

ORDINANCE NO. 4366**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA ADDING SECTION 2-1007 OF CHAPTER 2, ARTICLE VII. PURCHASING. DIVISION 5. – PUBLIC WORKS PROJECTS OF THE POMONA CITY CODE PERTAINING TO THE REQUIREMENTS AND PROCEDURES FOR BIDDING PUBLIC WORKS PROJECTS TO PROVIDE FOR ALTERNATIVE COOPERATIVE BIDDING FOR PUBLIC WORKS PROJECTS**

WHEREAS, the City of Pomona is a charter city and Section 1203 of the City Charter of the City of Pomona provides that the City will establish purchasing procedures and limitations for competitive bidding;

WHEREAS, as a charter city, the City has previously established its own Municipal Code, including various sections of the Pomona Municipal Code that address the purchase of supplies, services and equipment, and capital improvement and public works contracts, and sale of surplus property pursuant to municipal operations (collectively known as the “Purchasing Ordinance”);

WHEREAS, in establishing the Purchasing Ordinance it was and is the intent of the City Council to provide for the effective and efficient purchase of goods and services and award of Public Works Projects, while maintaining fiscal control and oversight;

WHEREAS, in order to process the procurement of goods and services and award of Public Works Projects in the most efficient manner while still maintaining fiscal control and oversight, the City routinely reviews the Purchasing Ordinance for possible updates;

WHEREAS, City staff has identified an efficiency for certain Public Works projects by providing for cooperative purchasing and a recommended amendment to the Purchasing Ordinance is hereby proposed; and

WHEREAS, it is the purpose of the recommended amendment to improve the ability of the City to provide effective, efficient, timely and fiscally prudent customer service to all residents of the City of Pomona.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Pomona as follows:

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

SECTION 2. This Ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines, as it is not a “project” and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. 14 Cal. Code Regs. § 15378(a). Further, this Ordinance is exempt from CEQA as there is no possibility that this Ordinance or its implementation would have a significant negative effect on the environment. 14 Cal. Code Regs. § 15061(b)(3).

SECTION 3. Section 2--1007 of the Pomona City Code Chapter 2, Article VII, “Purchasing” shall be added to read as follows:

Sec. 2-1007. Alternative cooperative bidding procedure for public works projects

As an alternative to the informal and formal bidding procedure outlined in this Division for public works projects, and as long as the Contracting Officer / Purchasing Officer determines the public works project can be procured using a cooperative purchase agreement (e.g., through Sourcewell/ NJPA - National Joint Powers Alliance, General Services Administration -GSA, or other similar agencies) and such agencies have performed public noticing / bidding processes, the Contracting Officer / Purchasing Officer is authorized to utilize such cooperative agreements with the State of California, Counties, other Cities and other governmental agencies and organizations for noticing and bidding public work projects (informal and formal) to save costs by streamlining implementation of public works projects for the City.

SECTION 4. If any part of this Ordinance is determined by a court of law to be invalid, the other provisions of this Ordinance survive and have full effect.

SECTION 5. The City Clerk shall attest to the passage and adoption of this Ordinance and shall cause same to be posted as required by law, and this Ordinance shall take effect thirty (30) days after its final adoption.

PASSED, APPROVED AND ADOPTED this 23rd day of February, 2026.

ATTEST:

CITY OF POMONA:

Rosalia A. Butler, MMC, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Sonia Carvalho, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF POMONA)

I, ROSALIA A. BUTLER, MMC, CITY CLERK of the City of Pomona do hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Pomona held on Monday, February 23, 2026 and was adopted at the

regular meeting of the City Council of the City of Pomona held on _____ by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Rosalia A. Butler, MMC, City Clerk