

RHA RESOLUTION NO. _____

A RESOLUTION OF THE RIALTO HOUSING AUTHORITY BOARD OF THE CITY OF RIALTO, CALIFORNIA, DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT CERTAIN REAL PROPERTIES OWNED BY THE HOUSING AUTHORITY LOCATED AT: 110 E RIALTO AVENUE (0130-251-34); 140 S OLIVE AVENUE (0130-251-32), 144 S OLIVE AVENUE (0130-251-33), RIALTO, CALIFORNIA ARE DESIGNATED AS SURPLUS LAND AND NOT NECESSARY FOR THE HOUSING AUTHORITY’S USE AT THIS TIME, FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND TAKING RELATED ACTIONS.

WHEREAS, the Rialto Housing Authority (“RHA” or “Authority”) is the owner in fee simple of that certain real property located at 110 E RIALTO AVENUE (0130-251-34); 140 S OLIVE AVENUE (0130-251-32), 144 S OLIVE AVENUE (0130-251-33), Rialto California described in Exhibit “A,” attached hereto and made a part of hereof (“Property”); and

WHEREAS, under the Surplus Property Land Act, Government Code Sections 54220-54233 (“Act”) as recently amended by AB 1486, surplus land is land owned in fee simple by the RHA for which the Authority Board takes formal action in a regular public meeting declaring the land is surplus and not necessary for the RHA’s use; and

WHEREAS, the Act provides that such land shall be declared either surplus land or exempt surplus land before the RHA may take action to dispose of it consistent with the RHA’s policies or procedures; and

WHEREAS, pursuant to the Act, land is necessary for the RHA’s use if the land is being used, or is planned to be used pursuant to a written plan adopted by the Authority Board, for RHA work or operations; and

WHEREAS, Government Code Section 54222, requires the RHA, if it declares land it owns to be surplus and not necessary for the RHA’s use, to provide written notice thereof to certain local agencies and housing sponsors (“Designated Entities”), through a “Notice of Availability” in order to begin the process (“Notification Process”); and

1 **WHEREAS**, the Notification Process provides Designated Entities a 60-day opportunity to request to
2 negotiate for the lease or sale of the Property consistent with parameters for such negotiations provided by the
3 Act; and

4 **WHEREAS**, a general description of the nature of each Property is as follows: 110 E RIALTO
5 AVENUE (0130-251-34) vacant lot; 140 S OLIVE AVENUE (0130-251-32) vacant lot, 144 S OLIVE AVENUE
6 (0130-251-33) vacant lot, and

7 **WHEREAS**, Authority Staff has evaluated the Property for its potential to be used for alternate RHA
8 work or operations (i.e., for the RHA’s “agency use” as defined by Section 104 of HCD’s Updated Surplus Land
9 Act Guidelines) and has determined that the Property is not needed for such RHA uses at this time; and

10 **WHEREAS**, approval of this Resolution will confirm the Authority Board’s declaration that the
11 Property is surplus and not necessary for the RHA’s use and authorize the initiation of the Notification Process;
12 and

13 **WHEREAS**, the accompanying staff report, as presented to the Authority Board at its public meeting
14 on _____, 2025, which is incorporated herein by this reference, provides further supporting information upon
15 which the declaration and findings set forth in this Resolution are based; and

16 **WHEREAS**, pursuant to § 15060 (c) (3) of the California Environmental Quality Act (the “CEQA”)
17 Guidelines (i.e., California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387),
18 approval of this Resolution is exempt from CEQA because the actions described herein will not result in a direct
19 or reasonably foreseeable indirect physical change in the environment and the actions described herein are not a
20 “Project”, as defined within § 15378 of the CEQA Guidelines; and

21 **WHEREAS**, all of the prerequisites with respect to the approval of this Resolution have been met.

22 **NOW, THEREFORE BE IT RESOLVED** by the Rialto Housing Authority Board of the Rialto
23 Housing Authority of the City of Rialto, as follows:

24 **SECTION 1.** The above recitals are true and correct, are incorporated herein by this reference, and are
25 a substantive part of this Resolution.

26 **SECTION 2.** Based upon the forgoing, the Authority Board finds that the Property is not necessary for
27 the RHA’s use and, therefore, the Authority Board hereby declares that the Property is surplus land as defined
28 by Government Code Section 54221.

1 **SECTION 3.** Consistent with the requirements of Government Code Section 54222, the RHA Secretary,
2 or his or designee, is hereby directed to initiate the Notification Process by providing written notice of the
3 Authority Board’s declaration to the Designated Entities, in the form and content by applicable law.

4 **SECTION 4.** This Resolution has been reviewed with respect to the applicability of the California
5 Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”). City staff has determined
6 that the designation of this property as surplus does not have the potential for creating a significant effect on the
7 environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines
8 Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of
9 the Resolution does not have the potential for resulting in either a direct physical change in the environment or
10 a reasonably foreseeable indirect physical change in the environment. If and when the property is sold to a
11 purchaser and that purchaser proposes a use for the property that requires a discretionary permit and CEQA
12 review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

13 **SECTION 5.** RHA Secretary, or his or designee, is directed to file a Notice of Exemption pursuant to
14 CEQA Guidelines Section 15062.

15 **SECTION 6.** The officers and staff of the RHA are hereby authorized, jointly and severally, to do all
16 things which they may deem necessary or proper to effectuate the purposes of this Resolution, and any such
17 actions previously taken are hereby ratified and confirmed. Such actions include negotiating in good faith in
18 accordance with the requirements of the Act with any of the Designated Entities that submit a written notice of
19 interest to purchase or lease the Property in compliance with the Act.

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21 **PASSED, APPROVED, AND ADOPTED** this _____ day of __, 20__.

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23 _____
24 Joe Baca, RHA Chair

25 **ATTEST:**
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BARBARA McGEE, RHA Secretary

APPROVED AS TO FORM:

ERIC VAIL, RHA Attorney

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

4 I, Barbara A. McGee, Authority Secretary of the Rialto Housing Authority of the City of Rialto,
5 do hereby certify that the foregoing Resolution No. _____ was duly passed and adopted at a regular
6 meeting of the Rialto Housing Authority of the City of Rialto held on the _____ day of _____,
7 20____.

8 Upon motion of Authority Member _____, seconded by Authority Member
9 _____, the foregoing Resolution No. _____ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the Rialto
15 Housing Authority this ____ day of _____, 20____.

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18 BARBARA A. MCGEE, RHA Secretary
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