

**RESOLUTION NO. 2024-178**

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO, CALIFORNIA, AUTHORIZING THE EXECUTION OF TO THE HOME INVESTMENT PARTNERSHIPS PROGRAM INFILL HOUSING DEVELOPMENT MASTER AGREEMENT BETWEEN THE CITY OF SAN BERNARDINO AND NPHS COMMUNITY REDEVELOPMENT, INC.**

**WHEREAS**, the City has received HOME Investment Partnership Act ("HOME") funds from the United States Department of Housing and Urban Development ("HUD") pursuant to the Cranston-Gonzalez National Housing Act of 1990, The HOME funds must be used by the City in accordance with 24 CFR Par 92; and

**WHEREAS**, the HOME Program is designed to create affordable housing for low and moderate income households and may be used to fund a wide range of activities including the building, buying, and/or rehabilitation of affordable housing for rent or homeownership or providing direct rental assistance; and

**WHEREAS**, NPHS San Bernardino Developments, LLC ("Developer") is a qualified developer for the purpose of constructing or reconstructing infill housing on blighted or underutilized sites ("Eligible Properties") and selling the Eligible Properties to qualified households; and

**WHEREAS**, the Infill Housing Program was approved by the Mayor and City Council on September 19, 2016; and

**WHEREAS**, the City and Developer will enter into an Infill Housing Development Master Agreement in the amount of \$744,000, setting forth the terms and conditions under which Developer would construct or reconstruct infill housing on blighted or underutilized sites and sell those properties to households whose income does not exceed 80 percent of the area median income ("Agreement"); and

**WHEREAS**, the parcels are identified as 1356 Hillside Drive (APN, 0147-224-1-0-000; 1384 Hillside Drive (APPN, 0147-224-28-0-000); 1394 Hillside Drive (APN, 0147-224-20-0-000).

**WHEREAS**, the City will transfer the title of the above-mentioned properties from the City to the Developer for the purpose of constructing affordable housing units.

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

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

**SECTION 2.** The Mayor and City Council do hereby authorize the City Manager, Deputy City Manager, or designee to execute the Agreement, attached hereto and incorporated herein by this reference.

**SECTION 3.** The Mayor and City Council do hereby authorize the Director of Finance & Management Services to amend the Fiscal Year 2024-2025 Operating Budget by \$744,000 using HOME Investment Partnership fund balance.

**SECTION 4.** 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 5.** 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 6.** 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 7<sup>th</sup> day of August 2024.

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Helen Tran, Mayor  
City of San Bernardino

Attest:

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Genoveva Rocha, CMC, City Clerk

Approved as to form:

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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. 2024-178, adopted at a regular meeting held on the 7th day of August 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 8<sup>th</sup> day of August 2024.

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Genoveva Rocha, CMC, City Clerk