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# CITY OF POMONA COUNCIL REPORT

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February 23, 2026

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: Meg McWade, Public Works Director

**SUBJECT: RESOLUTION TO AMEND THE FY 2025-26 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY ADDING AVAILABLE CIP PROJECT FUND RESERVES (RESTITUTION/SETTLEMENT FUNDS) TO “PARK RESTROOM CONSTRUCTION AND REPLACEMENT” PROJECT**

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## **RECOMMENDATION:**

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

**RESOLUTION NO. 2026-13 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO AMEND THE FY 2025-26 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$300,000 OF AVAILABLE CIP PROJECT FUND RESERVES (RESTITUTION/SETTLEMENT FUNDS) TO “PARK RESTROOM CONSTRUCTION AND REPLACEMENT,” FD428, CAPITAL IMPROVEMENT PROGRAM (CIP) | CC2590 CAPITAL IMPROVEMENT PROGRAM (CIP) | PROJECT NO. 71079**

## **EXECUTIVE SUMMARY:**

City Council adoption of Resolution No. 2026-13 (Attachment No. 1) will appropriate \$300,000 of available CIP Project Fund Reserves (Restitution/Settlement Funds) to provide additional funding for the “Park Restroom Construction and Replacement” project which includes park restrooms at John F. Kennedy, Martin Luther King, Jr., Tony Cerda, Washington, and Palomares Parks and allows for the full completion of the project as originally envisioned.

## **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:**

The Project was included in the adopted Capital Improvement Program (CIP) 2025-26 Budget. Approval of this action will add an additional \$300,000 of CIP Project Fund Reserves (Restitution/Settlement Funds) to the Project. The following table details the fiscal impact associated with the recommended actions:

Category	<b>“Park Restroom Construction and Replacement,” FD428, Capital Improvement Program (CIP)   CC2590 Capital Improvement Program (CIP)   Project No. 71079</b>
Beginning Project Budget	\$4,040,608
Appropriation of CIP Project Fund Reserves (Restitution/Settlement Funds) PG107	\$300,000
Revised Budget	\$4,340,608
Expenditures/Encumbrances (as Feb. 3, 2026)	(\$3,917,005)
<b>Available Budget Remaining</b>	<b>\$423,603</b>

**PREVIOUS RELATED ACTION:**

On December 6, 2021, the City Council approved Resolution No. 2021-154 to amend the FY 2021-22 (CIP) Budget by creating a new project for “Park Restroom Construction and Replacement,” Project No.428-2590-XXXXX-71079 and appropriating \$2,500,000 of American Rescue Plan (ARP) funding to the project.

On October 17, 2022, the City Council awarded a Design Contract to Architerra Design Group for Professional Landscape Architectural Services for “Park Restroom Construction and Replacement,” Project No.71079, in the amount of \$475,040.

On December 16, 2024, City Council adopted Resolution No. 2024-200, which appropriated an additional \$1,349,671 of ARP funding and \$25,000 of CIP Project Fund Reserves to “Park Restroom Construction and Replacement,” Project No.71079, and awarded a construction contract to ARC Construction in the amount of \$3,276,373, with no additional funding for internal costs, utilities, or contingency.

On April 21, 2025 City Council adopted Resolution No. 2025-39 re-appropriating remaining General funds from Closed CIP projects to Project No. 71079 in the amount of \$96,482.

On October 20, 2025 City Council adopted Resolution No. 2025-112 which appropriated CDBG funding to various projects including \$31,421 of District 2 CDBG funding to Project No.71079

On November 17, 2025, City Council adopted Resolution 2025-135 appropriating \$38,034 of available CIP Carryover Discretionary Funds from Districts 1, 2, 6, and Mayoral accounts to the Project.

**DISCUSSION:**

The “Park Restroom Construction and Replacement,” FD428, Capital Improvement Program (CIP) | CC2590 Capital Improvement Program (CIP) | Project No.71079 Project provides for the construction of new park restrooms and replacement of existing park restrooms at John F. Kennedy, Martin Luther King, Jr., Tony Cerda, Washington, and Palomares Parks. This project is primarily funded with ARP funding. At the time the contract was awarded (December 16, 2024), it was required that ARP funding be contracted by either PO or formal contract to meet the December 31, 2024 deadline. At that time, only enough budget was provided to allow for the provision of the construction contract. Costs such as permitting, soil testing, material testing, utility, inspection, other future soft costs, staff time, and contingency were not factored in because it was thought these costs would not be eligible for ARP funding.

The City of Pomona (City) invested over four million dollars in this project for the construction and replacement of park restrooms. Adding \$300,000 of available CIP Project Fund Reserves (Restitution/Settlement funds) furthers the City’s already comprehensive investment into long-term sustainability and allows for the full completion of the project as originally envisioned. Since the Project’s inception, significant progress has been made. Restrooms have been installed and are near completion at Palomares, Martin Luther King, Jr., and Washington Parks. The restroom at John F. Kennedy Park should be placed soon. The Tony Cerda Restroom will be installed once an update to the Joint Use Agreement with the Pomona Unified School District is finalized and construction can commence.

**COUNCIL PRIORITIES & GOALS:**

*This item supports the 2021-22 City Council Priority 5: Goal O: Improve Parks facilities in the following general order of priority: 1) ensuring that existing amenities are functioning; 2) rehabilitating bathrooms and other park facilities and equipment; and 5) adding new bathrooms.*

Prepared by:

Sylvia Gonzales, Management Analyst

**ATTACHMENT(S):**

Attachment No. 1 – Resolution No. 2026-13