



RESOLUTION NO. 2025-04

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF MAYERS MEMORIAL HEALTHCARE DISTRICT
DECLARING THAT CERTAIN REAL PROPERTY IS EXEMPT SURPLUS LAND AND
FINDING THAT SUCH DECLARATION IS NOT A PROJECT SUBJECT TO
ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT**

WHEREAS, the Mayers Memorial Healthcare District (the “District”) is a local public healthcare district of the State of California that was formed and operates pursuant to The Local Health Care District Law, Health and Safety Code §§ 32000 and following; and

WHEREAS, the District is the owner in fee simple of that certain real property located at 43514 Highway 299, Fall River Mills, CA 96208 which is described in Exhibit “A”, attached hereto and incorporated herein, and known as APN 018-200-014 (“Property”); and

WHEREAS, the Property is one-half acre in area and it 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, when the District acquired the Property it had been being used for commercial retail purposes, including office and storage space, and the District intended to use it for physical therapy, cardiac rehab and a gym; and

WHEREAS, the District’s planned uses for the Property changed and the District has only used the Property for storage and office space for the Mayers Healthcare Foundation (“Foundation”); and

WHEREAS, the District has determined that Property is surplus and is no longer necessary for the District’s use; and

WHEREAS, the Foundation was created in 1997 as a California nonprofit public benefit corporation and has obtained status as a 501(c)(3) charitable organization by the Internal Revenue Service; and

WHEREAS, Article II.B of the Foundation’s Articles of Incorporation, as amended, states,

“The specific purpose of this corporation is to engage in developing fundraising programs for Mayers Memorial Health Care District, receiving contributions from the general public,

and making donations to the District and related tax-exempt entities for programs and projects approved by the District which are designed to improve the health of the population of the District and access for such population to tax-exempt healthcare facilities within and without the District.”; and

WHEREAS, Article III, of the Foundation’s Bylaws states,

“The Corporation shall have one (1) principal beneficiary, namely Mayers Memorial Hospital District.”; and

WHEREAS, the mission of the Foundation is to support the mission of the District and the Foundation is committed to developing and distributing resources to support and enhance the continuation of the District’s services; and

WHEREAS, since its creation the Foundation has engaged in developing fundraising programs for the District, received contributions from the general public, and made donations to the District for programs and projects approved by the District which are designed to improve the health of the population of the District and access for such population to tax-exempt healthcare facilities within and without the District in accordance with its Article of Incorporation, Bylaws, and mission; and

WHEREAS, the Foundation desires to purchase the Property and use it for its office and a retail thrift store so that the Foundation can continue to provide valuable funding and volunteer support to the District and the District desires to sell the Property to the Foundation; and’

WHEREAS, the District’s sale of the Property to the Foundation and the Foundation’s use of the Property will directly further the express purpose of the District’s, work, operations and mission; and

WHEREAS, Health and Safety Code § 32121.2 provides that,

“Except as provided in this section, by resolution, the board of directors of a local hospital district may authorize the disposition of any surplus property of the district at fair market value by any method determined appropriate by the board.

The board of directors of a local hospital district may donate or sell, at less than fair market value, any surplus property to another local hospital district in California.”; 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; and

WHEREAS, the Property is “surplus land” under the 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 is not necessary for the District’s use; and

WHEREAS, section 54222.3 of the Act states that this article shall not apply to the

disposal of exempt surplus land as defined in Section 54221 by any local agency; and

WHEREAS, in accordance with §§ 54221(t)(l) and 54222.3 of the Act, exempt surplus land does not fall under the notice and negotiation requirements of the Act; and

WHEREAS, section 54221(f)(1)(N) of the Act states that real property that is used by a district for the district's use, as expressly authorized in subdivision (c) of section 54221, is exempt surplus land; and

WHEREAS, Section 54221(c)(2)(B)(i) of the Act provides that in the case of a local agency, excepting those whose primary mission or purpose is to supply the public with a transportation system, "agency's use" may include commercial or industrial uses or activities, including nongovernmental retail, entertainment, or office development or be for the sole purpose of investment or generation of revenue if the agency's governing body takes action in a public meeting declaring that the use of the site will directly further the express purpose of agency work or operations.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Mayers Memorial Healthcare District as follows:

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

Section 2. The Board of Directors hereby finds that: (i) the Property is no longer necessary for the District's use; (ii) since its creation the Foundation has directly furthered the express purpose of the District's work, operations and mission by developing fundraising programs for the District, receiving contributions from the general public, and making donations to the District for programs and projects approved by the District which are designed to improve the health of the population of the District and access for such population to tax-exempt healthcare facilities within and without the District in accordance with its Article of Incorporation, Bylaws, and mission; and (iii) the District's sale of the Property to the Foundation and the Foundation's purchase and use of the Property for its retail thrift shop and office space will directly further the express purpose of the District's, work, operations and mission.

Section 3. The Board of Directors therefore declares that the Property is exempt surplus land pursuant to section 54221(c)(2)(B)(i) of the Act.

Section 4. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). District staff has determined that the mere designation of the Property as exempt surplus land and authorization for the Chief Executive Officer to comply with the Act do not qualify as a "project" as defined in State CEQA Guidelines section 15378. Section 15378 defines a project as an activity that "has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (State CEQA Guidelines, § 15378(a).) Here, the action is to declare the Property as exempt surplus, which will not result in either a direct physical change in the environment or a reasonably foreseeable indirect physical

change in the environment. Accordingly, the action is not a “project” subject to CEQA. (State CEQA Guidelines, § 15060(c).) Also, Section 15378 explicitly excludes from its definition of “project” the following: “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” (State CEQA Guidelines, § 15378(b)(5).) The action to designate the Property as exempt surplus land constitutes an organizational or administrative activity that will not result in a physical change in the environment, and it therefore is not subject to CEQA. This Resolution does not constitute a binding commitment to any particular use of the Property.

Section 5. The Chief Executive Officer or designee is hereby authorized and directed to send a copy of this Resolution to the California Department of Housing and Community Development in accordance with the requirements of Section 400(e) of the SLA Guidelines and to take such other actions as necessary or appropriate to comply with the Act.

Section 6. The Chief Executive Officer or designee is hereby authorized and directed to prepare and file a Notice of Exemption stating that the declaration that the Property is exempt surplus land is exempt from further environmental review under CEQA and file it with the Shasta County Clerk and the State Clearinghouse within five (5) days after passage and adoption of this Resolution.

Section 7. If any section, subsection, paragraph, sentence, clause or phrase of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

DULY PASSED AND ADOPTED this 28 day of May by the Board of Directors of Mayers Memorial Healthcare District by the following vote:


AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0



Jeanne Utterback, President
Board of Directors, Mayers Memorial Healthcare

District

ATTEST:



Ashley Nelson
Clerk of the Board of Directors