

Exhibit 38

Schedule of Executory Contracts and Unexpired
Leases To Be Assumed and Assigned

EXHIBIT 38

**Schedule of Executory Contracts and Unexpired Leases
 To Be Assumed and Assigned¹**

Category	Contract Counter Parties	Description of Contract/Lease	Effective Date of Assumption and Assignment	Proposed Cure Amount	Proposed Assignee
Fire Annexation Agreements:					
San Bernardino International Airport Authority	San Bernardino International Airport Authority	The City of San Bernardino and San Bernardino International Airport Authority – agreement for crash rescue services and facilities at the San Bernardino	July 1, 2016	\$0	San Bernardino County, in connection with the annexation of the City into the San Bernardino County Fire Protection District

¹ Each contract and/or lease listed herein in this Schedule shall be deemed to include such contract and/or lease as such agreement may have been amended from time to time, and any ancillary agreements related or necessary thereto. This Schedule of contracts and/or leases may be amended, from time to time, as set forth in the *Third Amended Plan for the Adjustment of Debts of the City of San Bernardino, California (July 29, 2016)* (the “**Plan**”) or the Disclosure Statement filed in connection with that Plan. This Schedule will not be deemed to include any contract and/or lease otherwise assumed and assigned in connection with the City’s bankruptcy case. Nothing contained in this Schedule shall constitute an admission or a waiver of any of the City’s rights to assert claims or defenses. For the avoidance of doubt, listing a contract or lease on this Schedule does not constitute (i) an admission by the City that any such contract or lease is “executory” or “unexpired”, (ii) an admission by the City of the legal rights of any counterparty claimant, or (iii) a waiver of the City’s right to recharacterize or reclassify such contract. Failure to list a contract or lease on this Schedule, or to designate any contract or lease as “executory” or “unexpired”, does not constitute an admission by the City that a contract or lease is, or is not, “executory” or “unexpired”. Any capitalized terms used herein and not otherwise defined shall have the meaning ascribed to such term as set forth in the Plan.

Category	Contract Counter Parties	Description of Contract/Lease	Effective Date of Assumption and Assignment	Proposed Cure Amount	Proposed Assignee
		International Airport, dated as of December 12, 2005, as between the City and the San Bernardino International Airport Authority (adopted by the City Common Council Resolution No. 2006-7, amended by Resolution No. 2009-53).			

<p>San Manuel Band of Mission Indians</p>	<p>The San Manuel Band of Mission Indians</p>	<p>City of San Bernardino and San Manuel Band of Mission Indians – agreement for fire protection, EMS, fire prevention services, emergency dispatching, IT support and fire apparatus, dated as of July 1, 2007, as between the City and the San Manuel Band of Mission Indians (adopted by City Council Resolution No. 2007-397)</p>	<p>July 1, 2016</p>	<p>\$0</p>	<p>San Bernardino County, in connection with the annexation of the City into the San Bernardino County Fire Protection District</p>
--	---	---	---------------------	------------	---