

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, DECLARING THAT CERTAIN 3.39 ACRE CITY-OWNED PROPERTY LOCATED AT THE SOUTHEAST CORNER OF LINDEN AVENUE AND MIRO WAY, AS SURPLUS LAND AND DIRECTING THE CITY MANAGER TO FOLLOW THE PROCEDURES SET FORTH IN THE SURPLUS LAND ACT, CALIFORNIA GOVERNMENT CODE SECTION 54220 ET SEQ., AS AMENDED ON JANUARY 1, 2020, FOR THE SALE OF SURPLUS LAND.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIALTO, AS FOLLOWS:

Section 1. The City Council of the City of Rialto hereby, finds, determines and declares as follows:

- A. City of Rialto (the "City") owns the following real property, located in the City of Rialto, County of San Bernardino, State of California, hereinafter referred to in its entirety as (the "Property"): Land zoned as Public Park at the southeast corner of Linden Avenue and Miro Way identified by San Bernardino County Assessor's Parcel Number 0264-211-15 with land area of 3.39 acres; described in Exhibit A.
- B. The City has received an unsolicited request to consider the disposition of the Property to the adjoining property located immediately south to accommodate an expansion of the existing industrial/commercial business located on that site. The City supports the expansion of existing businesses, and to the extent an entity or association as stipulated in California Government Code Section 54222 does not submit written notification to the City of its interest to purchase the Property after receiving the City's written notice of availability, the City intends to participate in negotiations to dispose of the Property as the City deems in its best interests.
- C. The sale proceeds and property tax generated may provide funding to enhance City services, and the future development of the Property would eliminate the blight constituted by a vacant lot.

1 Section 2. The City Council hereby finds and declares that the Property is no longer
2 necessary for the City's use and is therefore surplus land as defined in California Government
3 Code Section 54221, based on the true and correct written findings found in Section 1,
4 incorporated herein by this reference.

5 Section 3. The City Council hereby authorizes the City Manager to send written notices
6 of availability of the Property for sale, to negotiate the terms of a proposed sale of the Property
7 with an interested public entity or, if none, another interested party, and to otherwise follow the
8 procedures of the Surplus Land Act, California Government Code Section 54220, et seq., as
9 amended on January 1, 2020, as applicable to a proposed sale of the Property.

10 Section 4. Any proposed agreement for the sale of the Property shall be subject to the
11 approval of the City Council.

12 Section 5. The sale of the Property as surplus is exempt from environmental review
13 under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section
14 15312 (Surplus Government Property Sales). However, if development was proposed on the
15 Property by a subsequent buyer, then that development would be reviewed under CEQA.

16 Section 6. This Resolution shall take effect immediately upon its adoption by the City
17 Council, and the City Clerk of the Council shall attest to and certify the vote adopting this
18 Resolution.

19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PASSED APPROVED AND ADOPTED this _____ day of _____, 2021.

DEBORAH ROBERTSON, Mayor

ATTEST:

BARBARA MCGEE, City Clerk

APPROVED AS TO FORM:

ERIC S. VAIL, City Attorney

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Resolution No.____ was duly passed and adopted at a regular meeting of the City Council of
6 the City of Rialto held on the ____ day of _____, 2021.

7 Upon motion of Council Member _____, seconded by Council Member
8 _____, the foregoing Resolution No. ____ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

13
14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the
15 City of Rialto this ____ day of _____, 2021.

16
17
18 _____
19 BARBARA MCGEE, CITY CLERK
20
21
22
23
24
25
26
27
28

