

Exhibit 31

Resolution No. 2016-26
(Authorizing The Transfer Of Certain Real Property Assets From
The Successor Agency To The Redevelopment Agency Of
The City Of San Bernardino To The City Of San Bernardino)

RESOLUTION NO. 2016-26

RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY ASSETS FROM THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO TO THE CITY OF SAN BERNARDINO PURSUANT TO THE LONG-RANGE PROPERTY MANAGEMENT PLAN AND APPROVING CERTAIN RELATED ACTIONS.

WHEREAS, pursuant to Health and Safety Code (the "HSC") § 34172 (a)(1), the Redevelopment Agency of the City of San Bernardino was dissolved on February 1, 2012; and

WHEREAS, consistent with the provisions of the HSC, the Mayor and Common Council previously elected to serve in the capacity of the Successor Agency to the Redevelopment Agency of the City of San Bernardino (the "Successor Agency"); and

WHEREAS, the Oversight Board for the Successor Agency ("Oversight Board") has been established pursuant to HSC § 34179 to assist in the wind-down of the dissolved redevelopment agency; and

WHEREAS, on December 22, 2015, the Successor Agency received its Finding of Completion (the "FOC") from the California Department of Finance (the "DOF") pursuant to HSC § 34179.7; and

WHEREAS, subsequent to receiving an FOC, HSC § 34191.5 requires the Successor Agency to prepare a Long-Range Property Management Plan (the "LRPMP") to address the disposition and use of the real property assets held by the Successor Agency; and

WHEREAS, pursuant to HSC § 34191.5 (c), the Successor Agency prepared and filed with the DOF its Oversight Board-approved Long-Range Property Management Plan; and

WHEREAS, in its December 31, 2015 letter, the DOF formally approved the Successor Agency's LRPMP and notified the Successor Agency that pursuant to HSC § 34191.3, the approved LRPMP shall govern, and supersede all other provisions relating to, the disposition and use of all the real property assets of the former redevelopment agency; and

WHEREAS, the LRPMP includes 230 parcels of land grouped into forty-six (46) separate sites, nineteen (19) of which are designated for governmental use by the City, which may now be

1 transferred to the City at no cost pursuant to the authority granted thereof in the approved LRPMP;
2 and

3 **WHEREAS**, the designated governmental use sites are listed within in Exhibit "A" to this
4 resolution; and

5 **WHEREAS**, notwithstanding the foregoing, DOF has advised the Successor Agency that
6 its final determination with respect to whether Site No. 6, the Baseball Stadium Park, is a
7 government use property remains pending; and

8 **WHEREAS**, consistent with the foregoing recital, the transfer of Site No. 6, the Baseball
9 Stadium Park, to the City as a government use property pursuant to this Resolution is conditioned
10 upon DOF's approval of such transfer; and

11 **WHEREAS**, this resolution will authorize the Successor Agency's transfer of nineteen (19)
12 governmental use sites to the City at no cost via quitclaim deeds, the form of which is attached
13 hereto as Exhibit "B", pursuant to the LRPMP; and

14 **WHEREAS**, this Resolution has been reviewed with respect to applicability of the
15 California Environmental Quality Act (the "CEQA"), the State CEQA Guidelines (California Code
16 of Regulations, Title 14, § 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental
17 guidelines; and

18 **WHEREAS**, this Resolution does not constitute a "project" for purposes of CEQA, as that
19 term is defined by Guidelines § 15378, because this Resolution is an organizational or
20 administrative activity that will not result in a direct or indirect physical change in the environment,
21 per § 15378 (b) (5) of the Guidelines; and

22 **WHEREAS**, all of the prerequisites with respect to the approval of this Resolution have
23 been met.

24 **NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY TO THE**
25 **REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO, AS FOLLOWS:**

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

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1 **Section 2.** The Successor Agency’s transfer of the nineteen (19) governmental use sites
2 to the City, as listed in Exhibit “A,” at no cost, is approved.

3 **Section 3.** The transfer of Site No. 6, the Baseball Stadium Park, to the City as a
4 government use site is conditioned upon receiving authorization to do so from the California
5 Department of Finance.

6 **Section 4.** On behalf of the Successor Agency, the City Manager, in the capacity as
7 Executive Director of the Successor Agency, is authorized and directed to execute the quitclaim
8 deeds required to transfer nineteen (19) governmental use sites to the City, the form of which is
9 attached hereto as Exhibit “B”.

10 **Section 5.** This Resolution is not a “project” for purposes of CEQA, as that term is
11 defined by § 15378 of the Guidelines, because this Resolution is an organizational or administrative
12 activity that will not result in a direct or indirect physical change in the environment, per § 15378
13 (b) (5) of the Guidelines.

14 **Section 6.** This resolution shall take effect upon its adoption and execution in the
15 manner as required by the City Charter.

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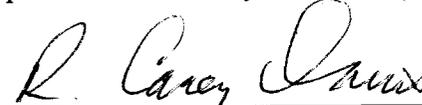
RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF SAN BERNARDINO ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO AUTHORIZING THE TRANSFER OF CERTAIN REAL PROPERTY ASSETS FROM THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO TO THE CITY OF SAN BERNARDINO PURSUANT TO THE LONG-RANGE PROPERTY MANAGEMENT PLAN AND APPROVING CERTAIN RELATED ACTIONS.

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Successor Agency to the Redevelopment Agency of the City of San Bernardino, at a meeting thereof, held on the 16th day of February, 2016, by the following vote, to wit:

<u>Council Members</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstain</u>	<u>Absent</u>
MARQUEZ	X	_____	_____	_____
BARRIOS	X	_____	_____	_____
VALDIVIA	_____	_____	_____	X
SHORETT	X	_____	_____	_____
NICKEL	X	_____	_____	_____
JOHNSON	X	_____	_____	_____
MULVIHILL	X	_____	_____	_____


 Georgeann Hanna, CMC, City Clerk

The foregoing resolution is hereby approved this ^{19th}~~16th~~ day of February 2016.


 R. Carey Davis, Chairman
 Successor Agency to the
 Redevelopment Agency of the
 City of San Bernardino

Approved as to Form:
 Gary D. Saenz, City Attorney

By: 

EXHIBIT "A"

<i>Governmental Use Real Property Assets</i>			
<i>Site No.</i>	<i>Site Reference</i>	<i>Address</i>	<i>APN</i>
1	City Police Headquarters	710 N. "D" Street	0140-281-52
		767 N. "E" Street	0140-281-54
2	City Administration Campus	300 N. "D" Street	0134-251-57
			0134-251-58
			0134-251-59
			0134-251-62
		301 N. "E" Street	0134-251-60
			0134-311-40
201 N. "E" Street	0134-311-50		
	0134-321-24		
3	1350 S. "E" Street Local Agency Administration Building	1350 S. "E" Street	0141-252-04
			0141-252-06
4	Shandin Hills Public Golf Park	3380 Little Mtn. Drive	0148-011-30
			0148-021-59
			0148-022-06
5	Portion of Seccombe Lake Park	567 N. Sierra Wy	0135-061-19
6	Baseball Stadium Park	280 S. "E" Street	0136-111-23
7	California National Guard Armory	266 E. 3rd Street	0135-191-13
8	US Army Reserve Property	296 E. 3rd Street	0135-191-14
9	Street Right-of-Way #1	N. Stoddard Avenue	0134-141-36
10	Street Right-of-Way #2	NEC Athol Street & S. "D" Street	0136-122-69
11	Street Right-of-Way #3	E. 9 th Street	0278-063-21
12	Foothill Drive Water Well-Site Property	Foothill Drive	0155-381-11
			0155-381-45
13	N. "D" Street Parking Lot	N. "D" Street	0134-141-34
14	San Bernardino County Law Library Parking Lot	402 N. "D" Street	0134-151-31
15	N. "F" Street Parking Lot	450 N. F Street	0134-101-09
			0134-101-10
16	W. 5 th Street Parking Lot	512 W. Fifth Street	0134-062-12
17	W. Church Street Parking Lot	W. Church Street	0134-071-19
			0134-071-24
			0134-071-26
			0134-071-58
18	N. Mt. Vernon Avenue/W. 5th Street Public Access/Parking Lot	N. Mt. Vernon / W. 5 th Street	0138-122-33
19	2003-HUB Development Parking Lot	S. Tippecanoe Avenue	0281-401-13

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EXHIBIT "B"

**Form of Quitclaim Deed
(Not for Signature)**

RECORDING REQUESTED BY
Successor Agency to the Redevelopment
Agency of the
City of San Bernardino

WHEN RECORDED MAIL TO:
City of San Bernardino
300 North D Street, 6th Floor
San Bernardino, CA 92418

Attn: Mark Scott, City Manager

(Space Above Line For Use By Recorder)

APNs: _____

This document is exempt from the
payment of a recording fee pursuant to
Government Code Section 27383

DOCUMENTARY TRANSFER TAX \$NONE

(i) QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the Successor Agency to the Redevelopment Agency of the City of San Bernardino, a public body, corporate and politic (the "Grantor") does hereby remise, release and quitclaim to the City of San Bernardino, a public body, corporate and politic (the "Grantee"), any interest that Grantor may have in the real property in the City of San Bernardino, County of San Bernardino, State of California, described in Attachment "A" attached hereto and incorporated herein by this reference.

SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF
SAN BERNARDINO, a public body, corporate and
politic

Dated _____

By: Not for Signature
Mark Scott, Executive Director
Successor Agency to the
Redevelopment Agency
of the City of San Bernardino

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Attachment "A"

LEGAL DESCRIPTION

Address:
APN(s):

LEGAL DESCRIPTION(S)

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by written deed or grant dated _____, 2016 from the Successor Agency to the Redevelopment Agency of the City of San Bernardino to the City of San Bernardino, is hereby accepted by the undersigned officer or agent on behalf of the City of San Bernardino, pursuant to authority conferred by the City of San Bernardino on _____, 2016, pursuant to Resolution No. 2016-_____ and the City of San Bernardino consents to recordation thereof by its duly authorized officer.

Dated this _____ day of _____, 2016.

By: Not for Signature
Mark Scott, City Manager
City of San Bernardino

Provides for:

Site No.	Site Reference Name	Address	APN

