

RESOLUTION NO. FHA 2026-001

**RESOLUTION OF THE FONTANA HOUSING AUTHORITY APPROVING
A GRANT OF A PERMANENT NONEXCLUSIVE UTILITY EASEMENT
TO SOUTHERN CALIFORNIA EDISON COMPANY AND AMENDMENT
TO LEASE WITH SIERRA HOUSING PARTNERS LP.**

WHEREAS, the Fontana Housing Authority (“City”) is the fee owner of that certain real property located at 16839 Ramona Avenue, Fontana, California 92336 more particularly described in **Exhibit A** attached hereto and incorporated herein (“City Property”); and

WHEREAS, Sierra Housing Partners LP (“Tenant”) holds a leasehold interest in a portion of the City Property pursuant to that certain lease dated December 12, 2019 (“Lease”); and

WHEREAS, SOUTHERN CALIFORNIA EDISON COMPANY (“Grantee”) desires to obtain from the City, a permanent nonexclusive utility easement over, under and across a portion of the City Property (“Easement Area”) for the installation, operation, maintenance, and repair of utility equipment and facilities, as more particularly described in the Grant of Permanent Nonexclusive Utility Easement attached hereto as **Exhibit A** and incorporated herein (“Easement”); and

WHEREAS, the City desires to grant to SOUTHERN CALIFORNIA EDISON COMPANY an Easement over, under, and across the Easement Area; and

WHEREAS, the Easement Area is located within a portion of the City Property that is subject to the Lease; and

WHEREAS, the Easement is subordinate to the Lease and Tenant’s leasehold rights; and

WHEREAS, the Tenant is willing to provide its consent to the grant of the Easement and to the amendment of the Lease to reflect the same; and

WHEREAS, the proposed Grant of Permanent Nonexclusive Utility Easement is attached hereto as **Exhibit A** and the proposed First Amendment to the Ground Lease is attached hereto as **Exhibit B**.

NOW, THEREFORE, BE IT RESOLVED by the Fontana Housing Authority, as follows:

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

Section 2. The proposed action, specifically the issuance of a utility easement with no environmental impacts, is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations). Section

15305 of the State CEQA Guidelines exempts minor alterations in land use limitations in areas with an average slope of less than 20% which do not result in any changes in land use or density. This easement action does not expand the operational footprint of the development project which is in an area with an average slope of less than 20%, nor does it introduce new land uses or densities. Further, none of the exceptions identified under CEQA Guidelines Section 15300.2 apply.

Section 3. Approval of Lease Amendment. The Fontana Housing Authority hereby approves the First Amendment to Lease with Sierra Housing Partners LP, attached hereto as **Exhibit B** and incorporated herein.

Section 4. Approval of Easement. The Fontana Housing Authority approves the Grant of Permanent Nonexclusive Utility Easement to SOUTHERN CALIFORNIA EDISON COMPANY, attached hereto as **Exhibit A**, subject to Tenant's leasehold rights. The Easement and all rights granted under the Easement Agreement shall be and remain subordinate to Tenant's leasehold interest in the Premises, including the Easement Area, and Tenant's use and enjoyment of the Easement Area under the Lease shall remain primary.

Section 5. Execution. The City Manager is hereby authorized to execute the Easement Agreement and Lease Amendment, and to take all other actions necessary to effectuate the purposes of the aforementioned agreements, including making such minor revisions or modifications as the City Manager, in consultation with the City Attorney, may deem necessary or appropriate to finalize the agreements for execution and recordation.

Section 6. Effective Date. This Resolution shall be effective immediately upon its adoption.

Section 7. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 8. Certification. The City Clerk shall certify to the adoption of this Resolution.

Section 9. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Resolution is based are located at the City Clerk's office located at 16868 Valencia Avenue, Fontana, CA 92335. The custodian of records is the City Clerk.

APPROVED AND ADOPTED this 24th day of March, 2026.

READ AND APPROVED AS TO LEGAL FORM:

General Counsel

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the Fontana Housing Authority, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the Fontana Housing Authority at a regular meeting on the 24th day of March, 2026, by the following vote to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Secretary of the Fontana Housing Authority

Chairperson of the Fontana Housing Authority

ATTEST:

Secretary of the Fontana Housing Authority