

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA APPROVING, AUTHORIZING, AND DIRECTING CITY STAFF EXECUTION OF THE JOINT EXERCISE OF POWERS AGREEMENT RELATING TO MEMBERSHIP IN THE SAN BERNARDINO REGIONAL HOUSING TRUST (SBRHT)

WHEREAS, the San Bernardino Regional Housing Trust (SBRHT) will be formed upon the approval of at least three (3) qualified members as a joint powers authority between Member Agencies throughout the San Bernardino Council of Governments region (region); and

WHEREAS, SBRHT was created for the purpose of funding housing that assists persons and families with extremely low-, very low-, low- and moderate-incomes, including individuals and families experiencing homelessness and workforce households within the region; and

WHEREAS, the City of Upland is committed to increasing the supply of affordable housing and addressing the housing needs of residents across all income levels; and

WHEREAS, the City of Upland determined that there are limited financial resources for affordable housing development and that additional local financing will increase the competitiveness of individual projects for the State and Federal resources; and

WHEREAS, the SBRHT provides an opportunity to raise and pool funds to support the development of affordable and workforce housing including the development of financing, preservation and rehabilitation of such housing; and

WHEREAS, the City of Upland find it in their mutual economic interest to address the housing needs of their residents on a regional level; and

WHEREAS, the City of Upland determined that it is in the public interest and for the public benefit that the City of Upland become a member of the SBRHT to further facilitate the development of affordable housing in the City of Upland and throughout the region, including the financing of projects therefore by the SBRHT; and

WHEREAS, the City of Upland will be joining other jurisdictions that are members of the SBRHT in efforts to increase State and Federal resources for affordable housing directed to SBRHT; and

WHEREAS, the Agreement has been filed with the City of Upland, and the members of the Upland City Council, with the assistance of its staff, have reviewed said document; and

WHEREAS, the SBRHT is authorized to issue grants and loans to developers for the purpose, among others, of financing and refinancing the construction, acquisition, and rehabilitation of affordable housing; and

WHEREAS, the City anticipates there will be affordable housing projects in need of financing located in the City of Upland.

WHEREAS, the SBRHT shall be legally independent from the City of Upland and its debts, liabilities, and obligations shall not constitute those of the City unless expressly agreed to by both parties; and

WHEREAS, local land use authority remains fully vested in the City of Upland, and nothing in the Joint Exercise of Powers Agreement shall be construed to transfer, limit, or otherwise affect the City's sovereign authority over land use decisions; and

WHEREAS, the City Council finds it to be in the best interest of the City of Upland and its residents to join the SBRHT and support regional housing solutions.

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

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The City Council hereby authorizes the City of Upland membership in the San Bernardino Regional Housing Trust (SBRHT).

Section 3. The City Council reviewed and approves of the Joint Exercise of Powers Agreement substantially in the form attached EXHIBIT A.

Section 4. The adoption of this Resolution shall not obligate the City of Upland or any department thereof to (i) provide any financing to acquire, construct or operate any Project or any refinancing of any Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, improvement, rehabilitation or operation of any Project; (iii) require any contribution or advance any funds whatsoever to the SBRHT other than membership fees for administrative costs; or (iv) except as provided in this Resolution, take any further action with respect to the SBRHT or its membership therein.

Section 5. The City Council, the City Clerk and all other proper officers and officials of the City of Upland are hereby authorized and directed to execute the Joint Exercise of Powers Agreement and to perform such other acts and deeds, as may be necessary or convenient to affect the purposes of this Resolution and the transactions herein authorized.

Section 6. The City Clerk shall forward a certified copy of this Resolution and an originally executed Agreement to the SBRHT:

San Bernardino Regional Housing Trust
Attn: Director of the Council of Governments
1170 West Third Street, 2nd Floor
San Bernardino, CA 92410

Section 5. The proposed action is exempt from 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 6. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 7. 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 8. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED and ADOPTED this 23rd day of March, 2026.

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 23rd day of March, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

ATTEST:

Keri Johnson, City Clerk