

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 Assembly Bill 361 and Resolution No. 2021-137 adopted October 4, 2021 regarding the Brown Act, please note the following:

On **October 18, 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/83814377926?pwd=L3ZoMWhrTDBsRIJBalFyeE1FUjFnQT09

Passcode: 876473

Or iPhone one-tap: US: +16699009128,,83814377926#,,,,*876473# or

+12532158782,,83814377926#,,,,*876473#

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: 838 1437 7926

Passcode: 876473

International numbers available: https://us02web.zoom.us/u/kclTrmBs5i

To submit comments by email:

The deadline to submit your comments to the City Clerk's Office is **Monday, October 18, 2021 by 6:00 p.m.** Emailed comments will be read into the record by City staff.

- ➤ Please email your comments to cityclerk@ci.pomona.ca.us
- > Comments must be limited to 200 words
- Please title your email "Public Comment-October 18, 2021"

City of Pomona

505 S. Garey Ave. Pomona, CA 91766



Regular Meeting Agenda

Monday, October 18, 2021

7:00 PM

Closed Session begins at 5:30 p.m.

Via Teleconference

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. 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 Assembly Bill 361 and Resolution No. 2021-137 adopted October 4, 2021 regarding the Brown Act, 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 - PENDING LITIGATION

(Pursuant to Government Code Section 54956.9 (d)(1))

Chad Jensen and Michael Neaderbaomer v. City of Pomona L.A. County Superior Court; Case No. 20STCV17625

Edil Vazquez and Steve Congalton v. City of Pomona L.A. County Superior Court; Case No. 20STCV15371

(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

*Proclamation Proclaiming October 23-31, 2021 Red Ribbon Week

Attachments: 10.18 Red Ribbon Week

*Presentation of Certificates of Recognition to the Charter Review Commission

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.

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 Assembly Bill 361 and Resolution No. 2021-137 adopted October 4, 2021 regarding the Brown Act, 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.

 Approval of Memorandum of Understanding (MOU) Between the City of Pomona and the Los Angeles County Metropolitan Transportation Authority (MTA) Establishing a Proposition C Capital Reserve Fund

It is recommended that the City Council approve the Memorandum of Understanding (MOU) with the Los Angeles Metropolitan Transportation Authority (MTA) establishing a

Proposition C Capital Reserve Fund for the "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918.

<u>Attachments:</u> <u>Staff Report</u>

Attachment 1 - MOU with LACMTA

Attachment 2 - Attachment A Project Summary 2021 for Proposed New

2. Approval of Parcel Map PM No 82844 For the Property Located at 1325 W. Grand Avenue, Pomona, CA, Assessor Parcel Number 8349-026-036, Related to the Subdivision and Development of a 3-Unit Residential Condominium Project (Council District 2)

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

1) Adopt the following resolution:

RESOLUTION NO. 2021-153 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING PARCEL MAP PM NO. 82844 FOR THE PROPERTY LOCATED AT 1325 W. GRAND AVENUE, ASSESSOR PARCEL NUMBER 8349-026-036

2) Authorize the City Engineer to sign the Parcel Map PM No. 82844 on behalf of the City.

Attachments: Staff Report

Attachment No. 1 - Proposed Resolution 2021-153

Exhibit A

Attachment No. 2 - Planning Commission Resolution 19-052

Attachment No. 3 - Vicinity Map
Attachment No. 4 - Aerial Map

3. Adoption of a Resolution Accepting the Final Report of the Charter Review Commission 2020 and the Commission's Request to Place the Proposed Amendments on the Ballot for the November 8, 2022 General Municipal Election

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

RESOLUTION NO. 2021-98 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE FINAL REPORT OF CHARTER REVIEW COMMISSION 2020 AND THE COMMISSION'S REQUEST TO PLACE THE PROPOSED AMENDMENTS ON THE BALLOT FOR THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION

<u>Attachments:</u> <u>CRC Report Staff Report.DOCX</u>

Att 1 CRC Final Report Reso.docx

Exh A CRC 2020 Report to City Clerk FINAL.pdf

4. Amending the FY 2021-22 Operating Budget to Increase Revenue Estimates and Appropriations in the CalHome Program Funds

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

RESOLUTION NO. 2021-131 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2021-22 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$720,000 IN THE CALHOME PROGRAM FUND

<u>Attachments:</u> <u>Staff Report - Receive and Appropriate CalHome Funds</u>

Attachment 1 - Resolution No. 2021-131

Attachment 2 - CalHome Target Area

5. Approval of the Pomona Housing Authority's Moving to Work Supplement to the Annual PHA Plan and Authorization to Submit to the U.S. Department of Housing and Urban Development

It is recommended that the City Council, sitting as the Governing Board of the City of Pomona Housing Authority, take the following actions:

1) Adopt the following resolution:

RESOLUTION NO. 2021-138 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY (PHA), APPROVING THE PHA'S MOVING TO WORK (MTW) SUPPLEMENT TO THE ANNUAL PHA PLAN AND TO RECEIVE AUTHORIZATION TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FINAL REVIEW AND APPROVAL

2) Authorize the Executive Director of the Housing Authority or his designee, to execute the MTW Certifications of Compliance and authorizing the submission of the PHA's MTW Supplement to the Annual PHA Plan to HUD.

<u>Attachments:</u> <u>Staff Report_MTW Supplement.docx</u>

Attachment 1 - Resolution No. 2021-138.docx

Attachment No. 2 HUD-50075 Form-MTW Supplement to the Annual PHA

Attachment No. 3 Resident Comments - MTW Supplement to Annual

6. Approve Award of a Procurement Agreement to Miracle Recreation Equipment Company for the Purchase of Hamilton Park Playground Equipment in an Amount Not-to-Exceed \$291,137

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

- 1) Approve award of a procurement agreement with Miracle Recreation Equipment Company for the purchase of new playground equipment for "Hamilton Park Renovation," Project No. 428-2590-XXXXX-71070 through a California Multiple Award Schedule cooperative agreement (contract number 4-17-78-0006B) for an amount not-to-exceed \$291,137; and
- 2) Authorize the City Manager, or designee, to execute the agreement and any extensions thereto, on behalf of the City.

Attachments: Staff Report

Attachment 1 - CMAS Agreement

Attachment 2 - Quote

Attachment 3 - Hamilton Park Playground

7. Adopt a Resolution Authorizing a Purchase and Sales Agreement with the Mark A Warren Trust for the Acquisition of Multifamily Housing Property Located at 1172 E. Pasadena Street, Using Emergency Solutions Grant CARES Act Coronavirus Funds, in the Amount of \$1,250,000.

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

RESOLUTION NO. 2021-149 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING A PURCHASE AND SALES AGREEMENT WITH THE MARK A WARREN TRUST FOR THE ACQUISITION OF MULTIFAMILY HOUSING PROPERTY LOCATED AT 1172 E. PASADENA STREET, POMONA (APN 8323-016-016), USING EMERGENCY SOLUTIONS GRANT CARES ACT CORONAVIRUS (ESG-CV) FUNDS, FOR THE PURCHASE PRICE OF \$1,250,000 (193-1791-66201-71076), FOR TEMPORARY EMERGENCY SHELTER

<u>Attachments:</u> <u>Staff Report - Purchase of 1172 E. Pasadena Street</u>

Attachment 1 - Resolution No. 2021-149

Attachment 2 - Exhibit A_Purchase and Sales Agreement

Attachment 3 - 1172 E. Pasadena Site View

8. 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:

October 4, 2021 Meeting Minutes

Attachments: FINAL MINUTES 10-04-2021

9. Adoption of Resolution Approving Memorandum of Understanding Between the City of Pomona and the Pomona City Employees' Chapter of the Teamsters Local 1932 from October 1, 2021 Through September 30, 2023

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

RESOLUTION NO. 2021-140 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A TWO (2) YEAR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA CITY EMPLOYEES' CHAPTER OF THE TEAMSTERS LOCAL 1932 FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2023.

<u>Attachments:</u> PCEA Teamsters MOU Staff Report 2021.docx

Att 1 PCEA Teamsters MOU Reso 2021-140.docx

Exh A PCEA eam MOU + SL.pdf

10. Adoption of Resolution Approving Memorandum of Understanding Between the City of Pomona and the Pomona Mid-Management/Confidential Employees' Association from October 1, 2021 Through September 30, 2023

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

RESOLUTION NO. 2021-141 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A TWO (2) YEAR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA MID-MANAGEMENT/CONFIDENTIAL EMPLOYEES' ASSOCIATION FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2023.

<u>Attachments:</u> PMMCEA MOU Staff Report.docx

Att 1 PMMCEA MOU Reso 2021-141.docx

Exh A PMMCEA MOU+SL.pdf

11. Adoption of Resolutions Approving Two-Year Memorandum of Understanding for the Part-Time General Unit Represented by Teamsters Local 1932 and Amending Compensation Plan for Part-time Management/Confidential Employees

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

RESOLUTION NO. 2021-143 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A TWO (2) YEAR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA PART-TIME GENERAL UNIT TEAMSTERS LOCAL 1932 FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2023.

RESOLUTION NO. 2021-145 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE PART-TIME MANAGEMENT/CONFIDENTIAL COMPENSATION PLAN.

Attachments: PTG & PTMC Staff Report.docx

Att 1 Reso PTG Teamsters MOU.docx Exh A PTG MOU 2021-23 v4 for CC.pdf

Att 2 Reso PTMC Plan.docx

Exh A PTMCPlan 2021 v4 for CC.pdf

12. Adoption of Resolution Approving Memorandum of Understanding Between the City of Pomona and the Pomona Police Managers' Association From July 1, 2021 Through August 31, 2023

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

RESOLUTION NO. 2021-142 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A TWENTY-SIX MONTH MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE MANAGERS' ASSOCIATION, INC. FROM JULY 1, 2021 THROUGH AUGUST 31, 2023.

Attachments: PPMA MOU Staff Report.docx

Att 1 PPMA MOU Reso.docx

Exh A PPMA MOU 2021-23 to CC.pdf

DISCUSSION CALENDAR

13. 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

10.18.21 FOPB Attachments

14. Designation of the Pomona Civic Center as a Local Historic District

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

RESOLUTION NO. 2021-139 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DESIGNATING THE AREA GENERALLY LOCATED BETWEEN GAREY AVENUE, 8TH STREET, PARK AVENUE, AND MISSION BOULEVARD, KNOWN AS THE POMONA CIVIC CENTER, AS A LOCAL HISTORIC DISTRICT

Attachments: Civic Center Council Staff Report (002).docx

Attachment 1 - Draft Resolution.pdf

Attachment 2 - Proposed Boundary.pdf

Attachment 3 - Original Masterplan.pdf

Attachment 4 - Resource Analysis.pdf

Attachment 5 - Presentation.pdf

15. Authorize the City of Pomona to Become a Member of the CSCDA Community Improvement Authority (The "CSCDA Authority"); Approval of Issuance of Revenue Bonds by the CSCDA Authority; and Approval of a Public Benefit Agreement for the Acquisition of Property by the Authority for Conversion to Low- and Moderate-Income Housing

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

1) Adopt the following resolution:

RESOLUTION NO. 2021-150 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE CITY TO BECOME A MEMBER OF THE CSCDA COMMUNITY IMPROVEMENT AUTHORITY (THE "CSCDA AUTHORITY"); APPROVAL OF THE ISSUANCE OF REVENUE BONDS BY THE CSCDA AUTHORITY; AND APPROVAL OF A PUBLIC BENEFIT AGREEMENT FOR THE ACQUISITION OF PROPERTY BY THE AUTHORITY FOR CONVERSION TO LOW- AND MODERATE-INCOME HOUSING

- 2) Authorize the City Manager to execute any and all documents to effectuate the City's membership in the CSCDA Authority;
- 3) Approve the terms of a Public Benefit Agreement with the CSCDA Authority, for the acquisition of an existing apartment project located at 777 East 3rd Street, Pomona (777 Project), California (472 units);
- 4) Authorize the City Manager to approve minor, non-material modifications to the Public Benefit Agreement that are consistent with the purpose and intent of the CSCDA

Authority's Low-and Moderate-Income/Workforce Housing Rental Program; and

5) Authorize the City Manager to execute the Public Benefit Agreement and related documents and take any actions that may be required to implement the CSCDA Authority's low- and moderate-income rental housing program.

Attachments: 10.18.21 CC report for CSCDA 777.docx

Resolution approving CSCDA Membership and PBA.docx

Exhibit A to Reso 2021-150 - Draft Public Benefit Agreement - 777

Attach 2 777.pdf

16. Adoption of Resolutions Amending Compensation Plans for Executive Group A and B Employees and Mid-Management Library Group C-2 Employees and Citywide Salary Schedule

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

RESOLUTION NO. 2021-146 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR EXECUTIVE GROUP A AND B EMPLOYEES

RESOLUTION NO. 2021-144 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR MID-MANAGEMENT LIBRARY GROUP C-2 EMPLOYEES

RESOLUTION NO. 2021-147 - 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 NEW SALARY RATES APPROVED AS A RESULT OF 2021 LABOR NEGOTIATIONS

<u>Attachments:</u> <u>Unrepresented Plans Staff Report.docx</u>

Unrep Plans Att 1 Reso A-B Plan.docx

Exh A A-B Plan 2021 for CC.pdf

Unrep Plans Att 2 Reso C-2 Plan.docx

Exh A C-2 Plan 2021 for CC.pdf

Unrep Plans Att 3 Reso Salary Schedule.docx Exh A Salary_Schedule_10-18-21 for CC.pdf

ADJOURNMENT

The next Regular Meeting will be held on November 1, 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, Karla Shipman, Deputy City Clerk for the City of Pomona, hereby certify that the agenda for the October 18, 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 on October 12, 2021.

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

/s/ Karla Shipman Deputy City Clerk