

RESOLUTION NO. 2023-103

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING AN AGREEMENT WITH THE CALIFORNIA OFFICE OF HISTORIC PRESERVATION REGARDING REVIEW OF PROPERTIES UNDER HOUSING AND URBAN DEVELOPMENT (HUD) PART 58 PROGRAMS**

**WHEREAS**, the City administers funds from the United States Department of Housing and Urban Development under the following programs: (1) Community Development Block Grant Program; 2) Home Investment Partnerships Act Program; 3) Neighborhood Stabilization Program; 4) Healthy Homes and Lead Hazard Control Program; and 5) other programs delegated to the City by statute and subject to regulation under 24 CFR Part 58, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities ";

**WHEREAS**, the City has determined that the administration of these programs may affect properties included in or eligible for inclusion in the National Register of Historic Places, codified at 36 CFR Part 60, "National Register of Historic Places ";

**WHEREAS**, the City has consulted with the California State Office of Historic Preservation and the Advisory Council on Historic Preservation pursuant to Subsection (b), "Programmatic Agreements" of 36 CFR 800.14 of the regulations implementing Section 106 of the National Historic Preservation Act, codified as U. C. S470f;

**WHEREAS**, the Advisory Council on Historic Preservation has elected not to participate in the consultation;

**WHEREAS**, the City is a Certified Local Government pursuant to Section 101 of the Act and its implementing regulations found at 36 CFR Part 61; and as such has a qualified staff which possesses the professional expertise necessary to evaluate properties which may be significant in the fields of architecture, history, and archaeology; and which meets the appropriate qualifications set forth in 36 CFR Part 61, Appendix A and is knowledgeable in work relevant to the locale; and

**WHEREAS**, the City and the California State Office of Historic Preservation have negotiated a programmatic agreement regarding Historic Properties affected by use of Revenue for the Department of Housing and Urban Development Part 58 Programs, which stipulates the procedures to be followed by the City of Pomona to satisfy its Section 106 responsibilities.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pomona as follows:

**SECTION 1.** That the City Council authorizes the Programmatic Agreement with the California State Office of Historic Preservation regarding Historic Properties Affected by use of revenue from the Department of Housing and Urban Development Part 58 Programs, which stipulates the procedures to be followed by the City of Pomona to satisfy its Section 106 responsibilities.

**SECTION 2.** That the City Council hereby authorizes the City Manager, or her designee, to execute the Programmatic Agreement, attached hereto as Exhibit A, subject to review by the City Attorney's Office.

**SECTION 3.** The City Clerk shall attest and certify to the passage of this resolution and it shall thereupon take effect and be in full force.

**PASSED, APPROVED AND ADOPTED** this 5th day of June, 2023.

**CITY OF POMONA:**

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Tim Sandoval  
Mayor

**APPROVED AS TO FORM:**

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Sonia Carvalho  
City Attorney

**ATTEST:**

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Rosalia A. Butler, MMC  
City Clerk

I, HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of Pomona at a regular meeting thereof held on June 5, 2023 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Rosalia A. Butler, MMC  
City Clerk