



## NOTICE OF THE CITY COUNCIL OF THE CITY OF POMONA

*On March 16 , 2020, the City Council declared a local emergency in response to the global COVID-19 outbreak. Preserving the health and safety of our employees and the public is our top priority.*

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 the following:

On September 21, 2020, the City Council Meeting will occur via teleconference Zoom webinar. **There will be no in-person public meeting location.**

### **To watch and participate in the meeting by video conference via “Zoom Webinar”:**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88292209896>

Passcode: 978452

Or iPhone one-tap :

US: [+16699009128](tel:+16699009128),[88292209896](tel:+12532158782)# or [+12532158782](tel:+13462487799),[88292209896](tel:+13017158592)#

### **To participate in the meeting by telephone:**

Dial (for higher quality, dial a number based on your current location):

US : +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656

Webinar ID: 88292209896

Passcode: 978452

### **To submit comments by email:**

The deadline to submit your comments to the City Clerk's Office is **Monday, September 21, 2020 by 6 p.m.** Emailed comments will be read into the record by City staff.

- Please email your comments to [cityclerk@ci.pomona.ca.us](mailto:cityclerk@ci.pomona.ca.us)
- Comments must be limited to 200 words
- Please title your email “Public Comment-September 21, 2020” and indicate if you are commenting on a specific item

# City of Pomona

505 S. Garey Ave.  
Pomona, CA 91766



## Regular Meeting Agenda

**Monday, September 21, 2020**

**7:00 PM**

**Via Teleconference – “Zoom Webinar”**

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

*Mayor Tim Sandoval  
Vice-Mayor Nora Garcia  
Councilmember Rubio R. Gonzalez  
Councilmember Victor Preciado  
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

*Please note that due to the COVID 19 pandemic and in accordance with California Governor's Executive Order N-25-20 regarding the Brown Act, the agenda has been modified to accommodate the needs of a Council meeting that is teleconferenced.*

*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](http://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.*

## **5:30 P.M.**

*Via Teleconference*

### **CLOSED SESSION**

*Via Teleconference*

### **CALL TO ORDER**

### **PUBLIC COMMENT**

*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 were accepted by email and will be accepted via the Q & A feature on Zoom or by live comment by phone or internet. If you would like to comment please indicate to staff by either using the raise hand feature on Zoom, dialing \*9 if you are calling in via phone or leaving a comment in the Q & A box. Staff will call on you one at a time. Each speaker will have up to three (3) minutes for their comment. Comments received via email will be read into the record by City staff.*

### **CLOSED SESSION AGENDA ITEMS**

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

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

One matter regarding possible litigation to be initiated related to Park Plaza CC&R's will be discussed.

## **7:00 P.M.**

*Via Teleconference*

### **CALL TO ORDER**

### **CLOSED SESSION REPORT**

### **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 were accepted by email and will be accepted via the Q & A feature on Zoom or by live comment by phone or internet. If you would like to comment please indicate to staff by either using the raise hand feature on Zoom, dialing \*9 if you are calling in via phone or leaving a comment in the Q & A box. Staff will call on you one at a time. Each speaker will have up to three (3) minutes for their comment. Comments received via email will be read into the record by City staff.*

## **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:

September 14, 2020 Meeting Minutes

Attachments:     [FINAL MINUTES 09-14-2020](#)

2. Amendment of the FY 2020-21 Capital Improvement Program (CIP) Budget by Re-Appropriating Funds for the "Police - Main Facility Roof Replacement," Project No. 428-2590-XXXXX-73369

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2020-138 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2020-21 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY UNAPPROPRIATING \$16,800 OF SERIES "BI (AW)" BOND PROCEEDS FROM "POLICE - MAIN FACILITY ROOF REPLACEMENT," PROJECT NO. 428-2590-XXXXX-73369, RE-APPROPRIATING \$562,300 OF SERIES "BI (AX/AI)" BOND PROCEEDS FROM "HOLT AVENUE (WEST) RECONSTRUCTION," PROJECT NO. 428-2590-XXXXX-71047 TO "POLICE - MAIN FACILITY ROOF REPLACEMENT," PROJECT NO. 428-2590-XXXXX-73369, APPROPRIATING \$33,500 OF AVAILABLE**

**SERIES “BI (AX/AI)” BOND PROCEEDS AND \$300,000 OF AVAILABLE PUBLIC SAFETY IMPROVEMENT FEES TO “POLICE - MAIN FACILITY ROOF REPLACEMENT,” PROJECT NO. 428-2590-XXXXX-73369**

- 2) Approve amending the FY 2020-21 CIP by modification of the project name and description for CIP project, “Police - Main Facility Roof Replacement,” Project No. 428-2590-XXXXX-73369 to read as follows:

Title: “Police - Main Facility and Fire Station 181 Roof Replacement, Demolition, Abatement, & Buildback”

Project Description: “This project consists of the purchase and installation of a new replacement roof for the main public safety facility that houses Police and Fire. This includes all roofing, flashing, exposed electrical conduits, anchoring, systems, curbs, exhaust fans, demolition abatement, and buildback of other various building components and systems such as: walls, elevators, flooring, HVAC electrical, lighting systems controls, ceilings, emergency generator connections/panels, electrical engineering, building permitting, and other items/work as-needed to re-occupy these facilities.”

- 3) Authorize additional change order authority of \$895,800 for Victorious R.E.D. bringing the total change order authority on this contract to \$4,536,800. This allows for an increase of the original contract amount with Victorious R.E.D up to a total contract amount of \$6,128,400. (an increase of 285% from the original contract amount), as funds allow; and
- 4) Authorize the City Manager to execute the necessary agreement amendments and/or change orders, as needed.

Attachments: [Staff Report](#)

[Attachment No. 1 - Resolution No. 2020-138](#)

**3. Approval of LS-1 Option E Agreement with Southern California Edison (SCE)**

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

- 1) Approve LS-1 Option E Agreement with SCE to replace SCE-owned streetlights from High Pressure Sodium Vapor (HPSV) fixtures to Light Emitting Diode (LED) fixtures; and
- 2) Authorize the City Manager to execute the Agreement.

Attachments: [Staff Report](#)

[Attachment No. 1 - LS-1 Option E Agreement](#)

[Attachment No. 2 - City of Pomona LS-1 Option E Rate Analysis](#)

4. Extension of Citywide Landscaping and Park Amenity Maintenance Contract with MCE Corporation

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

- 1) Approve a three-month extension of the current agreement with MCE Corporation in the amount not-to-exceed \$344,902 for Citywide landscape and park amenity maintenance and additional related services; and
- 2) Authorize the City Manager to execute the extension to the contract on behalf of the City, subject to review by the City Attorney.

Attachments:     [Staff Report](#)

5. Authorizing the Execution of a Memorandum of Agreement with the San Gabriel Valley Council of Governments (SGVCOG), to Receive Two Homeless Program Grants Totaling \$264,997, Amending the FY 2020-21 Operating Budget by Increasing Revenue Estimates and Appropriating Funds in the Same Amount

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2020-134 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG), TO RECEIVE TWO HOMELESS PROGRAM GRANTS TOTALING \$264,997, AMENDING THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING FUNDS IN THE SAME AMOUNT**

- 2) Authorize the City Manager to execute the contracts and other documentation requested for acceptance and implementation of the grant awards, subject to approval as to form by the City Attorney.

Attachments:     [Staff Report - SGVCOG Grant Awards](#)  
                              [Resolution No. 2020-134](#)

6. Acceptance of the Donation of a New Demco Library Materials Curbside Drop Box from the Pomona Public Library Foundation

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

**RESOLUTION NO. 2020-137 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING DONATION OF A DEMCO LIBRARY MATERIALS RETURN BOX VALUED AT \$6,300 FROM THE POMONA**



## **LIBRARY FOUNDATION**

Attachments:     [Staff Report](#)

[RES 2020-137 Acceptance of Materials Return Box Donation](#)

## **DISCUSSION CALENDAR**

7. Suspension of Late Fees for Utility Bills and General Update Regarding Eviction Moratoriums and the City's Response to the COVID-19 Pandemic

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

- 1) Approve the following related to emergency directives issued by the Director of Emergency Services:
  - a. Extend the emergency directives to suspend the shut off of City water service for residents and businesses in the City for non-payment of utility (water, sewer, and solid waste) bills through January 31, 2021.
  - b. Extend the emergency directive to suspend late payment penalties or fees for delinquent utility (water, sewer, and solid waste) bills through January 31, 2021.
- 2) Receive and file the update regarding eviction moratoriums and the City's response to the COVID-19 pandemic.

Attachments:     [COVID- 19 Update Staff Report](#)

[COVID-19 Update Att 1 Exec Order](#)

8. 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 for previously approved projects/activities.

Attachments:     [FOPB Staff Report](#)

[Attachments](#)

## **PUBLIC HEARINGS**

9. Public Hearing Amending the Consolidated Plan, the Fiscal Year (FY) 2020-2021 Annual Action Plan and the FY 2020-2021 City Operating Budget by Increasing Revenue Estimates and Appropriating Home Investment Partnerships Program (HOME),



Community Development Block Grant (CDBG), Lead Hazard Reduction and Healthy Homes (LHRHH), CalHome Re-use and Section 8 Housing Choice Voucher Funds, and by Reallocating Budgeted Emergency Solutions Grant - Corona Virus (CV) and CDBG-CV Program Funds

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

**RESOLUTION NO. 2020-136 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE CONSOLIDATED PLAN, THE FISCAL YEAR (FY) 2020-2021 ANNUAL ACTION PLAN AND THE FY 2020-21 CITY OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), LEAD HAZARD REDUCTION AND HEALTHY HOMES (LHRHH), CALHOME RE-USE FUNDS AND SECTION 8 HOUSING CHOICE VOUCHER FUNDS, AND BY REALLOCATING BUDGETED EMERGENCY SOLUTIONS GRANT - CORONA VIRUS (CV) AND CDBG-CV PROGRAM FUNDS**

**Attachments:**     [Staff Report - Miscellaneous Re-Appropriations](#)  
                              [Attachment - Resolution 20-136](#)  
                              [Notice of Public Hearing and 5-day Comment Period 9-15-20.pdf](#)

## **MATTERS INITIATED BY CITY COUNCIL MEMBERS**

*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 October 5, 2020 via Zoom Webinar. 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 September 21, 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](http://www.ci.pomona.ca.us) on September 17, 2020.*

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

/s/ Rosalia A. Butler, MMC  
City Clerk