

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, November 18, 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. 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))

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

7:00 P.M.

Council Chambers

CALL TO ORDER

CLOSED SESSION REPORT

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Attachments: [Small Business Saturday](#)

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:

October 21, 2024 Regular Meeting Minutes

Attachments: [FINAL MINUTES 10-21-2024.pdf](#)

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

Attachments: [Staff Report](#)

[Attachment No. 1 – Draft Ordinance No. 4348](#)

[Attachment No. 2 - Resolution No. 2024-176](#)

[Attachment No. 3 – First Reading City Council Staff Report](#)

[Attachment No. 4 – Historic Preservation Commission Resolution](#)

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

Attachments: [Staff Report - Ordinance 4349 Second Reading 11-18-2024](#)

[Attachment 1 - ORDINANCE 4349 SECOND READING](#)

[Attachment 2 - Staff Report - Sidewalk Vending Ordinance 10-21-2024](#)

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)

Attachments: [Staff Report - Ordinance 4350 Second Reading 11-18-2024](#)
[Attachment 1 - Ordinance 4350 Second Reading](#)
[Attachment 2 - Staff Report - Sidewalk Obstructions 10-21-2024](#)

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.

Attachments: [Staff Report Tri City MHSA 2024-25](#)
[Resolution 2024-156 Tri City MHSA FY 2024-25](#)

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.

Attachments: [Staff Report-Service First Amendment No. 3](#)
[Amendment No. 3 Service First Inc.](#)

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.

Attachments: [Staff Report- Acceptance of FY 2024-25 Tobacco Grant Program](#)
[Attachment No. 1 - Reso. 2024-149](#)
[Attachment. No. 2 -Award Letter FY 2024-25](#)

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.

Attachments: [Staff Report- SLESA FY 24-25](#)
[Attachment No.1 - Reso. No. 2024-185](#)

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.

Attachments: [11.18.24 CC Report Meta DIF Loan Agreement](#)
[reso 2024-119 Meta DIF's](#)
[final - Meta Housing DIF Deferral Agreement \(221 237 West Holt Avenue](#)
[attach 2](#)

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.

Attachments: [Staff Report.docx](#)
[Attachment 1 - Resolution.doc](#)
[First Amendment](#)

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.

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

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.

Attachments: [Staff Report](#)
 [Attachment No. 1 - Resolution No. 2024-187](#)
 [Exhibit 1 - Grant of Easement EC2-2024](#)
 [Exhibit A - Legal Description](#)
 [Exhibit B - Plat Map](#)
 [Attachment No. 2 - Vicinity Map](#)
 [Attachment No. 3 - Aerial Map](#)

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.).

Attachments: [Staff Report](#)
[Attachment No. 1 - Resolution No. 2024-188](#)

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

Attachments: [Staff Report](#)
[Attachment No. 1 - Resolution](#)
[Attachment No. 2 - CIP Project Details Sheet](#)

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

Attachments: [Staff Report](#)
 [Resolution 2024-55](#)

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.

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

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**

Attachments: [FY 2024-25 1st Quarter Staff Report-final version V2](#)
[FY 2024-25- resolution 2024-190 attachment 1](#)
[FY 2024-25 1st Qtr ppt v1 11122024](#)

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.

Attachments: [111824 CC Rpt for Rent Stabilization Options - final](#)
[Attach #1](#)
[Attach #2](#)
[Attach #3](#)
[Attach #4](#)

ADJOURNMENT

The next Regular Meeting will be held on December 2, 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 November 18, 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 November 13, 2024.

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

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