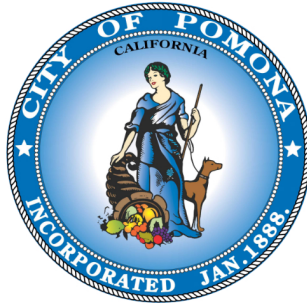


City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, October 16, 2017

7:00 PM

Open Session

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.

7:00 P.M.**CALL TO ORDER**

ROLL CALL**PLEDGE OF ALLEGIANCE****PRESENTATIONS**

A. Present a Certificate of Recognition to Mrs. Ella May Anderson

B. Approve and Present a Proclamation - Indigenous Peoples' Day!

Attachments: [Staff Report Indigenous Peoples Day](#)
 [Indigenous Peoples Day - Proclamation](#)

C. Prepared Pomona - Presentation about the City's Emergency Preparedness Program

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 the draft minutes of the Special Study Session May 6, 2017 and the Regular Meeting of May 8, 2017.

Attachments: [05-06-2017 Draft Minutes.rtf](#)
 [05-08-2017 Draft Minutes.rtf](#)

2. Adopt a Resolution Approving Lot Merger LM7-2017 of Lots 1 Through 12, Together with the Abutting Vacated Alley Extending North and South, All in Block 42 of the Pomona

Tract, Recorded in Book 3, Pages 90 and 91 of Miscellaneous Records, County of Los Angeles, Assessor Parcel Numbers 8341-004-041, -042, -051 and -052, for Tenant Improvement of the Western University of Health Sciences Office Building at 100 W. Second Street and 225-263 S. Garey Avenue, Pomona, CA (Council District 2)

RESOLUTION NO. 2017 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM7-2017 OF LOTS 1 THROUGH 12, TOGETHER WITH THE ABUTTING VACATED ALLEY EXTENDING NORTH AND SOUTH, ALL IN BLOCK 42 OF THE POMONA TRACT, RECORDED IN BOOK 3, PAGES 90 AND 91 OF MISCELLANEOUS RECORDS, COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8341-004-041, -042, -051 AND -052, FOR TENANT IMPROVEMENT OF THE WESTERN UNIVERSITY OF HEALTH SCIENCES OFFICE BUILDING AT 100 W. SECOND STREET AND 225 - 263 S. GAREY AVENUE, POMONA, CA

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [EXHIBIT 1](#)
 [EXHIBIT "A"](#)
 [EXHIBIT "B"](#)
 [Attachment 2 - Vicinity Map](#)
 [Attachment 3 - Aerial Map](#)

3. Award a Construction Contract in the Amount of \$734,205 to Gentry Brothers, Inc. for the "ADA Path of Travel - Citywide (CDBG) (FY 14-15 to FY16-17)," Project No. 428-2590-XXXXX-64774

Attachments: [Staff Report](#)
 [Attachment 1 - Project Location Maps - Citywide](#)

4. Adopt a Resolution Approving the Caltrans Supplement Agreement No. 019-F for Reimbursement of City Costs for "Street Rehabilitation - Districts 2 and 3," Project No. 67914; Amending the FY 17-18 Capital Improvement Program (CIP) Budget by Receiving and Appropriating \$860,000 of STP-L Funds to Same Project; and Award a Construction Contract in the Amount of \$1,718,673 to Hardy & Harper, Inc. for "Street Rehabilitation - Districts 2 and 3," Project No. 67914; "Street Improvements - Citywide (CDBG) (FY 15-16 to FY 17-18)," Project No. 64807, and "Sidewalks - Penmar Lane (CDBG) (FY 16-17 to FY 17-18)," Project No. 67919

RESOLUTION NO. 2017 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE ADMINISTERING AGENCY-STATE PROGRAM SUPPLEMENT AGREEMENT NO. 019-F (ALSO KNOWN AS F019) BETWEEN

CALTRANS AND THE CITY OF POMONA FOR FEDERAL AND STATE FUNDED PROJECTS FOR REIMBURSEMENT OF CITY COSTS BY CALTRANS FOR "STREET REHABILITATION - DISTRICTS 2 AND 3 (FY 15-16 TO FY 16-17)," PROJECT NO. 428-2590-XXXXX-67914 (ALSO KNOWN AS CALTRANS PROJECT: STREET REHABILITATION IN EXISTING R/W-DISTRICTS CITYWIDE; PROJECT NO. STPL-5070 (033) (07-5070F15) LA0G1256); AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ADMINISTERING AGENCY-STATE PROGRAM SUPPLEMENT AGREEMENT NO. 019-f AND ALL SUBSEQUENT MODIFICATIONS TO SAID AGREEMENT ON BEHALF OF THE CITY; AMENDING THE FY 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY: MODIFYING THE PROJECT DESCRIPTION FOR "STREET REHABILITATION - DISTRICTS 2 AND 3 (FY 15-16 TO FY 16-17)," PROJECT NO. 428-2590-XXXXX-67914; AND, AMENDING THE CIP BUDGET BY RECEIVING AND APPROPRIATING \$860,000 OF STP-L FUNDS

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 -Location Map](#)

5. Adopt at Second Reading Two Ordinances Related to an Expansion of the Parking Lot for Casa Colina, Approving Change of Zone (Zone 4972-2016) to Change the Zoning Classification From R-1-7,500 to the Pomona Corridors Specific Plan Residential Transition Area, and Specific Plan Amendment (SPA 4920-2016) to Expand the Boundaries of the Pomona Corridors Specific Plan Residential Transition Area for the Properties at 267, 279 and 291 E. Bonita Avenue, 2815 Melbourne Avenue and the First Public Alley North of Bonita.

ORDINANCE NO. 4239

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING CHANGE OF ZONE (ZONE 4972-2016) TO REZONE THE PROPERTIES AT 267, 279, AND 291 E. BONITA AVENUE, 2815 MELBOURNE AVENUE AND THE FIRST PUBLIC ALLEY NORTH OF BONITA AVENUE FROM R-1-7,500 TO THE POMONA CORRIDORS SPECIFIC PLAN RESIDENTIAL TRANSITION ZONE

ORDINANCE NO. 4240

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT (SPA 4920-2016) TO AMEND THE POMONA CORRIDORS SPECIFIC PLAN (PCSP) BY EXPANDING THE BOUNDARY OF THE RESIDENTIAL TRANSITION AREA FOR PROPERTIES LOCATED AT 267, 279 AND 291 E. BONITA AVENUE, 2815 MELBOURNE AVENUE AND THE FIRST PUBLIC ALLEY NORTH OF BONITA

Attachments: [staff report.docx](#)
 [Ord 4239 - zone change ordinance](#)
 [Ord 4240 specific plan amendment](#)
 [10-2-17 staff report with attachments](#)

6. Adopt a Resolution Amending the 2017-18 Capital Improvement Program (CIP) Budget by Appropriating \$689,000 of Refuse Fund Balance to the "City Lot Remediation" Project No. 418-2590-XXXXX-71021; and Approve an Amendment to the Agreement with EnSafe in the Amount of \$589,000 for the Continuation of the Onsite Soil Vapor Extraction Cleanup

RESOLUTION NO. 2017 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$689,000 OF REFUSE FUND BALANCE TO THE "CITY LOT REMEDIATION" PROJECT NO. 418-2590-XXXXX-71021

Attachments: [Amendment to EnSafe Professional Service Contract .docx](#)
 [Attachment 1 - Resolution.doc](#)
 [Attachment 2 - EnSafe FY 17-18 Budget.pdf](#)

DISCUSSION CALENDAR

7. Finding of Public Benefit to the Community at Large for Recommended Expenditures

CURRENT REQUESTS:

- A) Amend payee to the Pomona Public Library Foundation for digital advertising in support of Pomona Reads 2017 - Amount requested: \$1,000
- B) Amount to be determined in support of the District Three El Dia de Los Muertos event - Amount requested: TBD
- C) Amount to be determined to purchase Pet Waste Disposal Bag Dispensers in support of the Pomona Beautiful cleanup movement - Amount requested: Amount requested \$1,700

Attachments: [FOPB Staff Report](#)
 [Attachments 1-3.pdf](#)

8. Adopt a Resolution Approving Exception to the 180-day Wait Period for Retired Annuitant Employment Pursuant to California Government Code Sections 7522.56(f) and 21224

RESOLUTION NO. 2017 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, FOR EXCEPTION TO THE 180-DAY WAIT PERIOD FOR RETIRED ANNUITANT EMPLOYMENT (GOVERNMENT CODE SECTIONS 7522.56 & 21224)

Attachments: [Appointment of Retired Annuitant Staff Report.docx](#)
 [Appointment of Retired Annuitant Reso.docx](#)
 [Appointment of Retired Annuitant Reso Exh A Offer.docx](#)

9. Fiscal Year 2016-17 June Unaudited Year-End Report (90% Complete)

Attachments: [June 2016-17 Interim cc report draft 5](#)
 [Exhibit 1 - Financial Statements 10-2-17 - 6.30.17 FINAL andrew](#)
 [Exhibit 2 - 16-17 proposals reductions enhancements -Mid year approp - FOR](#)

10. Adopt a Resolution Authorizing the Mayor to Submit a Response to the Amazon Headquarter 2 Request for Proposals

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AND JOINING IN A SUB-REGIONAL RESPONSE, ALONG WITH CAL POLY POMONA AND FAIRPLEX, TO AMAZON'S REQUEST FOR PROPOSALS FOR A SECOND CORPORATE HEADQUARTERS (HQ2) LOCATION

Attachments: [101617 CC SR Amazon final.doc](#)
 [101617 Reso - Authorizing Mayor's Response to Amazon RFP.doc](#)

PUBLIC HEARINGS

11. PUBLIC HEARING -- Introduction and First Reading of an Amendment to the Pomona Zoning Ordinance (CA 8233-2017) and Specific Plan Amendments (SPA 8235-2017) to Explicitly Prohibit Commercial Marijuana/Cannabis Activity Citywide; and Second Reading of an Ordinance Implementing a Permitting and Regulatory Scheme for Indoor Personal Marijuana Cultivation and to Prohibit Smoking Marijuana in Designated Areas

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING CODE AMENDMENT (CA 8233-2017) AMENDING THE ZONING ORDINANCE AND SPECIFIC PLAN AMENDMENTS (SPA 8235-2017), AMENDING THE PHILLIPS RANCH SPECIFIC PLAN, DOWNTOWN POMONA SPECIFIC PLAN, MOUNTAIN MEADOWS SPECIFIC PLAN, MISSION-71 BUSINESS PARK SPECIFIC PLAN, KELLOGG PLAZA SPECIFIC PLAN, POMONA CORRIDORS SPECIFIC PLAN, AND THE POMONA VALLEY HOSPITAL MEDICAL CENTER (PVHMC) SPECIFIC PLAN TO EXPLICITLY PROHIBIT COMMERCIAL CANNABIS ACTIVITY CITYWIDE

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING CHAPTER 34 OF THE POMONA CITY CODE TO ADD ARTICLE X TO CHAPTER 34 TO IMPLEMENT A PERMITTING AND REGULATORY PROGRAM FOR INDOOR PERSONAL MARIJUANA CULTIVATION AND TO PROHIBIT SMOKING MARIJUANA IN DESIGNATED AREAS

OR

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING CHAPTER 34 OF THE POMONA CITY CODE TO ADD ARTICLE X TO CHAPTER 34 TO IMPLEMENT A PERMITTING AND REGULATORY PROGRAM FOR INDOOR PERSONAL CANNABIS CULTIVATION AND TO PROHIBIT SMOKING CANNABIS IN DESIGNATED AREAS

Attachments: [Staff Report on Cannabis Regulation 10-16-17 REV 10-9-17.doc](#)
 [Att 1 -Proposed Ordinance re Regulation of Marijuana Land Uses.pdf](#)
 [Att 2 -Proposed Ordinance as Introduced and Approved for First Reading 7-17-](#)
 [Att 2A -Revised Ordinance Pertaining to Personal Marijuana Cultivation and Pro](#)
 [Att 3 -Frequently Asked Questions -FAQ's.pdf](#)
 [Att 4 -Planning Commission Staff Report re Regulation of Marijuana Land Uses](#)
 [Att 5 -Study Session Staff Report 5-22-17.pdf](#)
 [Att 6 -Community Meeting PowerPoint Presentation.pdf](#)
 [Att 7 -Adult Use of Marijuana Act.pdf](#)
 [Att 8 -Pomona Ordinance 4215 Prohibiting Cultivation of Marijuana Citywide 1-1](#)

MATTERS INITIATED BY CITY COUNCILMEMBERS

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

ADJOURNMENT

The next Regular Meeting will be held on Monday, November 6, 2017 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 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 October 16, 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 October 10, 2017.

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

/s/ Eva M. Buice
City Clerk

