

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, June 17, 2024

7:00 PM

Closed Session begins at 5:30 p.m.

Council Chambers

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

Mayor Tim Sandoval

Vice-Mayor Victor Preciado

Councilmember John Nolte

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.

7:00 P.M.

Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

A Proclamation of the City Council of the City of Pomona Recognizing June 19, 2024
a Celebration of “Juneteenth National Freedom Day” in the City of Pomona

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 a Master Joint Use Agreement Addendum No. 3 between the City and Pomona Unified School District for Common Educational and Recreational Objectives

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

- 1) Approve the Master Joint Use Agreement Addendum No. 3 for the use of District property Mendoza Elementary; and
 - 2) Authorize the City Manager, or designee, to execute the agreement on behalf of the City, subject to review and approval as to form by the City Attorney.

2. Amend the FY 2023-24 Capital Improvement Program Budget

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

RESOLUTION NO. 2024-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UN-APPROPRIATING FUNDS IN THE AMOUNT OF \$1,317,658, CLOSING THREE (3) CIP PROJECTS, AND APPROPRIATING \$400,000 OF UNEXPENDED FUNDS

3. Award of Contract to Draw Tap GIS, LLC for Geographic Information System Consulting and Support Services

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

- 1) Award a three-year Professional Services Agreement (PSA) to Draw Tap GIS, LLC ("Draw Tap") for GIS consultation services. The agreement is set at a cost of \$737,880 for the first year, subject to an annual increase of 5% for the subsequent years. Additionally, this agreement includes an option to extend for two further one-year terms; and
- 2) Authorize the City Manager to execute the agreement and any extensions or amendments thereto on behalf of the City, subject to review by the City Attorney.

4. Resolution to Amend the FY 2023-24 Capital Improvement Program (CIP) Budget by Changing the Name and Description of "District 4 Park Security Upgrades," to "District 4 Jaycee Park Snack Bar and Security Upgrades," and Appropriating \$80,000 of American Rescue Plan (ARP) District 4 Funding to the Project

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

RESOLUTION NO. 2024-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CHANGING THE NAME AND DESCRIPTION OF "DISTRICT 4 PARK SECURITY UPGRADES," PROJECT NO. 428-2590-XXXXX-71091 TO "DISTRICT 4 JAYCEE PARK SNACK BAR AND SECURITY UPGRADES," AND APPROPRIATING \$80,000 OF CORONAVIRUS

**STATE AND LOCAL FISCAL RECOVERY AMERICAN RESCUE PLAN (ARP)
DISTRICT 4 FUNDING TO THE PROJECT**

5. Resolution to Amend the FY 2023-24 Capital Improvement Program (CIP) Budget by Creating a New Project, "New Flooring at Garfield Park Community Center," and Appropriating \$40,000 of American Rescue Plan (ARP) District 4 Funding to the Project

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

RESOLUTION NO. 2024-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CREATING A NEW PROJECT, "NEW FLOORING AT GARFIELD PARK COMMUNITY CENTER," PROJECT NO. 428-2590-XXXXX-71103 AND APPROPRIATING \$40,000 OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY AMERICAN RESCUE PLAN (ARP) DISTRICT 4 FUNDING TO THE PROJECT

6. Resolution to Amend the FY 2023-24 Capital Improvement Program (CIP) Budget by Changing the Project Description of "Library Facility Remodel"

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

RESOLUTION NO. 2024-97 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CHANGING THE PROJECT DESCRIPTION OF "LIBRARY FACILITY REMODEL," PROJECT NO. 428-2590-XXXXX-74118

7. Ratify Emergency Purchase for Repairs Necessitated by the February 2024 Storm Events; and, Approve Payment to United Storm Water Inc.

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

- 1) Ratify the expenses for an emergency purchase as per Pomona Code (P.C.C.) Section 2-998 for the repairs and services performed by United Storm Water Inc., (United Storm Water); and,

- 2) Approve the payment to United Storm Water in the amount \$120,000.

8. Approval of On-Call Building and Safety Plan Check Consulting Services and Master Agreements

It is recommended that the City Council authorize the City Manager, or designee, to execute various three-year agreements with two one-year options on behalf of the City, in substantially the form submitted, subject to review and approval by the City Attorney.

9. Resolution to Amend the FY 2023-24 Operating and Capital Improvement Program (CIP) Budget by Creating a New Project, "City Hall Flooring Replacement (Information Technology Department)," Project No. 428-2590-XXXXX-74116 and Appropriating \$60,000 of Information Technology Fund Savings to the Project

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

RESOLUTION NO. 2024-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2023-24 OPERATING AND CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CREATING A NEW PROJECT, "CITY HALL FLOORING REPLACEMENT (INFORMATION TECHNOLOGY DEPARTMENT)," PROJECT NO. 428-2590-XXXXX-74116 AND APPROPRIATING \$60,000 OF INFORMATION TECHNOLOGY FUND SAVINGS FROM CONTROLLABLE CONTRACTS TO THE PROJECT

10. Approval of Purchasing Office Supplies from Staples, Inc. Under a Cooperative Agreement through Sourcewell

It is recommended that the City Council approve the purchasing of office supplies through Staples, Inc. utilizing a cooperative agreement awarded by Sourcewell for a three year period beginning July 1, 2024 through June 30, 2027.

11. Establishing the Order of Appointment of the Vice-Mayor and Selecting and Designating District 3 Councilmember, Nora Garcia, as Vice-Mayor

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

RESOLUTION NO. 2024-91 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING THE ORDER OF APPOINTMENT OF VICE-MAYOR AND SELECTING AND DESIGNATING DISTRICT 3 COUNCILMEMBER, NORA GARCIA, AS VICE-MAYOR

12. Consideration of a Project Labor Agreement by and Between the City of Pomona and the Los Angeles/Orange Counties Building and Construction Trades Council and the Signatory Craft Councils and Unions

It is recommended that the City Council further consider a draft Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council as well as an implementation strategy.

13. Accept Elderly Nutrition Program Grant Funds from Los Angeles County for Senior Meal Services in the Amount of \$408,200 and Amend the FY 2024-25 Operating Budget Senior Nutrition Grant Fund by Increasing Appropriations in the Amount of \$34,200

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-98 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO ACCEPT \$408,200 IN GRANT FUNDS FROM THE LOS ANGELES COUNTY ELDERLY NUTRITION PROGRAM (ENP) GRANT FOR THE SENIOR NUTRITION PROGRAM AND AMEND THE FY 2024-25 OPERATING BUDGET SENIOR NUTRITION GRANT BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$34,200

- 2) Authorize the City Manager to execute the agreement and any subsequent amendments, subject to review by the City Attorney.

14. Appeal of Planning Commission Decision for Proposed Outdoor Storage Yard at 1313 East Phillips Boulevard. *(continued from June 3, 2024 Consent Calendar)*

It is recommended that the City Council schedule the appeal for a public hearing for the regularly scheduled City Council meeting of July 1, 2024.

15. Appeal of Planning Commission Decision for Proposed Outdoor Storage Yard at 2000 Pomona Boulevard. *(continued from June 3, 2024 Consent Calendar)*

It is recommended that the City Council schedule the appeal for a public hearing for the regularly scheduled City Council meeting of July 1, 2024.

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

17. Appeal of Staff Decision to Deny the Establishment of a Preferential Parking District on Mountain Avenue

It is recommended that the City Council discuss the appeal of the Staff decision to deny the establishment of preferential parking district on Mountain Avenue from Kingsley Avenue to the south alleyway. After discussion, the City Council can take one of two actions:

- 1) Option 1: Uphold Staff's decision to deny the request;

OR

2) Option 2: Approve the establishment of a preferential parking district on Mountain Avenue from Kingsley Avenue to the south alleyway.

PUBLIC HEARINGS

18. Introduction and First Reading of a Comprehensive Update to the Pomona Zoning and Subdivision Ordinances

It is recommended that the City Council introduce, waive further, and give first reading to the following ordinance:

ORDINANCE NO. 4345 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A COMPREHENSIVE UPDATE TO THE POMONA ZONING AND SUBDIVISION ORDINANCES ("ZONING CODE UPDATE")

ADJOURNMENT

The next Regular Meeting will be held on July 1, 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 June 17, 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 on June 12, 2024.

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

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