

**ORDINANCE NO. 4367**

**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONCERNING TWO-YEAR TEMPORARY WAIVER OF THE CITY'S PURCHASING AND BIDDING REQUIREMENTS FOR HOMELESS PROJECTS**

**WHEREAS**, the California legislature has adopted several housing related bills to address the significant housing crisis in the State; and

**WHEREAS**, specifically, California Senate Bill 330, approved by the Governor, provided that California has a housing supply and affordability crisis of historic proportions, where “[t]he consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives”; and

**WHEREAS**, the California legislature has acknowledged the importance of combating homelessness and the crisis of housing supply which is supported by California Labor Code Section 1720(c)(4) where prevailing wage rates do not apply to the construction of rehabilitation of affordable housing units for low- or moderate-income persons; and

**WHEREAS**, in conjunction with the State’s directives to combat homelessness and address the housing crisis, the City of Pomona (“City”) has designated significant resources to address homelessness in the City, but the threat of life and property remains at stake beyond the control of services, personnel, equipment and facilities of the City; and

**WHEREAS**, the City opened Hope for Home in 2018 to provide homeless services to its homeless residents. Approximately 40% of the residents of Hope 4 Home had a connection to the City before becoming homeless. Sixty-two percent of these residents have been connected to the City for at least one year. Approximately seventy-five percent of Hope 4 Home residents have been placed into permanent housing since its opening; and

**WHEREAS**, Hope for Home is the only homeless services center in the region which has led the City to take undue burden for most of the region; and

**WHEREAS**, in 2025, the City recorded 487 homeless individuals during its Point-in-Time count approximately a three percent increase compared to previous years. The neighboring cities of Claremont and La Verne experienced a significant decrease of 64% and 61% respectively; and

**WHEREAS**, the City wishes to adopt a temporary, two-year waiver of the City’s purchasing and bidding requirements for procurement related to homeless projects that are owned and operated by the City to address the homeless crisis in the City, which is directly affecting its residents public health, safety and welfare; and

**WHEREAS**, as a Charter City, the City of Pomona, pursuant to Article IX, Section 5 of the California Constitution may by ordinance adopt laws concerning the public health, safety, and welfare; and

**NOW, THEREFORE, BE IT ORDAINED** by the City 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. Findings.** In accordance with Section 510 of the City Charter of the City of Pomona, and in order to protect the public health, safety and welfare, the City Council of the City of Pomona find as follows:

A. The City is using immense resources to combat homelessness in the City and this emergency procurement process would enable it to quickly and efficiently address the housing crisis.

B. In addition, the City wishes to have these new regulations in place to ensure the health, safety and welfare of the public and house its homeless residents as quickly as possible.

C. Finally, the City Council finds that this Ordinance is reasonable in order to preserve the public peace, health, safety and welfare of its residents.

**SECTION 3.** The City Council hereby adopts the following as an uncodified ordinance "Temporary Waiver of Purchasing and Bidding Requirements for Homeless Projects" to read in its entirety as follows:

**Temporary Waiver of Purchasing and Bidding for Homeless Projects.**

“Notwithstanding anything to the contrary in City’s purchasing and bidding ordinance, the procurement officer may dispense with public bidding and authorize purchasing for the planning and construction of homeless projects that are owned and operated by the City upon finding that purchase is required to address the homeless crisis in the City, and is needed in order to address the preservation of health, safety and welfare of the people. The city manager, public works director, or finance director may recommend the purchase free of all sections of the purchasing provisions set forth in the Pomona City Code. All recommended purchases under this uncodified ordinance shall require prior approval of the City Council. This section shall automatically terminate two years from its effective date.”

**SECTION 4. CEQA.** The City Council, on the basis of the whole record and exercising independent judgment, finds that this Ordinance is not subject to environmental review pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State Guidelines for Implementations of the California Environmental Quality Act (CEQA). Sections 15060(c)(2) and 15060(c)(3) pertain to activities that will not result in a direct or reasonably foreseeable indirect change to the environment and that are not defined as a project under Section 15378.

**SECTION 5. Severability.** If any section, subsection, sentence, clause, phase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions might subsequently be declared invalid or unconstitutional.

**SECTION 6. Effective Date and Posting.** The City Clerk shall attest to the passage and adoption of this Ordinance and shall cause the same to be posted as required by law, and its Ordinance shall take effect thirty (30) days after its final adoption. This uncodified ordinance shall expire and be of no further force and effect two years from the effective date.

**SECTION 7. Publication.** The City Clerk shall certify as to the adoption of this ordinance and shall cause a copy thereof to be published within fifteen (15) days of the adoption, and shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

**PASSED, APPROVED AND ADOPTED** this 20<sup>th</sup> day of April, 2026.

**CITY OF POMONA:**

By: \_\_\_\_\_  
Tim Sandoval Mayor

ATTEST:

By: \_\_\_\_\_  
Rosalia Butler MMC  
City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
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 introduced for first reading at a regular meeting of the City Council of the City of Pomona held on April 20, 2026 and was adopted at a regular meeting of the City Council of the City of Pomona held on April 20, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: \_\_\_\_\_  
Rosalia A. Butler MMC  
City Clerk