

# City of Pomona

505 S. Garey Ave.  
Pomona, CA 91766



## Regular Meeting Agenda

**Monday, May 6, 2024**

**7:00 PM**

**Closed Session begins at 5:30 p.m.**

**Council Chambers**

### **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](http://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

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*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 REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code Section 54956.8)

Property: 700 East Foothill  
(APN's: 8367-003-023 & 024)

Negotiating Party: Foothill & Towne LLC

City's Negotiator: Anita Gutierrez, City Manager

Under Negotiation: Price and terms

### **B) LIABILITY CLAIMS**

(Pursuant to Government Code Section 54956.9)

One (1) Case: Keisel Law LLP A/S/O Victor Asemota v City of Claremont, City of Pomona Et. Al.  
File # 23-174771"

### **C) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

(Pursuant to Government Code Section 54956.9(d)(2))

**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 May 2024 as  
"Historic Preservation Month" in the City of Pomona

Presentation of 2nd Annual Preserve Pomona Awards

A Proclamation of the City Council of the City of Pomona Recognizing May 2024 as  
"Mental Health Awareness Month" in the City of Pomona

A Proclamation of the City Council of the City of Pomona Recognizing April 20, 2024 as  
"Cesar Chavez and Dolores Huerta Community Day" in the City of Pomona

## **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:

March 18, 2024 Regular Meeting Minutes

March 25, 2024 Special Meeting Minutes

April 3, 2024 Special Meeting Minutes

April 8, 2024 Regular Meeting Minutes

April 15, 2024 Regular Meeting Minutes

2. 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 the annual military equipment use report as required by AB 481 for Fiscal Year 2023-24.

3. Approval of Amendments to the Special Legal Counsel Panel

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

- 1) Approve the hourly rate increase of the Law Offices of Jones & Mayer to \$250 per hour; and
- 2) Approve the addition of Graves & King as a dangerous condition of public property and employment liability defense counsel; and
- 3) Approve the addition of Michael Sullivan & Associates as Workers' Compensation defense counsel; and
- 4) Authorize the City Manager to execute retainer agreements with the requested firms.

4. Fiscal Year 2023-24 Homeless Programs Budget Amendment to Revenue Estimates and Appropriations

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

**RESOLUTION NO. 2024-61 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE AMENDMENT OF THE CITY OPERATING BUDGET BY INCREASING/DECREASING REVENUE ESTIMATES**

**AND APPROPRIATIONS FOR THE MEASURE H FUNDED GRANTS, CONTINUUM OF CARE (COC) FUNDED GRANTS, EMERGENCY SOLUTIONS GRANT (ESG), AND STATE FUNDED PROGRAMS**

5. Approval of an Exclusive Negotiation Agreement with National Community Renaissance of California, Arteco, and Village Partners for the Sale and Development of Vehicle Parking District Lots 6 & 7 and Adjacent Vehicle Parking District Owned Parcels on The 400 Block of West 2nd Street

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

- 1) Approve the attached Exclusive Negotiation Agreement (ENA) with National Community Renaissance of California, Arteco & Village Partners (Developer) regarding the sale of Vehicle Parking District (VPD) Lots 6 & 7 and adjacent VPD owned parcels Generally Located on the 400 Block of West 2nd Street; and
- 2) Authorize the City Manager to execute the ENA in substantially the form as attached (Attachment No. 2) and subject to approval as to form by the City Attorney.

6. Enter into a Contract with Chandler Asset Management to provide Investment Advisory Services for the City of Pomona

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

- 1) Enter into a contract effective November 2023 with Chandler Asset Management ("CAM") for a three-year (3) period with the option to renew for two (2) additional years, in one (1) year increments, not to exceed five (5) years, to perform investment advisory services; and
- 2) Authorize the City Manager or her designee to execute a three-year agreement with two one-year renewal options with CAM to provide Investment Advisory services.

7. Resolution to Amend the FY 2023-24 Capital Improvement Program (CIP) Budget by Adding \$155,000 of ARP District 5 Funding to "Phillips Ranch Exercise Par Course Restoration"

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

**RESOLUTION NO. 2024-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO AMEND THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$155,000 OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY AMERICAN RESCUE PLAN (ARP) DISTRICT 5 FUNDING TO "PHILLIPS RANCH EXERCISE PAR**

**COURSE RESTORATION,” PROJECT NO. 428-2590-XXXXX-71093**

8. Approval of Summary Vacation VU2-2023 of the City’s Unused Street Easement (Portion of Hillman Avenue) Within the Boundary of the Residential Lot Located at 1194 W. Grand Ave, Pomona, CA, Assessor Parcel Number 8343-013-053, Related to the Future Improvements of the Property; Approval of the Quitclaim Deed for the Vacated Easement (Council District 2)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ORDERING THE SUMMARY VACATION VU2-2023 OF THE CITY’S UNUSED STREET EASEMENT (PORTION OF HILLMAN AVENUE) WITHIN THE BOUNDARY OF THE RESIDENTIAL LOT LOCATED AT 1194 W. GRAND AVENUE, POMONA, CA, ASSESSOR PARCEL NUMBER 8343-013-053, AND APPROVING QUITCLAIM DEED FOR THE VACATED EASEMENT**

- 2) Authorize the City Manager to execute the quitclaim deed on behalf of the City.

**DISCUSSION CALENDAR**

9. 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.

**ADJOURNMENT**

*The next Special Meeting will be held on May 13, 2024 in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. 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 May 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](http://www.pomonaca.gov) on April 30, 2024.*

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

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