

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. R-69-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON APPROVING A PURCHASE AND SALE AGREEMENT WITH THE COUNTY OF SAN BERNARDINO FOR THE ACQUISITION OF APPROXIMATELY 2.04 ACRES OF REAL PROPERTY AND TO AMEND THE FISCAL YEAR 2016-17 BUDGET TO APPROPRIATE FUNDS ASSOCIATED WITH THE TRANSACTION

WHEREAS, the County of San Bernardino (“Seller”) is the owner of that certain real property located at east of Pepper Avenue in the City of Colton (APN 0254-191-11) (the “Property”); and

WHEREAS, Seller acquired the Property during the acquisition phase for the Valley Boulevard and Pepper Avenue Interchange Improvement Project (“Project”) and has determined that that the Property is not necessary for road right-of-way or any other purpose; and

WHEREAS, Seller is therefore authorized to sell the Property to the City for fair market value in accordance with Section 25365 of the Government Code of the State of California; and

WHEREAS, California Government Code Section 37350 provides that a city may purchase, lease, receive, hold, and enjoy real and personal property, and control and dispose of it for the common benefit; and

WHEREAS, the City of Colton (“City”) desires to purchase the Property from Seller to facilitate the redevelopment of the Property; and

WHEREAS, Seller desires to sell the Property to the City, and City desires to purchase the Property from Seller, through a Purchase and Sale Agreement, which includes joint escrow instructions, in the form attached hereto as Exhibit “A” and incorporated herein (the “Agreement”); and

WHEREAS, City staff has determined that the Seller’s conveyance of the Property to City is exempt from the requirements of the California Environmental Quality Act (“CEQA”), pursuant to State CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that the mere transfer of title to the Property from the Seller to the City will not have a significant effect on the environment; and

WHEREAS, a budget appropriation for the purchase of the Property, not listed in the 2016-17 Fiscal Year budget, is required and must be approved by resolution of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON RESOLVES AS FOLLOWS:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A
Purchase and Sale Agreement and Joint Escrow Instructions
[Attached Behind This Page]

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF COLTON)

4 CERTIFICATION

5 I, **CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do hereby
6 certify that the foregoing is a full, true and correct copy of **RESOLUTION NO. R-69-16**,
7 duly adopted by the City Council of said City, and approved by the Mayor of said City, at its
8 Regular Meeting of said City Council held on the **5th day of July, 2016**, and that it was
9 adopted by the following vote, to wit:

10 AYES: COUNCILMEMBER Toro, Jorin, Navarro, González, Bennett,
11 and Mayor DeLaRosa
12 NOES: COUNCILMEMBER None
13 ABSTAIN: COUNCILMEMBER None
14 ABSENT: COUNCILMEMBER Suchil

15
16 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal
17 of the City of Colton, California, this _____ day of _____, 20 ____.

18
19
20
21 _____
22 CAROLINA R. PADILLA
23 City Clerk
24 City of Colton

25
26
27
28 (SEAL)