



# City of Pomona

505 S. Garey Ave  
Pomona, CA 91766

## Regular Meeting Minutes

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

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

#### VISION STATEMENT

*Pomona will be recognized as a vibrant, safe, beautiful  
community that is a fun and exciting destination and the home of  
arts and artists, students and scholars, business and industry.*

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Monday, May 20, 2024

7:00 PM

Council Chambers

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#### **CLOSED SESSION**

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

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

*Citizens for Amending Prop L, et al. v. City of Pomona, et al.*  
Los Angeles County Superior Court  
Case No. 19STCP00482

*Edil Vazquez v. City of Pomona*  
Los Angeles County Superior Court  
Case No. 20STCV15371

*Vincent Terrell v. City of Pomona*  
Los Angeles County Superior Court  
Case No. 20PSCV00677

#### **CALL TO ORDER**

Vice Mayor Preciado called the City Council Meeting to order at 7:00 p.m.

#### **CITY ATTORNEY REPORT OUT FROM CLOSED SESSION**

City Attorney Sonia Carvalho stated there was no reportable action.

## **PLEDGE OF ALLEGIANCE**

Vice Mayor Preciado led the pledge of allegiance.

## **ROLL CALL**

Present: Vice Mayor Victor Preciado  
Councilmember John Nolte  
Councilmember Nora Garcia  
Councilmember Elizabeth Ontiveros-Cole  
Councilmember Steve Lustro  
Councilmember Robert Torres

Absent: Mayor Tim Sandoval

## **STAFF PRESENT**

Anita Gutierrez, City Manager  
Sonia Carvalho, City Attorney  
Rosalia Butler, City Clerk  
Karla Shipman, Assistant City Clerk  
Ryan Rodriguez, Police Operations Division Captain

Yvonne Morgan, contracted by the City, provided translation services - arrived at 7:30 p.m.

## **PRESENTATIONS**

\*A Proclamation of the City Council of the City of Pomona Recognizing the Week of May 19-25, 2024 as "National Public Works Week" in the City of Pomona

Vice Mayor Preciado presented the proclamation to various Public Works staff. Public Works Director Rene Guerrero shared a few words to highlight some of the accomplishments of Public Works in the last year.

\*A Proclamation of the City Council of the City of Pomona Proclaiming the Month of May 2024 as "Building Safety Month" in the City of Pomona

Councilmember Lustro presented the proclamation to Stephen Mann, Deputy Building Official, Sergio Rodriguez, Sr. Building Inspector and Cassandra Yado, Building & Safety Coordinator. City Manager Gutierrez noted this is the first time in many years that the City of Pomona has an in-house Building & Safety team. Deputy Building Official Mann shared a few words about the weekly themes during Building Safety Month.

## **MAYOR/COUNCILMEMBER COMMUNICATIONS**

Councilmember John Nolte stated it is mental health awareness month and noted Tri-City Mental Health will host a variety of events this month to raise awareness.

Councilmember Garcia extended congratulations to students from all levels of education who are graduating this school year. She announced the summer reading program at the Pomona Library would begin soon. Lastly, Councilmember Garcia wished everyone a happy Memorial Day, and expressed gratitude for the service and sacrifice of all who have served.

Councilmember Lustro commented on the important role and vital function of Building and Safety staff. Councilmember Lustro attended the District 5 Area Commander meeting and expressed gratitude to Pomona Police traffic officers for their responsiveness to some of the issues raised at the area commander meeting.

Councilmember Torres thanked everyone for attending the meeting.

Councilmember Ontiveros-Cole attended the St. Joseph Relic Tour at the St. Joseph Congregation. Councilmember Ontiveros-Cole wished everyone a safe Memorial Day, and noted the Pomona Cemetery would have a memorial service.

Vice Mayor Preciado gave thanks to the Chamber of Commerce and the Downtown Pomona Association for hosting their Cinco de Mayo event. The School of Arts also had a band present at the event. Vice Mayor Preciado attended a concert put on by the Pomona Concert Band. Vice Mayor Preciado thanked staff for the Budget Study Session presented in the last meeting. On June 1, Fist of Gold would host a boxing competition. On June 7 – 9, Sacred Heart would be hosting their Fiesta event. Lastly, Vice Mayor Preciado wished everyone a safe Memorial Day.

## **CITY MANAGER COMMUNICATIONS**

City Manager Gutierrez had no reportable action.

## **PUBLIC PARTICIPATION**

*At the direction of the City Council Emergency Sub Committee, beginning with the July 18, 2022 Council meeting, emailed comments will no longer be read into the record during Council meetings. However, they will be included as part of the record/meeting minutes.*

### **Live Comments were as follows:**

Fernando Perez expressed concerns with street vendors that operate outside of legal boundaries and noted the severity of the issue on Holt Ave and Indian Hill Blvd.

Alicia Valle invited the community to attend the Lopez Urban Farm to its Third Annual Art Fest taking place on May 25, 2024.

Minerva Hernandez expressed support for businesses, and concern for street vendors operating illegally without permits and sell alcohol, use live animals, and loud music.

Fatima Perez expressed concern for street vendors that operate illegally without permits and cause safety issues.

Julie Bonilla expressed concern for street vendors that operate illegally without permits and cause safety issues. She also expressed concerns for prostitutions

John Peña asked for guidance on how to contact county level and state level representatives in regards to street vendors operating without permits.

Greg Estel expressed concerns with the population in Pomona experiencing homelessness and requested solid waste services be reversed to an in-house operation.

Manuel Cansino expressed concerns with street vendors who operate without permits and create hazards for people walking on the sidewalks.

Nicole Centeno, from Day One, shared updates on events and initiatives of the non-profit that take place in the City of Pomona.

Joel Draper expressed concerns with street vendors operating without permits and licenses.

### **CONSENT CALENDAR**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to approve the entire Consent Calendar except for Item No. 7, which was pulled by Vice Mayor Preciado for discussion.**

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:

May 6, 2024 Regular Meeting Minutes

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to approve the City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of May 6, 2024.**

2. Adoption of a Resolution Approving the Application for Grant Funds for the California Museum Grant Program

It is recommended that the City Council take following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2024-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA MUSEUM GRANT PROGRAM**

- 2) Authorize the City Manager, or designee, to execute all documents related with this action, with approval of the City Attorney as to form.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to adopt Resolution No. 2024-67; and authorize the City Manager, or designee, to execute all documents related with this action, with approval of the City Attorney as to form.**

3. Adopt a Resolution to Amend FY 2023-24 CIP Budget by Increasing Revenue Estimates and Appropriating a Fair Share Fee of \$1,400 to "Traffic Signal Improvements - Towne Avenue & Philadelphia Street and Garey Avenue & Philadelphia Street," Project No. 428-2590-XXXXX-68549

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

**RESOLUTION NO. 2024-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING A FAIR SHARE FEE OF \$1,400 TO "TRAFFIC SIGNAL IMPROVEMENTS - TOWNE AVENUE & PHILADELPHIA STREET AND GAREY AVENUE & PHILADELPHIA STREET," PROJECT NO. 428-2590-XXXXX-68549**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to adopt Resolution No. 2024-69.**

4. Resolution to Amend the FY 2023-24 Capital Improvement Program (CIP) Budget by Closing Completed Projects and Reappropriating Unexpended Funds

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

**RESOLUTION NO. 2024-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO AMEND THE FY 2023-24 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CLOSING COMPLETED PROJECTS, RELEASING \$522,733 OF UNEXPENDED FUNDS, REAPPROPRIATING \$263,834 OF THOSE FUNDS, AND CHANGING THE TITLE AND DESCRIPTION OF "NEW EMERGENCY OPERATIONS CENTER - WHITE AVENUE" TO "FIRE STATION 182 IMPROVEMENTS AND NEW EMERGENCY OPERATIONS CENTER - WHITE AVENUE," PROJECT NO. 428-2590-XXXXX-71068**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to adopt Resolution No. 2024-71.**

5. Approval of the Fiscal Year 2024-25 Submittal Projects List for the Road Repair and Accountability Act of 2017 (RMRA/SB-1)

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

**RESOLUTION NO. 2024-75 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A LIST OF PROJECTS FOR FISCAL YEAR 2024-25 FUNDED BY SB-1, THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to approve Resolution No. 2024-75.**

6. Approve the Sole Source Purchase of Two (2) Police Department Vehicles in the Amount Not to Exceed \$127,506

It is recommended that the City Council approve the sole source purchase of two (2) replacement Police utility vehicles in the amount not to exceed \$127,506 from Victorville Chevrolet - Cadillac. A 10% contingency is being recommended to cover any market rate adjustments that the dealer may impose at the time of purchase due to current delays in automobile production and inventory affecting availability.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to approve the sole source purchase of two (2) replacement Police utility vehicles in the amount not to exceed \$127,506 from Victorville Chevrolet – Cadillac with a 10% contingency to cover any market rate adjustments that the dealer may impose at the time of purchase due to current delays in automobile production and inventory affecting availability.**

7. Adoption of a Pilot Park Ambassador Program

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

- 1) Adopt a pilot Park Ambassador Program; and
- 2) Authorize the City Manager, or designee, to execute all documents related with this action, with approval of the City Attorney as to form.

**\*This item was pulled by Vice Mayor Preciado.**

Vice Mayor Preciado asked questions to staff.

Assistant City Manager Mark Gluba answered Vice Mayor Preciado's questions.

**MOTION BY COUNCILMEMBER NOLTE, SECOND BY VICE MAYOR PRECIADO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to adopt a pilot Park Ambassador Program and; authorize the City Manager, or designee, to execute all documents related with this action, with approval of the City Attorney as to form.**

### **DISCUSSION CALENDAR**

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
  - A) Amount to be determined to Fist of Gold Youth Center in support of Fist of Gold Youth Amateur Boxing Show: Requested Amount: \$2,000
  - B) Amount to be determine to Tradición Dance Company in support of Lazos de Nuestro Pasado Showcase: Requested Amount: \$5,000
- 2) Receive and file the recap of final amounts.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to make a finding of public benefit for items A-B.**

### **PUBLIC HEARING**

9. Introduction and First Reading of Ordinance No. 4344

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

- 1) Hereby determine that the adoption of this Ordinance is exempt pursuant to the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061 (b)(3); and
- 2) Introduce, waive further and give first reading to the following ordinance:

**ORDINANCE NO. 4344 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING SECTIONS 62-200 OF CHAPTERS 62, ALSO KNOWN AS THE CODE OF THE CITY OF POMONA, REGULATING BACKFLOW PREVENTION DEVICES AND ADOPTING THE CROSS CONNECTION CONTROL POLICY HANDBOOK**

Water Resources Director Chris Diggs gave a brief introduction of the item.

Vice Mayor Preciado opened the public hearing, and with no public speakers Vice Mayor closed the public hearing.

**MOTION BY COUNCILMEMBER NOLTE, SECOND BY COUNCILMEMBER GARCIA, CARRIED 6-0 (MAYOR SANDOVAL ABSENT), to introduce, waive further and give first reading to Ordinance No. 4344.**

**ADJOURNMENT**

The City Council meeting adjourned at 8:14 p.m. on May 20, 2024.

Respectfully submitted,

ATTEST:

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ROSALIA A. BUTLER, MMC  
City Clerk/Secretary of the Pomona  
Housing Authority/Successor Agency to the  
to the Redevelopment Agency

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TIM SANDOVAL  
Mayor/Chair of the Pomona  
Housing Authority/Successor Agency  
Redevelopment Agency