

**RESOLUTION NO. 2024-125**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, APPROVING A LED SIGN LICENSE AND REIMBURSEMENT AGREEMENT WITH KNIGHT SUNRISE FORD AUTO CENTER.**

**WHEREAS**, Knight Sunrise Ford Auto Center (“Auto Center”) owns and operates an electronic LED sign (“LED Sign”) on certain real property located at 16005 Valley Boulevard, Fontana California 92235 (“Property”); and

**WHEREAS**, Auto Center desires to refurbish the LED Sign on the Property, which would include the installation of a new LED display, an update of the ID cabinet, repainting of the LED Sign and other related work; and

**WHEREAS**, the City of Fontana (“City”) desires to obtain a leasehold interest in Auto Center’s refurbished LED Sign to display permitted City messages and State of California’s Emergency Digital Information Service messages; and

**WHEREAS**, City and Auto Center each desire to enter into a license and reimbursement agreement for the costs to refurbish the LED Sign and for the City to obtain a leasehold interest to display City messages and State of California’s Emergency Digital Information Service messages on the LED Sign.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FONTANA, DOES HEREBY RESOLVE AND FIND AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**Section 2. CEQA Compliance.** The approval of the Knight Sunrise Ford Auto Center LED Sign License and Reimbursement Agreement through this Resolution does not commit the City of Fontana to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk is authorized and directed to file a Notice of Exemption with the appropriate official of the County of San Bernardino, California, within five (5) days following the date of adoption of this Resolution.

**Section 3. Approval.** City Council of the City of Fontana hereby approves the LED Sign License and Reimbursement Agreement with Auto Center and authorizes the City Manager to execute the Agreement in accordance with this Resolution.

**Section 4. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without

the invalid provision or application, and to this end the provisions of this Resolution are severable. The City declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**Section 5. Certification.** The City Clerk shall certify to the adoption of this Resolution.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**APPROVED and ADOPTED** this 12th day of November 2024.

**READ AND APPROVED AS TO LEGAL FORM:**

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City Attorney

I, Germaine McClellan Key, City Clerk of the City of Fontana, California, and Ex-Officio Clerk of the City of Fontana, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council of said City, at a regular meeting on the 12<sup>th</sup> day of November, 2024, by the following vote to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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City Clerk of the City of Fontana

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Mayor of the City of Fontana

**ATTEST**

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City Clerk of the City of Fontana