

RESOLUTION NO. 2024-19

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF COUNTY SERVICE AREA 42) DECLARING THAT CERTAIN REAL PROPERTY, COMPRISING A TOTAL OF APPROXIMATELY 7,975 SQUARE FEET OF LAND IMPROVED WITH AN APPROXIMATELY 1,200 SQUARE FOOT MAINTENANCE BUILDING, LOCATED IN THE UNINCORPORATED AREA OF ORO GRANDE IS NO LONGER NECESSARY FOR THE USES AND PURPOSES OF COUNTY SERVICE AREA 42, IS SURPLUS PURSUANT TO COUNTY POLICY 12-17, AND IS SURPLUS LAND PURSUANT TO GOVERNMENT CODE SECTION 54221(B)(1).

On Tuesday, February 6, 2024, on motion of Supervisor Baca, Jr. , duly seconded by Supervisor Hagman and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County (Board), acting as the governing body of County Service Area 42 (CSA).

WHEREAS, the CSA is the owner in fee simple of that certain real property located in the unincorporated area of Oro Grande, north of the Interstate 15 freeway and west of the National Trails Highway, comprising approximately 7,975 square feet of land improved with an approximately 1,200 square foot maintenance building, and commonly known as Assessor Parcel Number 0468-291-05 ("Property"); and

WHEREAS, pursuant to County Policy 12-17, Surplus Real Property (Policy), the Board may declare the Property if it is no longer needed, and thereafter, it may be disposed of in accordance with law; and

WHEREAS, CSA has determined that the Property is no longer needed because [REASON] and the Real Estate Services Department (RESD) recommends making it available for disposition; and

WHEREAS, under the Surplus Land Act, Government Code Section 54220 *et seq.* ("Act"), surplus land is land owned in fee simple by the CSA for which the Board takes formal action in a regular public meeting declaring the land is surplus and not necessary for the CSA's use. The land must further be declared either surplus land or exempt surplus land; and

WHEREAS, the Board desires to declare that the Property is surplus under the Policy and no longer necessary for the CSA's uses and purposes and further declares that the Property is surplus land under the Act; and

WHEREAS, the Act requires that before the Board disposes of the Property or engages in negotiations to dispose of the Property, the CSA send a written notice of availability of the Property to certain designated entities set forth in Government Code Section 54222 (Designated Entities); and

WHEREAS, the accompanying staff report provides supporting information upon which the declaration and findings set forth in this Resolution are based;

NOW, THEREFORE the Board hereby find, declares, and resolves as follows:

SECTION 1. The above recitals, including the findings, are true and correct and are a substantive part of this Resolution.

SECTION 2. The Board hereby declares that the Property is surplus pursuant to the Policy and is not necessary for the CSA's use, and further declares that the Property is surplus land pursuant to the Act.

SECTION 3. The Director of RESD is hereby directed to send, or cause to be sent, a notice of availability to the Designated Entities in accordance with 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"). Staff has determined that the designation of the Property as surplus does not have the potential for creating a significant effect on the environment and exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15312, Class 12, Surplus Government Property Sales. 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. If and when the Property is sold to a purchaser and that purchaser proposes a use for the Property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

SECTION 5. The Clerk of the Board of Supervisors is directed to file a Notice of Exemption pursuant to CEQA Guidelines Section 15312.

SECTION 6. The officers and staff of the CSA are hereby authorized, jointly and severally, to do all things which they may deem necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken are hereby confirmed. Such actions include negotiating in good faith in accordance with the requirements of the Act with any of the Designated Entities that submit a written notice of interest to purchase the Property in compliance with the Act.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby declares, that the Property is no longer necessary for the uses and purposes of the CSA and is surplus pursuant to the Policy and further declares that the Property is surplus land pursuant to the Act.

PASSED AND ADOPTED by the Board, acting as the governing body of the CSA, by the following vote:

AYES: SUPERVISORS: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.


NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

* * * * *

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

I, **LYNNA MONELL**, Clerk of the Board acting as the governing body of County Service Area 42, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of February 6, 2024. #56 CCM

LYNNA MONELL
Clerk of the Board of Supervisors
By  Deputy
