

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF THE CITY OF  
POMONA HOUSING AUTHORITY APPROVING AN  
EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN  
THE HOUSING AUTHORITY AND JHC-ACQUISITIONS  
LLC**

**WHEREAS**, the Redevelopment Agency of the City of Pomona (“Agency”) owned certain real which is generally bounded by West Mission Boulevard, South Park Avenue, West 6th Street, and South Parcels Street (Assessor Parcel Nos. 8341-010-914, 915, 916, 917, 918, 919, 920 & 921), in the City of Pomona, California, (“Property”); and

**WHEREAS**, the City of Pomona Housing Authority (“Authority”) serves as the housing successor agency following the dissolution of the Agency pursuant to AB 1X 26; and

**WHEREAS**, the Property was conveyed to the Authority pursuant the Housing Asset Transfer form following approval by the Department of Finance and the Authority is the current owner of the former Agency Property; and

**WHEREAS**, the Authority and the JHC Acquisitions, LLC (“Developer”) negotiated the terms of an Exclusive Negotiation Agreement (“ENA”) in order to, among other things, establish a specific, limited period of time for the Authority and the Developer to negotiate regarding the potential sale of the Property from the Authority to the Developer and the potential development of an affordable housing project on the Property by the Developer; and

**WHEREAS**, the Authority desires to adopt the ENA to facilitate the development of the Property; and

**WHEREAS**, a copy of the ENA is attached to this resolution (“Resolution”) as Exhibit A; and

**WHEREAS**, Authority staff has determined that the Authority’s approval of the ENA is exempt from the California Environmental Quality Act (“CEQA”), pursuant to State CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the Authority’s approval of the ENA may have a significant effect on the environment.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of the City of Pomona Housing Authority as follows:

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SECTION 1. Incorporation of Recitals. The recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. CEQA Compliance. The Board hereby finds and determines that it can be seen with certainty that there is no possibility that the adoption of this Resolution and the ENA may have a significant effect on the environment. Thus, the adoption of this Resolution is exempt from the requirements of CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines. The Governing Board hereby authorizes and directs the Authority Secretary to file a Notice of Exemption with the Riverside County Recorder's Office on the Authority's behalf within five (5) days from the adoption of this Resolution.

SECTION 3. Approval of ENA. The Board hereby approves the ENA in substantially the form attached hereto as Exhibit A, together with any non-substantive changes and amendments as may be approved by the Executive Director and the Authority Counsel. The Board hereby acknowledges that the ENA shall establish the terms by which the Authority and the Developer will negotiate the transfer of the Property to the Developer.

SECTION 4. Authority of Executive Director. The Board hereby authorizes and directs the Executive Director (with the concurrence of Authority Counsel) take any action as may be necessary or convenient in the furtherance of the actions authorized by this Resolution, including to execute and deliver on behalf of the Authority the ENA and any other documents and instruments.

SECTION 5. Effective Date. This Resolution shall become effective upon its adoption.

**APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

**ATTEST:**

**CITY OF POMONA:**

\_\_\_\_\_  
Rosalia A. Butler, MMC, Authority Secretary

\_\_\_\_\_  
Tim Sandoval, Chairperson

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**APPROVED AS TO FORM:**

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Christi Hogin, Interim City Attorney

SATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF POMONA

I, ROSALIA A. BUTLER, MMC, CITY CLERK AND AUTHORITY SECRETARY of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the Housing Authority of the City of Pomona held on the 4<sup>th</sup> day of MARCH 2019, by the following vote:

AYES:

NOES:

ABSET:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affixed the official seal of the City of Pomona, California, this 4<sup>th</sup> day of MARCH 2019.

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