

# City of Pomona

505 S. Garey Ave.  
Pomona, CA 91766



## Regular Meeting Agenda

Monday, October 7, 2024

**Closed Session begins at 5:30 p.m. in the Council Chambers  
(City Council will move to the Chuck Bader Conference Room after  
Closed Session Public Comment)  
&  
7:00 p.m. in the Council Chamber**

### **City Council / Housing Authority / Successor Agency to the Redevelopment Agency**

*Mayor Tim Sandoval  
Vice-Mayor Nora Garcia  
Councilmember John Nolte  
Councilmember Victor Preciado  
Councilmember Elizabeth Ontiveros-Cole  
Councilmember Steve Lustro  
Councilmember Robert Torres*

#### **VISION STATEMENT**

*Pomona will be recognized as a vibrant, safe, beautiful community that is a fun and exciting destination and the home of arts and artists, students and scholars, business and industry.*

## PLEASE NOTE

*The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Members of the City Council.*

*Members of the City Council and the public are reminded that they must preserve order and decorum throughout the Meeting. In that regard, Members of the City Council and the public are advised that any delay or disruption in the proceedings or a refusal to obey the orders of the City Council or the presiding officer constitutes a violation of these rules.*

- The conduct of City Council meetings is governed by the portion of the California Government Code commonly known as the "Brown Act" and by the Pomona City Council Meeting Rules of Procedure.*
- The City Council meeting is for conducting the City's business, and members of the audience must obey the rules of decorum set forth by law. This means that each speaker will be permitted to speak for three minutes to address items that are listed on the City Council agenda or topics which are within the jurisdictional authority of the City.*
- No profanity, personal attacks, booing, cheering, applauding or other conduct disruptive to the meeting will be permitted. Any person not adhering to the Rules of Procedure or conduct authorized by the Brown Act may be asked to leave the Council Chambers.*
- All comments directed to the City Council or to any member of the City Council must be directed to the Mayor (or Vice Mayor if the Mayor is absent).*

*We ask that you please respect the business nature of this meeting and the order required for the proceedings conducted in the Council Chambers.*

## ACCESSIBILITY

*The City of Pomona wishes to make all of its public meetings accessible to the public. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City's Administration Office at (909) 620-2051 at least 48 hours before the meeting, if possible. Additionally, Listening Assistive Devices are available for the hearing impaired; please see the City Clerk.*

*Agenda-related writings or documents provided to the City Council are available for public inspection in the Office of the City Clerk and on the City's website [www.pomonaca.gov](http://www.pomonaca.gov). Persons who have questions concerning any agenda item may call the City Clerk's Office at (909) 620-2341.*

## SPANISH INTERPRETATION / INTERPRETACIÓN EN ESPAÑOL

*If you require Spanish interpretation, a bilingual interpreter is available at Regular City Council meetings and may be available at Special meetings, if necessary.*

*Si necesita interpretación en español, un intérprete bilingüe está disponible en las juntas regulares del Concejo Municipal y puede estar disponible en juntas especiales, si es necesario.*

## 5:30 P.M.

*In the Chuck Bader Conference Room*

## CLOSED SESSION

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*Held in the Chuck Bader Conference Room adjacent to the Council Chambers on the south side of the building.*

## **CALL TO ORDER**

## **PUBLIC COMMENT**

*Any member of the public wishing to address the City Council on any item listed on the closed session agenda will have an opportunity to present testimony to the City Council prior to the City Council convening into closed session. Comments from the public will be limited to three (3) minutes. No member of the public will be allowed to be present once the City Council convenes into closed session.*

## **CLOSED SESSION AGENDA ITEMS**

### **A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code Section 54956.8)

Property: 700 East Foothill

APN's: 8367-003-023 & 024

Negotiating Party: Foothill & Towne LLC

City's Negotiator: Anita Gutierrez, City Manager

Under Negotiation: Price and terms

### **B) CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code Section 54957.6)

Pomona Police Officers Association (PPOA)

Pomona Police Managers Association (PPMA)

Unrepresented Group A and B Employees

Labor Negotiators: Anita Gutierrez and René Anderson

**7:00 P.M.**

*Council Chambers*

## **CALL TO ORDER**

## **CLOSED SESSION REPORT**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **PRESENTATIONS**

- \* Presentation of Life-Saving Awards to Pomona Police Officers

## **MAYOR/COUNCILMEMBER COMMUNICATIONS**

*Reports on conferences, seminars, and regional meetings attended by Mayor and City Council and announcements of upcoming events, and also items for future City Council consideration as requested by Mayor or Members of the City Council.*

*Additionally, this is the time for Mayor and City Council to disclose on the record any contributions per Charter Section 1403. This section states "Prior to casting a vote on any contract, permit, or other matter requiring City Council approval where the applicant seeking approval is a person or business entity controlled by that person that has contributed more than five hundred dollars (\$500) within the previous twelve (12) months to a Councilmember's City election campaign committee, the Mayor or Councilmember receiving such contribution(s) shall disclose on the public record the receipt of said contribution(s).*

## **CITY MANAGER COMMUNICATIONS**

*Reports from the City Manager.*

## **PUBLIC PARTICIPATION**

*Public Participation – At this time, the public is invited to address the Council concerning any items not on the agenda.*

*Together the City Council members, City staff, and public honor Pomona's important City meeting values:*

- *To speak and to listen to everyone with respect and courtesy;*
- *To honor fairness in our cherished democratic process;*
- *To affirm Pomona's dedication to lead as a Compassionate City.*

*Thank you all for keeping these values and this commitment to act with them ever present in our minds as we proceed with the meeting together. In order to address the City Council, each individual must fill out a speaker card, which is available in the lobby of the Council Chambers. Speaker cards must be completed and turned in to the City Clerk at this time. Only those speaker cards turned in to the City Clerk will be allowed to address the City Council. No late cards will be accepted. Each person should state their name and will be allowed to speak once for three minutes. All speakers and persons in the audience must adhere to the City Council Rules of Procedure and Decorum.*

## **CONSENT CALENDAR**

*All matters under the Consent Calendar may be enacted by a single motion without separate discussion. If discussion or a separate vote on any item is desired by a Councilmember, that item may be removed from the Consent Calendar and considered separately. All consent items pulled for discussion will be limited to five minutes. If they are not enacted upon within five minutes, the Mayor will move that Consent Item to the end of the Agenda, after consideration of the public hearings. Any motion relating to an ordinance or a resolution shall also waive the reading of the ordinance or resolution and include its introduction or adoption as appropriate.*

1. Approval of City Council/Housing Authority/Successor Agency to the Redevelopment

Agency Meeting Minutes

It is recommended that the City Council approve the following City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes:

August 7, 2024 Special Meeting Minutes  
September 9, 2024 Regular Meeting Minutes

Attachments:     [FINAL MINUTES 8-07-2024 - Special Mtg.pdf](#)  
                             [FINAL MINUTES 9-09-2024.pdf](#)

2. Resolution to Amend the Fiscal Year 2024-25 Capital Improvement Program (CIP) Budgets by Appropriating \$28,000 of Capital Improvement Project Fund Reserves for Installation of a New Playground at Ralph Welch Park

It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2024-133 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2024-25 CAPITAL IMPROVEMENET PROGRAM (CIP) BUDGETS BY APPROPRIATING \$28,000 OF CAPITAL IMPROVEMENT PROJECT FUND RESERVES TO “DISTRICT 2 - NEW PLAYGROUND AT RALPH WELCH PARK,” PROJECT NO. 428-2590-XXXXX-71096**

Attachments:     [Staff Report](#)  
                             [Attachment No. 1 - Resolution](#)

3. Approve Award of Contract to JOY Automation, LLC for Support and Maintenance of the City’s Water Supervisor Control and Data Acquisition System

It is recommended that the City Council adopt the following actions:

- 1) Award a contract to JOY Automation, LLC for a three-year agreement with two additional on-year renewal options, for support and maintenance services to the City of Pomona’s water Supervision Control and Data Acquisition (SCADA) system; and
- 2) Authorize the City Manager, or designee, to execute an agreement with JOY Automation, LLC, on behalf of the City and any subsequent documents or amendments.

Attachments:     [Staff Report - JOY Automation.docx](#)  
                             [Attachment No.1 - JOY Automation Agreement.pdf](#)

4. Approve a Professional Services Agreement for Bridging Architectural Design Services for the Downtown Parking Structure CIP Project

It is recommended that the City Council take the following actions:

- 1) Approve a professional services agreement with Watry Design, Inc. for Bridging Architectural Design Services for CIP Project, "Downtown Parking Structures," Project No. 441-6725-52285-73368 in the amount of \$569,639; and,
- 2) Authorize the City Manager, or designee, to execute the agreement, in substantially the form as attached, on behalf of the City and any subsequent documents or amendments, subject to approval as to form by the City Attorney.

Attachments:     [100724 CC Rpt Watry Design Agreement](#)  
                             [9-12-24 version for final Contract\\_Watry FN \(002\)-c1](#)  
                             [Attch 2 - site](#)

5. Approving Funding of \$75,000 to the Pomona Economic Opportunity Center (PEOC) in accordance with the Defined Disbursement Schedule

It is recommended that the City Council approve funding for the Pomona Economic Opportunity (the "PEOC") for FY 2024-2025 in the amount of \$75,000 to be disbursed in four equal payments of \$18,750 at the end of each quarter after receipt of the respective Quarterly Reports.

Attachments:     [100724 CC rpt PEOC](#)  
                             [Attch 1](#)

6. Adopt a Resolution Authorizing the Acceptance of Measure H Funds from the San Gabriel Valley Council of Governments for the Pomona Family Daytime Resource Center

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-128 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$245,000 IN MEASURE H FUNDS FROM THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG), AND THE CARRYOVER OF \$108,490 IN UNSPENT FUNDS FROM FY 2023-24 AMENDING THE FY 2024-25 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS BY THE SAME AMOUNT**

- 2) Amend the agreement with Volunteers of America of Los Angeles (VOALA) increasing the award by \$10,000, and;
- 3) Authorize the City Manager to execute the Memorandum of Understanding, contracts and other documentation requested for acceptance and implementation of the grant awards, subject to approval as to form by the City Attorney.

Attachments:     [Staff Report - SGVCOG Opt Out FY 2024-25](#)  
                              [Reso No. SGVCOG Opt Out FY 2024-25](#)

7. Adopt a Resolution Authorizing City of Pomona to Submit a Grant Application for the Whale Tail Grants Program through the California Coastal Commission

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-150 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A GRANT APPLICATION FOR THE WHALE TAIL GRANTS PROGRAM THROUGH THE CALIFORNIA COASTAL COMMISSION**

- 2) Authorize the City Manager, or designee, to execute all documents related with this action, with approval of the City Attorney as to form.

Attachments:     [Staff Report](#)  
                              [Resolution 2024-150](#)

8. Resolution to Amend the FY 2024-25 Capital Improvement Program (CIP) Budget for “Enhanced Traffic Signage Replacement Program - Citywide”

It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2024-142 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$7,064 OF DISTRICT 1 CIP CARRYOVER DISCRETIONARY FUNDING TO “ENHANCED TRAFFIC SIGNAGE REPLACEMENT PROGRAM - CITYWIDE,” PROJECT NO. 428-2590-XXXXX-68588**

Attachments:     [Staff Report](#)  
                              [Attachment No. 1 - Resolution](#)

9. Acceptance of a Child Passenger Safety Program Grant

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-154 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE FY 2024-25 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS BY \$87,000**

- 2) Accept a Child Passenger Safety Program Grant from the Office of Traffic Safety (OTS) in the amount of \$87,000;
- 3) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

**Attachments:**     [Staff Report- Child Passenger Safety Grant FY2 2024-25](#)  
                              [Attachment No. 1 - Reso. 2024-154](#)  
                              [Attachment No. 2 - Grant Agreement \( Child Passenger Safety\)v2](#)

**10.**     Acceptance of a Pedestrian and Bicycle Safety Program Grant

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-152 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS BY \$39,024**

- 2) Accept a Pedestrian and Bicycle Safety Program Grant from the Office of Traffic Safety in the amount of \$39,024;
- 3) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

**Attachments:**     [Staff Report- Ped & Bike Pgm Grant FY 2024-25](#)  
                              [Attachment No. 1 - Reso. 2024-152](#)  
                              [Attachment No. 2 - Grant Agreement \(Ped & Bike\)v2](#)

**11.**     Acceptance of a Motorcycle Safety Education and Training Program Grant

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-153 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS BY \$20,000**



- 2) Accept a Motorcycle Safety Education and Training Program Grant from the Office of Traffic Safety (OTS) in the amount of \$20,000;
- 3) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

**Attachments:**     [Staff Report- Motorcycle Safety Grant FY 2024-25](#)  
                              [Attachment No. 1 - Reso. 2024-153](#)  
                              [Attachment No. 2 - Grant Agreement \(Motorcycle Safety\)v2](#)

**12.**     Acceptance of a Selective Traffic Enforcement Program (STEP) Grant

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-151 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$475,000**

- 2) Accept a Selective Traffic Enforcement Program (STEP) Grant from the Office of Traffic Safety (OTS) in the amount of \$475,000;
- 3) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

**Attachments:**     [Staff Report - STEP Grant FY 2024-25](#)  
                              [Attachment No. 1 - Reso. 2024-151](#)  
                              [Attachment No. 2 - Grant Agreement \(STEP\)v2](#)

**13.**     Resolution to Amend the FY 2024-25 Capital Improvement Program (CIP) Budget for "Civic Center Plaza - New Playground and Amenities," Project No. 428-2590-XXXXX-71063; and Award Contracts

It is recommended that the City Council approve the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-157 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UNAPPROPRIATING \$2,367,441**

**OF FUNDS FROM VARIOUS PROJECTS, AND APPROPRIATING THEM AND \$2,300,000 OF AVAILABLE GENERAL FUND RESERVE FUNDS TO “CIVIC CENTER PLAZA - NEW PLAYGROUND AND AMENITIES,” PROJECT NO. 428-2590-XXXXX-71063**

- 2) Award a construction contract to PUB Construction, Inc. for “Civic Center Plaza - New Playground and Amenities,” Project No. 428-2590-XXXXX-71063, to include all Base Bid items and Additive Alternate Nos. 1-3, in the amount of \$10,397,465;
- 3) Award a consultant agreement to Willdan Engineering to provide Professional Engineering and Construction Management, Inspection, and Sampling Services for “Civic Center Plaza - New Playground and Amenities,” Project No. 428-2590-XXXXX-71063, in the amount of \$574,064;
- 4) Find that the project referenced above is environmentally categorically exempt pursuant to:
  - a. California Environmental Quality Act (CEQA) Section 15301, 15303, 15331, and 15332 in that the construction of the proposed project is in an infill area, and designated to limit any impact to the historic structures and the historic character of the historic district.
  - b. National Historic Preservation Act (NHPA) Programmatic Agreement (PA) Section 106 and per the State Historic Preservation Office Appendix No. 20, the construction of a ‘Noncontributing structure’ are limited exclusively to the activities as listed in Appendix A of the PA in accordance with the PA exemption stipulation(s) cited in the Appendix; and
- 5) Authorize the City Manager, or her designee, to execute the construction contract, consultant agreement, and related documents (permits, change orders, etc.).

**Attachments:**     [Staff Report](#)  
                              [Attachment No. 1 - Resolution No. 2024-157](#)  
                              [Attachment No. 2 - Exhibit A to Resolution](#)

**DISCUSSION CALENDAR**

- 14.** Finding of Public Benefit to the Community at Large-Recommended Expenditure(s) and Recap of Expended Funds

It is recommended that the City Council take the following actions:

- 1) Approve the expenditure(s) recommended and make the finding that the community

at large will receive a public benefit from the expenditure of funds for the recommended item(s); and

- 2) Receive and file the recap of final amounts.

Attachments:    [FOPB Staff Report](#)  
                          [Attachment](#)

**15. City-Funded Maintenance of Phillips Ranch Greenbelt**

It is recommended that the City Council take the following actions:

- 1) Approve the conversion of the Phillips Ranch Riparian Greenbelt (Greenbelt) to a City Park and utilize General Funds to maintain the Greenbelt at a Level A frequency beginning July 1, 2025; and
- 2) Approve an amendment to the agreement with Merchant Landscape Services, Inc. to include areas known as Site 24 - Silverwood Lane/Village Loop Road Greenbelt, Site 25 - Falcon Ridge Drive/Village Loop Road Greenbelt; Section 1, and Site 26 - Falcon Ridge Drive/Village Loop Road Greenbelt; Section 2, collectively referred to as the Phillips Ranch Riparian Greenbelt, in an annual amount of \$102,000, effective July 1, 2025; or
- 3) Disapprove the conversion of the Greenbelt to a City park, thus continuing the current level of maintenance funded by the Phillips Ranch Assessment District.

Attachments:    [Staff Report](#)

**ADJOURNMENT**

*The next Regular Meeting will be held on October 21, 2024 in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. Closed Session items will be discussed at 5:30 p.m. The Open Session will commence at 7:00 p.m.*

**CERTIFICATION OF POSTING AGENDA**

*I, Rosalia A. Butler, MMC, City Clerk for the City of Pomona, hereby certify that the agenda for the October 7, 2024 meeting of the City Council was posted in City Hall, near the door of the City Council Chambers and the Chuck Bader Conference Room, and on the City's website [www.pomonaca.gov](http://www.pomonaca.gov) on October 1, 2024.*

*I declare under the penalty of perjury that the foregoing is true and correct.*

/s/ Rosalia A. Butler, MMC  
City Clerk