



## 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 **October 4, 2021**, the Regular 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/87077278248?pwd=S2htMGtac0haR3hXRvNRMVg5NEFGQT09>

Passcode: 377965

Or iPhone one-tap: US: +16699009128,,87077278248#,,,,\*377965# or  
+12532158782,,87077278248#,,,,\*377965#

### **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: 870 7727 8248

Passcode: 377965

International numbers available: <https://us02web.zoom.us/j/87077278248?pwd=S2htMGtac0haR3hXRvNRMVg5NEFGQT09>

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

The deadline to submit your comments to the City Clerk's Office is **Monday, October 4, 2021 by 4:00 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-October 4, 2021"

# City of Pomona

505 S. Garey Ave.  
Pomona, CA 91766



## Regular Meeting Agenda

Monday, October 4, 2021

7:00 PM

Closed Session begins at 5:30 p.m.

Via Teleconference – “Zoom Webinar”

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

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

#### **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. 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 by live comment by Zoom or phone. If you would like to comment please indicate to staff by either using the raise hand feature on Zoom or by dialing \*9 if you are calling in via phone. 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 - INITIATION AND/OR EXPOSURE TO LITIGATION**

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

One (1) Case

### **B) CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees  
Part Time General Employees Unit  
Unrepresented Group A and B Employees  
Unrepresented Mid-Management Group C-2 Employees  
Pomona City Employees' Association, a Chapter of Teamsters Local 1932  
Pomona Mid-Management Confidential Employees Association (PMMCEA)  
Pomona Police Officers Association (PPOA)  
Pomona Police Managers Association (PPMA)

Labor Negotiators: James Makshanoff and Linda Matthews

**7:00 P.M.**

*Via Teleconference*

## **CALL TO ORDER**

## **CLOSED SESSION REPORT**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **PRESENTATIONS**

\*Presentation by Three Valleys Municipal Water District on an Update on Water Supply Conditions

Attachments:     [Pomona City Council 10-4-21.pdf](#)

\*Presentation on the City of Pomona's Draft 6th Cycle Housing Element

Attachments:     [Presentation Slides](#)

## **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 by live comment by Zoom or phone. If you would like to comment please indicate to staff by either using the raise hand feature on Zoom or by dialing \*9 if you are calling in via phone. 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:

September 20, 2021 Meeting Minutes

Attachments:    [FINAL MINUTES 9-20-2021.pdf](#)

2. Authorize the Acceptance of the State of California Office of Traffic Safety (OTS) Traffic Records Improvement Grant in the amount of \$25,000

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-107 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) TRAFFIC RECORDS IMPROVEMENT GRANT IN THE AMOUNT OF \$25,000 AND AMENDING THE FY 2021-22 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$25,000**

- 2) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval by the City Attorney.

Attachments:    [FY 2021-22 OTS Traffic Records Improvement Grant.docx](#)  
                          [Attachment No.1 - Reso. 2021-107 OTS Traffic Records Improv Grant.doc](#)  
                          [Attachment No.2 -Grant Agreement.pdf](#)

3. Authorize the Acceptance of the State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant in the amount of \$420,000

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-113 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT IN THE AMOUNT OF \$420,000 AND AMENDING THE FY 2021-22 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$420,000**

- 2) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

**Attachments:**    [FY 2021-22 OTS STEP STAFF REPORT.docx](#)  
                          [Attachement No.1 -OTS STEP RESO 2021-113.doc](#)  
                          [Attachment No.2- Grant Agreement.pdf](#)

4. Approve and Re-Establish Preferential Parking License Agreement with Western University

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

Adopt the following resolution:

**RESOLUTION NO. 2021-112 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A SYSTEM OF PREFERENTIAL PERMIT PARKING ON SPECIFIED STREETS NEAR WESTERN UNIVERSITY OF HEALTH SCIENCES IN THE DOWNTOWN AREA OF THE CITY OF POMONA, PURSUANT TO VEHICLE CODE SECTION 22507**

2) Authorize the City Manager or designee, to approve and execute all related agreements and documents.

**Attachments:**    [Staff Report](#)  
                          [Attachment 1 - Resolution](#)  
                          [Exhibit A to Resolution](#)

5. Ratify an Action Taken by the City Manager Awarding a Contract to Better 4 You Meals, Inc. for Catered Meal Services for Elderly Nutrition Program in FY 2021-22 in an Amount Not To Exceed \$150,000 with Two (2) One-Year Extension Options

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

- 1) Ratify an action taken by the City Manager, awarding a one-year contract to Better 4 You Meals, Inc. for catered meal services in FY 2021-22 in an amount not to exceed \$150,000, with two (2) one-year extension options; and,
- 2) Authorize the City Manager or his designee to execute any amendments or extensions thereto, subject to review by the City Attorney.

**Attachments:**    [Council Report - Better 4 You Meals RFP Award 9-20-21.docx](#)

6. Amend the FY 2021-22 Capital Improvement Program (CIP) Budget; and Approve an Amendment to the Agreement with Ensafe, Inc. for the Continuation of the Onsite Soil Vapor Extraction Cleanup

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-125 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2021-22 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$100,000 OF REFUSE FUND RESERVES TO THE "CITY LOT REMEDIATION," PROJECT NO. 418-2590-XXXXX-71021**

- 2) Approve an Amendment No. 6 to the agreement with EnSafe in the amount of \$300,000, for a total not to exceed \$4,000,515, for the continuation of the onsite soil vapor extraction cleanup and groundwater analysis; and
- 3) Authorize the City Manager, or designee, to execute any agreements necessary to complete the EnSafe, Inc. amendment, contingent upon City Attorney review.

**Attachments:**     [Staff Report - Sixth Amendment to EnSafe Professional Service](#)  
[Attachment 1 - City Lot Remediation Resolution.docx](#)  
[Attachment 2 - 6th Agreement Amendment - City Lot Remediation-c1.pdf](#)  
[Attachment 3 - EnSafe FY 21-22 Budget.pdf](#)

7. Award of Agreement to Pacific Tire Pomona for the Purchase of Vehicle Tires and Tire Services

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

- 1) Award a three-year agreement with two, optional, one-year extensions to Pacific Tire Pomona, Inc. for the purchase of vehicle tires and tire services; and
- 2) Authorize the City Manager to execute the contract on behalf of the City, and any associated amendments, subject to review by the City Attorney.

**Attachments:**     [Staff Report](#)

8. Adopt a Resolution Amending the FY 2021-22 Operating Budget by Appropriating \$33,300 from the Phillips Ranch Assessment District (Zones A and B) Fund Reserves to Pay for County-Required Weed Abatement

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

**RESOLUTION NO. 2021-132 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2021-22 OPERATING BUDGET BY APPROPRIATING \$33,300 FROM THE PHILLIPS RANCH ASSESSMENT DISTRICT (ZONES A AND B) FUND RESERVES**

Attachments:    [Staff Report](#)  
                          [Resolution](#)  
                          [Attachment 2 - LOA](#)

9.        Approval of an Easement Agreement with Walnut Valley Water District and the Spadra Basin Groundwater Sustainability Agency

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-133 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN EASEMENT AGREEMENT WITH WALNUT VALLEY WATER DISTRICT AND THE SPADRA BASIN GROUNDWATER SUSTAINABILITY AGENCY WHICH IS NECESSARY FOR CONSTRUCTION OF A GROUNDWATER MONITORING WELL AND IMPLEMENTATION OF THE SPADRA BASIN GROUNDWATER SUSTAINABILITY PLAN**

- 2) Authorize the City Manager, or his designee, to execute the agreement on behalf of the City.

Attachments:    [Staff Report - Spadra Basin GSA Easement Agreement.docx](#)  
                          [Attachment 1 - Reso 2021-133 .docx](#)  
                          [Attachment 1, Exhibit 1 - Final Spadra Basin GSA - Easement](#)  
                          [Attachment 2 - Spadra GSA New Well Siting Study Report.pdf](#)

10.      Amendment of CIP Budget and Award of Contract to Stantec Consulting Services, Inc. for the "Pedley Spreading Grounds - Pond Enhancements" Project

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-130 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2021-22 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$278,900 OF MEASURE W (SAFE CLEAN WATER PROGRAM) FUND RESERVES TO THE "PEDLEY SPREADING GROUNDS - POND ENHANCEMENTS," PROJECT NO. 428-2590-XXXXX-81058**

- 2) Award a design contract to Stantec Consulting Services, Inc. (Stantec) for the "Pedley Spreading Grounds - Pond Enhancements" Project No. 428-2590-XXXXX-81058 in the amount of \$420,330; and

- 3) Authorize the City Manager, or designee, to execute the design contract on behalf of the City.

Attachments:     [SR - Award a Contract to Stantec for Pedley.docx](#)  
                             [Attach No. 1 - Resolution 2021-130.docx](#)

11. Amendment of the FY 2021-22 Operating Budget by Unappropriating \$20,000 of General Funds from 101-2530-52285-00000 and Amending the Capital Improvement (CIP) Budget by Appropriating \$20,000 of General Funds to CIP Project "Local Roadway Safety Plan (LRSP)," Project No. 428-2590-XXXXX-68570; and Award an Agreement to KOA Corporation for Preparation of the Local Roadway Safety Plan LRSP

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-121 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2021-22 OPERATING BUDGET BY UNAPPROPRIATING \$20,000 OF GENERAL FUNDS FROM 101-2530-52285-00000 AND AMENDING THE CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$20,000 OF GENERAL FUNDS TO CIP PROJECT "LOCAL ROADWAY SAFETY PLAN (LRSP)," PROJECT NO. 428-2590-XXXXX-685700**

- 2) Award a Professional Services Agreement to KOA Corporation in the amount of \$106,927 for the preparation of the Local Roadway Safety Plan; and
- 3) Authorize the City Manager or designee, to execute the agreement and any subsequent amendments.

Attachments:     [Staff Report](#)  
                             [Attachement No. 1 - Resolution No. 2021-121](#)

12. Adoption of Resolutions Approving Memorandum of Understanding Between the City of Pomona and the Pomona Police Officers' Association, Inc. (PPOA) From July 1, 2021 through August 31, 2023

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

**RESOLUTION NO. 2021-135 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING, RATIFYING, AND ORDERING IMPLEMENTATION OF A TWENTY-SIX MONTH MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE OFFICERS' ASSOCIATION, INC. FROM JULY 1, 2021 THROUGH AUGUST 31, 2023**

**RESOLUTION NO. 2021-136 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE CITY OF POMONA'S SALARY SCHEDULE FOR FISCAL YEAR 2021-22 TO MEET THE CALIFORNIA CODE OF REGULATIONS TITLE 2, SECTIONS 570.5 AND 571 TO REFLECT A 3% GENERAL SALARY INCREASE FOR SWORN CLASSIFICATIONS IN THE POMONA POLICE OFFICERS' ASSOCIATION MEMORANDUM OF UNDERSTANDING**

**Attachments:**    [PPOA MOU Staff Report.docx](#)  
[Att 1 PPOA Resolution 2021-135.docx](#)  
[Att 1 Exh A PPOA MOU 2021-23.pdf](#)  
[Att 2 Reso Salary Schedule 2021-136.docx](#)  
[Att 2 Exh A Salary Schedule 10-01-21.pdf](#)

**DISCUSSION CALENDAR**

13. Adoption of Resolution to Continue Virtual Meetings for City Council and City Board, Commissions and Committees Due to the COVID-19 Pandemic Pursuant to Assembly Bill 361

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

**RESOLUTION NO. 2021-137 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, MAKING FINDINGS AND DETERMINATIONS UNDER AB 361 FOR THE CONTINUATION OF VIRTUAL MEETINGS**

**Attachments:**    [Virtual Meetings Staff Report 10-4-2021 v2.docx](#)  
[Reso. No. 2021-137.DOCX](#)

14. 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:**    [cc- 10.4.21 FOPB Staff Report](#)  
[10.4.21 FOPB Attachments](#)

## **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 October 18, 2021, via teleconference. 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 October 4, 2021 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.pomonaca.gov](http://www.pomonaca.gov) on September 28, 2021.*

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

*Rosalia A. Butler, MMC  
City Clerk*