

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, April 15, 2024

**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 Chamber

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

*Mayor Tim Sandoval
Vice-Mayor Victor Preciado
Councilmember John Nolte
Councilmember Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert 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.*

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))

*Chad Jensen and Michael Neaderbaomer vs. City of Pomona; Michael Olivieri;
Dennis Cooper and Does 1 through 50
Los Angeles County Superior Court Case No. 20STCV17625*

*Edil Vazquez vs. City of Pomona
Los Angeles County Superior Court Case No. 20STCV15371*

7:00 P.M.

Council Chambers

CALL TO ORDER

CLOSED SESSION REPORT

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

*A Proclamation of the City Council of the City of Pomona Recognizing April 2024 as
"National Healthy Homes" Month in the City of Pomona

Attachments: [4.15 April 2024 as National Healthy Homes Month.docx](#)

*A Proclamation of the City Council of the City of Pomona Recognizing April 2024 as
"National Fair Housing" Month in the City of Pomona

Attachments: [4.15 National Fair Housing.docx](#)

*A Proclamation of the City Council of the City of Pomona Recognizing April 29, 2024 as

“Arbor Day” in the City of Pomona

Attachments: [4.15 Arbor Day.docx](#)

*A Proclamation of the City Council of the City of Pomona Designating April 2024 as “Arts, Culture & Creativity Month” in the City of Pomona

Attachments: [4.15 Arts Culture.docx](#)

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. Resolution Establishing the Corrected GANN Appropriations Limit for Fiscal Year

2023-24

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

RESOLUTION NO. 2024-62 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING THE CORRECTED GANN APPROPRIATIONS LIMIT OF THE CITY OF POMONA PURSUANT TO ARTICLE XIII OF THE STATE CONSTITUTION FOR FISCAL YEAR 2023-24

Attachments: [Staff Report - GANN Limit Correction 04152024](#)
[attach 1-Reso - FY24 GANN Limit Correction](#)
[Exhibit A - Corrected GANN](#)
[Exhibit B - Correctedd GANN](#)
[Attach 2 -RES. 2023-099 Establishing the Gann Appropriations Limit of the](#)

2. Resolution Amending the FY 2023-24 Capital Improvement Program (CIP) Budget and Approving an Agreement with the City of Chino for Walnut Avenue Improvements in an Amount Not-to-Exceed \$139,801

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

RESOLUTION NO. 2024-56 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO AMEND THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UNAPPROPRIATING \$5,067 OF MEASURE M FUNDS FROM "MAJOR STREET REHABILITATION - 2015 METRO CALL," PROJECT NO. 428-2590-XXXXX-67918, \$55,627 OF SB-1/RMRA FUNDS FROM "STREET PRESERVATION - LOCAL CITYWIDE (FY 19-20)," PROJECT NO. 428-2590-XXXXX-68561, AND \$79,107 OF MEASURE M FUNDS FROM "MISSION BOULEVARD REHABILITATION - WHITE AVENUE TO TOWNE AVENUE," PROJECT NO. 428-2590-XXXXX-68574, AND APPROPRIATE THESE FUNDS TO "STREET PRESERVATION - LOCAL (FY 23-24)," PROJECT NO. 428-2590-XXXXX-68592, AMEND THE PROJECT DESCRIPTION TO INCLUDE WALNUT AVENUE, AND APPROVE THE AGREEMENT WITH CITY OF CHINO IN AN AMOUNT NOT-TO-EXCEED \$139,801

Attachments: [Staff Report](#)
[Attachment No. 1 - Resolution No. 2024-56](#)
[Attachment No. 2 - Agreement with City of Chino DRAFT](#)

3. Adopt a Resolution Accepting Amended Grant Funds for the Operation of the Crisis Housing Program at Hope for Home Homeless Services Center and Amendment of the FY 2023-24 Operating Budget

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$213,034 IN MEASURE H GRANT FUNDS FOR THE OPERATION OF THE CRISIS HOUSING PROGRAM AT HOPE FOR HOME HOMELESS SERVICES CENTER (H4H), AMENDMENT OF THE FY 2023-24 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES BY \$213,034 AND APPROPRIATIONS BY \$209,680

- 2) Amend the agreement with Volunteers of America Los Angeles (VOALA) as the H4H Site Operator by increasing the award by \$201,407 to operate the Crisis Housing Program; and
- 3) Authorize the City Manager to execute all agreements, amendments, and any other documentation requested for acceptance of the award, distribution of the funding and operation of the H4H Crisis Housing Program, subject to approval as to form by the City Attorney.

Attachments: [Amended Crisis Housing Award FY 2023-24](#)
 [Resolution No. 2024-57 Crisis Housing FY 2023-24](#)

4. Amendment to Purchase Order with First Serve Productions, Inc. for "Park Improvements - Sport Court Resurfacing and Restriping"

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

- 1) Approve Amendment No. 1 (Change Order No. 1) to Purchase Order (PO) No. 205413 with First Serve Productions, Inc., in the amount of \$28,420, for a new total PO amount of \$122,960 for additional pickleball equipment for "Park Improvements - Sport Court Resurfacing and Restriping," Project No. 428-2590-XXXXX-71069; and
- 2) Authorize City Manager, or designee, to execute any amendments to the purchase order and related documents, on behalf of the City of Pomona (City), subject to City Attorney approval.

Attachments: [Staff Report](#)

5. Resolution to Amend the FY 2023-24 Capital Improvement Program (CIP) Budget by Creating a New Project, "Garfield Park Renovation," and Appropriating \$50,000 of Cannabis Community Benefit Funding (Catalyst) to the Project

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

RESOLUTION NO. 2024-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO AMEND THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CREATING A NEW CIP PROJECT, "GARFIELD PARK RENOVATION," PROJECT NO. 428-2590-XXXXX-71111 AND APPROPRIATING \$50,000 OF CANNABIS COMMUNITY BENEFIT FUNDING (CATALYST) TO THE PROJECT

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 - CIP Project Details Sheet](#)

6. Resolution to Amend the FY 2023-24 Capital Improvement Program (CIP) Budget by Re-appropriating Measure R and Measure M Funds from Various CIP Projects, Award of Construction Contract, and Authorize Entry Into an Agreement with the City of La Verne, CA for "Street Preservation - Citywide (FY 16-17) (Major)," Project No. 428-2590-XXXXX-67920

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-59 - A RESOLUTION TO AMEND THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY RE-APPROPRIATING \$564,000 OF MEASURE R AND MEASURE M FUNDS FROM VARIOUS CIP PROJECTS TO "STREET PRESERVATION - CITYWIDE (FY 16-17) (MAJOR)," PROJECT NO. 428-2590-XXXXX-67920

- 2) Award a construction contract to American Asphalt South, Inc. for "Street Preservation - Citywide (FY 16-17) (Major)," Project No. 428-2590-XXXXX-67920, to include all Base Bid 'A' & 'B' items, in the amount of \$1,355,329;
- 3) Authorize Staff to enter into an Agreement, on behalf of the City of Pomona, with the City of La Verne to complete slurry seal improvements on White Avenue from the northerly Pomona City limit to just south of the Arrow Highway intersection, located within La Verne City limits;
- 4) Find that the project referenced above is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) and that the proposed project will not have a significant effect on the environment;
- 5) Approve an increase in contingency capacity from City standard 25% to 50%, due to the scope of the work and portions of work within other jurisdictions;
- 6) Approve working days and hours to include nights and weekends; and

- 7) Authorize the City Manager, or designee, to execute the construction contract/agreement and related documents (permits, etc.).

Attachments: [Staff Report](#)
 [Attachment No. 1 - Resolution](#)
 [Attachment No. 2 - Exhibit to Resolution](#)

7. Approval of Purchase Orders to Miracle Recreation Utilizing Sourcewell Cooperative Contract No. 10521-LTS in the Total Amount of \$1,703,928 to Replace Playground Equipment at Multiple City Parks

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

- 1) Approve Purchase Orders to Miracle Recreation utilizing Sourcewell Cooperative Contract No. 10521-LTS in the total amount of \$1,703,928 to replace and upgrade playground equipment at multiple City parks, as listed in Table 1; and
- 2) Authorize the City Manager, or designee, to execute necessary documents and subsequent changes or amendments thereto, on behalf of the City.

Attachments: [Staff Report](#)

8. Approval to Authorize Agreement with Tri-City Mental Health Relating to the Implementation of the California Violence Intervention and Prevention Grant (CalVIP)

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

- 1) Approve contract agreement with Tri-City Mental Health in the amount not to exceed \$311,601; and
- 2) Authorize the City Manager, or designee, to execute the agreement and any extensions, subsequent changes, or amendments thereto, on behalf of the City, subject to review and approval as to form by the City Attorney.

Attachments: [4-15-24 Staff Report Tri-City](#)
 [Attachment No. 1 - Tri-City M.H Operational Agreement](#)

9. Approve an Agreement with SL Environmental Law Group, P.C.

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

- 1) Approve an entering into an agreement with SL Environmental Law Group, P.C. to represent the City in a 1,2,3-Trichloropropane products liability case; and
- 2) Authorize the City Manager, or designee, to execute the agreement on behalf of the City and any subsequent documents or amendments, subject to approval as to form by

the City Attorney.

Attachments: [Staff Report -SL Environmental 1,2,3-TCP Litigation.docx](#)
 [Attachment 1 - PSA - TCP Legal Services.pdf](#)

10. Official Election Results of the March 5, 2024 Primary Municipal Election

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

RESOLUTION NO. 2024-63 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, RECITING THE FACT OF THE PRIMARY MUNICIPAL ELECTION HELD MARCH 5, 2024 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

Attachments: [Staff Report - Adoption of 2024 Primary Election Results.docx](#)
 [Attachment No. 1 - Reso. No. 2024-63.doc](#)
 [Attachment No. 2-Exhibit A-Certificate of Canvass.pdf](#)

DISCUSSION CALENDAR

11. 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](#)

12. Recommend and Approval of the Fiscal Policy stated uses of the Fiscal Year (FY) 2022-23 Unassigned Fund Balance

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

RESOLUTION 2024-60 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE FISCAL POLICY STATED USES OF THE FISCAL YEAR 2022-23 UNASSIGNED FUND BALANCE AND AMENDING FISCAL YEAR 2023-24 GENERAL FUND OPERATING BUDGET BY APPROPRIATING A TOTAL AMOUNT OF \$4,376,500 TOWARDS SECTION 115 TRUST CONTRIBUTION, EQUIPMENT REPLACEMENT RESERVE, AND CIP FUNDING

Attachments: [Staff Report - GF Surplus Recommendation final version andrew](#)
[Attach 1 - Reso Unassigned FB](#)
[attach 2 _ppt for april 15 ccmeeeting_unassgined fund balance policy](#)
[attach 3 Updated Fiscal Policies](#)

PUBLIC HEARINGS

13. Approving the Draft FY 2024-2025 Annual Action Plan with Preliminary Funding Recommendations

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2024-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE DRAFT FY 2024-2025 ANNUAL ACTION PLAN WITH PROPOSED FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), AND EMERGENCY SOLUTIONS GRANT (ESG) FEDERAL ENTITLEMENT PROGRAMS

- 2) Approve draft funding awards for the FY 2024-2025 Community Development Block Grant and Emergency Solutions Grant Programs;
- 3) Approve funding recommendations for the FY 2024-2025 Home Investment Partnerships Program;
- 4) Approve the inclusion of funding awards in the FY 2024-2025 Annual Action Plan.

Attachments: [SR - Approving Draft 24-25 Annual Action Plan.docx](#)
[Attachment 1 - Resolution No. 2024-47 \(Includes Exhibit A & B\).pdf](#)
[Attachment 2 - CDBG Distric Formula Allocations.pdf](#)
[Attachment 3 - CDBG Eligible Area Map.pdf](#)
[Attachment 4 - CDBG RFP Eligibility, Performance & Requests.pdf](#)
[Attachment 5 - 2024-2025 Community Needs Survey Results.pdf](#)
[Attachment 6 - Public Hearing Notice.pdf](#)

14. Approving and Adopting the Amendment to the Permanent Local Housing Allocation (PLHA) Plan for years 2020, 2021, 2022, 2023 and 2023, Awarding an Additional \$800,000 of year 2021 funds to National Core for the Prisma Artist Lofts Housing Project, and Delegating PLHA Funds Awarded to the Project Totaling \$1,431,000 to the San Gabriel Valley Regional Housing Trust (SGVRHT)

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

- 1) Conduct a Public Hearing to receive comments on the amendments to the Permanent Local Housing Allocation (PLHA) Plan for years 2020, 2021, 2022 and 2023;
- 2) After receiving public comment and testimony, close the Public Hearing and adopt the following resolution:

RESOLUTION NO. 2024-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AND ADOPTING THE AMENDMENT TO THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PLAN FOR YEARS 2020, 2021, 2022 AND 2023 AND AUTHORIZING SUBMITTAL TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

- 3) Adopt the following resolution:

RESOLUTION NO. 2024-46 - A RESOLUTION OF THE CITY OF POMONA, CALIFORNIA, AWARDING AN ADDITIONAL \$800,000 OF YEAR 2021 PLHA FUNDS TO THE NATIONAL COMMUNITY RENAISSANCE OF CALIFORNIA (NATIONAL CORE) FOR THE PRISMA ARTIST LOFTS HOUSING PROJECT AND DELEGATING PLHA FUNDS AWARDED TO THE PROJECT TOTALING \$1,431,000 TO THE SAN GABRIEL VALLEY REGIONAL HOUSING TRUST

- 4) Authorize the City Manager, or her designee, to execute the Delegation Agreement of PLHA funds for Prisma Artist Lofts Housing Project with the San Gabriel Valley Regional Housing Trust and any subsequent amendments or modifications thereto, after review by the City Attorney's Office and approval by State HCD.

Attachments: [SR Third Amendment to PLHA Plan and Designation to Reso 2024-45 Amendment to the PLHA Plan 4-15-24.docx](#)
[Exhibit A Section 302 C 4 PLHA Plan Amendment for Years 2020 through Reso 2024-46 Award of Additional Funds for Prisma Artist](#)
[PLHA Amendment 3 Notice Bulletin Board Posting.pdf](#)

ADJOURNMENT

The next Regular Meeting will be held on May 6, 2024 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 April 15, 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 April 9, 2024.

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

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