



City of Pomona

505 S. Garey Ave
Pomona, CA 91766

Regular Meeting Minutes

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.*

Monday, May 15, 2023

7:00 PM

Council Chambers

CLOSED SESSION

A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code Section 54956.8)

Property: Veterans Park (APN's: 8707-019-903, 906 & 909)

Negotiating Party: Seventh Street Development, Inc.

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 LEGAL COUNSEL – ANTICIPATED LITIGATION

(Pursuant to Government Code Section 54956.9 (d)(4))

One (1) matter regarding possible litigation to be initiated will be discussed.

D) 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 7:01 p.m.

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Sonia Carvalho stated three closed session items were discussed, and one closed session item was postponed. Councilmember Ontiveros-Cole and Councilmember Torres were both absent from closed session.

PLEDGE OF ALLEGIANCE

Mayor Sandoval led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Tim Sandoval
Vice Mayor John Nolte
Councilmember Victor Preciado – arrived at 7:04 p.m.
Councilmember Nora Garcia
Councilmember Steve Lustro
Councilmember Robert Torres

Absent: Councilmember Elizabeth Ontiveros-Cole

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

*Proclamation Designating June 2, 2023 as “National Gun Violence Awareness Day” in the City of Pomona

Mayor Sandoval presented the proclamation to Mrs. Romala who accepted the proclamation. She spoke a few words regarding the movement behind finding evidence-based solutions for resolving gun violence and expressed gratitude to City Council and Just Us 4 Youth.

*Proclamation Recognizing the Week of May 21-27, 2023 as “National Public Works Week” in the City of Pomona

Mayor Sandoval presented the proclamation to Public Works Director Rene Guerrero and City Engineer Arnold Dichosa. Director Guerrero shared a few words commending the work done by the staff of Public Works.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Garcia stated she attended the California Teachers Association Political Academy and heard speeches from incoming CTA President Mr. Goldberg and Lt. Governor Eleni Kounalakis. She gave thanks to the Library staff for hosting a successful Alice and Mad Hatter Themed Tea event for the community. Councilmember Garcia attended Pomona’s Art Walk and wished everyone a Happy Mother’s Day. She announced that the Pomona Library will have special summer events, and asked everyone to keep a lookout for when those events are scheduled.

Councilmember Torres also wished everyone a Happy Mother’s Day and expressed words of gratitude to his own mother, Norma Torres, to the mother of his children, Marisol Guerra, and to all the maternal figures in his life. He stated Pomona Beautification Day was a great event. He expressed support for law enforcement and the work they do for the community. He gave thanks to those responsible for bringing forth the Gun Violence Awareness Proclamation.

Vice Mayor Nolte attended a Housing Affordability Rent Control and Homelessness Conference because he was invited to sit on a panel and discuss the rent stabilization efforts in Pomona. There he learned about Bill HR1708, which, if passed, will provide federal funding for local efforts to address homelessness.

Councilmember Preciado gave thanks to everyone that attended the Art Walk. He stated the LA County Fair has also been a success. He also announced an upcoming Wellness Fair, hosted by Pomona Unified School District in collaboration with the City.

Councilmember Lustro thanked participants that volunteered during Pomona Beautification Day and described the day as a success. He announced the LA County Fair is open Thursday through Sunday from now until May 29, 2023, Memorial Day. He also reminded everyone of the upcoming free vision-screening clinic event, taking place on May 20, at the Village Conference Center on Indian Hill. It is a first-come, first-served event so it is recommended to arrive early; the event begins at 8 a.m.

Mayor Sandoval thanked Councilmember Garcia and Vice Mayor Nolte for each leading a City Council meeting during his absence. He gave thanks to the organizers of the Pomona Beautification Day event. Lastly, he announced that on Tuesday, June 13, at 5 p.m. he would be giving the State of the City address at the FOX Theater in Downtown Pomona. He invited everyone to attend.

CITY MANAGER COMMUNICATIONS

City Manager Makshanoff reminded everyone that the Public Hearing for the Budget Adoption of Fiscal Year 23-24 will take place at the June 5 City Council Meeting. He also advised that the City Council would go dark on June 19 and July 3 because of the holidays. The next City Council meeting after June 5 will take place on July 17.

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:

Beth Brooks expressed concern with Councilmembers that own property in Pomona have not recused themselves from discussions regarding rent stabilization efforts. She also expressed dissatisfaction with the commercial monopoly for trash services.

Greg Estel discussed the expenses burdening local businesses to acquire security measures against vandalism and loitering. He also expressed opposition to the rent stabilization urgency ordinance.

Peggy Streeter discussed her experience with theft, lack of security, and issues with the building in which she resides. The building she lives in is a senior living complex.

Jerilynne Adams expressed feeling scared in her senior living complex due to a lack of security, and the repeated occurrence of theft and intruders. She also expressed dissatisfaction with Pomona Police's response times.

Michael D. Weber discussed his experience with Tow Zone Towing and warned it is operating in a manner that is violating the vehicle code.

Alex Luevano invited everyone to check out the Community Resource Center at 696 W. Holt Ave., which provides free services to the community. Some of the services offered include CPR classes, Wellness classes and food drives.

Elizabeth Sorin discussed her experience with Pomona PD while going through a civil matter with her property owner.

Mario Ramos also invited everyone to visit the Community Resource Center at 696 W. Holt Ave to benefit from the free resources they have for the community.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve the entire Consent Calendar except for Items No. 2 and No. 14, pulled for discussion, and Item No. 9 which was removed 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 1, 2023 Meeting Minutes

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 5-0-1 (COUNCILMEMBER ONTIVEROS-COLE ABSENT AND COUNCILMEMBER NOLTE ABSTAINING), to approve the City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of May 1, 2023.

2. Adoption of a Resolution Condemning Hate Crimes and Any Other Form of Racism, Religious or Ethnic Bias, Discrimination, Incitement of Violence and Targeting a Minority

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

RESOLUTION NO. 2023-81 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONDEMNING HATE CRIMES AND ANY OTHER FORM OF RACISM, RELIGIOUS OR ETHNIC BIAS, DISCRIMINATION, INCITEMENT OF VIOLENCE AND TARGETING A MINORITY

This item was pulled for discussion.

Renee Barbie and Jeff Schenkel, on behalf of Jan Chase from Compassionate Pomona, were present to support the item.

Mayor Sandoval gave thanks to Compassionate Pomona for their work in bringing forth this resolution. He then read Resolution No. 2023-81 in its entirety.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-81.

3. Accept a Donation of One (1) New Police Facility Canine (K-9) from Canine Companions in and in-kind Amount of \$50,000

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

RESOLUTION NO. 2023-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING A DONATION OF ONE (1) NEW POLICE FACILITY CANINE (K-9) IN AN IN-KIND AMOUNT OF \$50,000 FROM CANINE COMPANIONS

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-54.

4. Receive and File Annual Military Equipment Use Report as Required by Assembly Bill (AB) 481

It is recommended that the City Council receive and file annual military equipment use report as required by AB 481 for Fiscal Year 2022-23.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to receive and file annual military equipment use report as required by AB 481 for Fiscal Year 2022-23.

5. Adoption of a Resolution Adopting the Annual Consumer Price Index (CPI) Adjustment for Business License Taxes, Utility Users' Maximum Annual Taxes, and Income Levels for Qualifying for Residential Utility Users' Tax Exemption Eligibility

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

RESOLUTION NO. 2023-72 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING THE ANNUAL CONSUMER PRICE INDEX (CPI) ADJUSTMENT FOR BUSINESS LICENSE TAXES, UTILITY USERS' MAXIMUM ANNUAL TAXES, AND INCOME LEVELS FOR RESIDENTIAL UTILITY USERS' TAX EXEMPTION ELIGIBILITY

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-72.

6. Adopt a Resolution Authorizing the City of Pomona Housing Authority to Increase Revenue Estimates by \$511,454 and Appropriations by \$735,457 from U.S. Department of Housing and Urban Development (HUD) Funds

It is recommended that the City Council, sitting as the Governing Board for the City of Pomona Housing Authority, take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-05 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD FOR THE POMONA HOUSING AUTHORITY (PHA) AMENDING THE FY 2022-23 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES BY \$511,545 AND APPROPRIATIONS BY \$735,457 FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FUNDS

- 2) Authorize the Executive Director of the Pomona Housing Authority or his designee to execute the contracts and other documentation requested for acceptance and implementation of the grant awards, subject to approval as to form by the Agency Counsel.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-05 and authorize the Executive Director of the Pomona Housing Authority or his designee to execute the contracts and other documentation requested for acceptance and implementation of the grant awards, subject to approval as to form by the Agency Counsel.

7. Approve Amendment No. 3 to the Professional Services Agreement Stantec Consulting Services

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

- 1) Approve Amendment No. 3 to an agreement with Stantec Consulting Services in an amount not to exceed \$2,841,703 with an expiration date of June 30, 2024; and
- 2) Authorize the City Manager to execute Amendment No. 3 with Stantec on behalf of the City, subject to approval to form by the City Attorney.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve Amendment No. 3 to an agreement with Stantec Consulting Services in an amount not to exceed \$2,841,703 with an expiration date of June 30, 2024; and Authorize the City Manager to execute Amendment No. 3 with Stantec on behalf of the City, subject to approval to form by the City Attorney.

8. Adopt Resolution Approving and Adopting Mitigated Negative Declaration and Mitigation Monitoring Program in Compliance with the California Environmental Quality Act for Pedley Spreading Grounds - Pond Enhancements Project

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

RESOLUTION NO. 2023-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AND ADOPTING MITIGATED NEGATIVE DECLARATION (SCH #2023030023) AND MITIGATION MONITORING REPORTING PROGRAM IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR "PEDLEY SPREADING GROUNDS - POND ENHANCEMENTS," PROJECT NO. 428-2590-XXXXX-81058

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-74.

9. Request to Consider Removal of Committee Member Rudenauer from the Citizens Oversight Committee

It is recommended that the City Council remove District 4 appointee, Committee Member Dean Rudenauer, from the Citizens Oversight Committee, based on numerous absences.

This item was pulled by staff; no discussion or motion for this item took place.

10. Approval of Lot Merger LM1-2023 for the Property Located at 650-654 E. Alvarado Street, Pomona, CA, Assessor Parcel Number 8337-002-007, Related to the Remodeling 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. 2023-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM1-2023 FOR THE PROPERTY LOCATED AT 650-654 E. ALVARADO STREET, ASSESSOR PARCEL NUMBER 8337-002-007

- 2) Authorize the City Engineer to sign the Lot Merger LM1-2023 on behalf of the City of Pomona.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-76 and authorize the City Engineer to sign the Lot Merger LM1-2023 on behalf of the City of Pomona.

11. Resolution to Amend the FY 2022-23 CIP Budget and Award Construction Contract to Vido Samarzich, Inc. in the Amount of \$5,287,075 for "Holt Avenue Corridor Improvements," Project No. 428-2590-XXXXX-68575

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-75 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO AMEND THE FY 2022-23 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY RELEASING AND UNAPPROPRIATING \$300,000 OF PROPOSITION C FUNDS AND \$535,297 OF SERIES "BI (AX/AI)" BOND PROCEEDS - D4 FROM "HOLT AVENUE (EAST) RECONSTRUCTION," PROJECT NO. 428-2590-XXXXX-71050, AND \$1,200,000 OF PROPOSITION C FUNDS FROM "HOLT AVENUE (WEST) RECONSTRUCTION," PROJECT NO. 428-2590-XXXXX-71047, AND APPROPRIATING THESE FUNDS AND \$701,661 OF MEASURE M FUND BALANCE TO THE "HOLT AVENUE CORRIDOR IMPROVEMENTS," PROJECT NO. 428-2590-XXXXX-68575

- 2) Award a construction contract to Vido Samarzich, Inc. for construction improvements for "Holt Avenue Corridor Improvements," Project No. 428-2590-XXXXX-68575, in the amount of \$5,287,075;
- 3) Find that the project referenced above is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 in that the project consists of the operation, repair, and maintenance of existing streets; and
- 4) Authorize the City Manager, or his designee, to execute the contract, and related documents, subject to approval as to form by the City Attorney.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-75, and take actions 2, 3, and 4.

12. Approve Amendment to Agreement with Draw Tap GIS, LLC for Continued Geographical Information Systems (GIS) Services for Public Works Asset Management Project

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

- 1) Approve an amendment to the agreement with Draw Tap GIS, LLC for continued GIS Services to support the Public Works Asset Management Project in the amount of \$150,000 from July 1, 2023 through June 30, 2024; and
- 2) Authorize the City Manager, or designee, to execute the agreement and any extensions or amendments thereto on behalf of the City, subject to review by the City Attorney.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve an amendment to the agreement with Draw Tap GIS, LLC for continued GIS Services to support the Public Works Asset Management Project in the amount of \$150,000 from July 1, 2023 through June 30, 2024; and Authorize the City Manager, or designee, to execute the agreement and any extensions or amendments thereto on behalf of the City, subject to review by the City Attorney.

13. Resolution to Amend the FY 2022-23 Capital Improvement Program (CIP) Budget by Creating a New Project, "Public Safety Improvements - District 2" and Appropriating \$14,000 of ARP District 2 Funding

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

RESOLUTION NO. 2023-78 - 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, "PUBLIC SAFETY IMPROVEMENTS - DISTRICT 2," PROJECT NO. 428-2590-XXXXX-68584 AND APPROPRIATING \$14,000 OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY AMERICAN RESCUE PLAN (ARP) DISTRICT 2 FUNDING TO THE PROJECT

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-78.

14. Approval of a Settlement Agreement and Mutual Release between the City of Pomona and the County of Los Angeles

It is recommended that the City Council and the Successor Agency to the Former Redevelopment Agency adopt the following resolution:

RESOLUTION NO. 2023-77 & SA RESOLUTION NO. 2023-01 - A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY POMONA AND THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE EXECUTION OF A SETTLEMENT AGREEMENT AND MUTUAL RELEASE BY AND AMONG THE CITY OF POMONA, THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF POMONA, THE COUNTY OF LOS ANGELES, THE COUNTY LIBRARY, THE COUNTY FLOOD CONTROL DISTRICT, AND THE CONSOLIDATED FIRE PROTECTION DISTRICT (COLLECTIVELY, THE "COUNTY")

This item was pulled for discussion.

Councilmember Preciado stepped off the dais to exit Council Chambers at 8:09 p.m. and missed the vote for this item.

Councilmember Garcia commented that the loan has been a detriment to the City's finances and thanked the staff who have worked hard to correct this wrong.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY MAYOR SANDOVAL, CARRIED 5-0 (COUNCILMEMBER PRECIADO AND COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt joint Resolution No. 2023-77 and Successor Agency Resolution No. 2023-01.

15. Award of Contract to Koff and Associates for a Classification and Compensation Study of Non-Sworn Positions

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

- 1) Approve the award of a one-year contract with one, one-year extension to Koff and Associates, a division of Gallagher Company, to conduct a Classification and Compensation Study for citywide non-sworn positions for total authorized expenditure not to exceed \$300,000, and
- 2) Authorize the City Manager to execute a contract with Koff and Associates and any extensions thereto, subject to review by the City Attorney.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to approve the award of a one-year contract with one, one-year extension to Koff and Associates, a division of Gallagher Company, to conduct a Classification and Compensation Study for citywide non-sworn positions for total authorized expenditure not to exceed \$300,000, and authorize the City Manager to execute a contract with Koff and Associates and any extensions thereto, subject to review by the City Attorney.

16. Report on the Temporary Ten (10) Months and Fifteen (15) Days Warehouse Moratorium Adopted by the City Council of the City of Pomona

It is recommended that the City Council issue, receive and file a Council Report to the public describing the City's measure to alleviate conditions that led to the adoption of Urgency Ordinance No. 4321, establishing a temporary ten (10) month and fifteen (15) day moratorium on the establishment, expansion, or modification of warehouses, trucking facilities, and related uses city-wide.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to issue, receive and file a Council Report to the public describing the City's measure to alleviate conditions that led to the adoption of Urgency Ordinance No. 4321, establishing a temporary ten (10) month and fifteen (15) day moratorium on the establishment, expansion, or modification of warehouses, trucking facilities, and related uses city-wide.

DISCUSSION CALENDAR

17. 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 Pomona Catholic High School in support of the 20th Annual Pomona Catholic Car Show – Requested Amount \$2,500
 - B. Amount to be determined to Just Us 4 Youth in support of “Taking your Place” Conferences – Requested Amount \$8,000
 - C. Amount to be determined to Fist of Gold Youth Center in support of USA Boxing Sanctioned Event– Requested Amount \$2,500
- 2) Receive and file the recap of final amounts.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 5-0 (COUNCILMEMBER PRECIADO AND COUNCILMEMBER ONTIVEROS-COLE ABSENT), to make a finding of public benefit for Items A-C.

18. Receive and File a Pavement Management Program (PMP) Presentation Update

It is recommended that the City Council receive and file a Pavement Management Program presentation update.

Public Works Director Rene Guerrero gave a brief introduction.

Councilmember Preciado returned to the dais at 8:15 p.m.

Councilmember Lustro stated he understood that due to limited funds the focus is on preserving roads that are not in orange or red condition, but could there be a way to address the roads that have not been re-paved in decades.

Councilmember Garcia made comments and requested staff to find a way to address the streets in red and orange condition, possibly through a change in policy. Director Guerrero advised that due to limited funds staff was limited to how many of those types of streets may be repaired in a given time period.

Mayor Sandoval requested that staff return with an estimate on what it would take to repair residential streets at an increased rate.

Councilmember Torres inquired about the type of bids the City has received for paving. Director Guerrero advised plenty of bids are received but the costs are very high, higher than average. Councilmember Torres made suggestions on the acquisition of bigger grants.

Councilmember Preciado gave thanks to staff for their responsiveness to councilmember's inquiries and discussed other possible ways of generating additional funds.

This item was a receive and file, therefore no motion was made.

19. Introduction and First Reading of Ordinance to Amend Chapter 62, Article VI of the Pomona City Code

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

ORDINANCE NO. 4331 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE 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 POMONA CITY CODE

Public Works Director Guerrero gave a brief statement.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER NOLTE, CARRIED 5-1 (COUNCILMEMBER GARCIA OPPOSED, COUNCILMEMBER ONTIVEROS-COLE ABSENT), to introduce, waive further and give first reading to Ordinance No. 4331.

20. Adopt a Resolution Approving the City of Pomona's American Rescue Plan (ARP) Spending Plan Update and \$400,000 of ARP Funds for the Summer Concerts

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2023-80 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA APPROVING THE CITY OF POMONA'S AMERICAN RESCUE PLAN (ARP) SPENDING PLAN UPDATE

- 2) Authorize the use of \$400,000 of ARP funds (Health and Wellness) for the Summer Concerts for the next four (4) years.

Finance Director Andrew Mowbray and BBK Attorney Andre Monette gave the staff presentation.

Councilmember Torres made comments regarding the importance of committing and using the funds soon to avoid the possibility of the federal government rescinding partial funds.

Councilmember Preciado requested that unattached dollars be used for the re-habilitation of Grand Ave if possible.

Mayor Sandoval made comments and requested to receive spending recommendations from the committee.

Councilmember Garcia agreed with Mayor Sandoval's request, and expressed support for the idea to fund the rehabilitation of Grand Ave with unattached dollars. She also expressed the importance of having multiple centers for youth in the City.

MOTION BY COUNCILMEMBER PRECIADO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2023-80 and authorize the use of \$400,000 of ARP funds (Health and Wellness) for the Summer Concerts for the next four (4) years.

ADJOURNMENT

The City Council Meeting adjourned, in remembrance and in honor of Danny Holznecht, at 9:12 p.m. on May 15, 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