

## RESOLUTION NO. 2025-XXXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE CITY OF FONTANA LOCATED AS SHOWN ON THE ATTACHED LEGAL DESCRIPTION IS EXEMPT SURPLUS LAND FOR PURPOSES STATED HEREIN AND FINDING THAT SUCH DECLARATION AND AUTHORIZATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

**WHEREAS**, the City of Fontana (the “City”) is the owner of that certain real property, which consists of approximately 458.38 square feet, and is more particularly described in Exhibit “A” and depicted in Exhibit “B,” attached hereto and incorporated herein by this reference (the “Property”); and

**WHEREAS**, the Property is less than one half acre in area, or 21,780 square feet, and it is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes; and

**WHEREAS**, the City no longer has any use for the Property; and

**WHEREAS**, the Surplus Land Act, Government Code, section 54220 *et seq.* (as amended, the “Act”), applies when a local agency disposes of “surplus land,” as that term is defined in Government Code, section 54221; and

**WHEREAS**, the Property is “surplus land” under the Act, because it is land owned in fee simple by the City for which the City Council will take formal action (in the form of adoption of this resolution) in a regular public meeting declaring that the land is surplus and is not necessary for the City’s use; and

**WHEREAS**, the Property may be declared exempt surplus land if it is less than one-half acre in area and it is not contiguous to state or local agency property used for open-space or low- or moderate-income housing (Government Code, section 54221(f)(1)(B)); and

**WHEREAS**, the Property does not meet any of the criteria listed in Government Code section 54221(f)(2).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fontana, California, as follows:

**Section 1.** The above recitals are true and correct and are a substantive part of this Resolution.

**Section 2.** The City Council hereby finds that (i) the Property is no longer necessary for the City's use, and (ii) the Property is smaller than one-half acre in area because it is a total of 458.38 square feet, and it is not contiguous to state or local agency property used for open-space or low- or moderate-income housing.

**Section 3.** The City Council therefore declares that the Property is exempt surplus land pursuant to section 54221(f)(1)(B) of the Act.

**Section 4.** This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code, Section 21000 *et seq.*) ("CEQA"). Agency staff has determined that the designation of this property as exempt surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3), because it is not a project as defined by the CEQA Guidelines, Section 15378. Adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

**Section 5.** If any section, subsection, paragraph, sentence, clause or phrase of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

**Section 6.** The City Clerk shall certify to the adoption of this Resolution.

**APPROVED AND ADOPTED** this 9<sup>th</sup> day of December, 2025.

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

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City Attorney

I, Germaine McClellan Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council at a regular meeting held on the 9<sup>th</sup> day of December, 2025, 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

**Exhibit A**  
**Legal Description**

**Exhibit B**

**Plat Map**