

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, September 18, 2023

**5:30 p.m. in the Chuck Bader Conference Room (Closed Session) &
7:00 p.m. in the Council Chamber**

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

*Mayor Tim Sandoval
Vice-Mayor John Nolte
Councilmember Victor Preciado
Councilmember Nora Garcia
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. 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

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 LEGAL COUNSEL - EXISTING LITIGATION

(Pursuant to Government Code Section 54956.9 (a) and (d)(1))

*Chad Jensen and Michael Neaderbaomer vs. City of Pomona; Michael Olivieri;
Dennis Cooper and Does 1 through 50
Los Angeles County Superior Court Case No. 20STCV17625*

*Housing Authority City of Pomona v. Thompson
Los Angeles County Superior Court Case No. 23-4181086*

*Robert Serrano III, Amado F. Suarez and Jose Luis Juarez v. City of Pomona;
Police Chief Michael Ellis and Pomona Police Officer Garret Dulong and Does 1
through 25
Los Angeles County Superior Court Case No. 22PSCV03084*

B) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Pursuant to Government Code Section 54957(b)(1))

City Manager

C) CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees
Part Time General Employees Unit
Unrepresented Group A and B Employees
Unrepresented Mid-Management Group C-2 Employees
Pomona City Employees' Association, a Chapter of Teamsters Local 1932
Pomona Mid-Management Confidential Employees Association (PMMCEA)
Pomona Police Officers Association (PPOA)
Pomona Police Managers Association (PPMA)

Labor Negotiators: James Makshanoff and René Anderson

7:00 P.M.

Council Chambers

CALL TO ORDER

CLOSED SESSION REPORT

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

*2023 Summer Recap: An Overview of City Events, Recreation Programs, and Activities

Attachments: [2023 Summer Recap](#)

*Proclamation Designating September 22, 2023 as “California Native American Day” in the City of Pomona

Attachments: [9.18 California Native American](#)

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. Second Reading and Adoption to Amend Chapter 58, Article III of the Pomona City Code

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

ORDINANCE NO. 4335 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING CHAPTER 58 ("TRAFFIC AND VEHICLES"), ARTICLE III ("VEHICLE OPERATION") SECTION 58-122 ("SPEED LIMITS FOR SPECIFIC STREETS") OF THE POMONA CITY CODE BY UPDATING THE SPEED LIMITS ON DESIGNATED CITY STREETS FOR YEARS 2023 AND 2024

Attachments: [Staff Report](#)

[Attachment No. 1 - September 11, 2023 Staff Report](#)

[Attachment No. 2 - Ordinance No. 4335](#)

2. Second Reading and Adoption of an Ordinance Amending the Pomona City Code Creating an Ethics Commission Pursuant to the Provisions of Article VIII, Section 807 of the Charter of the City of Pomona

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

ORDINANCE NO. 4337 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CREATING AN ETHICS COMMISSION PURSUANT TO SECTION 807 OF THE CITY CHARTER OF THE CITY OF POMONA

Attachments: [Staff Report-Ethics Comm. Adoption.DOCX](#)

[Attachment No. 1 - Staff Report.pdf](#)

[Attachment No. 2 - Proposed Ord. No. 4337.doc](#)

3. Approval of an Amendment to the Art in Public Places Manual to Revise the Format of the Cultural Arts Citizens Advisory Committee

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

RESOLUTION NO. 2023-163 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN AMENDMENT TO THE ART IN PUBLIC PLACES POLICY AND GUIDELINES MANUAL

Attachments: [Staff Report](#)

[Attachment No. 1 - Draft Resolution Approving Amendment](#)

[Attachment No. 2 -- Proposed Amended AIPP Manual \(Exhibit A, Changes](#)

4. Authorize the Acceptance of the State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-144 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT IN THE AMOUNT OF \$440,000 AND AMENDING THE FY 2023-24 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$440,000

- 2) 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 - FY 23-24 STEP Grant](#)

[Attachment No. 1 - Reso. 2023-144](#)

[Attachment No. 2 - Grant Agreement](#)

5. Authorize the Acceptance of California office of Traffic Safety (OTS) Pedestrian and Bicycle Safety Grant

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-145 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY PEDESTRIAN AND BICYCLE SAFETY GRANT IN

THE AMOUNT OF \$43,787 AND AMENDING THE FY 2023-24 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS BY \$43,787

- 2) 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- OTS Bike Ped Grant](#)
 [Attachment No. 1 - Reso. 2023-145](#)
 [Attachment No. 2 - Grant Agreement](#)

6. Authorize the Acceptance of California Office of Traffic Safety (OTS) 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. 2023-146 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) MOTORCYCLE SAFETY EDUCATION AND TRAINING PROGRAM GRANT IN THE AMOUNT OF \$24,000 AND AMENDING THE FY 2023-24 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS BY \$24,000

- 2) 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- OTS Motorcycle Safety](#)
 [Attachment No. 1 - Reso. 2023-146](#)
 [Attachment No. 2 - Grant Agreement](#)

7. Adopt a Resolution Authorizing the City of Pomona Housing Authority to Accept a Grant Award and Receive Funding from the U.S. Department of Housing and Urban Development, Totaling \$176,009

It is recommended that the City Council, sitting as the Governing Board of the City of Pomona Housing Authority, take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-156 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD

OF THE POMONA HOUSING AUTHORITY (PHA), APPROVING THE ACCEPTANCE OF A U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) PROGRAM GRANT AWARD, TO RECEIVE FUNDING TOTALING \$176,009, AMENDING THE FY 2023-24 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES, APPROPRIATING FUNDS IN THE SAME AMOUNT

- 2) Approve a Memorandum of Understanding (MOU) with the Los Angeles Homeless Services Authority (LAHSA) for a term not to exceed one year to develop a prioritization plan for these vouchers.
- 3) Authorize the Executive Director of the Pomona Housing Authority or his designee to execute the contracts and other documentation requested for acceptance and implementation of the grant awards, subject to approval as to form by the Agency Counsel.

Attachments: [Staff Report - Award of Stability Vouchers to PHA](#)
 [Attachment 1 - Resolution No. 2023-156.docx](#)

8. Award of Professional Consultant Services Agreement for "Pomona Transit Center ADA Improvements," Project No. 428-2590-XXXXX-67938

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

- 1) Award a Professional Consultant Services Agreement for "Pomona Transit Center ADA Improvements," Project No. 428-2590-XXXXX-67938 to HR Green Pacific, Inc. for Design and Construction Management services in the amount of \$692,201; and
- 2) Authorize the City Manager to execute the agreement and any subsequent amendments/revisions to the agreement with HR Green Pacific, Inc.

Attachments: [Staff Report](#)

9. Adopt a Resolution Accepting Grant Funds for Operation of the Crisis Housing Program at the Hope for Home Homeless Services Center and Amendment of the FY 2023-24 Operating Budget

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-160 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$1,464,000 IN MEASURE H GRANT FUNDS FOR THE OPERATION OF A CRISIS HOUSING PROGRAM AT THE HOPE FOR HOME HOMELESS SERVICES

CENTER (H4H), AMENDMENT OF THE FY 2023-24 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES BY \$4,000 AND APPROPRIATIONS BY \$8,807

- 2) Amend the agreement with Volunteers of America Los Angeles (VOALA) as the H4H Site Operator by awarding \$1,385,786 to operate the Crisis Housing Program; 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 H4H Crisis Housing Program, subject to approval as to form by the City Attorney.

Attachments: [Staff Report - Crisis Housing FY 2023-24](#)

[Attachment No. 1 - Resolution No. 2023-160 Crisis Housing FY 2023-24](#)

10. Adopt a Resolution Accepting Grant Funds for Operation of the Bridge Housing Program at Hope for Home Homeless Services Center and Amendment of the FY 2023-24 Operating Budget

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-159 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$915,000 IN CONTINUUM OF CARE (COC) HOUSING HOMELESS, ASSISTANCE AND PREVENTION (HHAP) AND MEASURE H GRANT FUNDS FOR THE OPERATION OF THE BRIDGE HOUSING PROGRAM AT HOPE FOR HOME HOMELESS SERVICES CENTER (H4H), AMENDMENT OF THE FY 2023-24 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES BY \$1,649 AND REDUCE APPROPRIATIONS BY \$12,085

- 2) Amend the agreement with Volunteers of America Los Angeles (VOALA) as the H4H Site Operator by awarding \$866,975 to operate the Bridge Housing Program; 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 H4H Bridge Housing Program, subject to approval as to form by the City Attorney.

Attachments: [Staff Report - Bridge Housing FY 2023-24](#)

[Resolution No. 2023-159 Bridge Housing FY 2023-24](#)

11. Amend a Contract with R Dependable Construction Inc. for Tenant Improvements at 2040 N. Garey Avenue, Pomona, CA

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

- 1) Amend the contract with R Dependable Construction Inc. for tenant improvements at 2040 N. Garey Avenue, Pomona, CA by increasing contract amount by \$60,000 bringing total contract price to \$290,969; and,
- 2) Authorize the City Manager to execute the contract on behalf of the City, subject to review by the City Attorney.

Attachments: [SR Amend Contract with R Dependable.docx](#)

12. Approve Purchase of One New Utility Truck from National Auto Fleet Group

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-161 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2023-24 SAFE CLEAN WATER PROGRAM SUPPLEMENTAL BUDGET BY APPROPRIATING \$14,404 OF MEASURE W (SAFE CLEAN WATER PROGRAM) FUND RESERVES TO PURCHASE ONE NEW UTILITY TRUCK FOR THE WATER RESOURCES DEPARTMENT, ENVIRONMENTAL SECTION

- 2) Approve the purchase of one new utility truck from National Auto Fleet Group in the total amount of \$66,404, utilizing Sourcewell Contract 091521-NAF; and
- 3) Authorize the City Manager or designee to approve purchase orders on behalf of the City.

Attachments: [Staff Report - New Truck for Stormwater Maint](#)
 [Attach No. 1 - Resolution 2023-161 - Final](#)

13. Provide the 2022 California Power Source Disclosure Attestation for Pomona Choice Energy

It is recommended that the City Council provide the attestation specified under California's Power Source Disclosure Program for Pomona Choice Energy.

Attachments: [SR - Pomona 2022 PCL Attestation](#)
[Attach No. 1 - Pomona 2022 Power Content Label.pdf](#)
[Attach No. 2 - Pomona Choice 2022 PSD Annual Report.pdf](#)
[Attach No. 3 - Pomona Choice 100 2022 PSD Annual Report.pdf](#)

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

15. Transformative Climate Communities (TCC) Pomona Housing Study and Parking Analysis

It is recommended that the City Council receive and file the Transformative Climate Communities (TCC) Pomona Housing Study and Parking Analysis.

Attachments: [Council StaffReport.docx](#)
[20230906_Downtown Pomona TCC Draft.pdf](#)
[202308918 City Council Presentation Final Reduced.pdf](#)

16. Discussion Regarding Phillips Ranch Riparian Greenbelt

It is recommended that the City Council discuss and advise on converting the Riparian Greenbelt to a City Park.

Attachments: [Staff Report](#)

ADJOURNMENT

The next Regular Meeting will be held on October 2, 2023 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 September 18, 2023 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 on September 12, 2023.

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

*/s/ Rosalia A. Butler, MMC
City Clerk*