

RESOLUTION NO. 2024-222

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF SAN BERNARDINO, CALIFORNIA,
DECLARING ITS INTENT TO CONDUCT A PUBLIC
HEARING TO ORDER THE VACATION OF A PORTION OF
IOLA PLACE EAST OF NORTH “D” STREET AND NORTH
OF WEST BASELINE STREET, AND RESERVATION OF
UTILITIES THEREIN**

WHEREAS, on March 22, 2024, the Real Property Division of the Economic Development Department received a petition from GGF III, LLC, to vacate a portion of Iola Place east of North “D” Street and north of West Baseline Street, and the reservation of utilities therein; and

WHEREAS, the proposed street vacation, No. 15.30-442, will allow for future commercial development, enabling the applicant to enhance property management and security measures to deter the expansion of homeless encampments, thereby creating a safer and more welcoming environment for the surrounding community, including patrons, residents, and nearby schools; and

WHEREAS, the existing 3,242 square feet of public right-of-way will be absorbed into an existing commercial development that satisfies the Development Code requirements; and

WHEREAS, on September 18, 2024, the Mayor and City Council authorized staff to proceed with an investigation and analysis to vacate a portion of Iola Place; and

WHEREAS, on September 25, 2024, notices were sent out to City Departments including Public Works and San Bernardino County Fire, utility providers including the San Bernardino Municipal Water Department and So Cal Gas informing them of the proposed street vacation.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:

SECTION 1. The Mayor and City Council of the City of San Bernardino, California hereby declares its intention to order the vacation of Iola Place (No. 1530-442), generally located east of North “D” Street and north of West Baseline Street, and the reservation of utilities therein as described on the legal description attached hereto and incorporated as Exhibit “A” and depicted on the map attached hereto and incorporated herein as Exhibit “B”.

SECTION 2. The Mayor and City Council of the City of San Bernardino, California, in vacating the above-described portion of said street, elects to proceed in accordance with the provisions of the “Public Streets, Highways and Service Easements Vacation Law”, being Division 9, Part 3, of the Streets and Highways Code of the State of California.

SECTION 3. The hour of 5:00 p.m., on Wednesday, January 15, 2025, at 555 West 6th Street, San Bernardino, California, 92410, is fixed as the time and place when and where all

persons interested in or objecting to the proposed vacation areas may appear before the Mayor and City Council of the City of San Bernardino, California, and offer evidence in relation hereto.

SECTION 4. The Mayor and City Council hereby direct the Real Property Division of the City of San Bernardino to cause a Notice of Street Vacation, No. 15.30-442, to be posted as required by said “Public Streets, Highways and Service Easements Vacation Law.”

SECTION 5. The City Clerk shall certify the adoption of this Resolution of Intention and shall cause the same to be published once per week for two successive weeks in a newspaper published and circulated in the City of San Bernardino, prior to the above date set forth for the public hearing.

SECTION 6. The Mayor and City Council finds this Resolution is not subject to the California Environmental Quality Act (CEQA) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty, as in this case, that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 7. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

SECTION 8. Effective Date. This Resolution shall become effective immediately.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 20th day of November 2024.

Helen Tran, Mayor
City of San Bernardino

Attest:

Genoveva Rocha, CMC, City Clerk

Approved as to form:

Sonia Carvalho, City Attorney

CERTIFICATION

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

I, Genoveva Rocha, CMC, City Clerk, hereby certify that the attached is a true copy of Resolution No. 2024-222, adopted at a regular meeting held on the 20th day of November 2024 by the following vote:

| <u>Council Members:</u> | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
|--------------------------------|--------------------|--------------------|-----------------------|----------------------|
| SANCHEZ | _____ | _____ | _____ | _____ |
| IBARRA | _____ | _____ | _____ | _____ |
| FIGUEROA | _____ | _____ | _____ | _____ |
| SHORETT | _____ | _____ | _____ | _____ |
| REYNOSO | _____ | _____ | _____ | _____ |
| CALVIN | _____ | _____ | _____ | _____ |
| ALEXANDER | _____ | _____ | _____ | _____ |

WITNESS my hand and official seal of the City of San Bernardino this ____ day of _____ 2024.

Genoveva Rocha, CMC, City Clerk