



# City of Pomona

505 S. Garey Ave  
Pomona, CA 91766

## Regular Meeting Minutes

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### 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 S. 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.*

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Monday, June 5, 2023

7:00 PM

Council Chambers

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#### CLOSED SESSION

**A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
(Pursuant to Government Code Section 54956.8)

Property: Palm Lake  
(APN No's: 8343-016-013 & 8343-016-001)

Negotiating Party: 1) Chino Development League  
2) 1500 Phillips LLC

City's Negotiator: James Makshanoff, City Manager

Under Negotiation: Price and terms

**B) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Pursuant to Government Code Section 54956.9 (a) and (d) (1))

*City of Pomona v. SQM North America Corporation*  
U.S.D.C. No. 2:11-cv-00167-RGK-JEM

**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

**CALL TO ORDER**

Mayor Sandoval called the City Council Meeting to order at 7:00 p.m.

**CITY ATTORNEY REPORT OUT FROM CLOSED SESSION**

City Attorney Sonia Carvalho stated there was no reportable action.

**PLEDGE OF ALLEGIANCE**

Councilmember Ontiveros-Cole led the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Tim Sandoval  
Vice Mayor John Nolte  
Councilmember Victor Preciado  
Councilmember Nora Garcia  
Councilmember Elizabeth Ontiveros-Cole  
Councilmember Steve Lusto

Absent: Councilmember Robert Torres

**STAFF PRESENT**

James Makshanoff, City Manager  
Sonia Carvalho, City Attorney  
Rosalia Butler, City Clerk  
Diana Robles, Deputy City Clerk

Maricela Miotto, contracted by the City, provided translation services.



## **PRESENTATIONS**

\*Presentation of Lifesaving Medal Awards to Pomona Police Officers Monique Gonzalez, Alejandro Lopez & Humberto Sanchez, Jr.

Police Chief Michael Ellis introduced Deputy Chief Hsu who presented the awards to each of the officers. Anthony Moreno, a representative from State Senator Susan Rubio's office, also presented the officers with a certificate of recognition.

\*Proclamation Recognizing June 19, 2023 as a Celebration of Juneteenth National Freedom Day

Mayor Sandoval presented the proclamation to Trudy Coleman, from the Juneteenth Education Technology Mobile Arts Center. Trudy Coleman shared a few words regarding the history of the holiday and invited everyone to a Juneteenth Celebration taking place on Saturday, June 17.

\*Proclamation Recognizing June 2023 as LGBTQIA+ Pride Month in the City of Pomona

Mayor Sandoval presented the proclamation to Frank Guzman, from the Pomona Pride Center. Frank Guzman shared a few words about the organization's actions that celebrate the LGBTQIA+ community. He invited everyone to Pride Festival on Sat, June 10 in downtown Pomona.

## **MAYOR/COUNCILMEMBER COMMUNICATIONS**

Councilmember Ontiveros-Cole attended a car show event with Pomona Police Department at the Derby. She attended a community meeting at Lincoln Park where residents discussed concerns regarding the possibility of a new development project in the neighborhood. Councilmember Ontiveros-Cole requested a report about the project from the Planning Director.

Councilmember Garcia thanked everyone in attendance. She gave congratulations to all graduates at all academic levels for their achievement this academic year. She encouraged everyone to follow the City on social media to keep up with local community events.

Councilmember Preciado thanked everyone in attendance. He attended the Youth Commission meeting to give congratulations to the graduating commissioners. He also attended the City Summer Concert that took place on Friday, June 2, and invited everyone to attend the next one. He announced the next CommUnity Pull Up event would take place on June 6, at 681 E. Foothill Blvd. He also congratulated Lopez Urban Farm for having a successful art festival. Lastly, he wished everyone a Happy Memorial Day, Happy Juneteenth month and a Happy Pride month.

Mayor Sandoval invited everyone to attend the upcoming City Summer Concerts taking place on the last Friday of the next three months. He gave thanks to the staff that worked on putting together the Summer Concert Series. He also thanked Pomona Police for their services during these concerts. He also announced the Mayor's Gala taking place on Thursday, June 8<sup>th</sup>, to fundraise for the library. Tickets are still available. He then invited the community to join him for the State of the City taking place on June 13 at the Fox Theater; it is a free event with no RSVP required. Lastly, he gave congratulations to all Pomona students graduating this year.

### **CITY MANAGER COMMUNICATIONS**

City Manager Makshanoff had no reportable action.

### **PUBLIC PARTICIPATION**

*At the direction of the City Council Emergency Sub Committee, beginning with the July 18, 2022 Council meeting, emailed comments will no longer be read into the record during Council meetings. However, they will be included as part of the record/meeting minutes.*

Live Comments were as follows:

Michael Chioma spoke about non-denominational, faith based programs available to youth in Pomona through the Better Tomorrow Organization.

Dwayne Smith invited everyone to purchase tickets and attend the gala, which he described as the most important fundraiser for the Pomona Public Library.

Carol Anten discussed various concerns associated with a property development project being considered for the neighborhood near Towne Ave. and San Bernardino Ave.

John Peña spoke about a recent incident at one of his properties in which the Police did not respond, and requested better improvement with communication between the Police and residents.

Patrick Horn from Pilgrim Congregation Church discussed vandalism and vagrancy affecting the church, and asked for assistance from City Council to address those issues.

Fred Van Allen congratulated the Ganesha High School Baseball Team for their undefeated season and CIF Championship. He also discussed concerns with the possible development at Towne Ave. and San Bernardino St.

Greg Estel expressed concerns with homelessness and street vendors.



Beth Brooks spoke in opposition to rent stabilization, requested a curfew, and a no camping ordinance. She also spoke in opposition to street vendors and requested better communication from Councilmembers.

Elizabeth Flores discussed celebrating Pride Month and requested a moment of silence to honor black transgender women who have passed away. She also spoke in support of the Pomona Kids First Initiative.

Brandi Gutierrez discussed safety concerns in her neighborhood.

**The following public speakers spoke in support of the Pomona Kids First Initiative:**

Michelle Marin-Martinez  
Sam Gutierrez  
Kassandra Angel  
Ivan Hernandez  
Jaime Gutierrez  
Brianna Argulo  
Javier Hernandez  
Elinor Crescenzi  
Jeremiah Flores  
Evelia Rocha  
Miranda Sheffield  
Samantha Zavala-Argula  
Graciela R. Conchas  
Lucia Nagler  
Priscilla Merlo  
Anel Hernandez  
Yesenia Miranda Meza  
Arleen Yaz  
Erin Runions  
Linett Luna  
Gabriela Cortez  
Ellie O'Bosky

**The following members of the public did not speak but submitted a speaker card in support of the Pomona Kids First Initiative:**

Emely Andreo  
Kevin Olarte  
Melanie Andreo  
Paul Casillas-Chavez  
Minerva A.  
Pablo Padilla  
Iris Villalpando  
Jesus Sanchez

**CONSENT CALENDAR**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve the entire Consent Calendar except for Item No. 3, pulled for public speakers, Items No. 9 and No. 12, pulled for discussion by councilmembers, and Item No. 23 pulled by staff.**

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:

May 8, 2023 Special Meeting Minutes  
May 15, 2023 Regular Meeting Minutes

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve the City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of May 8, 2023 and May 15, 2023.**

2. Second Reading and Adoption of Ordinance No. 4322 to Amend the Pomona Zoning Ordinance Related to Historic Review of Structures 50 Years Old or Older Prior to Demolition

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

**ORDINANCE NO. 4322 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CODE AMENDMENT (FILE NO. CODE-018684-2022) AMENDING SECTION .5809-13 OF THE CITY OF POMONA ZONING ORDINANCE PERTAINING TO HISTORIC PRESERVATION**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Ordinance No. 4322.**

3. Second Reading and Adoption of Ordinance to Amend Chapter 62 (Utilities), Article VI (Solid Waste) of the Pomona City Code

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



**ORDINANCE NO. 4331 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING SECTIONS OF CHAPTER 62 (UTILITIES), ARTICLE VI (SOLID WASTE), DIVISIONS 1 (GENERALLY), 3 (RESIDENTIAL COLLECTION SERVICE RATES AND CHARGES), AND 4 (MULTIFAMILY RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL SERVICE) OF THE CITY CODE**

**\*This item was pulled for public speakers.**

**The following Public Speakers spoke in opposition to the item:**

Lorena Parker  
David Harriman  
Cathy Tessier  
Beth Brooks  
Jorge Arroyo

**The following members of the public submitted speaker cards in opposition to the item but did not wish to speak:**

Sharon Willison  
Dennis Querio

Councilmember Garcia made a few comments regarding the rates for multi-family and commercial properties, and also asked questions.

Councilmember Ontiveros-Cole asked questions.

Public Works Director Rene Guerrero answered their questions.

**MOTION BY VICE MAYOR NOLTE, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 5-1 (COUNCILMEMBER GARCIA OPPOSED, COUNCILMEMBER TORRES ABSENT), to adopt Ordinance No. 4331.**

4. Amendment of the FY 2022-23 Capital Improvement Program Budget by Unappropriating Funds and Closing Two CIP Projects

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

**RESOLUTION NO. 2023-73 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2022-23 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UNAPPROPRIATING FUNDS IN THE AMOUNT OF \$530,087 AND CLOSING TWO (2) CIP PROJECTS**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-73.**

5. A Resolution of the City Council of the City of Pomona, California, Approving the Amended and Restated Joint Powers Agreement with the Los Angeles Regional Agency (LARA)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2023-82 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE AMENDED AND RESTATED JOINT POWERS AGREEMENT WITH THE LOS ANGELES REGIONAL AGENCY (LARA)**

- 2) Authorize the City Manager to execute the agreement subject to approval by the City Attorney.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-82 and authorize the City Manager to execute the agreement subject to approval by the City Attorney.**

6. Amendment No. 2 with Pinnacle Environmental Technologies for the "Underground Storage Tanks" Project

It is recommended that the City Council take the following actions subject to City Council approving and adopting the Capital Improvement Program (CIP) Budget for Fiscal Year 2023-24:

- 1) Approve Amendment No. 2 to the purchase order with Pinnacle Environmental Technologies in the amount of \$85,721 (for a total of \$158,600 for professional services to abandon and install new monitoring wells for Brackett Field Pomona Police Heliport and Fire Station 182) for the CIP Project "Underground Storage Tanks - Work and Removal Plans," Project No. 428-2590-XXXXX-71061 to be processed after July 1, 2023; and
- 2) Authorize the City Manager, or designee, to execute any documents necessary to execute Amendment No. 2.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve Amendment No. 2 to the purchase order with Pinnacle Environmental Technologies in the amount of \$85,721 (for a total of \$158,600 for professional services to abandon and install new monitoring wells for Brackett Field Pomona Police Heliport and Fire Station 182) for the CIP Project "Underground Storage Tanks - Work and Removal Plans," Project No. 428-2590-XXXXX-71061 to be processed after July 1, 2023; and authorize the City Manager, or designee, to execute any documents necessary to execute Amendment No. 2.**



7. Approval of the Fiscal Year 2023-24 Submittal Projects List for the Road Repair and Accountability Act of 2017 (RMRA/SB-1)

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

**RESOLUTION NO. 2023-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CITY'S STREET PROJECTS LISTS, WITH CORRESPONDING CAPITAL IMPROVEMENT PROGRAM (CIP) AND PUBLIC WORKS OPERATIONAL PROJECTS LIST PLAN, TO THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) TO BE ELIGIBLE FOR FISCAL YEAR 2023-24 RMRA/SB-1 FUNDING**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve Resolution No. 2023-83.**

8. Amendment of the FY 2022-23 Capital Improvement Program (CIP) Budget by Creating a New Project, "Swamp Coolers Replacement - Fleet Shop"

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

**RESOLUTION NO. 2023-85 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2022-23 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UNAPPROPRIATING \$56,142 OF UNEXPENDED EQUIPMENT MAINTENANCE FUNDS FROM "FLEET SHOP VEHICLE HOIST REPLACEMENTS," PROJECT NO. 428-2590-XXXXX-71056, CREATING A NEW PROJECT, "SWAMP COOLERS REPLACEMENT - FLEET SHOP," PROJECT NO. 428-2590-XXXXX-71087, AND APPROPRIATING \$56,142 OF EQUIPMENT MAINTENANCE FUNDS AND \$27,238 OF WATER FUND RESERVE TO THE NEW PROJECT**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-85.**

9. Resolution to Amend the FY 2022-23 Capital Improvement Program (CIP) Budget by Creating a new Project, "Casillas Bike Park - Ganesha Park," and Appropriating \$200,000 of ARP (Mayoral) Funding

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

**RESOLUTION NO. 2023-86 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO AMEND THE FY 2022-23 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CREATING A NEW CIP PROJECT, "CASILLAS BIKE PARK - GANESHA PARK," PROJECT NO. 428-2590-XXXXX-71088, AND APPROPRIATING \$200,000 OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY AMERICAN RESCUE PLAN (ARP) (MAYORAL) FUNDING TO THE PROJECT**

This item was pulled for discussion by Vice Mayor Nolte.

**\*Please see attachment for emails submitted regarding this item.**

Vice Mayor Nolte expressed support for a bike park but did not think the location was appropriate. He asked questions regarding the selection of Ganesha Park as the location.

Public Works Director Guerrero discussed the process for how the location was selected through the Parks and Recreation Commission.

Mayor Sandoval suggested removing the location specification in the resolution, and direct staff to collect more feedback from the community.

Councilmember Ontiveros-Cole asked questions.

Councilmember Garcia made different suggestions for the location of the proposed bike park.

Councilmember Preciado asked questions and made comments.

Councilmember Lustro expressed support for getting input from the community in regards to the location of the park.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GARCIA, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-86 with the removal of Ganesha Park as the location.**

10. Resolution to Amend the FY 2022-23 Capital Improvements Program (CIP) Budget by Changing the Project Description and Title for "Energy Efficiency Upgrades - Pomona Public Library and Palomares Park Community Center," Project No. 428-2590-XXXXX-71077, and Releasing and Unappropriating \$1,029,831 of SoCalREN Revolving Savings Fund Loan Proceeds

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



**RESOLUTION NO. 2023-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2022-23 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CHANGING THE PROJECT DESCRIPTION AND TITLE FOR "ENERGY EFFICIENCY UPGRADES - POMONA PUBLIC LIBRARY AND PALOMARES PARK COMMUNITY CENTER," PROJECT NO. 428-2590-XXXXX-71077, AND RELEASING AND UNAPPROPRIATING \$1,029,831 OF SOCIALREN REVOLVING SAVINGS FUND LOAN PROCEEDS**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-84.**

11. Award a Sole Source Agreement to Young Men's Christian Association (YMCA) of Greater Long Beach for Residential Camp Services in the Amount of \$135,750 for FY 2022-23 and \$150,000 for FY 2023-24

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

- 1) Award a two-year sole source agreement to Young Men's Christian Association (YMCA) of Greater Long Beach for Residential Camp Services for an amount not to exceed \$285,750; and,
- 2) Authorize the City Manager, of his designee, to execute all documents related with this action, with approval of the City Attorney as to form.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to award a two-year sole source agreement to Young Men's Christian Association (YMCA) of Greater Long Beach for Residential Camp Services for an amount not to exceed \$285,750; and, authorize the City Manager, of his designee, to execute all documents related with this action, with approval of the City Attorney as to form.**

12. Approval of the Removal of Gazebo at Montvue Park

It is recommended that the City Council approve the removal of the existing gazebo at Montvue Park.

**This item was pulled for discussion by Councilmember Preciado.**

After much deliberation between the Councilmembers, Mayor Sandoval continued the item to the July 17<sup>th</sup> City Council meeting. **No motion was given for this item.**

13. Award a Bid to Brenntag Pacific, Inc., for the Purchase of Chemicals for Potable Water Treatment Facilities, at the Prices Bid

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

- 1) Award a bid to Brenntag Pacific, Inc. (Brenntag), for a three-year term, with two, one-year extension options for the purchase of chemicals for potable water treatment facilities, at the prices bid, and
- 2) Authorize the City Manager, or designee, to execute subsequent changes or amendments thereto, on behalf of the City.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to award a bid to Brenntag Pacific, Inc. (Brenntag), for a three-year term, with two, one-year extension options for the purchase of chemicals for potable water treatment facilities, at the prices bid, and authorize the City Manager, or designee, to execute subsequent changes or amendments thereto, on behalf of the City.**

14. Approval of Lot Merger LM16-2022 for the Property Located at 713-719 E. Kingsley Avenue, Pomona, CA, Assessor Parcel Numbers 8337-001-029, Related to the Expansion of an Existing Residential Property (Council District 4)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2023-90 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM16-2022 FOR THE PROPERTY LOCATED AT 713-719 E. KINGSLEY AVENUE, ASSESSOR PARCEL NUMBER 8337-001-029**

- 2) Authorize the City Engineer to sign the Lot Merger LM16-2022 on behalf of the City of Pomona.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-90 and authorize the City Engineer to sign the Lot Merger LM16-2022 on behalf of the City of Pomona.**

15. Approval of Lot Merger LM5-2023 for the Property Located at 280 N. Main Street, Pomona, CA, Assessor Parcel Number 8336-032-007, Related to the Tenant Improvement of a Commercial Building (Council District 2)

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



- 1) Adopt the following resolution:

**RESOLUTION NO. 2023-91 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM5-2023 FOR THE PROPERTY LOCATED AT 280 N. MAIN STREET, ASSESSOR PARCEL NUMBER 8336-032-007**

- 2) Authorize the City Engineer to sign the Lot Merger LM5-2023 on behalf of the City of Pomona.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-91 and authorize the City Engineer to sign the Lot Merger LM5-2023 on behalf of the City of Pomona.**

16. Approval of Lot Merger LM4-2023 for the Property Located at 580 N. Park Avenue, Pomona, CA, Assessor Parcel Number 8336-013-008, Related to the Tenant Improvement of a Commercial Building (Council District 1)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2023-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM4-2023 FOR THE PROPERTY LOCATED AT 580 N. PARK AVENUE, ASSESSOR PARCEL NUMBER 8336-013-008**

- 2) Authorize the City Engineer to sign the Lot Merger LM4-2023 on behalf of the City of Pomona.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-92 and authorize the City Engineer to sign the Lot Merger LM4-2023 on behalf of the City of Pomona.**

17. Approval of Lot Merger LM6-2023 for the Property Located at 130 E. Holt Avenue, Pomona, CA Assessor Parcel Number 8336-021-005, Related to the Tenant Improvements of the Passport Inn (Council District 4)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2023-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM6-2023 FOR THE PROPERTY LOCATED AT 130 E. HOLT AVENUE, ASSESSOR PARCEL NUMBER 8336-021-005**

- 2) Authorize the City Engineer to sign the Lot Merger LM6-2023 on behalf of the City of Pomona.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-93 and authorize the City Engineer to sign the Lot Merger LM6-2023 on behalf of the City of Pomona.**

18. Approval of Lot Merger LM14-2022 for the Property Located at 510 W. Monterey Avenue & 253 N. Rebecca Street, Pomona, CA Assessor Parcel Numbers 8340-034-021 & -004, Related to the Remodeling of an Existing Industrial Property (Council District 2)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2023-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM14-2022 FOR THE PROPERTY LOCATED AT 510 W. MONTEREY AVENUE & 253 N. REBECCA STREET, ASSESSOR PARCEL NUMBERS 8340-034-021 & -004**

- 2) Authorize the City Engineer to sign the Lot Merger LM14-2022 on behalf of the City of Pomona.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-94 and authorize the City Engineer to sign the Lot Merger LM14-2022 on behalf of the City of Pomona.**

19. Approval of Tract Map TM No. 83672 for the Property Located at 3191 W. Temple Avenue, Pomona, CA, Assessor Parcel Number 8719-002-018, for the Airspace Subdivision of an Existing Office Building into 35 Commercial Condominium Units (Council District 5)

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

- 1) Adopt the following resolution:



**RESOLUTION NO. 2023-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING TRACT MAP TM NO. 83672 FOR THE PROPERTY LOCATED AT 3191 W. TEMPLE AVENUE, ASSESSOR PARCEL NUMBER 8719-002-018**

- 2) Authorize the City Engineer to sign the Tract Map TM No. 83672 on behalf of the City of Pomona.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-95 and authorize the City Engineer to sign the Tract Map TM No. 83672 on behalf of the City of Pomona.**

20. Approval of the Engineer's Report and Adoption of a Resolution of Intent Setting July 17, 2023 as the Public Hearing Date Regarding Annexation of Additional Territory and the Levy of Annual Assessments

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

- 1) Approve the Engineer's Report for the Consolidated Citywide Street Lighting and Landscaping Maintenance District for FY 2023-24, including annexation of 136 additional parcels and the annual levy of assessments; and
- 2) Adopt the following resolution:

**RESOLUTION NO. 2023-89 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO ANNEX NEW TERRITORY AND LEVY FISCAL YEAR 2023-24 ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT AND SETTING JULY 17, 2023 AS THE DATE FOR THE PUBLIC HEARING ON THE MATTER**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve the Engineer's Report for the Consolidated Citywide Street Lighting and Landscaping Maintenance District for FY 2023-24, including annexation of 136 additional parcels and the annual levy of assessments; and adopt Resolution No. 2023-89.**

21. Stop Signs on Columbia Avenue at Eleanor Street

It is recommended that the City Council direct staff to install stop signs on Columbia Avenue at Eleanor Street.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to direct staff to install stop signs on Columbia Avenue at Eleanor Street.**

22. Award a Sole Source Agreement to Siemens Industry, Inc. for Ongoing Building Automation and Maintenance, Including Unforeseen Urgent Repairs, in an Amount Not-To-Exceed \$250,000 Over Three (3) Years

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

- 1) Award a Sole Source Agreement to Siemens Industry, Inc. ("Siemens") for ongoing building automation and maintenance at various City facilities in an amount not to exceed \$130,000 for a three-year period effective July 1, 2023;
- 2) Authorize Siemens Industry, Inc. ("Siemens") to perform additional urgent building automation repairs at various City facilities on an as-needed basis in an amount not to exceed \$120,000 for a three-year period effective July 1, 2023; and
- 3) Authorize the City Manager to execute the agreement with Siemens and any subsequent documents or amendments, subject to approval by the City Attorney.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to award a Sole Source Agreement to Siemens Industry, Inc. ("Siemens") for ongoing building automation and maintenance at various City facilities in an amount not to exceed \$130,000 for a three-year period effective July 1, 2023; authorize Siemens Industry, Inc. ("Siemens") to perform additional urgent building automation repairs at various City facilities on an as-needed basis in an amount not to exceed \$120,000 for a three-year period effective July 1, 2023; and authorize the City Manager to execute the agreement with Siemens and any subsequent documents or amendments, subject to approval by the City Attorney.**

23. Approval of an Agreement with the California Office of Historic Preservation Regarding Review of Properties under Housing and Urban Development (HUD) Part 58 Programs

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2023-103 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN AGREEMENT WITH THE CALIFORNIA OFFICE OF HISTORIC PRESERVATION FOR REVIEW OF HOUSING AND URBAN DEVELOPMENT (HUD) PROGRAMS**

- 2) Authorize the City Manager to execute the agreement.

**This item was pulled by Development Services Director Anita Gutierrez for clarification.**



Director Gutierrez stated there was a change made to the language regarding the term of the agreement. Director Gutierrez read the new language into the record: "This agreement shall continue in force and effect for ten (10) years from the date the last signatory has signed the agreement. The agreement may be extended for five (5) additional years, if there are no substantial modifications, that HUD and SHPO agree, and that other signatory wishing to remain party to the agreement agrees. HUD may initiate the extension request from SHPO and other signatories in writing via confirmed mail delivery at any time in the six-month period prior to the expiration in the agreement. Should a party to this agreement other than HUD or SHPO choose not to extend its participation in the agreement; the agreement will be nullified for the other parties."

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-103 and authorize the City Manager to execute the agreement with the updated language for the term of the agreement.**

24. Approve Sole Source Vendors for Fiscal Year 2023-24 to Supply Uniforms, Equipment and Services for the Police Department's Sworn and Professional Staff

It is recommended that the City Council approve sole source vendors to supply uniforms, equipment and services for the Police Department's sworn and professional staff.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve sole source vendors to supply uniforms, equipment and services for the Police Department's sworn and professional staff.**

25. Exercise the First of Three One-Year Renewal Options with Blais & Associates, LLC for Grant Writing Services from July 1, 2023 to June 30, 2024 and Increase the Total Not-to-Exceed Amount from \$140,000 to \$350,000 to Incorporate the Annual Renewal Options

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

- 1) Approve exercising of the first of three, one-year renewal options with Blais & Associates, LLC for Grant Writing Services from July 1, 2023 to June 30, 2024 and increase the total not-to-exceed amount for these service from \$140,000 to \$350,000 to incorporate the renewal options; and,
- 2) Authorize the City Manager to execute this and future renewals, subject to review and approval by the City Attorney.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve exercising of the first of three, one-year renewal options with Blais & Associates, LLC for Grant Writing Services from July 1, 2023 to June 30, 2024 and increase the total not-to-exceed amount for these service from \$140,000 to \$350,000 to incorporate the renewal options; and, authorize the City Manager to execute this and future renewals, subject to review and approval by the City Attorney.**

**26. Approval of a Termination Agreement**

It is recommended that the City Council approve the Termination Agreement and authorize the City Manager to execute the same.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve the Termination Agreement and authorize the City Manager to execute the same.**

**27. Adopt a Resolution Appointing Staff Representation on the Executive Committee of Spadra Basin Groundwater Sustainability Agency**

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

**RESOLUTION NO. 2023-105 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPOINTING STAFF REPRESENTATION ON EXECUTIVE COMMITTEE OF THE SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to approve Resolution No. 2023-105.**

**DISCUSSION CALENDAR**

**28. 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

A) Amount to be determined to Tradición Dance Company in support of the Folklorico Dance Show – Requested Amount \$3,000



- B) Amount to be determined to God Provides Ministry in support of the Pomona Valley Food Bank Fundraiser – Requested Amount \$3,000
- C) Amount to be determined to Valley Indoor Swap Meet in support of Free Backpack Giveaway – Requested Amount \$500
- D) Amount to be determined to Pomona Public Library Foundation in support of 2023 Mayor's Gala – Requested Amount TBD
- E) Amount to be determined to Pomona Police Department in support of the Summer Camp Day – Requested Amount TBD
- F) Amount to be determined to Pomona Released Time Education, Inc. in support of a luncheon – Requested Amount \$1,000
- G) Amount to be determined to Better Tomorrow Organization in support of "Operation Catch Them Young" – Requested Amount \$3,000
- H) Amount to be determined to Conceptual Art Therapy in support of Youth Art Immersion Program – Requested Amount \$4,600
- I) Amount to be determined to Pomona United for Stable Housing in support of Youth Art Immersion Program – Requested Amount \$2,000

2) Receive and file the recap of final amounts.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to make a finding of public benefit for Items A-I.**

29. Adoption of Resolutions Amending the Citywide Salary Schedule and Operating Budget for Fiscal Year 2022-23 to Reflect Salary Increases of 2.5% for All City Employee Bargaining Groups; Authorizing Side Letter Agreements between the City of Pomona and All City Employee Bargaining Groups Memoranda of Understanding and Amendments to Compensation Plans

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

**RESOLUTION NO. 2023-106 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE CITYWIDE SALARY SCHEDULE FOR FISCAL YEAR 2022-23 TO MEET THE CALIFORNIA CODE OF REGULATIONS TITLE 2, SECTIONS 570.5 AND 571 IMPLEMENTING A 2.5% SALARY INCREASE**

**RESOLUTION NO. 2023-107 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2022-23 OPERATING BUDGET TO REFLECT THE IMPLEMENTATION OF A TWO AND ONE HALF (2.5%) GENERAL SALARY INCREASE**

**RESOLUTION NO. 2023-108 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING A SIDE LETTER AGREEMENT TO THE 2021-2023 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA CITY EMPLOYEES' ASSOCIATION CHAPTER OF THE TEAMSTERS LOCAL 1932 (PCEA) IMPLEMENTING A 2.5% SALARY INCREASE**

**RESOLUTION NO. 2023-109 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING A SIDE LETTER AGREEMENT TO THE 2021-2023 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA MID-MANAGEMENT/CONFIDENTIAL EMPLOYEES' ASSOCIATION (PMMCEA) IMPLEMENTING A 2.5% SALARY INCREASE**

**RESOLUTION NO. 2023-110 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING A SIDE LETTER AGREEMENT TO THE 2021-2023 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE MANAGERS' ASSOCIATION (PPMA) IMPLEMENTING A 2.5% SALARY INCREASE**

**RESOLUTION NO. 2023-111 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING A SIDE LETTER AGREEMENT TO THE 2021-2023 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE OFFICERS' ASSOCIATION, INC. (PPOA) IMPLEMENTING A 2.5% SALARY INCREASE**

**RESOLUTION NO. 2023-112 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING A SIDE LETTER AGREEMENT TO THE 2021-2023 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA PART-TIME GENERAL UNIT TEAMSTERS LOCAL 1932 (PTG) IMPLEMENTING A 2.5% CITYWIDE SALARY INCREASE**

**RESOLUTION NO. 2023-113 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR EXECUTIVE MANAGEMENT GROUP A AND B EMPLOYEES BY ADDING A TWO AND ONE-HALF PERCENT (2.5%) SALARY INCREASE PROVISION**



**RESOLUTION NO. 2023-114 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR PART-TIME MANAGEMENT/CONFIDENTIAL EMPLOYEES BY ADDING A TWO AND ONE-HALF PERCENT (2.5%) SALARY INCREASE PROVISION**

**RESOLUTION NO. 2023-115 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR UNREPRESENTED, MID-MANAGEMENT LIBRARY GROUP C-2 EMPLOYEES BY ADDING A TWO AND ONE-HALF PERCENT (2.5%) SALARY INCREASE PROVISION**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No's. 2023-106, 2023-107, 2023-108, 2023-109, 2023-110, 2023-111, 2023-112, 2023-113, 2023-114, and 2023-115.**

### **PUBLIC HEARINGS**

- 30. Adoption of Resolutions Approving the Fiscal Year (FY) 2023-24 City of Pomona Operating Budget, Housing Authority Budget, Five Year Capital Improvement Program Budget, Establishing the FY 2023-24 GANN Appropriations Limit, and Personnel Related Actions**

It is recommended that the City Council and the City Council sitting as the Commission of the Housing Authority conduct the public hearing and after receiving comments and testimony, adopt respectively the following resolutions:

**RESOLUTION NO. 2023-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA ADOPTING THE CITY'S OPERATING BUDGET FOR FY 2023-24**

**RESOLUTION NO. 2023-97 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE COMMISSION OF THE HOUSING AUTHORITY OF THE CITY OF POMONA, ADOPTING THE FY 2023-24 HOUSING AUTHORITY BUDGET**

**RESOLUTION NO. 2023-98 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE FY 2023-24 TO FY 2027-28 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND ADOPTING A CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FY 2023-24**

**RESOLUTION NO. 2023-99 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING THE GANN APPROPRIATIONS LIMIT OF THE CITY OF POMONA PURSUANT TO ARTICLE XIII OF THE STATE CONSTITUTION FOR FY 2023-24**



**RESOLUTION NO. 2023-100 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING THE CITY OF POMONA'S SALARY SCHEDULE FOR FY 2023-24 TO MEET THE CALIFORNIA CODE OF REGULATIONS TITLE 2, SECTIONS 570.5 AND 571**

**RESOLUTION NO. 2023-101 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX A OF THE COMPENSATION PLAN FOR EXECUTIVE MANAGEMENT GROUP A AND B EMPLOYEES BY ADDING HOUSING STABILIZATION MANAGER**

**RESOLUTION NO. 2023-102 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX B OF THE MEMORANDUM OF UNDERSTANDING WITH THE POMONA MID-MANAGEMENT/CONFIDENTIAL EMPLOYEES' ASSOCIATION TO ADD DIGITAL EXPERIENCE MANAGER, HOUSING PROGRAMS, SUPERVISOR, HOUSING STABILIZATION SUPERVISOR, RENT STABILIZATION COORDINATOR AND SENIOR PLANNING COORDINATOR**

Finance Director Andrew Mowbray gave the staff presentation.

Mayor Sandoval opened the Public Hearing, and with no speakers, he closed the Public Hearing.

Councilmember Garcia made comments and asked questions.

Councilmember Preciado made comments.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER TORRES ABSENT), to adopt Resolution No's. 2023-96, 2023-97, 2023-98, 2023-99, 2023-100, 2023-101 and 2023-102.**

31. Consideration of an Extension Until December 31, 2023 (or 169 Days) of the Moratorium on the Establishment, Expansion, or Modification of Warehouses, Trucking Facilities, and Related Uses that are Located within the City of Pomona

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

**URGENCY ORDINANCE NO. 4332 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, IN ACCORDANCE WITH GOVERNMENT CODE SECTION 65858, EXTENSION OF TERM BY ONE HUNDRED AND SIXTY-NINE (169) DAYS, A MORATORIUM ON THE ESTABLISHMENT, EXPANSION, OR MODIFICATION OF WAREHOUSES, TRUCKING FACILITIES, AND RELATED USES THAT ARE LOCATED WITHIN THE CITY OF POMONA**



**\*Please see attachment for emails submitted regarding this item.**

Development Services Director Gutierrez gave the staff presentation.

Mayor Sandoval opened the public hearing.

Public Speaker Mihran Toumajan spoke in opposition to the item.

Mayor Sandoval closed the Public Hearing.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 5-1 (COUNCILMEMBER ONTIVEROS-COLE OPPOSED, AND COUNCILMEMBER TORRES ABSENT), to adopt Urgency Ordinance No. 4332.**

**32. Approving the 2023-2028 Consolidated Plan and Fiscal Year (FY) 2023-2024 Annual Action Plan**

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

1) Adopt the following resolution:

**RESOLUTION NO. 2023-88 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE 2023-2028 CONSOLIDATED PLAN AND FISCAL YEAR (FY) 2023-2024 ANNUAL ACTION PLAN WITH FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) AND THE EMERGENCY SOLUTIONS GRANT (ESG) FEDERAL ENTITLEMENT PROGRAM FUNDS**

- 2) Approve final award recommendations for FY 2023-2024 CDBG Program;
- 3) Approve final award recommendations for FY 2023-2024 ESG Program;
- 4) Approve final award recommendations for the FY 2023-2024 HOME Program;
- 5) Approve awarding \$45,000 in Emergency Solutions Grant to Volunteers of America Los Angeles, under the current site operation agreement for the Hope for Home Service Center;
- 6) Approve Inclusion of funding awards in the Annual Action Plan;
- 7) Adopt the 2023-2028 Consolidated Plan and FY 2023-2024 Annual Action Plan;  
and

- 8) Authorize the City Manager to execute appropriate applications and certification documents for the Annual Action Plan for submittal to the U.S. Department of Housing and Urban Development (HUD).

Neighborhood Services Assistant Director Beverly Johnson gave a brief overview of the item.

Councilmember Preciado stepped away from the dais at 10:45 p.m. and was not present for the vote on this item.

Mayor Sandoval opened the public hearing and with no speakers, Mayor Sandoval closed the Public Hearing.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 5-0 (COUNCILMEMBER PRECIADO AND COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-88, approve final award recommendations for FY 2023-2024 CDBG Program, approve final award recommendations for FY 2023-2024 ESG Program; approve final award recommendation for the FY 2023-2024 HOME Program, approve awarding \$45,000 in Emergency Solutions Grant to Volunteers of America Los Angeles, under the current site operation agreement for the Hope for Home Service Center; approve Inclusion of funding awards in the Annual Action Plan; adopt the 2023-2028 Consolidated Plan and FY 2023-2024 Annual Action Plan; and authorize the City Manager to execute appropriate applications and certification documents for the Annual Action Plan for submittal to the U.S. Department of Housing and Urban Development (HUD).**

33. Public Hearing to Consider Adoption of a Resolution to Authorize an Increase to Solid Waste Collection Charges

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

- 1) Conduct a Public Hearing regarding the implementation of solid waste rates.
- 2) After receiving written and public comments, close the Public Hearing and order the tabulation of written majority protests; and
- 3) If a majority protest of 50 percent plus one of all property owners in the City does not exist, adopt the following resolution:

**RESOLUTION NO. 2023-87 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO ADOPT INCREASED SOLID WASTE COLLECTION CHARGES**

**\*Please see attachment for emails submitted regarding this item.**



Public Works Director Rene Gutierrez gave an introductory statement.

Councilmember Preciado returned to the dais at 10:48 p.m.

Mayor Sandoval opened the Public Hearing.

Public Speaker Marie Limon spoke in opposition to the item and her disinterest in receiving services from Athens.

Public Speaker Debbie Terry spoke in opposition to the item.

Public Speaker Carlos Chavez spoke in opposition to the item.

Public Speaker Armida Saucedo spoke in opposition to the item.

Public Speaker Lorena Parker spoke in opposition to the item.

Public Speaker Jan Chase spoke in opposition to the item.

**The following members of the public submitted speaker cards in opposition to the item but did not wish to speak:**

Carol Anten  
Cathy Tessier  
Beth Brooks  
Patrick Horn  
Jennie Whyte  
Steve Whyte  
Dennis Querio  
Sharon Willison

Sandi Lacey submitted a speaker card for this item, but did not speak and did not indicate if she supported or opposed the item.

Mayor Sandoval closed the Public Hearing.

Councilmember Garcia asked questions.

Mayor Sandoval made comments but was interrupted. Mayor Sandoval re-opened the public hearing.

Public Speaker Elinor Crescenzi made comments regarding the pricing differences between commercial and residential properties, and regarding the order of speakers during City Council meetings.

Public Speaker Phillip M. Potter made comments concerned with the monopolization of solid waste services.

Mayor Sandoval re-closed the public hearing.

Councilmember Preciado made comments.

Director Gutierrez made comments.

Vice President of Athens, Gary Clifford, made comments expanding on the price differences between commercial and residential properties.

Councilmember Preciado asked questions.

City Attorney Carvalho made comments regarding how protest votes related to solid waste fees are counted in the context of Proposition 218.

Councilmember Garcia asked questions.

Councilmember Ontiveros-Cole made comments and asked questions.

Councilmember Lustro asked questions.

Director Gutierrez and Athens Vice President Clifford answered the Councilmembers questions.

Mayor Sandoval asked questions.

Councilmember Garcia asked questions.

City Clerk Butler advised a total of twenty-five (25) protest letters were received.

**MOTION BY COUNCILMEMBER PRECIADO, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 5-1 (COUNCILMEMBER GARCIA OPPOSED AND COUNCILMEMBER TORRES ABSENT), to adopt Resolution No. 2023-87.**

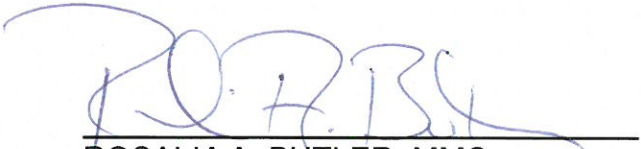


**ADJOURNMENT**

The City Council Meeting adjourned, in honor of Marilyn Cox, at 11:38 p.m. on June 5, 2023.

Respectfully submitted,

ATTEST:



ROSALIA A. BUTLER, MMC  
City Clerk/Secretary of the Pomona  
Housing Authority/Successor Agency to the  
to the Redevelopment Agency



TIM SANDOVAL  
Mayor/Chair of the Pomona  
Housing Authority/Successor Agency  
Redevelopment Agency

**Robles, Diana**

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**From:** Eunice Russell <electeunice@gmail.com>  
**Sent:** Monday, June 5, 2023 3:51 PM  
**To:** City Clerk  
**Subject:** PUBLIC COMMENT COUNCIL MEETING 6/5/23

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.**

There is a power outage in my area so I am unable to attend the meeting but my public comment is why hasn't the City Attorney and City Manager responded to my complaint about the Brown Act violations? I would like a written response to my complaint and it has been months since I made the report.

In addition, why is the City failing to respond to my complaint about my home flooding due to the storm drains being backed up. Instead a councilmember flipingly said why don't I sue the City. Is that the only way I am going to get a response? I am not afraid of suing the City but the City should have a concern if that is what has to be done.

--

Sincerely,

Eunice R Russell

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**Robles, Diana**

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**From:** Mitch Elias <mitch.elias@yahoo.com>  
**Sent:** Monday, June 5, 2023 3:14 PM  
**To:** City Clerk  
**Subject:** Council Meeting - Monday, June 5th / Public Comments on Non Agenda Items

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.**

Re: 1707 N. Towne Ave., Pomona, CA 91767 – AIN: 8339-001-008 / RC Homes Development

Good Evening Mayor and Council,

My name is Mitch Elias and I'm a resident of Pomona.

I'm concerned about the development adjacent to Central Baptist Church on San Bernardino Road at Towne Ave., 1707 N. Towne Ave., Pomona, CA 91767 – AIN: 8339-001-008, just south of the 10 Freeway.

While I am not opposed to development of vacant land, my concern is the lack of transparency and communication between city staff and the neighborhood adjacent to the development. The level of secrecy as it relates to this project has become apparent over the last few months. With demolition already commencing if not already complete, it seems the project is still moving forward, again with little communication or care for the residents, especially those in close proximity to the project. A community meeting was held back in April with Mayor Tim Sandoval present. While very a little was known about the project at the time, the community was assured by the mayor that city staff would be transparent every step of the way to allow residents to voice concerns.

As a resident, I find it quite disturbing that this investor/developer working closely with city staff has determined that a project of this magnitude is geographically acceptable for a small neighborhood. I'm not exactly sure of the amount of units expected to be built but clearly, the local community has been in the dark about this project. Just a few items and/or studies that I presume are needed prior to any development in the city are as follows:

- Was a traffic study conducted?
- Has an environment impact report been completed and is available?
- Have the concerns of the residents been taken into consideration?

From the simplest of projects at my home such as re-roofing, permits are needed to be pulled including design elements and more importantly, a waiting period to allow other residents to provide input PRIOR to the start of the project.

This particular project has bypassed all of that. Why? I keep hearing the word "By Right". What exactly does that mean, especially for a tax paying resident of Pomona? Should the interests and rights of the residents be superseded by those that don't reside in the City of Pomona? I hope and expect that the mayor, council and staff re-evaluate this project and involve the community every step of the way.

Best Regards,

Mitch Elias  
mitch.elias@yahoo.com



**Robles, Diana**

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**From:** Eunice Russell <electeunice@gmail.com>  
**Sent:** Monday, June 5, 2023 3:41 PM  
**To:** City Clerk  
**Subject:** Opposition to Item 5 on the Agenda

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.**

I am not sure why you think it is a good idea to put a bike park on the southern end of Ganesha Park near the residents. Cars speed down Val Vista and there have been numerous accidents on this street. To put an unsupervised bike park to draw youngsters to the residential end of Ganesha Park is not well thought out. You are inviting trouble into our neighborhood by creating a space for youth to congregate without supervision. Currently the youth speed down Hillcrest onto Val Vista without stopping missing cars by inches or ride down the middle of the street blocking traffic.

Why don't you do something with the former Amphitheater that the police department used for storage instead of destroying a beautiful green space. Or how about using the abandoned Soto Park on Orange Grove instead since that park has been used since it was built.

Eunice R Russell  
resident

--  
Sincerely,

Eunice R Russell

\* This e-mail is subject to the electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and may be legally privileged. The information contained in this e-mail message is confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are here notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone at 310-867-9308, then DESTROY the original transmission and its attachments.

**Robles, Diana**

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**From:** Mihran Toumajan <mtoumajan@naiopsocal.org>  
**Sent:** Monday, June 5, 2023 1:54 PM  
**To:** Sandoval, Tim; Nolte, John; Preciado, Victor; Garcia, Nora; Ontiveros-Cole, Elizabeth; Lusto, Steve; Torres, Robert  
**Cc:** james\_makshanoff@ci.pomona.ca; City Clerk; Gutierrez, Anita; Khan, Ata; Barron, Alina  
**Subject:** NAIOP SoCal letter to the Mayor and City Councilmembers of the City of Pomona Re: the City's Moratorium Extension on Warehouses  
**Attachments:** NAIOP SoCal Letter to City of Pomona Mayor and Councilmembers.docx

**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Dear Mayor Sandoval and Councilmembers of the City of Pomona,

On behalf of NAIOP SoCal, I respectfully submit the attached letter for the public record.

The letter expresses the concerns of my nonprofit organization's members, who are concerned about potential proposed limitations with respect to existing industrial facilities and new industrial development in the city's draft Zoning Ordinance Update.

We look forward to continue engaging with City of Pomona Planning Division staff with respect to our members' concerns.

Very Respectfully,

Mihran Toumajan  
NAIOP SoCal  
Manager of Government Relations  
Office: (714) 550-0309 | Cell: (818) 817-1714  
Email: [mtoumajan@naiopsocal.org](mailto:mtoumajan@naiopsocal.org)  
918 E. Santa Ana Blvd.  
Santa Ana, CA 92701  
[www.naiopsocal.org](http://www.naiopsocal.org)







# NAIOP

COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION  
SoCAL CHAPTER

## LEGISLATIVE AFFAIRS

June 5, 2023

Honorable Mayor and City Councilmembers  
City of Pomona  
505 South Garey Ave.  
Pomona, CA 91766

Re: City of Pomona's Moratorium Extension on Warehouses et al. (Item 31 on June 5, 2023 Agenda)

Dear Mayor and City Councilmembers,

On behalf of the members and Board of Directors of NAIOP SoCal, we oppose this moratorium extension as it harms our regional economy, eliminates existing jobs and stifles economic activity, placing further stress on an already weakened supply chain and the increasing cost of goods due to rising inflation rates.

We have actively met with the city's Development Services Department and Planning Division staff and shared our concerns about elements in the Pomona 2014 General Plan and in the draft Zoning Ordinance Update. We asked the staff to share a copy of the economic impact study that they cited, and we have yet to receive it.

We also requested and continue to request that ample time be allotted to industrial stakeholders to provide data and input before the Zoning Ordinance Update is formally adopted.

NAIOP SoCal is a 1,200-member strong nonprofit organization representing the commercial real estate industry in Los Angeles and Orange counties. NAIOP SoCal members are professionals in industrial, office, retail, and multifamily real estate and include developers, owners, investors, brokers, architects, engineers, general contractors, finance professionals, and other services providers involved in the commercial real estate industry. Across the Los Angeles Basin, the commercial real estate industry significantly contributes to our local economy, with nearly 10,000 firms providing more than 635,000 jobs and generating several billions of dollars in salaries and wages.

NAIOP SoCal members are closely engaged in providing substantial community benefits at no cost to taxpayers. Such benefits include upgrading streets, sidewalks, and other community infrastructure, funding local schools and parks, and significant boosts to municipalities and counties' property and sales tax revenues. As stewards of sustainable development, our members generously contribute to the socioeconomic advancement of communities throughout southern California. Our members demonstrate their ongoing commitment to decarbonization and renewable energy by installing solar panels on warehouses, investing in zero-emission vehicles for on-site operations, deploying cool pavement technologies, and using environmentally friendly building materials.

In the City of Pomona Planning Division staff's April 26, 2023 report regarding the draft Zoning Ordinance Update and addressed to members of the City Planning Commission, we are pleased to read about the "Wholesale Trade & Warehousing" subcategory under the "Light Industrial" general category. The "Wholesale Trade & Warehousing" subcategory itself is broken down into four types of uses, including E-Commerce,



Microbusiness, Warehousing and Storage, and Logistics and Distribution. While the specification and definition of such use types are welcome, we are interested in better understanding any new limitations being proposed for the industrial zones, the specific locations of such zones being proposed in the Zoning Ordinance Update, and how potential limitations might impact existing industrial facilities and new industrial development.

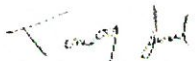
NAIOP SoCal members value the importance of the manufacturing and healthcare sectors as economic engines across Southern California. Many area hospitals, however, carry three to seven days of medical and surgical inventory, and the close distance of warehouses to such mission critical institutions is paramount. Studies show that having logistics facilities and warehouses in proximity to [manufacturing](#) and [healthcare](#) clusters is a net positive for the vitality of the supply chain, improves efficiency, and contributes to a reduction in tailpipe emissions due to fewer vehicle miles traveled.

California has the nation's strictest emission standards for diesel trucks. There has been a significant reduction in particulate matter and nitrogen oxides emissions from trucks in Southern California over the past twenty years. As a result of the California Air Resources Board's Advanced Clean Fleets regulation, a growing number of local freight transport companies are investing in and deploying zero-emission trucks and contributing towards reducing the impact of tailpipe emissions on local communities. Emission reductions will continue as key laws and [regulations](#) go into effect and as technologies advance.

It is best to work together on a solution that benefits all community members, businesses and real estate owners.

For the above reasons, we request greater industrial sector engagement in the draft Zoning Ordinance Update review process. NAIOP SoCal and its members are ready to work with city staff to provide input and guidance on well-rounded solutions for all members of the Pomona community. NAIOP SoCal's Government Relations Manager, Mihran Toumajan, will be the point with the city on this critically important issue. His contact information is [mtoumajan@naiopsocal.org](mailto:mtoumajan@naiopsocal.org) and (818) 817-1714.

Respectfully,



Timothy Jemal  
CEO, NAIOP SoCal

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**Robles, Diana**

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**From:** Eunice Russell <electeunice@gmail.com>  
**Sent:** Monday, June 5, 2023 3:31 PM  
**To:** City Clerk  
**Subject:** OPPOSITION TO ITEM 33 ON THE 6/5/23 AGENDA

**CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.**

I, EUNICE R RUSSELL, Assessor's Parcel #8360-005-028

I am opposed to the trash rate increase. I find it problematic that the City did not send out notices of this to the property owners, if they did, I did not receive any notice of this increase or how to oppose it.

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Sincerely,

Eunice R Russell

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