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RESOLUTION NO.____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO APPROVING THE **BILLBOARD REMOVAL** AND RELOCATION AMONG CITY RIALTO, SAN AGREEMENT BY AND THE OF BERNARDINO COUNTY TRANSPORTATION AUTHORITY, AND LAMAR CENTRAL OUTDOOR LLC.

WHEREAS, Rialto has, consistent with the California Outdoor Advertising Act (California Business & Professions Code, § 5200 et seq.), adopted certain regulations concerning outdoor advertising displays ("Billboards") as part of the City Development Code per Rialto Municipal Code ("RMC") Chapter 18.102; and

WHEREAS, the California Outdoor Advertising Act generally provides that compensation must be paid to Billboard owners for the removal, abatement or limitation of the customary maintenance, use or repair of certain lawfully erected Billboards; and

WHEREAS, the California Outdoor Advertising Act also contains language providing that "it is the policy of the State of California to encourage local entities to continue development in a planned manner without expenditure of public funds while allowing the continued maintenance or private investment and a medium of public communication" and, as a result, ". . . local entities are specifically empowered to enter into relocation agreements on whatever terms are agreeable to the display owner and the city . . . and adopt ordinances and resolutions providing for relocation of displays"; and

WHEREAS, Lamar maintains one Billboard within unincorporated San Bernardino County, but within Rialto's Sphere of Influence which it is willing and able to permanently remove ("Preexisting Billboard"); and

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WHEREAS, Lamar maintains a Billboard within the City of Colton that meets the candidacy requirements for relocation to Rialto because it is proposed to be removed as a result of work being performed by SBCTA on the I-10 freeway ("Colton Billboard"); and

WHEREAS, Rialto is willing to accommodate the relocation of the Colton Billboard to Rialto in exchange for the removal of the Preexisting Billboard in accordance with the requirements of Chapter 18.102 of the RMC; and

WHEREAS, the proposed Billboard Removal and Relocation Agreement by and among the City of Rialto, San Bernardino County Transportation Authority, and Lamar Central Outdoor LLC ("Agreement") does not grant any specific entitlement to construct a billboard within the City of Rialto and therefore does not constitute approval of a Project in accordance with CEQA Guidelines Section 15060, 15352, and 15378; and

WHEREAS, all actions required by all applicable law with respect to the proposed Agreement to be taken by City have been taken in an appropriate and timely manner; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rialto hereby finds, determines, and resolves as follows:

- **Section 1.** The foregoing recitals are true and correct and constitute a substantive part of this Resolution.
- **Section 2**. The approval of the Agreement is exempt from the requirements of CEQA. Approval of the Agreement does not commit the City to approving a project nor does it constitute an entitlement for use of a project. Therefore, this action is not approval of a "project", as defined by Public Resources Code Sections 21065 and 21080 or CEQA Guidelines Sections 15060, 15352, and 15378.
- Section 3. The City Council hereby approves the Billboard Removal and Relocation Agreement by and between City, San Bernardino County Transportation Authority, and Lamar Central Outdoor LLC attached hereto as Attachment No. 1. The Mayor and City Clerk are authorized to execute the Agreement with such revisions, as the Mayor and City Attorney deem

1	appropriate to further the City's interests. The City Administrator and his authorized designees are
2	authorized to take such actions as may be necessary or appropriate to implement the Agreement,
3	including executing further instruments and agreements, issuing warrants, and taking other
4	appropriate actions to perform the obligations and exercise the rights of the City under the
5	Agreement. A copy of the Agreement when executed shall be placed on file in the office of the
6	City Clerk.
7	Section 4. The Mayor shall sign the passage and adoption of this Resolution and
8	thereupon the same shall take effect and be in force.
9	PASSED, APPROVED AND ADOPTED this 12th day of February, 2019.
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12	DEBORAH ROBERTSON, Mayor
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15	ATTEST:
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17	BARBARA McGEE, City Clerk
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19	APPROVED AS TO FORM:
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21	FRED GALANTE
22	ALESHIRE & WYNDER, City Attorney
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2	COUNTY OF SAN BERNARDINO SS CITY OF RIALTO
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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 the
6	City of Rialto held on the 26 th day of February, 2019.
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:
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14	IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15	Rialto this day of, 2019.
16	BARBARA MCGEE, CITY CLERK
17	BARDARA WEGLL, CITT CLEAR
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ATTACHMENT NO. 1 BILLBOARD REMOVAL AND RELOCATION AGREEMENT

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