RESOLUTION NO.___ __

A RESOLTUION OF THE CITY COUNCIL OF THE CITY OF RIALTO ("CITY") APPROVING THE FIRST AMENDMENT TO A BILLBOARD RELOCATION AGREEMENT BETWEEN THE CITY OF RIALTO AND LAMAR CENTRAL OUTDOOR, LLC ("LAMAR") TO CHANGE THE LOCATION OF A PREVIOUSLY APPROVED BILLBOARD.

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

WHEREAS, Lamar now owns and operates one (1) double-faced illuminated Billboard on Foothill Boulevard it acquired from Empire Outdoor Media, which it agrees to remove in exchange for the right to replace some of the removed Billboards;

WHEREAS, on June 11, 2019, the City Council approved a Billboard Relocation Agreement between the City of Rialto and Lamar Central Outdoor, LLC, attached hereto as "Exhibit A", allowing the installation of three (3) digital display billboards on City-owned land in exchange for the prior removal of seven (7) Billboards as a part of Conditional Development Permit No. 538 and one existing Billboard on Foothill Boulevard that Lamar acquired when it purchased Empire Outdoor Media;

WHEREAS, Lamar proposes to change the location of one (1) of the three (3) previously approved Billboard relocations, specifically from the southwest corner of Foothill Boulevard and Cactus Avenue to the southwest corner of the SR-210 Freeway and Ayala Drive interchange, as shown on the conceptual site plan attached hereto as "Exhibit B";

WHEREAS, Lamar believes that the new location will have greater visibility and will serve a larger amount of traffic thereby generating a stronger economic opportunity;

WHEREAS, the newly proposed location is not located adjacent to any existing or planned residential uses, and thus the new location will eliminate the potential for light pollution impacts that might otherwise have occurred at the previously proposed location, which is immediately adjacent to the existing Telacu senior apartment complex located at 773 W. Foothill Boulevard;

WHEREAS, the California Outdoor Advertising Act (in particular Business & Professions Code Section 5412) specifically empowers, and encourages, local agencies to enter into relocation

agreements on whatever terms are agreeable to the City and display owners and to adopt ordinances and resolution providing for relocation of displays;

WHEREAS, the City and Lamar now wish to amend the previously approved Billboard Relocation Agreement to memorialize the change in location of one (1) of the three (3) Billboards from the southwest corner of Foothill Boulevard and Cactus Avenue to the southwest corner of the SR-210 Freeway and Ayala Drive interchange;

WHEREAS, the City owns certain real property located in the City of Rialto, California, more particularly described in the legal description attached hereto and incorporated herein by this reference (the "Premises");

WHEREAS, Lamar desires to install and conduct certain advertising business operations on a portion of the Premises as identified on the conceptual site plan attached hereto as "Exhibit B";

WHEREAS, either an amended or new lease between the City and Lamar for the newly proposed location will be required to be approved by the City Council prior to the issuance of building permits;

WHEREAS, the City determined that the Billboard is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines, New Construction or Conversion of Small Structures; and

WHEREAS, the City Council has duly considered the entire amendment to the Billboard Relocation Agreement and believes that it is in the best interest of the City of Rialto and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO FINDS AND ORDAINS AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and constitute a substantive part of this Resolution.

SECTION 2. The City Council hereby approves the amendment to the Billboard Relocation Agreement. The Mayor and City Clerk are authorized to execute the amended Billboard Relocation Agreement with such revisions as the City Attorney deems appropriate. The City Manager and his

1	authorized designees are authorized to take such actions as may be necessary or appropriate to		
2	implement the amended Billboard Relocation Agreement. A copy of the amended Billboard		
3	Relocation Agreement when executed shall be placed on file in the office of the City Clerk.		
4	SECTION 2. The City Clark shall contifue to the adoption of this Desclution		
5	SECTION 3. The City Clerk shall certify to the adoption of this Resolution.		
6	PASSED, APPROVED AND ADOPTED this day of, 2020.		
7	TASSED, ATTROVED AND ADOTTED uns day of, 2020.		
8			
9	DEBORAH ROBERTSON, Mayor		
10			
11			
12	ATTEST:		
13			
14	BARBARA A. McGEE, City Clerk		
15	BIRDING IN. WEGLE, City Clerk		
16	APPROVED AS TO FORM:		
17			
18 19	FRED GALANTE, City Attorney		
20			
21			
22			
23			
24			
25			
26			
27			
28			

1	STATE OF CALIFORNIA)	
2	COUNTY OF SAN BERNARDINO) ss	
3	CITY OF RIALTO)	
4			
5	I, Barbara A. McGee, City Cler	k of the City of Rialto, do hereby certify that the foregoing	
6	Ordinance No was duly passed and adopted at a regular meeting of the City Council of the		
7	City of Rialto held on the day of _	, 2020.	
8	Upon motion of Council M	ember, seconded by Council Member	
9	, the foregoing Ordinance	No was duly passed and adopted.	
10	Vote on the motion:		
11	AYES:		
12	NOES:		
13	ABSENT:		
14			
15	IN WITNESS WHEREOF, I	have hereunto set my hand and the Official Seal of the City	
16	of Rialto this, 2	020.	
17			
18			
19		DADDADA A MaCCE City Clark	
20		BARBARA A. McGEE, City Clerk	
21			
22			
23			
24			
25			
26			
27			
28			

"Exhibit A" Billboard Relocation Agreement Approved by the City Council on June 11, 2019

"Exhibit B"

Conceptual Site Plan

