



City of Pomona

505 S. Garey Ave
Pomona, CA 91766

Regular Meeting Minutes

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 S. 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.*

Monday, November 18, 2024

7:00 PM

Council Chambers

CLOSED SESSION

A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Pursuant to Government Code Section 54956.9(a))

*Yong Zhang v. City of Pomona, Pomona Police Department, and Does 1 through 50,
inclusive*

Los Angeles County Superior Court

Case No. 22STCV22321

*Erika Lynn Montgomery; Jaleesa Himes, a minor through her Guardian Ad Litem, Erika
Lynn Montgomery; Mayah Karolynn Mitchem; Jayda Himes, a minor through her
Guardian Ad Litem, Erika Lynn Montgomery v. Cesar Muniz; an individual; City of
Pomona; and Does 1 through 50, inclusive*

Los Angeles County Superior Court

Case No. 22STCV13678

CALL TO ORDER

Mayor Sandoval called the City Council Meeting to order at 7:00 p.m.

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Carvalho stated there was no reportable action.

PLEDGE OF ALLEGIANCE

Mayor Sandoval led the pledge of allegiance.

ROLL CALL

Present: Mayor Tim Sandoval
Vice Mayor Nora Garcia
Councilmember John Nolte
Councilmember Victor Preciado
Councilmember Steve Lustro
Councilmember Robert Torres

Absent: Councilmember Elizabeth Ontiveros-Cole

STAFF PRESENT

Anita Scott, City Manager
Sonia Carvalho, City Attorney
Rosalia Butler, City Clerk
Diana Robles, Deputy City Clerk
Michael Ellis, Pomona Police Chief

Daniel Tamayo, contracted by the City, provided translation services.

PRESENTATIONS

*A Proclamation of the City Council of the City of Pomona Proclaiming November 30, 2024 as "Small Business Saturday" in the City of Pomona

As there was no community member present to receive the proclamation, it was not presented.

MAYOR/COUNCILMEMBER COMMUNICATIONS

***Per Mayor Sandoval's direction, Mayor/Councilmember Communications were heard last, after Discussion Item No. 17.*

Mayor Sandoval requested staff to bring back a resolution from 2016 to re-affirm the City of Pomona's support for its undocumented community. Mayor Sandoval stated the new Councilmembers would be sworn-in on December 9th and the last City Council meeting of the current City Council would be December 2nd. Lastly, Mayor Sandoval stated this was the last meeting for Public Works Director Rene Guerrero.

Vice Mayor Garcia presented a certificate of recognition to Public Works Director Guerrero and shared a few words of gratitude for his service.

Councilmember Lustro, Councilmember Nolte, Councilmember Preciado and Mayor Sandoval all expressed congratulations and well wishes to Public Works Director Guerrero.

Public Works Director Guerrero shared a few words of appreciation for the Council's words.

Councilmember Preciado discussed a new idea for the council to consider regarding policies to make the City a more welcoming destination.

Councilmember Torres congratulated Councilmember Ontiveros-Cole on her successful re-election and expressed appreciation to the District 6 community, and to staff. Councilmember Torres expressed gratitude to the Councilmembers and shared it had been an honor to serve along their side.

CITY MANAGER COMMUNICATIONS

City Manager Scott advised there was nothing to report.

PUBLIC PARTICIPATION

At the direction of the City Council Emergency Sub Committee, beginning with the July 18, 2022 Council meeting, emailed comments will no longer be read into the record during Council meetings. However, they will be included as part of the record/meeting minutes.

Live Comments were as follows:

Julian Ibañez Mandujano expressed dissatisfaction with the lack of the completion of the City's Parks Master plan.

Terese Augustin discussed her daughter's disappearance, asked the community to keep their eyes open, and requested the City offer a reward in exchange for information.

Matthew Lingao discussed his sister's disappearance and asked the community for their help in finding her.

Moses Castillo spoke on behalf of the parents of the missing children and requested the City offer a reward in exchange for information about the kid's location.

Elvia Mendes requested assistance and support from the City by way of a reward to help find her missing son.

Alejandra O. discussed her dissatisfaction with Congresswoman Torres' vote on bill HR9495.

Tremale Ratcliffe thanked the City for the unveiling of Belinda Fierro's name at Palomares Park, and congratulated Deputy Chief Hsu on his retirement.

Lorraine Canales expressed concerns with a gas station's lack of property maintenance and with other vacant properties in district six.

Veronica Cabrera discussed the economic crisis as it related to the lack of affordable housing and discussed the City's budget.

Ellie O. discussed the settlement Allen V. City of Pomona and asked questions about the procedures it established in the City of Pomona.

Greg Estel suggested the new all abilities park planned for the Civic Center should be placed in a different part of the City.

Ivan Hernandez discussed the success of Measure Y at the November 2024 General Election.

CONSENT CALENDAR

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve the entire Consent Calendar except for Item No. 4, pulled by Councilmember Nolte, and for Item No. 14 pulled for public comment.

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:

October 21, 2024 Regular Meeting Minutes

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of October 21, 2024.

2. Second Reading and Adoption of an Ordinance Amending the Historic Overlay of the Zoning Map

It is recommended that the City Council adopt at second reading the following ordinance:

ORDINANCE NO. 4348 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE ZONING MAP, HISTORIC OVERLAY (H-OVERLAY) TO INCLUDE A LOCALLY DESIGNATED LANDMARK AT 290 HERITAGE COURT

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Ordinance No. 4348.

3. Second Reading and Adoption of Ordinance No. 4349 Amending Pomona City Code Chapter 30 (Licenses, Permits And Miscellaneous Regulations), Article X (Sidewalk Vending) and Creating New Regulations for Sidewalk Vending Operations

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

ORDINANCE NO. 4349 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING POMONA CITY CODE CHAPTER 30 (LICENSES, PERMITS AND MISCELLANEOUS REGULATIONS), ARTICLE X (SIDEWALK VENDING) AND CREATING NEW REGULATIONS FOR SIDEWALK VENDING OPERATIONS

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Ordinance No. 4349.

4. Second Reading and Adoption of Ordinance No. 4350 Amending Pomona City Code Chapter 46 (Streets Sidewalks And Other Public Places), Article IV (Encroachments) to Add a New Division 4 (Sidewalk, Walkway, Off-Street Parking And Street/Roadway Obstructions)

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

ORDINANCE NO. 4350 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING POMONA CITY CODE CHAPTER 46 (STREETS SIDEWALKS AND OTHER PUBLIC PLACES), ARTICLE IV (ENCROACHMENTS) TO ADD A NEW DIVISION 4 (SIDEWALK, WALKWAY, OFF-STREET PARKING AND STREET/ROADWAY OBSTRUCTIONS)

This item was pulled by Councilmember Nolte for a separate vote.

MOTION BY MAYOR SANDOVAL, SECOND BY VICE MAYOR GARCIA, CARRIED 5-1 (COUNCILMEMBER NOLTE OPPOSED, COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Ordinance No. 4350.

5. Adopt a Resolution to Accept Tri-City Mental Health Services Act Funding, Awarded Volunteers of America Funds for Hope for Home Crisis Shelter Operations, and Amend Budget to Include Carryovers Funds

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-156 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$396,025 IN MENTAL HEALTH SERVICES ACT FUNDING (MHSA) FROM TRI CITY MENTAL HEALTH CENTER TO OPERATE 31 CRISIS SHELTER BEDS AT THE HOPE FOR HOME SERVICES CENTER (H4H), CARRYING OVER \$345,589 FROM FY 2023-24 TO FY 2024-25, AND INCREASING REVENUE ESTIMATES AND APPROPRIATIONS BY THE SAME AMOUNT

- 2) Amend the agreement with Volunteers of America Los Angeles (VOALA) as the Hope for Home Site Operator by awarding \$701,711 to operate the Crisis Shelter Beds; and
- 3) Authorize the City Manager to execute all agreements, amendments, and any other documentation requested for acceptance of the award, distribution of the funding and operation of the Hope for Home Crisis Housing Program, subject to approval as to form by the City Attorney.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2024-156; and amend the agreement with Volunteers of America Los Angeles (VOALA) as the Hope for Home Site Operator by awarding \$701,711 to operate the Crisis Shelter Beds; and authorize the City Manager to execute all agreements, amendments, and any other documentation requested for acceptance of the award, distribution of the funding and operation of the Hope for Home Crisis Housing Program, subject to approval as to form by the City Attorney.

6. Approve Amendment to the Contract with Service First, Inc. Renewing the Contract for an Additional Two Years and Increasing the not to Exceed Contract Amount to \$512,254

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

- 1) Approve the amendment to the contract with Service First, Inc. renewing the contract for an additional two years and increasing the not to exceed contract amount of \$202,157 to \$512,254. All other terms will remain the same; and
- 2) Authorize the City Manager, or designee, to execute all documents related with this action with the approval of the City Attorney as to form.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve the amendment to the contract with Service First, Inc. renewing the contract for an additional two years and increasing the not to exceed contract amount of \$202,157 to \$512,254. All other terms will remain the same; and authorize the City Manager, or designee, to execute all documents related with this action with the approval of the City Attorney as to form.

7. Acceptance of a Tobacco Grant Program in the Amount of \$381,591

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

1) Adopt the following resolution:

RESOLUTION NO. 2024-149 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$381,591

- 2) Accept a Tobacco Grant Program from the California Department of Justice (DOJ) in the amount of \$381,591 beginning November 1, 2024 through June 30, 2028;**
- 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.**

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2024-149; and accept a Tobacco Grant Program from the California Department of Justice (DOJ) in the amount of \$381,591 beginning November 1, 2024 through June 30, 2028; and 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.

8. Approval of an Expenditure Plan for FY 2024-25 Supplemental Law Enforcement Services Account (SLESA)

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

1) Adopt the following resolution:

RESOLUTION NO. 2024-185 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS BY \$400,000

- 2) Approve an expenditure plan for FY 2024-25 Supplemental Law Enforcement Services Account (SLESA) in the amount of \$400,000.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to Resolution No. 2024-185; and approve an expenditure plan for FY 2024-25 Supplemental Law Enforcement Services Account (SLESA) in the amount of \$400,000.

9. Authorization to Enter Into a Development Impact Fee Deferral Agreement on Behalf of the City for the Main & Holt Affordable Housing Project

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-119 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT IMPACT FEE DEFERRAL AGREEMENT OF APPROXIMATELY \$3,000,000 FOR A 100% AFFORDABLE HOUSING PROJECT ON BEHALF OF THE CITY FOR THE MAIN & HOLT HOUSING PROJECT

- 2) Authorize the City Manager to execute the Development Impact Fee Deferral Agreement and all necessary associated documents, in substantially the form submitted herein, and authorize non-substantive changes with approval by the City Manager and City Attorney.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2024-119; and authorize the City Manager to execute the Development Impact Fee Deferral Agreement and all necessary associated documents, in substantially the form submitted herein, and authorize non-substantive changes with approval by the City Manager and City Attorney.

10. Approval of First Amendment to Cell Tower License Agreement at 1400 E. Mission Boulevard

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

- 1) Approve the First Amendment to the Cell Tower License Agreement between the City of Pomona and CCTM1 LLC at 1400 E. Mission Boulevard;
- 2) Approve the following resolution:

RESOLUTION NO. 2024-192 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES BY \$4,000 IN CELL TOWER REVENUE

- 3) Authorize the City Manager to execute the amendment subject to review by the City Attorney.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve the First Amendment to the Cell Tower License Agreement between the City of Pomona and CCTM1 LLC at 1400 E. Mission Boulevard; adopt Resolution No. 2024-192; and authorize the City Manager to execute the amendment subject to review by the City Attorney.

11. Approval of an Agreement between the City of Pomona and the County of Los Angeles for Traffic Signal Improvements along Arrow Highway

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

- 1) Approve the Traffic Signal Synchronization Program (TSSP) Agreement with the County of Los Angeles; and
- 2) Authorize the City Manager or her designee to execute the related TSSP Agreement, and any amendments or related documents, subject to review by the City Attorney.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve the Traffic Signal Synchronization Program (TSSP) Agreement with the County of Los Angeles; and authorize the City Manager or her designee to execute the related TSSP Agreement, and any amendments or related documents, subject to review by the City Attorney.

12. Approval of Grant Easement EC2-2024 to Southern California Edison for Electrical Infrastructure Installation on a Portion of City Property Located at 285 W. Seventh Street, Pomona, CA, Assessor Parcel Number 8341-012-932, Related to the "Civic Center Plaza New Playground and Amenities" Project (Council District 2)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-187 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING GRANT OF EASEMENT EC2-2024 TO SOUTHERN CALIFORNIA EDISON FOR ELECTRICAL INFRASTRUCTURE INSTALLATION ON A PORTION OF CITY PROPERTY LOCATED AT 285 W. SEVENTH STREET, ASSESSOR PARCEL NUMBER 8341-012-932

- 2) Authorize the City Manager, or designee, to sign the Grant of Easement to SCE on behalf of the City.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2024-187; and authorize the City Manager, or designee, to sign the Grant of Easement to SCE on behalf of the City.

13. Resolution to Amend the FY 2024-25 Capital Improvement Program (CIP) Budget and Award of Construction Contract for "Holt Ave. (West) Reconstruction" and "Holt Ave. (East) Reconstruction"

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-188 - A RESOLUTION AMENDING THE FY 2024-25 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UNAPPROPRIATING \$600,000 OF PROP C FUNDS FROM "HOLT AVE. (WEST) RECONSTRUCTION," PROJECT NO. 428-2590-XXXXX-71047 AND \$500,000 OF PROP C FUNDS FROM "HOLT AVENUE CORRIDOR IMPROVEMENTS," PROJECT NO. 428-2590-XXXXX-68575, AND APPROPRIATING THESE FUNDS TO "HOLT AVE. (EAST) RECONSTRUCTION," PROJECT NO. 428-2590-XXXXX-71050

- 2) Award a construction contract to Gentry Brothers, Inc. for "Holt Ave. (West) Reconstruction," Project No. 428-2590-XXXXX-71047 and "Holt Ave. (East) Reconstruction," Project No. 428-2590-XXXXX-71050 in the total amount of \$12,310,920, to include all Base Bid and Additive Alternate items;
- 3) Find that the projects referenced above are categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301(c) and that the proposed projects will not have a significant effect on the environment; and
- 4) Authorize the City Manager, or her designee, to execute the construction contract/agreement and related documents (permits, amendments, etc.).

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2024-188; and award a construction contract to Gentry Brothers, Inc. for “Holt Ave. (West) Reconstruction,” Project No. 428-2590-XXXXX-71047 and “Holt Ave. (East) Reconstruction,” Project No. 428-2590-XXXXX-71050 in the total amount of \$12,310,920, to include all Base Bid and Additive Alternate items; and find that the projects referenced above are categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301(c) and that the proposed projects will not have a significant effect on the environment; and Authorize the City Manager, or her designee, to execute the construction contract/agreement and related documents (permits, amendments, etc.).

- 14.** 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. 2024-189 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$6,600 OF DISTRICT 5 CIP CARRYOVER DISCRETIONARY FUNDING TO “ENHANCED TRAFFIC SIGNAGE REPLACEMENT PROGRAM - CITYWIDE,” PROJECT NO. 428-2590-XXXXX-68588 AND MODIFYING THE PROJECT DESCRIPTION

This item was pulled for public comment.

Public Speaker Veronica Cabrera submitted a speaker card but when called to speak, she declined to speak.

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2024-189.

- 15.** Adoption of Resolution Accepting a Donation of 14 New Tables and 54 New Chairs from the Pomona Public Library Foundation, for Use in the Library Public Meeting Rooms, Donation Total \$12,088

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

RESOLUTION NO. 2024-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE ACCEPTANCE OF A DONATION OF 14 NEW TABLES AND 54 NEW CHAIRS FROM THE POMONA PUBLIC LIBRARY FOUNDATION, FOR USE IN THE LIBRARY, DONATION TOTAL \$12,088

MOTION BY VICE MAYOR GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2024-55.

After the Consent Calendar, items were heard in the following order: Discussion Item No. 16, Discussion Item No. 18, Discussion Item No. 17, and Mayor/Councilmember Communications.

DISCUSSION CALENDAR

16. 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
 - A) Amount to be determined to Healed Women Heal in support of the Teen Inspired Programs: Requested Amount: \$1,000
 - B) Amount to be determined to Total Restoration Ministries / Restore Her Place in support of 25th Annual Holiday Community Outreach: Requested Amount: \$2,000
 - C) Amount to be determined to Cosmic Labyrinth in support of the Labyrinth Fiesta/Festival: Requested Amount: \$5,000
 - D) Amount to be determined to Valley Indoor Swap Meet in support of the Annual Toy Giveaway: Requested Amount: \$750
 - E) Amount to be determined to Sumner Danbury PFA in support to purchase of books for students.: Requested Amount: \$15,000
 - F) Amount to be determined to Fox Community Culture Fund in support of the Entre Magia Y Muerte: Requested Amount: \$7,500
 - G) Amount to be determined to St. Madeleine Catholic Church in support of the Our Lady of Guadalupe Procession: Requested Amount: \$864
 - H) Amount to be determined to A Fatherless Father in support of the Miracle On Holt St. Toy Giveaway Community Candle Lighting: Requested Amount: \$400

- I) Amount to be determined to Kennedy Austin Foundation in support of the Annual Toy and Thanksgiving Giveaway: Requested Amount: \$500
- J) Amount to be determined to Biker Kidz Foundation in support of the Biker Kidz Festival: Requested Amount: \$1,000
- K) Amount to be determined to Tradición Dance Company in support of the Tradición Navideña: Requested Amount: \$3,000
- L) Amount to be determined to Cesar Avelar and Magaly Valdez in support of an Honorarium for the State of Early Childhood Summit Presenters: Requested Amount: \$1,000

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

Public Speaker Jennifer spoke in support of the Labyrinth Fiesta/Festival.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to make a finding of public benefit for items A-L.

- 17. Receive and File the Fiscal Year 2023-24 Unaudited Year-End Overview, Review the Fiscal Year 2023-24 General Fund 1st Quarter Budget Review, and Adopt a Resolution Amending the Fiscal Year 2024-25 Operating Budget

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

- 1) Receive and file the Fiscal Year (FY) 2023-24 Unaudited Year-End Overview
- 2) Review the FY 2024-25 General Fund 1st Quarter Budget Report
- 3) Adopt the following resolution:

RESOLUTION NO. 2024-190 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2024-25 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES BY \$12,531,130 AND APPROPRIATIONS BY \$12,958,884

Finance Director Andrew Mowbray gave the staff presentation.

Public Speaker Veronica Cabrera submitted a speaker card but when called to speak, she declined to speak.

Vice Mayor Garcia expressed concern for the potential of an upcoming deficit and asked questions to staff.

Councilmember Preciado asked questions to staff and commented looking forward to the future challenges that could be turned into opportunities.

Mayor Sandoval shared closing comments.

MOTION BY MAYOR SANDOVAL, SECOND BY VICE MAYOR GARCIA, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to receive and file the Fiscal Year (FY) 2023-24 Unaudited Year-End Overview; and review the FY 2024-25 General Fund 1st Quarter Budget Report; and adopt Resolution No. 2024-190.

18. Program Options for Rent Stabilization

It is recommended that the City Council discuss program options related to Rent Stabilization in the City of Pomona and provide direction to staff.

***Please see attachment for emails submitted regarding this item.**

Economic Development Director Kirk Pelser gave the staff presentation.

The following public speakers spoke in opposition to the establishment of rent stabilization efforts in the City:

Mark Warren
Nef Cortez
Greg Estel
Matthew Buck
Paul Thomas

The following public speakers spoke in support of the establishment of rent stabilization efforts in the City:

Jesus Rojas	Graciela Conchas
Yaqueline Patino	Beth Simmonson
Evelia Rocha	Sumy
Maria Garcia	Ellie O'Bosky
Manuel Barrera	Aileen Yaz
Alejandra O.	Yesenia Miranda Meza

The following public speakers submitted non-speaker cards in support of the City establishing rent-stabilization measures:

Veda Scott	Natalie Aceves	Ligia Martinez
Estefanie Cardenas	Eunice Rowland	Inis Villalparelo
Beatriz Sanchez	Javier Topete	Ivan Hernandez
Emma Perez	Yaqueline Patino	Luis Castrejon
Abimoel Sisay	Ana Rocha	Efrain Zawora
Abigail Sisay	Sarzy Castrejon	Emma Perez
Sonia Sisay	Jesus Sanchez	Mari Garcia
Pedro Sisay	Evelia Rocha	

Public Speaker Bob Hall discussed his experience as a tenant living in Pomona.

Public Speaker Tremale Ratcliffe spoke in support of the City creating a rental-unit inspection program, and a tenant anti-harassment ordinance.

Public Speaker Ralph Acosta discussed the importance of addressing the root causes of poverty and the housing crisis.

Public Speaker Miranda Sheffield asked for a presentation that includes data on the outcomes and impacts of the current rent-stabilization ordinances.

Councilmember Nolte asked questions about the presentation to staff, expressed support for rent-stabilization ordinance and a rental-unit inspection program. Councilmember Nolte stressed the importance of creating housing stability, and expressed a desire to offer protections to those most vulnerable in the community.

Vice Mayor Garcia asked questions to staff and expressed opposition to option one as presented by staff. Vice Mayor Garcia requested an update on the City's financial standing as impacted by the recently passed Measure Y. Vice Mayor Garcia expressed support for option three with modifications, but stressed the need for a review of the City's financial standing in order to make a decision.

Councilmember Lustro asked various questions to staff and expressed support for strengthening rental assistance programs. Councilmember Lustro also asked for a five-year fiscal analysis of the City's finances and how Measure Y would impact them.

Councilmember Torres asked questions to staff and expressed support for option one with the addition of an anti-harassment ordinance but requested these options be presented to the new, incoming Councilmembers.

Councilmember Preciado asked various questions to staff, and requested staff return with a financial analysis of the City's finances.

Councilmember Nolte asked more questions to staff and expressed support for option two as it is the more fiscally conservative option.

Mayor Sandoval gave closing comments to express the importance of stable housing in a community. Mayor Sandoval directed staff to return with a presentation about options two and three with answers to the questions that were asked during tonight's meeting, for Council consideration no later than the first City Council meeting in February 2025.

Mayor Sandoval called a recess at 10:20 p.m.

Mayor Sandoval resumed the meeting at 10:26 p.m.

ADJOURNMENT

The City Council meeting adjourned at 11:11 p.m. on November 18, 2024.

Respectfully submitted,

ATTEST:

ROSALIA A. BUTLER, MMC
City Clerk/Secretary of the Pomona
Housing Authority/Successor Agency to the
to the Redevelopment Agency

TIM SANDOVAL
Mayor/Chair of the Pomona
Housing Authority/Successor Agency
Redevelopment Agency

Robles, Diana

From: Melissa M. <melmiamich@icloud.com>
Sent: Monday, November 18, 2024 8:56 AM
To: City Clerk
Cc: Preciado, Victor; Nolte, John; Sandoval, Tim; Garcia, Nora; Ontiveros-Cole, Elizabeth; Lustro, Steve; Torres, Robert
Subject: Public Comment from landlord on Agenda #18, Nov. 18. 2024 City Council Pomona

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Clerk

Can you kindly forward this letter to each of the city council members and make sure it's in the public record for today's meeting?
Thank you.

Dear City Council,

I'm one of the 69% mom n' pop landlords as seen on your Powerpoint that is being de-incentivized to maintain a property and rent out units to any more tenants. It's more trouble than it's worth in every way.

You've heard it before: your small business entities (eg: mom n' pop landlords) won't be able to survive; who will come in when they sell? Big developers solely for profit - regardless of whether they include a few affordable units on site.

"Everything has gone up," say all the handymen and contractors. We all feel the crunch.

I calculated the effective annual % increase in my annual costs: In the past 3 years:

- my property taxes have gone up 4%; from \$6700/yr to \$7500/yr
- my insurance up by 6.3%;
- utilities and garbage: up by 12%
- even Pomona's business license fees have gone up 7%, which I have to pay regardless of if the unit is vacant or not.

But my rent went up by only 4% and now I'm told THREE percent this year! My costs are going to keep increasing above the city's rent cap. My only costs that have gone down have been my upkeep costs: no more gardener, no frills - just barebones habitability, and when/if someone moves out, I won't be renovating anything.

A little background because context is important

I'm an educator, excited to buy a property in one of Pomona's historic districts (Wilton Heights), with three small separate units on a lot, totaling 1200 sq. Ft. My intention was to keep everything as is, but

give it a new life because the previous owner let it go and didn't fix it. I let all tenants stay and kept their extremely below market rent, intending to raise the rent a little bit every year.

Within my first year of ownership, a tenant stopped paying and because it was during COVID, I had to eat the \$8k of unpaid rent - the county's COVID relief closed the case without helping me because the tenant filed the paperwork wrong. Also, I got screwed over by contractor after contractor, doing shoddy work, having to pay others more to come fix their work, and I had to take a contractor to court. I won, but I won't see any money because it's in collections - he owes the IRS and I'm the last on the list to be paid out. I also had to evict the non-paying tenant, paying lawyers to help me.

I actually voted "yes" on repealing the Costa Hawkins this November because newer housing developers are bulldozing older units that offer perfectly good housing, so that they can jam in luxury or Home Depot constructions - they should also be forced to have rent control if the rest of us are, but the Costa Hawkins gives them an exception. And more developers are buying single family homes, not just land to build apartments. They can then bulldoze and lot-split thanks to SB9 and 10, so they should also abide by city rent control limits.

About tonight's agenda options

1. Please consider this definition of 'mom n' pop landlord', from AB12, the bill approved by Gov. Newsom about no more than 1 month of security deposits : "a) ... a natural person or limited liability company in which all members are natural persons; and (b) own no more than two residential rental properties that together include no more than four rental dwelling units." The other definitions I've seen used in other California bills are not acceptable.
2. I support Option 1, to follow the state's rent control and rental protections, and re-visit things in a few years.
3. However, if Option 3 is chosen, please:
 1. Do not charge small landlords the fee to be on the registry. Pass it on to BIG landlords.
 2. If small landlords have to pay it, let us pass on 50% the costs to our tenants to join the rental registry since it helps them, too. Big landlords should not be able to do that and should not get discounts.
 3. If a unit has been vacant for more than 1/2 the year, the small landlord should not have to pay the fee. Likewise, change your business license fee structure so small landlords don't have to pay the fee unless the unit is vacant for more than 1/2 a year.
 4. Do not base exceptions on whether the small landlord lives in Pomona or not. Also, whether a property is alienable or not. My property is 3 on a lot. (I've not been exempt from city rent control)
 5. Do not implement a set fee per unit for the registry. Make it based on a progressive % and don't increase the fee an arbitrary amount every year. If it has to be increased, increase it by the % the landlord has increased the fee on each unit.
 6. A provision to encourage compliance is 1/2 off the fee ever year, not just waiving it the first year.

Thank you for your consideration.

Melissa Michelson

Robles, Diana

From: Hector-Andree Pereyra <hector@ic4ij.org>
Sent: Monday, November 18, 2024 12:09 PM
To: City Clerk
Subject: Public comment - City Council Meeting 11/18/24
Attachments: LOS Pomona Rent Stabilization.docx.pdf

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

On behalf of the Inland Coalition for Immigrant Justice, please accept the attached letter as our public comment regarding the Council's consideration of program options for rent control.

Best,

Hector Pereyra (he/him/él)
Political Manager
(818) 405-2359



Inland Coalition for
Immigrant Justice



**Inland Coalition
for Immigrant Justice**

Javier Hernandez
Inland Coalition for Immigrant Justice
2441 N Sierra Way, San Bernardino, CA 92405
javier@ic4ij.org
(909) 313-6925

Monday, November 18, 2024

City of Pomona
Mayor Tim Sandoval
505 S Garey Ave.
Pomona CA 91766

RE: Program Options for Rent Stabilization in the City of Pomona

Dear Mayor Sandoval and Members of the City Council,

The Inland Coalition for Immigrant Justice is composed of over 35 organizations that serve the immigrant community in the Inland Empire. Through policy advocacy and community organizing and education, we are collectively changing the narrative of the one million immigrants who live and thrive in our region. Of prime concern to our member organizations is the access of affordable housing for our community members, and protections for tenants who are vulnerable to undue cost increases and harassment. As such, we urge you to adopt Program Option 2 for rent stabilization in the City of Pomona.

Californians are experiencing a lack of access to affordable and sustainable housing, and this disproportionately impacts low-income and immigrant tenants. Immigrant and undocumented tenants are especially vulnerable to a lack of affordable housing options and tenant protections because of their employment instability and a fear of coming forward with claims of undue harassment or cost increases. Around 32.9% of Pomona residents are foreign born people, and roughly 47% of Pomona residents are renters. We strongly believe Pomona has a responsibility to protect its vulnerable residents and ensure affordable housing is accessible and sustainable.

Program Option 2, which implements local rent control with an annual percentage rent cap, carries on the impacts of Ordinances 4320 and 4329. These ordinances have significantly protected affordable housing costs and provided meaningful opportunities for relief for struggling tenants. Additionally, we recommend that no more than 50% of the rental registry fee be allowed to be passed on to tenants, divided over a 12-month period.

We ask that as representatives for your communities in Pomona, you adopt Program Option 2 and implement local rent control to make Pomona affordable and livable for all.

Sincerely,

Javier Hernandez
Executive Director
Inland Coalition for Immigrant Justice

Robles, Diana

From: Alejandra Ortiz <allyjandra.biz@gmail.com>
Sent: Monday, November 18, 2024 12:19 PM
To: City Clerk
Subject: I SUPPORT AGENDA ITEM #18 OPTION WITH FULL TENANT PROTECTIONS AND A RENT CAP OF 4%

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Hello,

I live in Pomona, and would like to continue living in Pomona. Please protect renters and pass item 18 and cap rent at 4%.

Thank you,
Alejandra Ortiz

Robles, Diana

From: Cathy Tessier <cathy@artecomangement.com>
Sent: Monday, November 18, 2024 12:41 PM
To: Tim Sandoval (Timothy.sandoval@gmail.com); Victor Preciado (victorpreciado24@gmail.com); Nora Zulema Garcia (nora_garcia@ci.pomona.ca.us); Ontiveros-Cole, Elizabeth; Robert Torres (RBRT.Torres1@gmail.com); Steve Lustro (slustro@ci.pomona.ca.us); John Nolte (jgnolte@gmail.com)
Cc: City Clerk
Subject: RSO Council Agenda Item #18
Attachments: Ltr to Pomona Council 10.18.2024.docx

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Good afternoon, Mayor Sandoval and Pomona City Council Members

Please review the attached letter and consider its contents when reviewing item #18. Although this appears to be a discussion only item, it would be beneficial for all parties involved to review all responses related to today's meeting, and to set a study meeting for rental property owners and a separate session for tenants. Request that written responses and suggestions be submitted at least a week or more ahead of time, in advance of these sessions, so all council members, staff, and RSG have sufficient time to review the ideas and opinions and digest them enough to come up with a series of options/plans that would benefit both "sides". Pomona is not Berkely, San Jose, Los Angeles, Oakland, Richmond, Mountain View, etc. Pomona has its own unique demographics community involvement. We should be able to come up with a plan that will preserve reasonably priced housing — and not lose it. We should be able to be an example of how to do this right.

Cathy Tessier

DATE: Oct. 28. 2024

TO: Mayor Tim Sandoval and City of Pomona Council Members:

Please DO NOT approve a permanent rent stabilization ordinance today, and repeal Ordinances 4320 and 4329. Delay is not desirable, but in this case, very necessary, due to the long proposal and analysis that was just released to the public only 4 days ago.

1. Use the State rent control ordinance. with some changes (?) Perhaps even reduce the allowable rent raise to the base 5%, plus $\frac{1}{2}$ or $\frac{1}{4}$ of the CPI. That would allow for at least a portion of small annual raises in owners' costs, and reserving funds for upgrades etc. A rental inspection program is essential to make sure owners are maintaining their property, inside and out.
2. If Pomona reverts to the State program, use all other available and future funding sources for tenant assistance programs:
 - a. Maintain relocation fees for no-fault evictions
 - b. Establish the legal assistance programs for tenants, both hired and volunteer (with oversight and safeguards)
 - c. Expand the tenant assistance programs, based on need
 - d. Establish a rental inspection program, similar to Ontario's program-- periodic city inspections spaced out between self-certification programs. HUD owned or mortgaged properties already go through a yearly inspection AND additionally mandate a self-inspection certification as well, complete with paperwork.
 - e. Consider a tax on rental unit income, or a charge per unit, to help fund programs. Owners recognize the importance of supporting their tenants and keeping their tenants.
3. DO NOT APPROVE VACANCY CONTROL - Vacancy control, especially on units occupied for a long period of time, is a sure way to cause unit and building degradation. Vacancy control eliminates the financial opportunity for units to be repaired and improved, often costing thousands of dollars, just for the basic repairs.
4. An Anti-Harassment Ordinance is not necessary. It is generalized and covering all owners when only a very very few may be actually guilty of this practice. Owners are concerned that if this ordinance passes, tenants will use it to claim harassment when the owner is only exercising their rights: serving notices for late rent, poor housekeeping causing pest infestation, noise at night, etc. Most owners speak with a tenant first, perhaps write a letter, and only then, as a legal resort, send a legal form requesting to cure, or pay rent. Each step may involve a communication with the tenant. In California, many legally approved rental agreements contain clauses that give tenants a right for quiet enjoyment of their home, which prevents management entry without notice, service of reasonable notices for addressing issues, etc.

Thank you for your consideration

Robles, Diana

From: Matt Buck <MBuck@caanet.org>
Sent: Monday, November 18, 2024 1:28 PM
To: City Clerk
Cc: Sandoval, Tim; Nolte, John; Preciado, Victor; Garcia, Nora; Ontiveros-Cole, Elizabeth; Lustro, Steve; Torres, Robert
Subject: CAA Letter: Item 18 -- Rent Control
Attachments: image001.emz; image003.emz; CAALetter_RentControl_111824.pdf

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11/18/2024

Mayor Tim Sandoval & City Council
City of Pomona
VIA Email

Re: Item #18: Rent Control Discussion

Dear Mayor Sandoval and Council Members:

The California Apartment Association represents local housing providers, operators and suppliers along with business owners and real estate industry experts who are involved with a range of rental properties from those that offer single-family residences to large apartment communities. Our members provide a majority of the affordable housing throughout Los Angeles County.

On behalf of our members, we strongly urge City Council to remove the temporary rent control ordinance and re-align with state law AB 1482, known as The California Tenant Protection Act of 2019.

Housing providers have endured Pomona's temporary rent control ordinance for more than 2 years, faced unprecedented hardship from the coronavirus pandemic, survived 40-year high inflation levels, and yet continue to play a pivotal role in helping residents who struggle.

Voters across Los Angeles County rejected state ballot measure Proposition 33, officially known as the "Justice for Renters Act." Proposition 33 would have allowed cities and counties to impose extreme forms of rent control on virtually all housing types. The measure's defeat marked the third time that such a statewide initiative has failed.

Your residents have spoken at the ballot box. They know that these failed housing policies make housing more expensive and harder to find.

Pomona must explore more effective solutions to housing affordability, such as expanding the supply of market-rate housing, considering alternative incentives, and increasing funds in the Tenant Rental Assistance program.

As a public policy trade association engaged in cities across the state, CAA is able to offer views and solutions that have been proven effective in the rental housing industry statewide. Please know that we are happy to partner with Pomona as a resource to City Council and staff on housing policy.

Sincerely,

A handwritten signature in black ink, appearing to read 'MBuck', is written over a light gray rectangular background.

Matthew Buck
Vice President of Public Affairs
California Apartment Association

[Matthew Buck](#) • Vice President of Public Affairs
California Apartment Association
mbuck@caanet.org • (949) 734-2025

*CAA is your partner in the rental housing industry.
[Find out how we're working for you.](#)*

Robles, Diana

From: Mark Warren <mark@bmrrentals.com>
Sent: Monday, November 18, 2024 3:43 PM
To: City Clerk
Subject: City Council Meeting 11/18/2024

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Please include the following in the record of tonight's meeting.

November 18, 2024 Remarks to the Pomona City Council

I would like to make 3 points tonight regarding the future of Pomona.

On November 5th voters (including 38% of California voters) returned Donald Trump to serve a 2nd term as President. He has said on numerous occasions that he is going to cut federal funding to California. He dislikes our governor and his threats should be taken seriously. Money will not be flowing from Washington to Sacramento and on down to Pomona.

Secondly, on that same day, local activists, funded by a San Francisco group, have effectively hijacked 10% of Pomona's operating budget with the passage of measure A. Ten percent of the general fund will soon be siphoned off to fund income tax exempt special interest groups leaving the less money to pay for police and fire protection, fix the streets and pay salaries.

Lastly, for the 3rd time since 2018, 60% of California voters rejected a rent control measure. The majority of the general election voters tune out political rhetoric after an election. However, the activist organizations don't tune out. They continue to focus on a specific issue that they feel is important, but that issue may not be a concern to the majority. These groups often demand political loyalty to positions that the majority reject. Don't be bullied by special interests into believing that controlling rents is what most people desire. The results of the November election show otherwise.

I encourage you to repeal ordinances 4320 & 4329 and rely solely on State Law AB 1482 as it already includes tenant protections such as relocation benefits for no-fault evictions.

From this meeting forward, council members must take into consideration the immediate and ongoing financial costs associated with each decision. Where is the money coming

from and is it an existing, consistent revenue source? Policy decisions should not be based on future revenue.

Please work together as a team, put aside personal issues with each other and vote to restore Pomona to a vibrant, clean and safe community.

Mark Warren 909-224-0359

ma.warren@me.com

Mark

Mark A. Warren
Mark Warren Realty & Investments Inc.
dba BMR Rentals
909-224-0359 voice & Text
909-622-6275 Fax

Robles, Diana

From: Fazleen Dean <fdlxvisuals@gmail.com>
Sent: Monday, November 18, 2024 4:20 PM
To: City Clerk
Subject: I SUPPORT AGENDA ITEM #18 OPTION WITH FULL TENANT PROTECTIONS AND A RENT CAP OF 4%

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To whom it may concern,

As a resident of Pomona, I would like to express my concern about increasing rent prices nationwide. I believe the people in this city deserve continued rent stabilization, and not to be priced out of city they live in and contribute to. I hope the leaders of our city will make the right decision to support full tenant protections and a rent cap of 4%.

Thank you for your time.

Robles, Diana

From: Elinor Crescenzi <ecrescenzi@gmail.com>
Sent: Monday, November 18, 2024 5:41 PM
To: City Clerk
Subject: Support Agenda item#18 with full tenant protections & a rent cap at 4%

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I will not be able to make the city council meeting tonight, but want to express my support for permanent rental protections with full tenant protections and a rent cap of 4%.

Please elevate this support at the council level.

Elinor

Robles, Diana

From: Gabby Flores <floresgabby383@gmail.com>
Sent: Monday, November 18, 2024 8:07 PM
To: City Clerk
Subject: I SUPPORT AGENDA #18 OPTION WITH FULL TENANT PROTECTIONS AND RENT CAP OF 4%
Attachments: City Council.pdf

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,

My name is Gabby Flores. I am a university student and I currently live in the apartments located on Laurel Ave. Many of you may not know who I am, one of you does as I live in the District One area in the City of Pomona. Allow me to further introduce myself. I was born and raised in the City of Pomona. I have lived here my entire 28 years of life. I love this city and I love the community as well. Growing up, I always admired what the city did for the community: creating programs for youth, organizing events for families and making efforts to make the city a better place to rid of the negative stigma that many people think of when they think of our city. But out of all my time living here, never have I ever thought that one day, I'd grow up to face living in a building that's not suitable for living, but with a landlord who refuses to fix their broken down building. The landlord for these apartments not only refuses to acknowledge that their building is in need of fixing, but any maintenance requests that are written in Spanish are tossed out without a glance. How is this acceptable? What are YOU doing as our city council members? You have the opportunity to vote for an important agenda item today. That being Agenda Item #18 option with full tenant protections and a rent cap of 4%. As a current resident I have witnessed first hand the impact of inflation and the high cost of rent. I am privileged enough to have a roof over my head but I often wonder: how long will that last? Voting in favor of agenda item #18 will benefit so many residents of Pomona. I implore you, that when the time comes to vote for Agenda Item #18 to keep this in mind: what you vote for now will impact not only me, but the generations to come. Please, vote accordingly. Because this WILL impact people now and forever. Thank you.