

DATE: February 3, 2020
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 18: Consideration of a resolution authorizing a grant amendment and budget augmentation to the City of Pomona for the Phil and Nell Soto Park Project (RMC17018)

PROGRAM AREA: Urban Lands

PROJECT TYPE: Development

JURISDICTION: City of Pomona

PROJECT MANAGER: Marybeth Vergara

RECOMMENDATION: That the RMC Board approve a grant amendment in the amount of \$186,257 to the City of Pomona for the Phil and Nell Soto Park and an extension of the performance period from January 31, 2020 to June 30, 2020 (RMC17018).

PROJECT DESCRIPTION:

Exhibit A — Project Timeline

Exhibit B — Budget

Exhibit C— Request from City for Extension and Additional Grant Funds; and

Exhibit D — Construction photos

Exhibit E — Phil & Nell Soto Park Grand Opening Program

The Phil and Nell Soto park, formerly known as Jefferson Park, is a new 1.76 acre passive recreation park located in a high density residential area in the City of Pomona. The park will serve a densely populated area in the City and will provide new passive and active recreational open space benefitting the surrounding community. Prominent features within the park will enhance the natural habitat and promote the conservation of water and energy including numerous Best Management Practices (BMPs) to address and adapt to climate change. These elements include bioswales to maintain and improve flood protection by retaining onsite runoff, the use of California native plants and trees, and a water efficient irrigation system to reduce potable water use.

While the park has been in construction and will have its Grand Opening on February 8, 2020, the City is requesting an additional \$186,257 in grant funds to cover actual costs from the bid quantities including the following:

1. Export Materials- \$41,625 (1,650 cubic yards vs. 725 cubic yards)
2. Drainage Items- \$33,312 Installation of two drainage items exceeding bid quantities
3. Header under Tubular Steel Fencing- \$25,200 (720 lineal feet of concrete header, \$35/LF)
4. Electrical Items- \$86,120

The requested additional grant amount are for scope items already identified in the existing RMC Grant agreement first approved by the RMC Board on September 25, 2017.

BACKGROUND: On September 25, 2017, The City of Pomona requested a grant amount of \$2,000,000 dollars for the development and completion of the Phil & Nell Soto Park from the RMC's Proposition 1 Call for Projects. This park project was previously known as Jefferson Park and the RMC provided a grant (Proposition 84) in the amount of \$1,510,000 (RMC 08103) for the acquisition of this 1.76 acre park located in a high-density disadvantaged community in the City of Pomona.

After review by RMC Staff, a grant in the amount of \$1,010,000 million was recommended with the understanding that the City would seek additional matching funds for the park. The main reason for this recommendation was due to the fact that matching funds were limited for the amount of the request. The overall project met the RMCs Proposition 1 objectives and addressed water related benefits within a disadvantaged community. In addition to the funding provided by the RMC, the City was successful in receiving an Urban Greening grant from the State Natural Resources Department in the amount of \$1,390,069.00. These two grants allowed the City to move forward with the construction of this project.

Prior to issuing a construction contract, the City came back to the RMC for a grant extension through January 2020 and a budget augmentation request in the amount of \$140,000 for additional construction work consisting of the following:

- Additional grading and adjusting of final grading plan: \$45,000
- Removal of an unknown diesel fuel underground storage tank (UST): \$55,000
- Adjustment of reinforced Block Wall along westerly side of the park: \$40,000

This grant amendment was approved by the board for approval in April 2019 (Resolution 2019-17). This brought the total RMC grant amount to \$1,150,000.

On August 6, 2018, the Pomona City Council awarded a construction contract to CEM Construction in the amount of \$2,297,151 for the Phil and Nell Soto Park construction. The City issued a notice to proceed to the Contractor with a construction start date of October 15, 2018. The Contractor's schedule indicates the construction would be completed in the beginning of January 2020 with a 90-day maintenance period term ending in April 2020.

As of the end of December 2019 the Contractor has completed approximately 98% of the construction. This included the infrastructure items for the park: underground drainage, electricity lines, stone veneer pilasters, and the 6' high block walls. Other elements included the construction of 3 pre-fabricated wood bridges, drainage swales and the installation of park amenities such as drinking fountain, park benches, exercise equipment, and picnic tables. RMC Staff, including EO Mark Stanley conducted a walk-through of the ongoing construction in the Summer of 2019 to see the progress being made at the park.

The City has scheduled the Grand Opening of the park on Saturday February 8, 2020, followed by the completion of the following:

1. 6-column wood gazebo
2. Final punch list items
3. Install granite veneer on columns and pilasters
4. Site clean-up
5. Completion of 90-day maintenance period

Due to the 90-day maintenance period, the park is anticipated to be officially open to the public by May 2020.

FISCAL INFORMATION: This grant to the City of Pomona provides an augmentation in the amount of \$186,257 to the existing grant of \$1,150,000 for a total grant of \$1,336,257.00. Matching funds include a Natural Resources Agency Urban Greening Grant in the amount of \$1,390,069.

Funding for this project was allocated from the following:

Proposition 1, Chapter 188, Statutes of 2014

Water Quality, Supply, and Infrastructure Improvement Act of 2014 allocations, Chapter 6 under statute:

79731 (f): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the sum of thirty million dollars (\$30,000,000).

Proposition 68, Chapter 852 Statues of 2017

California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 allocations, Chapter 8, under statute:

80110(b)(6): San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, thirty million dollars (\$30,000,000).

LEGISLATIVE AUTHORITY AND RMC ADOPTED POLICIES/AUTHORITIES:

Public Resources Code Division 22.8 provides in part that:

Section 32602: There is in the Resources Agency, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is created as a state agency for the following purposes:

- (a) To acquire and manage public lands within the Lower Los Angeles River and San Gabriel River watersheds, and to provide open-space, low-impact recreational and educational uses, water conservation, watershed improvement, wildlife and habitat restoration and protection, and watershed improvement within the territory.
- (b) To preserve the San Gabriel River and the Lower Los Angeles River consistent with existing and adopted river and flood control projects for the protection of life and property.
- (c) To acquire open-space lands within the territory of the conservancy.

Section 32604: The conservancy shall do all of the following:

- (a) Establish policies and priorities for the conservancy regarding the San Gabriel River and the Lower Los Angeles River, and their watersheds, and conduct any necessary planning activities, in accordance with the purposes set forth in Section 32602.
- (b) Approve conservancy funded projects that advance the policies and priorities set forth in Section 32602.
- (d) To provide for the public's enjoyment and enhancement of recreational and educational experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River, and the San Gabriel Mountains in a manner consistent with the protection of lands and resources in those watersheds.

Section 32614: The conservancy may do all of the following:

- (b) Enter into contracts with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties, and enter into a joint powers agreement with a public agency, in furtherance of the purposes set forth in Section 32602.
- (e) Enter into any other agreement with any public agency, private entity, or person necessary for the proper discharge of the conservancy's duties for the purposes set forth in Section 32602.
- (f) Recruit and coordinate volunteers and experts to conduct interpretive and recreational programs and assist with construction projects and the maintenance of parkway facilities.

Further, Section 32614 provides that: The conservancy may do all of the following:

- (g) Undertake, within the territory, site improvement projects, regulate public access, and revegetate and otherwise rehabilitate degraded areas, in consultation with any other public agency with appropriate jurisdiction and expertise, in accordance with the purposes set forth in Section 32602. The conservancy may also, within the territory, upgrade deteriorating facilities and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resources protection. The conservancy may undertake those projects by itself or in conjunction with another local agency; however, the conservancy shall provide overall coordination of those projects by setting priorities for the projects and by ensuring a uniform approach to projects. The conservancy may undertake those projects with prior notification to the legislative body of the local agency that has jurisdiction in the area in which the conservancy proposes to undertake that activity.

Section 32614.5:

- (a) The conservancy may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of this division.
- (b) Grants to nonprofit organizations for the acquisition of real property or interests in real property shall be subject to all of the following conditions:
 - (1) The purchase price of any interest in land acquired by the nonprofit organization may not exceed fair market value as established by an appraisal approved by the conservancy.
 - (2) The conservancy approves the terms under which the interest in land is acquired.
 - (3) The interest in land acquired pursuant to a grant from the conservancy may not be used as security for any debt incurred by the nonprofit organization unless the conservancy approves the transaction.
 - (4) The transfer of land acquired pursuant to a grant shall be subject to the approval of the conservancy and the execution of an agreement between the conservancy and the transferee sufficient to protect the interests of the state.
 - (5) The state shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if any essential term or condition of the grant is violated.
 - (6) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the state, except that, prior to that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the conservancy's approval, in writing.
- (c) Any deed or other instrument of conveyance whereby real property is acquired by a

nonprofit organization pursuant to this section shall be recorded and shall set forth the executor interest or right of entry on the part of the state.

This Proposition 1 grant was approved by the RMC Board on September 25, 2017 consistent with Resolution 2017-15, and amended on April 29, 2017 consistent with Resolution 2019-17.

**Exhibit B - (Supplied by Grantee)
Work Plan - Budget/Expenditure Tracking**

**City of Pomona
Phil and Nell Soto Park
Cost Estimate**

BID ITEM	PLAN REF	Exhibit B - (Supplied by Grantee) DESCRIPTION	Quantity	Unit	Unit Price	Total Price	RMC	URBAN GREENING
MOBILIZATION								
001		Mobilization	1	LS	\$ 44,649.00	\$ 44,649.00	\$ 44,649.00	\$ -
002		General Conditions	1	LS	\$ 22,324.50	\$ 22,324.50	\$ 22,324.50	\$ -
003		Project Funding Sign	1	LS	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00
Mobilization Subtotal						\$ 68,973.50	\$ 66,973.50	\$ 2,000.00
CIVIL ENGINEERING ITEMS								
005	1-29	C-1.3 Excavation, remove and replace curbs and gutters, provide erosion control, install water meter and backflow device, export debris				\$ 77,074.59	\$ 77,074.59	\$ -
016	30-39	C-1.4 Install drain pipes, catch basins, filtration, and grates				\$ 77,346.95	\$ 77,346.95	\$ -
Civil Engineering Subtotal						\$ 154,421.54	\$ 154,421.54	\$ -
DEMOLITION								
026	1-16	L-1.0 Remove existing fence, paving, wall & footing, 40 trees and roots, vegetation & mulch				\$ 38,302.89	\$ 38,302.89	\$ -
Demolition Subtotal						\$ 38,302.89	\$ 38,302.89	\$ -
CONCRETE AND PAVING								
037		L-2.0 Aggregate paver base, concrete paving, integrated color paving	33,775	SF	\$15.73	\$ 531,272.72	\$ -	\$ 531,272.72
040		L-2.5 Aggregate paver base, concrete paving, integrated color paving	2,464	SF	\$13.66	\$ 33,666.03	\$ -	\$ 33,666.03
066		L-2.1 Granite Cobble Bio-swale Finish/Graffiti Sealer	4,170	SF	\$8.50	\$ 35,445.00 \$ 21,491.39	\$ - \$ -	\$ 35,445.00 \$ 21,491.39
Concrete & Paving Subtotal						\$ 621,875.14	\$ -	\$ 621,875.14
MASONRY								
067		L-2.0 Masonry				\$ 173,193.47	\$ 173,193.47	\$ -
Masonry Subtotal						\$ 173,193.47	\$ 173,193.47	\$ -
FENCING AND RAILING								
075	20	L-2.0 42" High T.S. Fence	720	L.F.	\$56.56	\$ 40,719.89	\$ 40,719.89	\$ -
076	39	L-2.0 Handrail at Concrete Steps	13	L.F.	\$37.21	\$ 483.70	\$ 483.70	\$ -
Fencing & Railing Subtotal						\$ 41,203.59	\$ 41,203.59	\$ -
STRUCTURES								
077	9	L-2.5 Open Shade Hexagon Structure with 6 Columns	1	LS	\$70,356	\$ 70,356.00	\$ -	\$ 70,356.00
078	27	L-2.0 Open Trellis Shade Structure with 4 Columns	2	EA	\$35,178	\$ 70,356.00	\$ -	\$ 70,356.00
079	28	L-2.0 Bridge with 4 Cobble Veneer Pilasters	3	EA	\$41,943	\$ 125,829.00	\$ -	\$ 125,829.00
Structures Subtotal						\$ 266,541.00	\$ -	\$ 266,541.00
SITE AMENITIES								
080	35	L-2.0 2 8' Picnic Tables, 2 drinking fountains, 4 trash receptacles, bike rack, 10 boulders, 12 bollards, 12 benches, 11 stone slab benches, interpretive signs and structures, 4 par course stations, 2 doggie stations.				\$ 136,849.19	\$ 136,849.19	\$ -
Site Amenities Subtotal						\$ 136,849.19	\$ 136,849.19	\$ -
ELECTRICAL								
097		12 spot lights, 2 wall wash lights, 9 tree uplights, 10 down lights, 31 14' pole lights, electrical service panel				\$ 193,330.17	\$ 193,330.17	\$ -
Electrical Subtotal						\$ 193,330.17	\$ 193,330.17	\$ -
LANDSCAPE IRRIGATION								
104		L-3.0 Netafim TL CV6-12	42907	S.F.	\$1.29	\$ 55,150.51	\$ -	\$ 55,150.51
105		L-3.0 Rainbird RWS-M-B-C-1400 Series Bubblers with lat. pipe	139	EA	\$47.36	\$ 6,582.35	\$ -	\$ 6,582.35
106		L-3.0 Rainbird XB0-10PC Vine Emitters	18	EA	\$27.06	\$ 487.08	\$ -	\$ 487.08
107		L-3.0 Hunter Pros-12-PRS40-CV-MP Series Rotator w/ pipe	58	EA	\$60.89	\$ 3,531.33	\$ -	\$ 3,531.33

**Exhibit B - (Supplied by Grantee)
Work Plan - Budget/Expenditure Tracking**

**City of Pomona
Phil and Nell Soto Park
Cost Estimate**

BID ITEM	PLAN REF	Exhibit B - (Supplied by Grantee) DESCRIPTION	Quantity	Unit	Unit Price	Total Price	RMC	URBAN GREENING
108	L-3.0	1 1/2" FEBCO 825YA	1	EA	\$2,841.30	\$ 2,841.30	\$ -	\$ 2,841.30
109	L-3.0	3/4" FEBCO 825YA	1	EA	\$1,082.40	\$ 1,082.40	\$ -	\$ 1,082.40
110	L-3.0	Wilkins 500 Series Pressure Regulator	1	EA	\$676.50	\$ 676.50	\$ -	\$ 676.50
111	L-3.0	NIBCO T-585 Brone Full-Port Ball Valve In Round Box	8	EA	\$202.95	\$ 1,623.60	\$ -	\$ 1,623.60
112	L-3.0	CALSENSE FM-1.25B 1 1/4" Flow Sensor	1	EA	\$338.25	\$ 338.25	\$ -	\$ 338.25
113	L-3.0	Superior 3000 1 1/2" Master Valve	1	EA	\$405.90	\$ 405.90	\$ -	\$ 405.90
114	L-3.0	Rainbird 33 DLRC 3/4" Quick Coupler	12	EA	\$162.36	\$ 1,948.32	\$ -	\$ 1,948.32
115	L-3.0	Netafim TLSOV 17mm Manual Flush Valve	48	EA	\$20.30	\$ 974.16	\$ -	\$ 974.16
116	L-3.0	Rain Bird XCZ-100-PRB-COM 1" Globe Valve	22	EA	\$162.36	\$ 3,571.92	\$ -	\$ 3,571.92
117	L-3.0	Rain Bird 100-PEB-PRS-D 1" Globe Valve w/ Pressure Regulator	8	EA	\$202.95	\$ 1,623.60	\$ -	\$ 1,623.60
118	L-3.0	Rain Bird 100-PEB-PRS-D 1 1/2" Globe Valve w/ Pressure Regulator	4	EA	\$243.54	\$ 974.16	\$ -	\$ 974.16
119	L-3.0	Main Line	1222	LF	\$6.09	\$ 7,440.15	\$ -	\$ 7,440.15
120	L-3.0	Drinking Fountain Main Line	396	LF	\$3.38	\$ 1,339.47	\$ -	\$ 1,339.47
121	L-3.0	Sleeves	143	LF	\$4.06	\$ 580.44	\$ -	\$ 580.44
122	L-3.0	Automatic Irrigation Controller	1	LS	\$6,088.50	\$ 6,088.50	\$ -	\$ 6,088.50
Landscape Irrigation Subtotal						\$ 97,259.93	\$ -	\$ 97,259.94
LANDSCAPE PLANTING								
123	L-4.0	15 Gallon Trees, double staked	63	EA.	\$185.00	\$ 11,655.00	\$ -	\$ 11,655.00
125	L-4.0	15 Gallon Dwarf Citrus Trees	16	EA.	\$175.00	\$ 2,800.00	\$ 2,800.00	\$ -
126	L-4.1	1 Gallon	5275	EA.	\$8.79	\$ 46,390.99	\$ -	\$ 46,390.99
127	L-4.1	5 Gallon	452	EA.	\$23.00	\$ 10,396.45	\$ -	\$ 10,396.45
128	L-4.0	5 Gallon Boston Ivy	18	EA.	\$23.00	\$ 414.02	\$ -	\$ 414.02
129	L-4.1	Meadow Mix Hydroseed	12105	EA.	\$0.34	\$ 4,094.52	\$ -	\$ 4,094.52
130	L-4.1	Zoysia Sod	8569	S.F.	\$1.62	\$ 13,912.63	\$ -	\$ 13,912.63
131	L-4.1	Bouteloua Sod	8569	S.F.	\$1.62	\$ 13,912.63	\$ -	\$ 13,912.63
132	L-4.1	3" Shredded Mulch at Shrub Planter Areas	42387	S.F.	\$0.34	\$ 14,337.40	\$ -	\$ 14,337.40
133		90 Day Maintenance Period	68481	S.F.	\$0.14	\$ 9,265.48	\$ -	\$ 9,265.48
Landscape Planting Subtotal						\$ 127,179.11	\$ 2,800.00	\$ 124,379.12
MISCELLANEOUS CONSTRUCTION ITEMS								
		Construction Management				\$ 80,427.00	\$ 80,427.00	
		Inspection				\$ 111,205.52		\$ 111,205.52
		Utilities				\$ 40,214.00	\$ 40,214.00	
		Fees				\$ 55,602.76		\$ 55,602.76
		Additional Grading				\$ 45,000.00	\$ 45,000.00	
		Underground Storage Tank				\$ 55,000.00	\$ 55,000.00	
		Block Wall Footing Extension				\$ 40,000.00	\$ 40,000.00	
Miscellaneous Construction Subtotal						\$ 427,449.28	\$ 260,641.00	\$ 166,808.28
TOTALS								
TOTAL CONSTRUCTION						\$ 2,346,578.81	\$ 1,067,715.35	\$ 1,278,863.48
Contingency						\$ 191,621.19	\$ 82,284.65	\$ 111,205.52
GRAND TOTAL						\$ 2,538,200.00	\$ 1,150,000.00	\$ 1,390,069.00

*Only direct project management costs are eligible; no overhead/indirect costs are reimbursable. In-service payroll may not include a "billable rate" or administrative cost allocation.

*All invoices and receipts for all project expenditures from all funding sources will be retained and made available in the event of any future State Audits.

THE CITY OF POMONA

Public Works Department

December 4, 2019

Marybeth Vergara-Garcia
Rivers & Mountains Conservancy
100 N. Old San Gabriel Canyon Road
Azusa, CA 91702



Subject: Phil & Nell Soto Park, Agreement RMC17018 Request for Extending Performance Period and Additional Grant Funds

The purpose of this letter is to request extending the performance period for this project to June 30, 2020, and to request additional funds in the amount of \$186,257 to cover cost for quantities above the contract amount or for cost for items (electrical items) above the original grant amount.

On August 6, 2018, the Pomona City Council awarded a construction contract to CEM Construction ("Contractor") in the amount of \$2,297,151 for the Phil & Nell Soto Park construction. The City issued a notice to proceed to the Contractor with a construction start date of October 15, 2019. With the construction duration of 160 working days the initial construction completion, not including the 90-day maintenance period, was June 7, 2019. The Contractor has experienced at least 30 days of weather related delays and have performed additional work resulting in the construction related activities being completed in December 2019.

As of the end of November 2019 the Contractor has completed approximately 90% of the construction. The remaining 10% of the construction consists of completing the site irrigation and the landscape plantings which is expected to be completed by the end of December 2019. Upon the completion of the landscape installation, the Contractor is scheduled to provide 90-day maintenance through March 2020.

The City is requesting the Performance Period be extended for this project from January 30, 2020, to June 30, 2020. As shown in the attached Exhibit D the remainder of the project consists of completing the construction (irrigation, landscaping, and 90-day maintenance), receiving the final invoice from the Contractor, and the City submitting the final reimbursement invoice to RMC in June 2020.

The City is also requesting an additional \$186,257 in grant funds to cover the contract cost for items that the actual quantities exceeded the bid quantities (items 1-3 below) or actual cost will significantly exceeded the estimated costs the grant agreement (item 4). An explanation for additional funding is provided below.

1. Civil Engineering Item – 'Export Material' (\$41,625). The bid quantity for export materials is 725 cubic yards. The actual quantity will be approximately 1,650 cubic yards resulting in additional cost of \$41,625 (925 cyd x \$45/cyd = \$41,625)
2. Civil Engineering Items – 'Drainage' (totaling \$33,312). The actual quantities installed for two drainage items significantly exceeded the bid quantities:

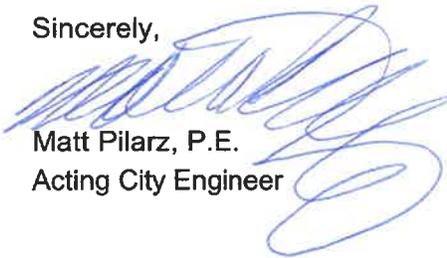
- a. 6-in PVC pipe – Bid quantity of 230 lineal feet. Actual installed quantity 387.5 lineal feet. There is an additional cost of \$18,112 (x LF x \$115/LF = \$18,112)
- b. 12" x 12" Nyloplast cast iron grate assemblies – Bid quantity of 8. Actual quantity 12. There is an additional cost of \$16,000 (4 x \$4,000 each = \$16,000)

3. Header under tubular steel fencing (\$25,200). As part of constructing the tubular steel fence 720 lineal feet of concrete header was constructed at a cost of \$25,200 (720 x \$35/LF).

4. Electrical Items (totaling \$86,120). The bid amount for seven electrical items totaled \$279,450 exceeding the grant amount of \$193,330 by \$86,120.

The requested additional grant amount of \$186,257 are for items already identified in the grant agreement to be funded by Rivers and Mountains Conservancy. The grant amount was based on a cost estimate before the construction bids were opened on June 27, 2018. As mentioned previously the construction is approximately 90% completed, therefore, we have a very good estimate of the actual cost for construction. Staff is reaching out to the RMC with a request for additional funding based on actual quantities installed for this project.

Sincerely,



Matt Pilarz, P.E.
Acting City Engineer

**Phil and Nell Soto Park
4th Quarter 2019 Report**



Photo 1. Pre-cast concrete animals, park bench, and pedestrian bridge (background)

**Phil and Nell Soto Park
4th Quarter 2019 Report**



Photo 2. Plantings and educational display (background)

**Phil and Nell Soto Park
4th Quarter 2019 Report**



Photo 3. Cobble/boulder bio-swale for drainage

**Phil and Nell Soto Park
4th Quarter 2019 Report**



Photo 4. 6-column wood gazebo under construction. Granite veneers still needs to be installed onto the columns.

**Phil and Nell Soto Park
4th Quarter 2019 Report**



Photo 5. Citrus trees planted at the site. Wood trellis constructed in the background.

Phil and Nell Soto

Phil and Nell Soto Park is dedicated to the years of service and commitment to Pomona and all of the San Gabriel Valley by two of the most influential and important Latino politicians in California history. Their dedication to social justice, economic freedom and environmental causes make this park a precious and endearing testament to their life and their legacy.

Phil was one of the first Latinos to be elected to state office since the early days of California. He fought for farm workers, students, and the poor. He marched with Cesar Chavez and campaigned with both John and Robert Kennedy. After he left state office, President Lyndon B. Johnson appointed him to be the Director of minority business development program, providing job-training resources in East Los Angeles.

A native 6th generation daughter of Pomona, Nell worked in the citrus groves as a child during the depression. Nell and Phil were married in 1946. Elected to the State Assembly at the age of 72 she was one of the first Latino women ever elected to statewide office. She began her political career as a city councilwoman for Pomona serving from 1987 until 1998. Her dedication to environmental issues never faltered. She served on the Air Quality Management District Board in 1993. Later as a state senator she championed water causes and was able to secure \$20 million dollars in funding for clean water resources.

A sustainable and native nature park is a fitting memorial to two of Pomona's finest citizens. May all residents walk among the sustainable gardens and be reminded of the Soto's Dedication and service to Pomona.



PHIL & NELL SOTO PARK GRAND OPENING

Saturday, February 8, 2020
at 10:00 a.m.

Phil & Nell Soto Park
1225 North Park Avenue
Pomona, CA 91768



PROGRAM

Master of Ceremonies

Mayor Tim Sandoval

Indigenous Blessing Honoring Gabrielino-Tongva Local Tribes

by Guillermo Hernandez, P'urhepecha Nation Elder

Welcome & Introduction of Dignitaries

Speakers

Mayor Tim Sandoval

Danielle Soto and Tom Soto

Mark Stanley

San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy

Richard Krumwiede,
Architerra Design Group

Councilmember Rubio Gonzalez,
City of Pomona District 1

Presentation of Certificates

Grand Opening Photo

Soto Family and Elected Officials

Butterfly Release

Phil & Nell Soto Park

This 1.76-acre Park will provide for active and passive recreational opportunities, as well as native plants and trees throughout the park, a butterfly habitat, and a bird sanctuary. Interpretive signage will feature information on the area's history and the flora/fauna present on the site, as well as educate park-goers on water efficiency, energy efficiency, and resource conservation.

The Park will use natural systems to moderate and treat runoff, infiltrate and retain clean stormwater, and mitigate flooding. The Park's design also mimics natural systems through the use of drip lines, bubblers, flow sensors, and a smart irrigation controller. Additionally, this critical project will contribute to the removal of carbon dioxide from the atmosphere and climate change mitigation through the planting of trees and drought-tolerant native plants.

Special Thanks to Our Project Partners

The Soto Family
 The Wilton Heights Historic District
 San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy
 California Natural Resources Agency
 Architerra Design Group
 CEM Construction
 San Gabriel Valley Council of Governments
 Parks and Recreation Commission
 Historic Preservation Commission
 Pomona Heritage
 Pomona Historical Society
 American Museum of Ceramic Art (AMOCA)
 Pomona Unified School District Students

A very special thank you to Ana Soto, without your love and perseverance, this day would not have been possible. You are truly missed.

-The Soto Family

February 3, 2020 – Item 18

RESOLUTION 2020-10

RESOLUTION OF THE SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY (RMC) APPROVING A GRANT AMENDMENT TO THE CITY OF POMONA FOR THE PHIL AND NELL SOTO PARK (RMC 17018)

WHEREAS, The legislature has found and declared that the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, Puente Hills, and San Jose Hills constitute a unique and important open space, environmental, anthropological, cultural, scientific, educational, recreational, scenic, and wildlife resource that should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations; and

WHEREAS, The people of the State of California have enacted the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), which provides funds for the RMC grant program; and

WHEREAS, the State of California has authorized an expenditure of funds from Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014 to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for capital outlay and local assistance multi-benefit grants for ecosystem and watershed protection and restoration projects; and

WHEREAS, The RMC may award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations for the purposes of Division 22.8 the Public Resources Code; and

WHEREAS, The Applicant has submitted a project which is consistent with the purposes of Division 22.8 of the Public Resources Code and the Bond Act; and

WHEREAS, The proposed project meets an objective of the California Water Action Plan for more reliable water supplies, restoration of important species and habitat, more resilient and sustainably managed water infrastructure; and

WHEREAS, The proposed project meets the goals of reducing greenhouse gas emissions consistent with AB 32; and

WHEREAS, The proposed project is consistent with the San Gabriel and Los Angeles River Watershed and Open Space Plan; and

WHEREAS, The proposed project protects land and water resources; and

WHEREAS, The grantee has requested a grant from Proposition 1, Section 79731 (f) and Section 79735 (a) of the Water Code; and

WHEREAS, This action is exempt from the environmental impact report requirements of the California Environmental Quality Act (CEQA); and NOW

Therefore be it resolved that the RMC hereby:

- 1 FINDS that this action is consistent with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy Act and is necessary to carry out the purposes and objectives of Division 22.8 of the Public Resources Code.
- 2 FINDS that the grant is consistent with the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, which provides funds for the RMC grant program.
- 3 FINDS that the Proposition 1 RMC Grant Program is consistent with the Water Quality, Supply, and Infrastructure Improvement Act of 2014 ("Proposition 1"), which provides funds for the RMC grant program
- 4 FINDS the proposed project meets at least one of the purposes of Proposition 1.
- 5 FINDS the proposed project meets at least one of the three objectives of the California Water Action Plan.
- 6 FINDS that the proposed action is consistent with the San Gabriel and Lower San Gabriel and Los Angeles River Watershed and Open Space Plan as adopted by the Rivers and Mountains Conservancy;
- 7 FINDS that the actions contemplated by this resolution are exempt from the environmental impact report requirements of the California Environmental Quality Act.
- 8 ADOPTS the staff report dated February 3, 2020.
- 9 APPROVES a grant amendment to the City of Pomona in the amount of \$186,257 for the Phil and Nell Soto Park Entry Improvements Project and extends the timeline to June 30, 2020 (RMC 14001).

~ End of Resolution ~

Passed and Adopted by the Board of the
SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS
CONSERVANCY on February 3, 2020.

Motion _____ Second: _____

Ayes: _____ Nays: _____ Abstentions: _____

Frank Colonna, Chair

ATTEST:

David Edsall
Deputy Attorney General