

City of Pomona

505 South Garey Avenue
Pomona, CA 91766



Revised Regular Meeting Agenda

Monday, May 15, 2017

7:00 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 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.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 LEGAL COUNSEL - POTENTIAL LITIGATION

Two matters regarding possible litigation to be initiated will be discussed (Pursuant to Government Code Section 54956.9 (d)(4))

C. 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

7:00 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, County of Los Angeles, State of California, proclaiming the month of May, 2017 as "National Physical Fitness and Sports Month, 2017"

Attachments: [Proclamation 05-15-2017 as National Sports Month.doc](#)
[05-15 National Physical fitness and Sports Month.docx](#)

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. Approve draft minutes of the regular meetings of March 6, 2017 and March 20, 2017

Attachments: [03-06-2017 Draft Minutes.pdf](#)
 [03-20-2017 Draft Minutes.docx](#)

2. Adopt a Resolution amending the Fiscal Year 2016-17 Capital Improvement Program (CIP) Budget and award a Construction Contract in the amount of \$1,124,520 to C. S. Legacy Construction, Inc. for Park Improvements to six park projects included in the CIP Budget for Fiscal Year 2016-17

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

Attachments: [Staff Report.doc](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 - Fiscal Impact Details](#)
 [Attachment 3 Prior Actions.docx](#)
 [Attachment 4-Base Bids-Addt. Alt..pdf](#)

3. Adopt a Resolution Authorizing the Submittal of a Grant Application for \$1,500,000 to the

California Natural Resources Agency - Urban Greening Grant Program for the Phil and Nell Soto Park Project at 1225 N. Park Avenue

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA
AUTHORIZING SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS IN THE AMOUNT
OF \$1,500,000 TO THE CALIFORNIA NATURAL RESOURCES AGENCY URBAN
GREENING GRANT PROGRAM CONSTRUCTION OF PHIL AND NELL SOTO PARK.

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 - Conceptual Site Plan](#)

4. Adoption of a Resolution Approving Lot Merger LM 13-2016 of Lots 23, 24 and 25, Block "C" of the Santee Tract, Recorded in Book 12, Page 67 of Miscellaneous Records, County of Los Angeles, Assessor Parcel Numbers 8326-008-003 and -022, Good Fruits, LLC Located at 1054 E. Second Street, Pomona, CA (Council District 3)

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,
APPROVING LOT MERGER LM 13-2016 OF LOTS 23, 24 AND 25, BLOCK "C" OF THE
SANTEE TRACT, RECORDED IN BOOK 12, PAGE 67 OF MISCELLANEOUS RECORDS,
COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8326-008-003 AND -022,
GOOD FRUITS, LLC LOCATED AT 1054 E. SECOND STREET, POMONA, CA

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [EXHIBIT 1.pdf](#)
 [EXHIBIT A.pdf](#)
 [EXHIBIT B.pdf](#)
 [Attachment 2 - Vicinity Map](#)
 [Attachment 3 - Aerial Map](#)
 [Attachment 4 - Street View.pdf](#)

5. Award of Purchase in the Amount of \$113,617 to National Auto Fleet Group for One Compressed Natural Gas (CNG) Medium-Duty Dump Truck for the Public Works Public Services Division

Attachments: [Award of Purchase to National Auto Fleet for CNG Dump Truck](#)
 [Attachment - Quote.pdf](#)

6. Approval of Amendment No. 8 Conduent Technology Services and adding a one year Extension of the Contract to June 30, 2018

Attachments: [Council ACS 8th Amendment](#)

7. Second reading and adoption of an ordinance amending the City of Pomona Zoning Ordinance to include a water efficiency landscape ordinance, and update the development standards for Citywide landscaping requirements for all zoning districts, in compliance with State requirements promulgated by Governor's Executive Order B-29-15

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING CODE AMENDMENT (CODE 6026-2016) TO AMEND SECTION .503-J ("LANDSCAPING/IRRIGATION"), SECTION .280 ("R-2 LOW DENSITY MULTIPLE-FAMILY ZONE", SECTION .290 ("R-3 MEDIUM DENSITY MULTI-FAMILY ZONE"), SECTION .300 ("R-4 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL ZONE") FO THE CITY OF POMONA ZONING ORDINANCE (PZO), IN COMPLIANCE WITH STATEWIDE WATER EFFICIENT LANDSCAPE REQUIREMENTS PROMULGATED BY GOVERNER'S EXECUTIVE ORDER B-29-15

Attachments: [Staff Report](#)
 [City Council Ordinance Approving CODE 6026-2016](#)
 [City Council Staff Report \(with exhibits\), dated April 17, 2017](#)

8. Award of Contract to Barr and Clark, Inc. for Lead Inspector and Risk Assessor Services for the City's Various Housing Programs

Attachments: [Lead Inspector Assessor Staff Report 5-15-17.doc](#)

9. Award of Contract for Laboratory Testing of Water Samples to Eurofins Eaton Analytical, Inc. ("Eurofins") for a Term of One-Year, with a One-Year Extension Option, as a Cooperative Procurement of Services Based on the Recent Contract Awarded to Eurofins by Contra Costa Water District

Attachments: [Award of Water Quality Lab Contract to Eurofins.docx](#)
 [Attachment 1.pdf](#)

10. Public Hearing--Refunding of 2006 Lease Revenue Bonds Series AU and AV and partial refunding of Series 2006AR Pension Obligation Refunding Bonds

RESOLUTION NO. 2017-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A GROUND LEASE, LEASE AGREEMENT, INDENTURE, CONTINUING DISCLOSURE CERTIFICATE, ESCROW AGREEMENTS AND BOND PURCHASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF POMONA PUBLIC FINANCING AUTHORITY 2017 LEASE REVENUE REFUNDING BONDS, SERIES BF (FEDERALLY TAXABLE), APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$52,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RESLATED ACTIONS

THIS ITEM WAS MOVED TO PUBLIC HEARING SECTION OF THE AGENDA.

Attachments: [Staff Report - Pomona Lease Staff report 2017 Bonds v1.docx](#)
[Attachment 1\) Resolution authorizing execution of Bond documents](#)
[Attachment 2\) Preliminary Official Statement – Series BG](#)
[Attachment 3\) Indenture of Trust – Series BG](#)
[Attachment 4\) Ground Lease Agreement - Series BG](#)
[Attachment 5\) Lease Agreement - Series BG](#)
[Attachment 6\) Escrow Agreement - Series AU](#)
[Attachment 7\) Escrow Agreement - Series AV](#)
[Attachment 8\) Escrow Agreement - Series AR](#)
[Attachment 9\) Bonds Purchase Agreement](#)
[Attachment 10\) Assignment Agreement](#)

11. Introduction and First Reading of an Ordinance Amending Sections 50-339 and 50-345 of the Pomona City Code Pertaining to Business License Application Processing Fees and Section 2-924 to Update the Index of City Fees and Service Charges

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,
AMENDING 50-337(b) AND 50-345 OF THE POMONA CITY CODE PERTAINING TO
APPLICATION PROCESSING FEES FOR NEW BUSINESS LICENSE APPLICATIONS AND
BUSINESS LICENSE RENEWALS AND UPDATING THE INDEX OF CITY FEES AND
SERVICE CHARGES SET FORTH IN POMONA CITY CODE SECTION 2-924(a)

Attachments: [Bus Lic - First Reading Staff Report](#)
[Bus Lic Application Fee Amendment.docx](#)

12. Approve an Amendment to the Construction Contract with General Pump Company in the Amount of \$350,000

Attachments: [Amend Contract to General Pump Company.docx](#)

13. Request for Public Hearing on the Planning Commission's Denial of Conditional Use Permit (CUP 4607-2016) for a proposed fourteen-unit residential development at 1198-1236 S. San Antonio Ave., and Tentative Tract Map No. 74367 (TTM 4947-2016) which proposes to subdivide two lots totaling approximately 46,550 square feet for residential detached condominium purposes, in the R-2-S (Low Density Multiple Family with Supplemental Overlay) zone. Applicant/Appellant, Shahram Tork (Council District: 3)

Attachments: [Staff Report - CUP 4607-2016 and TTM 4947-2016](#)
[Planning Commission Staff Report Dated April 12, 2017](#)
[Excerpt from Official Minutes From Planning Commission Hearing of January 11](#)
[Excerpt from Unofficial Minutes From Planning Commission Hearing, April 12, 2](#)
[Applicant's Appeal Application Dated April 26, 2017](#)
[Documents Submitted on the Date of the April 12, 2017 Planning Commission He](#)
[Correspondence Received from Hank Fung - 1198-1236 S San Antonio Ave. Re](#)

14. Award of Construction Contract to All American Asphalt, in the amount of \$194,364, for Large Pavement Repairs of Water Utility Asphalt Cuts

Attachments: [Award Construction Contract to All American Asphalt.docx](#)
 [Attachment 1 - Large Pavement Repair Site Maps.pdf](#)

15. Adopt a Resolution Amending the FY 2016-17 Capital Improvement Program (CIP) Budget by 1) Closing Completed Water Projects, Re-appropriating \$637,311 in Series "AY" Bond Proceeds, 2) Appropriating \$16,949 of available Series "AY" Bond Proceeds, and 3) Un-appropriating \$7,373 in remaining Water Fund

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE FY 2016-17 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY 1) CLOSING COMPLETED WATER PROJECTS, RE-APPROPRIATING \$637,311 IN SERIES "AY" BOND PROCEEDS, 2) APPROPRIATING \$16,949 OF AVAILABLE SERIES "AY" BOND PROCEEDS, AND 3) UN-APPROPRIATING \$7,373 IN REMAINING WATER FUND

Attachments: [Close Water Projects and Re-appropriate Funds.docx](#)
 [Resolution.docx](#)
 [Exhibit A.pdf](#)

16. City Council consideration of Single Historic Landmark Designation request (SHISTORIC 7146-2017) for the Pomona Park Armory property located at 600 South Park Avenue; State of California, Owner/Applicant (District 1)

Attachments: [Staff Report - 600 S. Park Ave: Pomona Armory - Single Historic Landmark Des](#)
 [Attachment A - Draft City Council Resolution approving Single Historic Landmar](#)
 [Attachment B - Historic Preservation Commission Staff Report \(with attachment](#)

17. Approval of an agreement with Jucchou Corp for the lease and management of Palm Lake Golf Course

Attachments: [Palm Lake Lease Approval Staff Report - 5-15-17.docx](#)
 [Response to RFP final.pdf](#)
 [3 year pro-forma Palm Lake 2017.pdf](#)
 [3 year pro-forma Palm Lake 2018.pdf](#)
 [3 year pro-forma Palm Lake 2019.pdf](#)
 [Palm Lake Construction Estimate.pdf](#)
 [Palm Lake Equipment Estimate.pdf](#)
 [Palm Lake Attachments A and B.pdf](#)

18. Adopt a Resolution approving a Memorandum of Understanding between the City of Pomona and the Pomona Police Managers' Association, Inc. (PPMA) for Fiscal Year 2016-17.

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING, RATIFYING, AND ORDERING IMPLEMENTATION OF A ONE (1) YEAR

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE
POMONA POLICE MANAGERS' ASSOCIATION

Attachments: [PPMA MOU Staff Report.doc](#)
 [PPMA MOU Attachment 1 Reso.docx](#)
 [PPMA MOU 2016-17 Exhibit A.pdf](#)

DISCUSSION CALENDAR**19.** Discussion regarding a Tobacco Retail License Ordinance for the City of Pomona

Attachments: [Tobacco Retail License Staff Report 5-15-17.docx](#)
 [TRL Playbook FINAL 20150511.pdf](#)
 [Draft - Tobacco Retailer Permit Ordinance.docx](#)

19A. Finding of Public Benefit to the Community at Large for Recommended Expenditures and
Recap of Approved Funds

CURRENT REQUESTS:

- A) Amount to be determined to St. Madeleine Catholic Church in support of their Annual Fiesta Fundraiser (coverage for use of mobile stage and street banners) - Requested amount: \$2,080.00
- B) Amount to be determined to the Pomona Police Department Crime Prevention Unit in support of their Annual Camp Out - Requested amount: TBD
- C) Amount to be determined to the Pomona Concert Band in support of programming - Requested amount: TBD
- D) \$3,000.00 in support of District 3 Holiday Toy Drive
- E) Amount to be determined to cover rental fees of Washington Park Community Center and 200 admission tickets to Washington Community Swimming Pool in support of Senator Connie Leyva, Assemblymember Freddie Rodriguez, and Pomona's Promise Promoters' Community Health Fair - Requested amount: TBD
- F) Amount to be determined to purchase two tables for the Annual Mayor's Prayer Breakfast - Requested amount: \$760.00

Attachments: FOPB Staff Report
 Attachments 1-7

PUBLIC HEARINGS**20.** Request to Continue Public Hearing to June 5, 2017 for an appeal of Conditional Use Permit (CUP 11 002) to legalize the conversion of a group care facility to an eleven unit rooming house located at 804 William Street in the R-2 (Low Density Multiple Family Residential) zoning district

Attachments: [804 William Continuance 051517.doc](#)

21. Public Hearing - Appeal of the Planning Commission's Approval Decision on Conditional Use Permit (CUP 5063-2016) to allow for the construction of a six pump gasoline service station and a 2,701 square foot convenience store located at 2085 S. Towne Avenue in the C-1 (Neighborhood Stores & Services Commercial) zone. (Council District 3).

Attachments: [Staff Report](#)[Attachment 1 - Resolution approving the CUP](#)[Attachment 2 - Resolution denying the CUP](#)[Attachment 3 - 2/27/2017 City Council Staff Report](#)

- 22.** Public Hearing--Refunding of 2006 Lease Revenue Bonds Series AU and AV and partial refunding of Series 2006AR Pension Obligation Refunding Bonds

RESOLUTION NO. 2017-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A GROUND LEASE, LEASE AGREEMENT, INDENTURE, CONTINUING DISCLOSURE CERTIFICATE, ESCROW AGREEMENTS AND BOND PURCHASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF POMONA PUBLIC FINANCING AUTHORITY 2017 LEASE REVENUE REFUNDING BONDS, SERIES BF (FEDERALLY TAXABLE), APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$52,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RESLATED ACTIONS

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

ADJOURNMENT**In memory of****Josephine Nichols****&****Ken West**

The next Study Session Meeting will be held on May 22, 2017 in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. The Study Session will commence at 7:00 p.m.

CERTIFICATION OF POSTING AGENDA

I, Eva M. Buice, City Clerk, for the City of Pomona, hereby certify that the agenda for the May 15, 2017 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 May 10, 2017.

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

City Clerk