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WHEREAS, Lamar owned and operated seven (7) double-faced, illuminated Billboards in the City, which were removed as a condition of approval for Conditional Development Permit No. 538 allowing replacement of a wooden billboard along the 10 Freeway with a digital display billboard;

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1 **WHEREAS**, the City, RHA and Lamar now wish to enter into agreements to memorialize
2 the terms and conditions upon which Lamar will have the right to relocate and reconstruct certain
3 Billboards.

4
5 **WHEREAS**, the RHA owns certain real property located in the City of Rialto, California,
6 more particularly described in the Property Lease attached hereto and incorporated herein by this
7 reference (the “Premises”).

8
9 **WHEREAS**, Lessee desires to install and conduct certain advertising business operations on
10 a portion of the Premises identified in the Property Lease as the “Leased Premises”.

11 **WHEREAS**, Lessor desires to convey a leasehold interest to Lessee and Lessee desires to
12 acquire from Lessor a leasehold interest in the Premises pursuant to the terms and conditions set
13 forth in the Property Lease.

14
15 **WHEREAS**, the parties desire that the Leased Premises be used for the construction, repair,
16 relocation and/or use of a double-sided digital advertising display (“Digital Display”), with
17 supporting structures, illumination facilities and connections, as provided for in the Lease
18 (collectively, the “Sign”).

19
20 **WHEREAS**, the Commencement of the Lease is conditioned upon and subject to Lessee’s
21 ability to obtain (i) all required entitlements and approvals from the City or other applicable
22 governmental agencies, including those required under California Environmental Quality Act
23 (Public Resources Code Sections 2100 *et seq.*) (“CEQA”), for Lessee’s construction, use, and
24 operation of the Sign and its Appurtenant Rights (as defined below); and (ii) any and all required
25 approvals from the California Department of Transportation (including the California Department of
26 Transportation Outdoor Advertising Division (“Caltrans”) that may be necessary in order to allow
27 for the construction and installation of the Sign on the Leased Premises.
28

1 **WHEREAS**, in accordance with California Government Code Section 52201, the City and
2 RHA held a noticed public hearing regarding the proposed Lease; and

3 **WHEREAS**, the City/RHA prepared a report summarizing the details of the Leases in
4 accordance with Section 52201 of the California Government Code (the “Report”) and made such
5 Report available for public inspection prior to the public hearing on the Leases; and

6 **WHEREAS**, all actions required by all applicable law with respect to the proposed Leases to
7 be taken by City/RHA have been taken in an appropriate and timely manner; and

8 **WHEREAS**, the RHA determined that the Lease is categorically exempt from the
9 requirements of the California Environmental Quality Act pursuant to Section 15303 of the CEQA
10 Guidelines, New Construction or Conversion of Small Structures; and

11 **WHEREAS**, the RHA has duly considered all terms and conditions of the proposed Lease
12 and believes that they are in the best interests of the City of Rialto and the health, safety, and welfare
13 of its residents, and in accord with the public purposes and provisions of applicable state and local
14 laws and requirements.

15 **NOW, THEREFORE, THE RIALTO HOUSING AUTHORITY DOES HEREBY**
16 **FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

17 **Section 1.** The foregoing recitals are true and correct and constitute a substantive part of
18 this Resolution.

19 **Section 2.** The Rialto Housing Authority hereby finds and determines, based on all
20 documentation, testimony and other evidence in the record before it, including without limitation the
21 Report, that (a) the proposed lease of the Site will assist in the creation of economic opportunity, as
22 defined in California Government Code Section 52200.2, by providing for the development of the
23 Site and operation thereof in accordance with the Lease, thereby increasing tax revenues, as
24 described in more detail in the Report; and (b) the consideration being paid to the Rialto Housing
25 Authority is not less than the fair market value (as defined in California Code of Civil Procedure
26 Section 1263.320) of the Site.

Section 3. The Rialto Housing Authority hereby approves the Lease. The Authority Chair and Secretary are authorized to execute the Lease with such revisions as the Special Counsel deem appropriate. The Executive Director and his/her authorized designees are authorized to take such actions as may be necessary or appropriate to implement the Lease, including executing further instruments, issuing warrants, and taking other appropriate actions to perform the obligations and exercise the rights of the Rialto Housing Authority under the Lease. A copy of the Lease when executed shall be placed on file in the office of the Secretary.

Section 4. The City Clerk/Secretary shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this ____ day of ____, 2019.

DEBORAH ROBERTSON, Chair

ATTEST:

BARBARA McGEE, Secretary

APPROVED AS TO FORM:

FRED GALANTE
ALESHIRE & WYNDER, Special Counsel

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

4 I, Barbara McGee, Secretary of the Rialto Housing Authority, do hereby certify that the
5 foregoing Resolution No. ____ was duly passed and adopted at a _____ meeting of the
6 Rialto Housing Authority held on the ____ day of _____, 2019.

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

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14
15
16 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the Rialto
17 Housing Authority this ____ day of _____, 2019.

18
19 _____
20 **BARBARA MCGEE, Housing Authority Secretary**
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Attachment No. 1
Property Lease