

**RESOLUTION NO. SAR 2024- \_\_\_\_\_**

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY APPROVING AMENDMENT TO ITS LONG-RANGE PROPERTY MANAGEMENT PLAN, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5**

**WHEREAS**, pursuant to Health and Safety Code Section 34173(d), the City of Fontana became the successor agency to the former Fontana Redevelopment Agency (“Successor Agency”); and

**WHEREAS**, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate legal entity from the City; and

**WHEREAS**, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a “long-range property management plan” (“LRPMP”) addressing the future disposition and use of all real property of the former Fontana Redevelopment Agency; and

**WHEREAS**, Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the LRPMP to the Countywide Oversight Board (established pursuant to Health and Safety Code Section 34179(a)) (“Oversight Board”) and the State of California Department of Finance (“DOF”) for review and approval no later than six months following the issuance to the Successor Agency of a finding of completion pursuant to Health and Safety Code Section 34179.7; and

**WHEREAS**, the Successor Agency prepared a LRPMP containing all of the information required by Health and Safety Code Section 34191.5 that was approved by the Fontana Oversight Board (“FOB”) and submitted to DOF on June 18, 2013 for review and approval in accordance with applicable law; and

**WHEREAS**, due to the DOF’s objection to the classification of certain real property in the LRPMP, the Successor Agency was directed to revise its LRPMP and resubmit for approval to the DOF after the FOB had approved the revised LRPMP (which was approved as indicated by FOB Resolution Nos. FOB 2014-02 and FOB 2014-03); and

**WHEREAS**, on May 23, 2014, the DOF approved the Successor Agency’s LRPMP in its revised form consistent with the direction from the DOF; and

**WHEREAS**, the Successor Agency is amending its LRPMP to address a mistake that was recently discovered pertaining to real property that had not been listed in the approved LRPMP as further described below; and

**WHEREAS**, in 2008 and prior to the dissolution of the Fontana Redevelopment Agency, the Fontana Redevelopment Agency purchased from the State of California

Department of Transportation (the "State") that certain real property then identified as parcel DD 015496-01-01 comprised of eight parcels, (also known as Lots 21-31 of Tract No. 3348, Highland Haven M.B. 47/14-16), now identified with APN 0228-301-51 (the "Property"), with a common location west of Citrus Avenue and north of South Highland Avenue; and

**WHEREAS**, the purchase of the Property from the State was consummated by recordation of that certain Director's Deed, recorded on August 6, 2008 in the Official Records of the County of San Bernardino, as Instrument No. 2008-0359351, granting the Property by the State of California, acting by and through its Director of Transportation, to the Fontana Redevelopment Agency with a certificate of acceptance providing that the acceptance of the property interest was by the City of Fontana; and

**WHEREAS**, unbeknownst to the City, the Fontana Redevelopment Agency, Successor Agency, the 2008 transfer of this Property was mistakenly recorded as vesting in favor of the City of Fontana by the San Bernardino County Recorder's Office and the land with Assessor's Parcel Number 0228-301-51 was recorded as being owned by the City of Fontana; and

**WHEREAS**, when the Successor Agency was identifying any real property that should be listed in the LRPMP, the Property was inadvertently (due to the aforementioned mistake) not included in the LRPMP, but would have been listed, but for the error that occurred in 2008 when the Property was recorded as being owned by the City of Fontana; and

**WHEREAS**, the Property is part of a larger (commercial zoned) development area, located north of South Highland Avenue and west of Citrus Avenue; and

**WHEREAS**, the Successor Agency proposes amending its LRPMP to add the Property and designate it for Sale of Property and submit to seek approval by the Oversight Board and approval by DOF thereafter.

**NOW, THEREFORE, THE GOVERNING BOARD OF THE SUCCESSOR AGENCY TO THE FONTANA REDEVELOPMENT AGENCY OF THE CITY OF FONTANA DOES HEREBY FIND AND RESOLVE 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 amendment to the LRPMP through this Resolution does not commit the Successor Agency 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 ("CEQA"). The Successor Agency Secretary is authorized to file a Notice of Exemption in accordance with CEQA 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 of Revisions to the LRPMP.** The Successor Agency hereby approves the following described revisions to the LRPMP:

Property No. \_\_\_\_\_ (APNs 0228-301-510000), Citrus Highland (Fite) Development, is classified as “Sale of Property.”

**Section 4. Successor Agency Acknowledgment of Distribution of Net Sale Proceeds.** Regarding the property classified as “Sale of Property” in the LRPMP (as revised by this Resolution), the Successor Agency asserts no claim to the net proceeds from the sales of these properties, after deduction of the costs of sale, and intends to transmit such net sale proceeds to the County of San Bernardino Auditor-Controller for distribution to the affected taxing entities in accordance with applicable law.

**Section 5. Transmittal of LRPMP.** The Successor Agency Executive Director is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law, including submitting the amendment to the LRPMP made by this Resolution to the Oversight Board and DOF for review and approval, preparing a revised LRPMP, if required by DOF, submitting any such revised LRPMP to the Oversight Board and to DOF for review and approval and posting the revisions to the LRPMP made by this Resolution and/or any revised LRPMP on the Successor Agency’s website.

**Section 6. Certification.** The Successor Agency Secretary shall certify to the adoption of this Resolution.

**Section 7. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Successor Agency to the Fontana Redevelopment Agency on this \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**ATTEST**

\_\_\_\_\_  
Successor Agency Secretary, City Clerk of the City of Fontana  
Acting Ex-Officio Clerk of the Successor Agency  
to the Fontana Redevelopment Agency