

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND APPROVING AN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY MANAGER'S OFFICE AND THE DEVELOPMENT SERVICES DEPARTMENT TO OBLIGATE AMERICAN RESCUE PLAN ACT FUNDS IN THE AMOUNT OF \$8,030 TOWARDS THE SANTA FE DEPOT BUILDING PATIO ROOF PROJECT

WHEREAS, on March 11, 2021, the President signed into law the American Rescue Plan Act ("ARPA"). The federal stimulus program allocated \$1.9 trillion over the following three years to help state and local governments respond to the economic and public health impacts of COVID-19; and

WHEREAS, under the law, each local government agency nationwide receives an allocation of ARPA funds based on a formula. The City's share is \$15.2 million; and

WHEREAS, recipients must obligate all monies prior to December 31, 2024, with funds to be fully expended by December 31, 2026, except for transportation and Title I projects which must be expended by September 30, 2026; and

WHEREAS, the City has remaining unspent funds from four separate approved ARPA projects that will be repurposed towards the Santa Fe Depot Building Patio Roof Project ("Project"); and

WHEREAS, the total Project cost is estimated at \$8,030, including contingency; and

WHEREAS, the Project will install a solid patio roof cover (built-up roof) at the Santa Fe Depot's 220 E. A Street to maximize the use of the patio space for a future tenant's outdoor dining capacity; and

WHEREAS, this Project will ensure resiliency of a new downtown business venture; and

WHEREAS, the City currently has \$8,030 in obligated ARPA funds which can be repurposed towards the Project.

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines and resolves, as follows:

Section 1. All of the above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council hereby obligates \$8,030 in ARPA funding towards the Project via the attached interdepartmental Memorandum of Understanding in accordance with the federal government's deadline of December 31, 2026.

Section 3. The interdepartmental Memorandum of Understanding expressly creates an obligation between the City Manager's Office and the Development Services Department to expend all ARPA funds by December 31, 2026.

Section 4. The Development Services Department will comply with all reporting and recordkeeping requirements in compliance with federal guidelines on behalf of the City.

Section 5. The City Manager's Office will continue to track all ARPA project spending and any remaining obligated funds from completed projects will be transferred to the indirect administrative services support project account to ensure that all ARPA funding remains fully obligated and spent by the December 31, 2026 deadline.

Section 6. Compliance with California Environmental Quality Act. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 7. Certification. The City Clerk shall certify the adoption of this Resolution.

Section 8. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

Section 9. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED AND ADOPTED this 10th day of February, 2025.

Bill Velto, Mayor

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I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 10th day of February, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

Keri Johnson, City Clerk