreement with T-Mobile to modify the area it is using on the Property for the Antenna Facilities, as described in Exhibit A to this Resolution and identified in this resolution as the Leased Area.

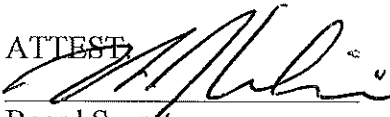
PASSED, APPROVED, and ADOPTED this 29th day of October 2024, at a regular meeting of the District Board held at 808 Portola Valley Road, Portola Valley, California 94028 with the following vote.

AYES: 
NOES:
ABSENT:
ABSTAIN:

Dated:



Matt Miller, President
Board of Directors

ATTEST


Board Secretary