

RESOLUTION NO. 22-02

A RESOLUTION OF THE HOUSING COMMISSION OF THE CITY OF CUPERTINO RECOMMENDING APPROVAL OF THE CONSULTANT RISE HOUSING FOR THE BELOW MARKET RATE (BMR) HOUSING PROGRAM ADMINISTRATION

WHEREAS, the City of Cupertino generates affordable housing units through its BMR Housing Mitigation Program, wherein BMR for-sale units are made available to median and moderate-income households, and BMR rental units are made available to low and very low-income households; and

WHEREAS, the City's Housing Mitigation Program was adopted in 1992 by ordinance that requires developers to provide a specified number of affordable owner occupied units and the units are managed in accordance with City Council adopted guidelines; and

WHEREAS, the City has overall responsibility for the BMR Program although the administration may be contracted out to another agency; and

WHEREAS, in February 2022, the City issued a Request for Qualifications (RFQ) inviting qualified consultants to provide proposals to administer the City's BMR Program; and

WHEREAS, in February 2022, the City received two proposals and evaluated based on criteria, program service delivery, cost objectives, and references; and

WHEREAS, Rise Housing has been selected as the lead consultant; now, therefore:

BE IT FURTHER RESOLVED that the Housing Commission of the City of Cupertino hereby

1. Adopts resolution 22-02 recommending approval of Rise Housing as the consultant for BMR Housing Program Administration; and
2. This Resolution is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, "CEQA") because it has no potential for resulting in physical change in the environment. In the event that this Resolution is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions which have the potential for causing a significant effect on the environment. Where it can be seen with certainty 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. In this circumstance, the proposed action (recommendation of the BMR Program Administrator) would have no or only a de minimis effect on the

environment because it has no potential for resulting in physical change in the environment. The foregoing determination is made by the Housing Commission in its independent judgment.

PASSED AND ADOPTED at a regular meeting of the Housing Commission of the City of Cupertino this 10th day of March 2022 by the following vote:

Vote Members of the Housing Commission

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED: _____ Connie Cunningham, Chair Housing Commission	 _____ Date
ATTEST: _____ Kerri Heusler, Housing Manager	 _____ Date