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# CITY OF POMONA

## CITY COUNCIL

## STAFF REPORT

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August 4, 2025

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: Ata Khan, Deputy Director of Office of Economic and Business Affairs

**SUBJECT: THIRD AMENDMENT TO INTERIM USE AGREEMENT WITH FAIRPLEX REGARDING PROCESSING OF SPECIFIC PLAN APPLICATION AND INTERIM USE OF PROPERTY**

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### **RECOMMENDATION:**

It is recommended that the City Council approve a Third Amendment (**Attachment No. 1**) to the Interim Use of Fairplex Agreement (“Agreement”) and authorize the City Manager to execute on behalf of City.

### **EXECUTIVE SUMMARY:**

The City Council will consider a request to amend the Agreement (**Attachment No. 1**) to extend the end of term from August 20, 2025 to December 31, 2025. The Agreement (**Attachment No. 2**) between the Fairplex and the City outlines Fairplex’s commitment to apply for a specific plan and the City’s commitment to process the specific plan application, including preparation of an Environmental Impact Report and an extensive public review process, in lieu of pursuing unilateral changes to the existing Fairgrounds Zoning Overlay District. It also established a Mitigation Fund to invest in public safety and infrastructure projects around the Fairplex to address impacts from activity on site, and establishes a set number of larger music events allowed annually. The time extension is necessary to provide both the Fairplex and the City sufficient time to finalize modifications to the structure of the original Agreement, which includes better defining activities, traffic control planning for large events, and the mitigation fee structure. The City intends to bring forward a fourth amendment in January 2026 to capture these modifications.

### **SB1439/GOVERNMENT CODE §84308 APPLICABILITY:**

☐ When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$500 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$500 or more made 1) by any person or entity who is identified in the agenda report as the applicant or

proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

### **FISCAL IMPACT:**

This amendment would extend the sunset date of the Mitigation Fund to December 31, 2025. The City would have two years from that date (December 31, 2027) to use the funds, as stated in Section 7 (d) ii of the Agreement. The current Mitigation Fund balance (Fund 195) is \$766,000. There is no significant fiscal impact associated with the Specific Plan component of the Agreement, as the Fairplex is responsible for the associated costs to prepare it, which includes environmental review.

### **PREVIOUS RELATED ACTION:**

On July 29, 2019, City Council approved the Agreement (Attachment No. 2). The First Amendment was approved on December 21, 2020, and the Second Amendment was approved on November 21, 2022.

### **DISCUSSION**

The purpose of the Agreement (**Attachment No. 2**) is to establish a Specific Plan to impose regulations on the Fairplex that will establish a clear development and growth strategy for the campus, and to establish regulations and a mitigation fund for events held at the Fairplex.

Fairplex submitted a Specific Plan application in February 2020. COVID-19 impacts slowed the process for several years, as the Fairplex navigated a new landscape of post-COVID-19 event planning, which was the basis of the First Amendment (**Attachment No. 3**). Nonetheless, the City and Fairplex have made progress, which includes selecting Impact Sciences as the environmental review consultant, and initiating pre-environmental review discussions and site surveys.

The Agreement established a revenue source to be set aside for improvements meant to mitigate impacts of the music and continued, historical year-round events, such as impacts to traffic and public safety. The Committee first met in October 2020 and now regularly meets three times per year in the months of March, June, and October on the third Wednesday of the month. The group consists of a total of nine Committee Members. Seven of the nine Committee Members are residents of the mitigation area, each of which have been appointed by a Councilmember or the Mayor. The Fairplex and Los Angeles County are represented with one member each. The latest balance is approximately \$766,000 to date.

The City and Fairplex have spent the last three months working through a draft amendment to the Agreement that would govern the next five years, as the Second Amendment (**Attachment No. 4**) is set to expire on August 20, 2025. This includes an updated Agreement that includes better defined terms, updates the financing mechanisms for the Mitigation Fund, and establishes protocols for traffic control. Both parties believe that having until the end of the year would provide the time necessary to finalize the document to bring back to Council in January 2026. The time extension amendment would also extend the Mitigation Fund mechanism through December 31, 2025.

Prepared by:

Ata Khan  
Deputy Director  
Office of Economic and Business Affairs

**ATTACHMENTS:**

Attachment No. 1 - Proposed Third Amendment  
Attachment No. 2 – Original Agreement  
Attachment No. 3 – First Amendment  
Attachment No. 4 – Second Amendment