

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, January 6, 2025

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 Chambers

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

Vice-Mayor Garcia will be participating via teleconference from the following location:

**3940 South Las Vegas Boulevard
Las Vegas, NV 89119**

**Mayor Tim Sandoval
Vice-Mayor Nora Garcia
Councilmember Debra Martin
Councilmember Victor Preciado
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Lorraine Canales**

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) and (d)(1))

Citizens for Amending Prop L, et al. v. City of Pomona, et al.
Los Angeles County Superior Court
Case No. 19STCP00482

7:00 P.M.

Council Chambers

CALL TO ORDER

CLOSED SESSION REPORT

PLEDGE OF ALLEGIANCE

ROLL CALL

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:

December 9, 2024 Regular Meeting Minutes

Attachments: [FINAL MINUTES 12-09-2024.pdf](#)

2. Reaffirmation of a Resolution Denouncing Tactics Used to Intimidate Residents Who are Immigrants, People of Color, Muslims, LGBTQ People and People with Disabilities; and Reaffirming the City’s Commitment to Diversity and to Safeguarding the Civil Rights, Safety and Dignity of All Our Residents

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

RESOLUTION NO. 2025-02 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DENOUNCING TACTICS USED TO INTIMIDATE POMONA RESIDENTS WHO ARE IMMIGRANTS, PEOPLE OF COLOR, MUSLIMS, LGBTQ PEOPLE, AND PEOPLE WITH DISABILITIES AND REAFFIRMING THE CITY’S COMMITMENT TO DIVERSITY AND TO SAFEGUARDING THE CIVIL RIGHTS, SAFETY AND DIGNITY OF ALL OUR RESIDENTS

Attachments: [Staff Report](#)
 [Resolution No. 2025-02](#)

3. Adoption of Resolutions Amending the Authorized Staffing Levels and Citywide Salary Schedule within the Fiscal Year 2024-25 Related to Classification Changes

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

RESOLUTION NO. 2025-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING AUTHORIZED STAFFING LEVELS FOR THE FISCAL YEAR 2024-25 OPERATING BUDGET

RESOLUTION NO. 2025-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE CITY OF POMONA'S SALARY SCHEDULE FOR FISCAL YEAR 2024-25 TO MEET THE REQUIREMENTS OF THE CALIFORNIA CODE OF REGULATIONS TITLE 2, SECTIONS 570.5 AND 571 TO REFLECT THE SALARY ADJUSTMENT TO THE PAYROLL SUPERVISOR CLASSIFICATION

RESOLUTION NO. 2025-06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX B OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA MID-MANAGEMENT/ CONFIDENTIAL EMPLOYEES ASSOCIATION (PMMCEA) TO ADJUST THE SALARY SCALE OF THE PAYROLL SUPERVISOR

Attachments: [Staff Report](#)
 [Attachment No.1 Reso 2025-04](#)
 [Attachment No.2 Reso 2025-05](#)
 [EXHIBIT A Salary Schedule](#)
 [Attachment No.3 Reso 2025-06](#)

4. Amend the FY 2024-25 Capital Improvement Program (CIP) Budget and the FY 2024-25 Operating Budget and Award of Contract for Citywide Bus Stop Maintenance and Transit Stations Power and Pressure Washing Services

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2025-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA AMENDING THE FY 2024-25 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UNAPPROPRIATING \$208,839 OF PROPOSITION A FUNDS FROM "HOLT AVENUE (WEST) RECONSTRUCTION," PROJECT NO. 428-2590-XXXXX-71047 AND AMENDING THE FY 2024-25

OPERATING BUDGET BY APPROPRIATING THIS \$208,839 OF PROPOSITION A FUNDS FOR BUS SHELTER MAINTENANCE

- 2) Award a maintenance contract to Urban Graffiti Enterprises, Inc., for a three-year term with two optional additional one-year renewal options for Citywide Bus Stop Maintenance and Transit Stations Power and Pressure Washing Services, effective February 1, 2025 through January, 31 2028, at an amount of \$861,579 annually and \$2,584,737 for three-years; and
- 3) Authorize the City Manager or designee, to execute the agreement with Urban Graffiti Enterprises, Inc., and any extensions or amendments thereto, subject to review by the City Attorney.

Attachments: [Staff Report](#)
[Attachment 1 - Resolution](#)
[Attachment No. 2 DRAFT - Agreement-BBK signed.pdf](#)

5. Award of Professional Consultants Services Agreement for the “Street Rehabilitation - Districts 2 and 3,” City Project No. 428-2590-XXXXX-67935, Federal Project No. STPL-5070(044)

It is recommended that the City Council award a Professional Consultant Services Agreement for “Street Rehabilitation - District 2 and 3,” City Project No. 428-2590-XXXXX-67935, Federal Project No. STPL-5070(044) to RKA Consulting Group for Design and Construction Management Services in the amount of \$200,000.

Attachments: [Staff Report](#)

6. Resolution to Amend the Fiscal Year (FY) 2024-25 Operating Budget to Transfer from General Reserves to the Pomona Fund for Children and Youth

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

RESOLUTION NO. 2025-09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2024-25 OPERATING BUDGET BY APPROPRIATING \$1,645,780 FROM GENERAL FUND RESERVES AND TRANSFERRING THE SAME AMOUNT TO THE POMONA SPECIAL REVENUE FUND FOR CHILDREN AND YOUTH

Attachments: [jan 6 Staff Report - measure Y transfer final version](#)
[resolution 2025-09 attachment 1](#)
[attach 2 Pomona Kids First Inity](#)

7. Award Construction Contract to Dash Construction Company, Inc. in the Amount of \$874,037 for “Police Parking Lot Renovations,” Project No. 428-2590-XXXXX-71083

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

- 1) Award a construction contract to the apparent lowest responsive bid from Dash Construction Company, Inc. for "Police Parking Lot Renovations," Project No. 428-2590-XXXX-71083, to include all Base Bid items, plus Additive Alternate Items No. 1 and 2 in the total amount of \$874,037;
- 2) Find that the project referenced above is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) and that the project will not have a significant effect on the environment.
- 3) Authorize increased contingency capacity of up to fifty-three (53) percent to allow use of available funding; and
- 4) Authorize City Manager to execute the construction contract and any subsequent change orders on behalf of the City.

Attachments: [Staff Report-Award 71083 PD Parking Lot.docx](#)

8. Provide the 2023 California Power Source Disclosure Attestation for Pomona Choice Energy

It is recommended that the City Council provide the attestation specified under California's Power Source Disclosure Program for Pomona Choice Energy.

Attachments: [SR - Pomona 2023 PCL Attestation](#)
[Attachment No. 1 - Pomona 2023 Power Content Label.pdf](#)
[Attachment No. 2 - Pomona Choice 2023 PSD Annual Report.pdf](#)
[Attachment No. 3 - Pomona Choice 100 2023 PSD Annual Report.pdf](#)

9. Approve Expansion of the Pomona Choice Energy Power Choice Solar and Battery Program and Amend the Agreement

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

- 1) Approve expansion of the Pomona Choice Energy Power Choice Solar and Battery Program;
- 2) Approve Amendment No. 1 to the Power Choice Management Agreement; and,
- 3) Authorize the City Manager, or her designee, to execute all contracts and make any nonsubstantive changes to the expansion of Pomona Choice Program, through a partnership with Participate Energy, LLC in a form approved by CalChoice attorneys.

Attachments: [SR_PCE Channel Program.docx](#)
[Attachment No. 1 - First Amendment Agreement.DOCX](#)

DISCUSSION CALENDAR

10. 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](#)

11. Receive a Report and Provide Direction on the City's Mills Act Program

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

- 1) Receive and File a report on the City's Mills Act Program; and
- 2) Provide direction to staff regarding the Mills Act Program.

Attachments: [Mills Act Update Staff Report](#)
 [Attachment 1 - Guide to the Mills Act 2024](#)
 [Staff Presentation](#)

12. Adoption of a Resolution Approving Exception to the 180-Day Wait Period for Retired Annuitant Employment Pursuant to California Government Code

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

RESOLUTION NO. 2025-03 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, FOR EXCEPTION TO THE 180-DAY WAIT PERIOD FOR RETIRED ANNUITANT EMPLOYMENT

Attachments: [Staff Report](#)
 [Attachment No. 1 Reso 2025-03](#)
 [Exhibit A-CJO Barsu](#)

13. City Council Appointments/Reappointments to Local and Regional Boards/Commissions/Agencies

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

- 1) Review the City Council Appointments to Local and Regional Boards/Commissions/Agencies roster and make new appointments or reappointments as needed; and
- 2) Direct staff to post an updated Form 806 on the City's website following the appointments.

Attachments: [Staff Report - City Council Appointments to External Committees.docx](#)
[01-09-2023 Regional Boards and Commissions.pdf](#)

14. Verification of Sufficiency of Petition Signatures for Initiative Measure Proposing to Repeal the City's Utility Users Tax (UUT) on Water Service

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

- 1) Receive, file, and accept the Certificate of Sufficiency of Initiative Petition; and
- 2) Based upon the sufficiency of the petition, take one of the actions identified below:
 - a. Adopt the initiative measure, without alteration, at this meeting, or within 10 days after; or
 - b. Submit the initiative measure to the voters at the "next regular municipal election" occurring at least 88 days later; or
 - c. Submit the initiative measure to the voters at a special municipal election occurring on a Tuesday that is not on, before or after a State holiday, that is between 88 and 103 days after the City Council calls the election; or
 - d. Direct Staff to prepare an impartial and informational report analyzing the impact of the initiative measure on the City's finances, ability to provide public services, land use and development regulations, and the like.

Attachments: [Staff Report - Receipt of Cert. of Sufficiency and Options - Initiative](#)
[Attachment No. 1 - City of Pomona Certification 12.11.2024 Signed](#)
[Attachment No. 2 - Reso. No. 2025-10 Calling Election on Initiative](#)
[Attachment No. 3 - Reso. No. 2025-11 Consolidating Election](#)
[Attachment No. 4 - Reso. No. 2025-12 Filing of Arguments](#)

PUBLIC HEARINGS

15. Introduction and First Reading of Ordinance No. 4354 Amending City of Pomona Zoning and Development Code Section 830.A (Accessory Dwelling Units) Pertaining to Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations in Compliance with State Law

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

ORDINANCE NO. 4354 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING CITY OF POMONA ZONING AND DEVELOPMENT CODE SECTION 830.A (ACCESSORY DWELLING UNITS) PERTAINING TO ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT REGULATIONS IN COMPLIANCE WITH STATE LAW AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

Attachments: [Staff Report](#)

[Attachment No. 1 - Draft Ord No 4354](#)

[Attachment No. 2 – PC Staff Report 12-11-24](#)

ADJOURNMENT

The next Regular Meeting will be held on January 27, 2025 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 January 6, 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 December 19, 2024.

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

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