

City of Pomona

505 South Garey Avenue
Pomona, CA 91766



Regular Meeting Agenda

Monday, February 27, 2017

6:45 PM

Council Chambers

City Council

Mayor Tim Sandoval
Council Member Rubio R. Gonzalez
Council Member Adriana M. Robledo
Council Member Cristina Carrizosa
Council Member Elizabeth Ontiveros-Cole
Council Member Ginna E. Escobar
Council Member Robert S. Torres

VISION STATEMENT

Pomona is a vibrant city providing a safe, clean, family oriented community. We are committed to being a city that promotes harmonious diversity and economic prosperity.

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.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.

CLOSED SESSIONS

Held in the City Council Conference Room adjacent to the Council Chambers on the south side of the building.

Public Comment:

Any member of the public wishing to address the City Council on any item listed on the closed session agenda will have an opportunity to present testimony to the City Council prior to the City Council convening into closed session. Comments from the public will be limited to three (3) minutes. No member of the public will be allowed to be present once the City Council convenes into closed session.

- A. **CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION** (Pursuant to Government Code Section 54956.9 (d)(1))

Ed Tessier v. City of Pomona

- B. **CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees
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: Linda Lowry and Linda Matthews

- C. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Pursuant to Government Code Section 54956.8)

Property:	101 W. Mission Blvd., Mission Promenade I
Negotiating Party:	1) OPTIMAX Irrevocable Trust I and Private Eq. Irrevocable Trust
	II, and 2) Gurbax Bhasin
Successor Agency's	
Negotiator:	Linda Lowry, City Manager/Executive Director
Under Negotiation:	Price and Terms

6:45 P.M.

CALL TO ORDER

ROLL CALL

POSTING OF COLORS**PLEDGE OF ALLEGIANCE****PRESENTATIONS**

- A. Approve and present a Proclamation of the City Council of the City of Pomona proclaiming the week of February 17, 2017 - March 3, 2017 as "Pomona Kindness Project Week" in the City of Pomona
- Attachments:** [Staff Report - Pomona Kindness Project Week](#)
 [Attachment - Proclamation - Pomona Kindness Project Week](#)
- B. Present a Certificate of Recognition to Herbert and Cynthia Wilkins
- C. Receive a Presentation from Ciclavia and SGVCOG Regarding Planning Efforts Associated with an Upcoming Open Streets Event to be Held in Pomona and Three Surrounding Communities on April 2018

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 – At this time, the public is invited to address the Council concerning any items not on the agenda.

In order to address the City Council, each individual must fill out a speaker card, which is available in the lobby of the Council Chambers. Speaker cards must be completed and turned in to the City Clerk at this time. Only those speaker cards turned in to the City Clerk will be allowed to address the City Council. No late cards will be accepted. Each person should state their name and will be allowed to speak once for three minutes. All speakers and persons in the audience must adhere to the City Council Rules of Procedure and Decorum.

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. Adopt a Resolution approving a Purchase and Sale Agreement for the sale of Successor Agency Property at 1510 Murchison Avenue (APN's 8358-035-943 & 944) to Pomona Unified School District for the purchase price of \$355,000

RESOLUTION NO. SA 2017-

A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT FOR THE SALE OF SUCCESSOR AGENCY PROPERTY AT 1510 MURCHISON AVENUE (APN'S 8358-035-943 & 944) TO POMONA UNIFIED SCHOOL DISTRICT FOR THE PURCHASE PRICE OF \$355,000

Attachments:[Staff Report](#)[Attachment 1 - Resolution](#)[Exhibit 1 - Agreement](#)[Attachment 2 - Aerial Photo](#)

2. Adopt a Resolution renewing the General Services Agreement between the City of Pomona and the County of Los Angeles

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE RENEWAL OF THE GENERAL SERVICES AGREEMENT BETWEEN THE CITY OF POMONA AND THE COUNTY OF LOS ANGELES

Attachments:[Staff Report](#)[Attachment 1 - Resolution](#)[Exhibit A - General Services Agreement](#)[Attachment 2 - Letter from County CEO Office](#)

3. Adopt a Resolution re-appropriating series "AX" Bond Proceeds from "Excess RDA Bond Proceeds Allocation," Project No. 428-2590-xxxx-71041, to "Downtown Parking Structures," Project No. 441-6725-xxxx-73368, for construction of a Public Parking Structure on Vehicle Parking District Lot 10

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, RE-APPROPRIATING ADDITIONAL FUNDING TO CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT NO. 441-6725-XXXX-73368 FOR CONSTRUCTION OF A PUBLIC PARKING STRUCTURE ON VEHICLE PARKING DISTRICT LOT 10

Attachments:[Staff Report - Parking Structure Reallocation](#)[Attachment 1 - Resolution](#)

4. Set a Public Hearing on April 3, 2017 to consider an appeal of the Planning Commission's approval of Conditional Use Permit (CUP 5063-2016) to allow the construction of an automobile service station located at 2085 South Towne Avenue in the C-1 (Neighborhood Commercial) zone

Attachments: [Staff Report - Set a Public Hearing to consider an appeal of CUP 5063-2016](#)
 [Attachment A - Planning Commission Staff Report, Dated January 11, 2017](#)
 [Attachment B - Excerpt from Unofficial Minutes from PC Hearing of January 11,](#)
 [Attachment C - Appeal Application](#)

5. Receive and file the annual audit reports for the Fiscal Year ended June 30, 2016

Attachments: [Staff Report - Annual Audit Reports](#)
 [Attachment 1- Comprehensive Annual Financial Report](#)
 [Public Financing Authority Financial Statements](#)
 [Pomona Single Audit Report Final 2-15-17.pdf](#)
 [Attachment 2 - Report on Internal Control over Financial Reporting](#)
 [Attachment 3 - Pomona Audit Communication Letter](#)

6. Adopt a Resolution approving a policy for the use of the City's Electronic Reader Board

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,
APPROVING A POLICY FOR THE USE OF THE CITY'S ELECTRONIC READER BOARD

Attachments: [Staff Report - LED Reader Board Policy](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 - LED Reader Board Policy](#)
 [Attachment 3 - LED Reader Board Application](#)

7. Adopt a Resolution amending the Capital Improvement Program (CIP) Budget by re-appropriating \$30,000 of Prop C Funds and appropriating \$275,576 of available Prop C, Measure R, and TDA Article 3 Funds to "Traffic Operations - Communication Upgrade," Project No. 245-2590-xxxxx-58382 to enhance pedestrian, bicycle, and vehicular traffic flow along Garey Avenue between Mission Boulevard and County Road and award a construction contract in the amount of \$853,670 to Elecnor Belco Electric, Inc. for the funded project

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, amending the Capital Improvement Program (CIP) Budget by RE-appropriating \$30,000 OF PROP C FUNDS AND appropriating \$275,576 of AVAILABLE FUNDS (PROP C - \$69,000, MEASURE R - \$100,000, AND TDA ARTICLE 3 - \$106,576) TO "TRAFFIC OPERATIONS - COMMUNICATION UPGRADE," PROJECT NO. 245-2590-XXXXX-58382

Attachments: [Staff Report - Contract to Elecnor Belco Electric](#)
 [Attachment 1 - Resolution](#)

DISCUSSION CALENDAR

8. Approve Findings of Public Benefit to the Community at Large for Recommended Expenditures and recap final funding amounts for previously approved findings

CURRENT REQUESTS:

- A) Amount to be determined to Decker Elementary School PTA in support of their annual Fun Run and Festival - Requested amount: \$500
- B) Amount to be determined to the Kennedy Austin Foundation in support of their Circle of Love luncheon - Requested amount: \$1,500
- C) Amount to be determined to Pomona Catholic School in support of their 15th Annual Car Show - Requested amount: \$600

Attachments: [Staff Report - Findings of Public Benefit](#)
 [Attachments](#)

9. Authorize the City Manager to execute an amendment to the current Mitchell Humphrey FMS contract to expand current services of the City financial system and adopt a Resolution amending the Fiscal Year 2016-17 Capital Improvement Program (CIP) Budget by creating a new CIP Project No. 428-2590-XXXXX-71048, "Financial Software Project," and appropriating \$632,675 of available Series "AV" Bond Proceeds

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2016-17 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$632,675 IN AV BOND PROCEEDS TO CIP PROJECT NO. 428-2590-XXXXX-71048 FOR THE UPGRADE AND ENHANCEMENT OF THE CITY FINANCIAL SOFTWARE

Attachments: [Staff Report - Expand City Financial Software](#)
 [Attachment 1 - Resolution](#)

PUBLIC HEARINGS

10. Conduct a Public Hearing and adopt a Resolution establishing service fees for mandated Stormwater Inspections for Industrial/Commercial Facilities and Certain Construction Projects

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING SERVICE FEES FOR INDUSTRIAL/COMMERCIAL AND CONSTRUCTION INSPECTIONS MANDATED BY THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Exhibit A](#)
 [Exhibit B](#)

11. Conduct a Public Hearing and adopt a Resolution to form a Groundwater Sustainability Agency (GSA) for the Spadra Groundwater Basin and approve a Memorandum of Agreement to establish a Groundwater Sustainability Agency for the Spadra Groundwater Basin with Walnut Valley Water District (WVWD)

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, FORMING A GROUNDWATER SUSTAINABILITY AGENCY (GSA) FOR THE SPADRA GROUNDWATER BASIN

Attachments: [Staff Report - MOA to form Spadra Basin GSA](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Basin Boundaries](#)

[Attachment 3 - Timeline](#)

MATTERS INITIATED BY CITY COUNCIL MEMBERS

Items for future City Council consideration as requested by Mayor or Members of the City Council

ADJOURNMENT

IN MEMORY OF

Anita Lucero Sanbrano

The next Regular Meeting will be held on Monday, March 6, 2017 at 5:30 p.m. in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. Closed Session items will be discussed at 5:30 p.m. The Open Session will commence at 6:45 p.m.

CERTIFICATION OF POSTING AGENDA

I, Candice Alvarez, CMC, Deputy City Clerk for the City of Pomona, hereby certify that the agenda for the February 27, 2017 regular 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 on Wednesday, February 22, 2017.

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

/s/ Candice Alvarez

Candice Alvarez, CMC, Deputy City Clerk