

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, April 6, 2020

7:00 PM

Via Teleconference

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

*Mayor Tim Sandoval
Councilmember Rubio R. Gonzalez
Vice-Mayor 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.

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.ci.pomona.ca.us. 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. Please note that if no one requests assistance by 8:00 pm, the interpreter will be dismissed.

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. Tenga en cuenta que si nadie solicita asistencia antes de las 8:00 pm, el intérprete será despedido.

7:00 P.M.

Reconvene in the Council Chambers

CALL TO ORDER

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.

CITY MANAGER COMMUNICATIONS

Reports from the City Manager.

PUBLIC PARTICIPATION

Public Participation – In response to the global COVID-19 pandemic and in accordance with California Governor's Executive Order N-25-20 regarding the Brown Act and guidance from the California Department of Public Health on gatherings, please note that comments for Public Participation or for a specific item on the agenda will be accepted by email only at this time. Comments will be read into the record by the City Clerk. The deadline to submit your comments is by 6:00 p.m. on the day of the scheduled Council meeting. Please email your comments to cityclerk@ci.pomona.ca.us and title your email "Public Comment" along with the date of the Council meeting and indicate if you are commenting on a specific agenda item. All comments must be limited to 200 words.

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. Approving the Fiscal Year 2020-21 Submittal Projects Lists for the Road Repair and Accountability Act of 2017 (RMRA/SB-1)

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

RESOLUTION NO. 2020-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CITY'S STREET PROJECTS LISTS, WITH CORRESPONDING CAPITAL IMPROVEMENT PROGRAM (CIP), AND RELATED PUBLIC WORKS OPERATIONAL ITEM LIST PLAN TO THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) TO BE ELIGIBLE FOR FISCAL YEAR 2020-21 RMRA/SB-1 FUNDING

Attachments: [Staff Report](#)
 [Resolution](#)
 [Attachment #1 A-1](#)
 [Attachment #1 A-2](#)
 [Attachment #1 A-3](#)
 [Attachment #1 A-4](#)
 [Attachment #1 A-5](#)

2. Pavement Management Program (PMP) Presentation Update

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

Attachments: [Staff Report](#)
 [Attachment No. 1 - PMP Council Presentation](#)

3. Approve Sole Source Purchase Agreement with Applied Spectrometry Associates, Inc. for Purchase and Replacement of two ChemScan Analyzers at Water Treatment Plants in the Amount Not-to-Exceed \$134,880

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

- 1) Approve a Sole Source purchase agreement with Applied Spectrometry Associates (ASA), Inc. for the purchase and installation of two ChemScan Process Analyzers, not-to-exceed \$134,880; and
- 2) Authorize the City Manager, or designee, to execute any agreements necessary to complete the purchase.

Attachments: [Staff Report - Chemscan Analyzers.docx](#)
 [Attachment 1 - Applied Spectrometry Sole Source Memo.pdf](#)

4. Approval of Lot Merger LM10-2019 for the Property Located at 100-130 E. Alvarado Street, Pomona, CA, Assessor Parcel Numbers 8336-006-019 and -022, Related to the Restoration and Remodeling of an Existing Commercial Property (Council District 4)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM10-2019, FOR THE PROPERTIES LOCATED AT 100-130 E. ALVARADO STREET, POMONA, CA, ASSESSOR PARCEL NUMBERS 8336-006-019 AND -022

- 2) Authorize the City Engineer to sign the Lot Merger LM10-2019 on behalf of the City.

Attachments: [Report](#)
 [Resolution](#)
 [Exhibit 1](#)
 [Exhibit A](#)
 [Exhibit B](#)
 [Attachment 2 Vicinity](#)
 [Attachment 3 Aerial](#)

5. Award a Bid to Enthalpy Analytical for Laboratory Testing and Analysis of Water Samples and Approve an Agreement for a Term of Three-Years, with a Two-Year Extension Option

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

- 1) Award of bid to Enthalpy Analytical for laboratory testing and analysis of water samples as-needed, at the prices bid;
- 2) Approve an agreement to Enthalpy Analytical for a term of three-years, with a two-year extension option; and
- 3) Authorize the City Manager, or designee, to sign the agreement.

Attachments: [Staff Report - Award of Water Quality Lab Contract to Enthalpy Analytical.docx](#)
 [Attachment 1 - Enthalpy Analytical Professional Services Agreement.pdf](#)

6. Repeal of City Council Resolution No. 2019-185 and Approval of Revised Lot Line Adjustment LLA2-2019, Assessor Parcel Numbers 8707-001-027 And -040, for Parking Lot Consolidation and Future Development of the Commercial Properties Located at 901 Corporate Center Drive, Pomona (Council District 1)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, REPEALING CITY COUNCIL RESOLUTION NO. 2019-185 AND APPROVING REVISED LOT LINE ADJUSTMENT LLA2-2019, FOR THE PROPERTIES LOCATED AT 901 CORPORATE CENTER DRIVE, POMONA, CA, ASSESSOR PARCEL NUMBERS 8707-001-027 AND -040

- 2) Authorize the City Engineer to sign the Lot Line Adjustment LLA2-2019 on behalf of the City.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Exhibit 1](#)
 [Exhibit A](#)
 [Exhibit B](#)
 [Attachment 2](#)
 [Attachment 3](#)

7. Adopt a Resolution Amending the FY 2019-20 Capital Improvement Program (CIP) Budget by Appropriating \$41,000 of Available Series "BI (AW)" Bonds and \$359,000 of Available Series "BI (AX/AI)" Bonds to "Police - Main Facility Roof Replacement," Project No. 428-2590-XXXXX-73369

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

RESOLUTION NO. 2020-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$41,000 OF AVAILABLE SERIES "BI (AW)" BONDS AND \$359,000 OF AVAILABLE SERIES "BI (AX/AI)" BONDS TO "POLICE - MAIN FACILITY ROOF REPLACEMENT," PROJECT NO. 428-2590-XXXXX-73369

Attachments: [Staff Report](#)
 [Attachment No. 1 - Proposed Resolution No. 2020-57](#)

8. Approve an Agreement to Participate in the San Gabriel Valley Regional Vehicle Miles Traveled (VMT) Analysis Model

It is recommended that the City Council approve a Memorandum of Agreement (MOA) with the San Gabriel Valley Council of Governments (SGVCOG) for an amount not-to-exceed \$14,855 for the implementation of the San Gabriel Valley Regional Vehicle Miles Traveled (VMT) Analysis Model.

Attachments: [Staff Report](#)
 [Attachment 1](#)

9. Authorization of the Pomona Police Department to Access State and Federal Level Summary Criminal History Information Related to the Commercial Cannabis Permit Program

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE POMONA

**POLICE DEPARTMENT TO ACCESS STATE AND FEDERAL LEVEL
SUMMARY CRIMINAL HISTORY INFORMATION FOR CANNABIS
EMPLOYMENT CONTRACTORS, LICENSING OR CERTIFICATION
PURPOSES**

2) Authorize the City Manager to file any necessary application(s) to Federal and/or State authorities related thereto.

Attachments: [Staff Report](#)
 [Draft Resolution No. 2020-54](#)

10. Authorization of Harris and Associates as the Engineer of Record for FY 2020-21 and Ordering the Preparation of the 2020-21 Engineer's Report for the Consolidated Citywide Street Lighting and Landscaping Maintenance District

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

**RESOLUTION NO. 2020- 52 - A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF POMONA, CALIFORNIA, AUTHORIZING HARRIS AND
ASSOCIATES AS THE ENGINEER OF RECORD FOR FY 2020-21 AND
ORDERING THE PREPARATION OF THE 2020-21 ENGINEER'S REPORT
FOR THE ANNUAL ASSESSMENT LEVY OF THE CONSOLIDATED
CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE
DISTRICT**

Attachments: [Staff Report - Engineer of Record](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 - Previous Council Action](#)

11. Authorize an Exception to the 25% Amendment Limit in Section 2-984(2) of the Pomona Municipal Code for Capital Improvement Program (CIP) "City Stable Facility," Project No. 428-2590-XXXXX-71054 and Approve an Amendment to the Agreement with American Technologies, Inc. for \$21,701.98 to Provide Steel Bracing Rental Services

It is recommended that the City Council authorize an exception to the 25% amendment limit in Section 2-984(2) and approve an amendment to the agreement with American Technologies, Inc. in the amount of \$21,701.98 for steel bracing rental services for CIP "City Stable Facility," Project No. 428-2590-XXXXX-71054.

Attachments: [Staff Report](#)

12. Amendment of the FY 2019-20 Capital Improvement Program (CIP) Budget by Re-appropriating \$278,138 of SB-1 Funds and Appropriating \$300,000 of SB-1 Fund Balance to "Street Preservation - Local Citywide (FY 19-20)," Project No. 428-2590-XXXXX-68561 and Amending the Project Description; and, Award a Construction Contract in the Amount of \$2,123,674.26 to Gentry Brothers, Inc. and

Authorize Change Order Authority of 14.5% for "Street Preservation - Local Citywide (FY 19-20)," Project No. 428-2590-XXXXX-68561

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-56 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 CAPITAL IMPROVEMENT BUDGET BY REAPPROPRIATING \$278,138 OF SB-1 FUNDS FROM CIP PROJECTS NO. 68558 AND 68560 AND APPROPRIATING \$300,000 OF SB-1 FUND BALANCE TO "STREET PRESERVATION - LOCAL CITYWIDE (FY 19-20)," PROJECT NO. 428-2590-XXXXX-68561; AND AMENDING THE PROJECT DESCRIPTION FOR "STREET PRESERVATION - LOCAL CITYWIDE (FY 19-20)," PROJECT NO. 428-2590-XXXXX-68561

- 2) Award a construction contract to Gentry Brothers, Inc. for "Street Preservation - Local Citywide (FY 19-20)," Project No. 428-2590-XXXXX-68561, (All Base Bid Schedules A and B, Additive Alternates 1 through 4, and Addendums 1 and 2), in the sum of \$2,123,674.26;
- 3) Authorize change order authority of \$308,596.74 (14.5%) as funds allow, per City Code 2-1003(1)(L);
- 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; and
- 5) Authorize the City Manager to execute the construction contract and any subsequent change orders on behalf of the City.

Attachments: [Staff Report - Gentry Bros](#)
 [Attachment 1 - Resolution](#)
 [Attachment No. 2 Location Map](#)

13. Approval of Change Orders and Change Order Authority for the Construction Contract with TELACU Construction Management for Design-Build Services in the Amount of \$500,000; and Approval of Amendments to the Professional Services Agreement with WLC Architects, Inc. in the Amount of \$16,830 and to the Engagement Letter Agreement with Kabbara Engineering in the Amount of \$16,590

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

- 1) Approve change order authority for the construction contract with TELACU Construction Management (TELACU) for Design-Build Services at the "Year-Round Emergency Shelter," Project No. 428-2590-XXXXX-71044, in the amount of \$500,000, which exceeds the \$100,000 maximum allowed without Council approval; and
- 2) Approve an amendment to the Professional Services Agreement with WLC Architects, Inc. in the Amount of \$16,830 to include engineering services, in addition to the contracted design services, for installation of shade structures at the "Year-Round Emergency Shelter," CIP Project No. 428-2590-XXXXX-71044, which exceeds the 25% of original contract maximum allowed without Council approval; and
- 3) Approve an amendment to the Engagement Letter Agreement with Kabbara Engineering in the amount of \$16,590 to provide additional engineering services for the "Emergency Shelter Annex/Water Utility Access," CIP Project No. 428-2590-XXXXX-71053; which exceeds the 25% of original contract maximum allowed without Council approval; and
- 4) Authorize the City Manager to execute all documents and subsequent amendments related with this action, with approval of the City Attorney as to form.

Attachments: [Staff Report](#)

14. 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:

February 3, 2020 Meeting Minutes
February 24, 2020 Meeting Minutes
March 2, 2020 Meeting Minutes

Attachments: [FINAL MINUTES 2-3-2020](#)
 [FINAL MINUTES 2-24-2020](#)
 [FINAL MINUTES 3-2-2020](#)

15. Environmental Analysis to Move the Historic Stable

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

- 1) Approve an agreement with DUDEK for professional environmental analysis services in the amount of \$197,120;
- 2) Approve an agreement with Sillman Wright Architects (Sillman) for professional

architectural services in the amount of \$14,300; and

- 3) Authorize the City Manager, or designee, to sign the agreements.

Attachments: [Staff Report - Stable CEQA WRD.docx](#)
 [Attachment 1 - DUDEK Agreement.DOCX](#)
 [Attachment 2 - Sillman Agreement.DOCX](#)

DISCUSSION CALENDAR

16. Finding of Public Benefit to the Community at Large: Recommended Expenditure(s) and Recap of 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 for previously approved projects/activities.

Attachments: [FOPB Staff Report](#)
 [Attachment No. 1](#)

17. Authorization of an Interim Implementation of Fees Pertaining to the Commercial Cannabis Permit Program for a Period of 30 Days

It is recommended that the City Council adopt the following resolution by the approval of a four-fifths vote (6 votes) by the City Council:

RESOLUTION NO. 2020-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN URGENCY MEASURE AUTHORIZING THE INTERIM IMPLEMENTATION OF FEES PERTAINING TO THE COMMERCIAL CANNABIS PERMIT PROGRAM FOR A PERIOD OF THIRTY DAYS

Attachments: [Staff Report](#)
 [Attach. No. 1 -Draft Resolution No. 2020-58 \(Granicus\)](#)
 [Attach. No. 2- Exhibit A: CCPP Fee Justification Study](#)

18. Novel Coronavirus (COVID-19) Update

It is recommended that the City Council receive an update regarding the City's response to the COVID-19 pandemic and provide direction as needed.

Attachments: [COVID-19 Update Staff Report](#)
 [COVID-19 Att 1 Temp. Moratorium](#)

PUBLIC HEARINGS

19. Public Hearing Approving the Draft 2020-2021 Annual Action Plan Funding Recommendations for Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Solutions Grant (ESG) Programs

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-49 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE DRAFT FY 2020-2021 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 funding awards for the Fiscal Year (FY) 2020-2021 Community Development Block Grant and Emergency Solutions Grant Programs;
- 3) Approve funding recommendations for the FY 2020-2021 Home Investment Partnerships Program; and
- 4) Approve the inclusion of funding awards in the Annual Action Plan.

Attachments: [Annual Action Plan SR 4-6-2020_rev.doc](#)
 [Attach 1 - Action Plan RESO 4-6-2020.doc](#)
 [Attach 1 - Exhibit A - FY 20-21 CDBG Funding Recommendations_rev bj 3-30-20](#)
 [Attach 1 - Exhibit B - FY 20-21 ESG Funding Recommendations.pdf](#)
 [Attach 2 - CDBG District Formula FY 20-21 Allocation.pdf](#)
 [Attach 3 - CDBG Eligible Area Map as of March 2019.pdf](#)
 [Attach 4 - CDBG RFP Funding Requests_EligibilityReport_PerformanceMeasure](#)
 [Attach 5 - 20-21 Community Needs Survey Results.pdf](#)

MATTERS INITIATED BY CITY COUNCILMEMBERS

Items for future City Council consideration as requested by Mayor or Members of the City Council

ADJOURNMENT

The next Regular Meeting will be held on April 20, 2020 via teleconference due to the COVID-19 pandemic. 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 6, 2020 meeting of the City Council was posted in City Hall, near the door of the City Council Chambers and City Council Conference Room, and on the City's website www.ci.pomona.ca.us on March 31, 2020.
I declare under the penalty of perjury that the foregoing is true and correct.*

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