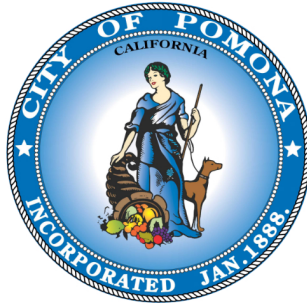


City of Pomona

505 S. Garey Ave
Pomona, CA 91766



Regular Meeting Agenda

Monday, March 5, 2018

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
Vice Mayor 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.

7:00 P.M.**CALL TO ORDER****ROLL CALL****POSTING OF COLORS**

Ganesha High School JROTC

PLEDGE OF ALLEGIANCE**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.

PRESENTATIONS

- A. Approve and present a Proclamation proclaiming the month of March, 2018 as "American Red Cross Month"

Attachments: [Proclamation 03-05-2018 American Red Cross.doc](#)
[03-05-2018 American Red Cross Month.docx](#)

- B. Approve and present a Proclamation proclaiming March 2018 as "National Nutrition Month" in the City of Pomona

Attachments: [Proclamation 03-05-2018 National Nutrition Month.doc](#)
[03-05-2018 National Nutrition Month.docx](#)

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 Amending "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918 within FY 2017-18 Capital Improvement Program (CIP) Budget by Reappropriating Series AX Bonds - District 2 (\$240,285), State Gas Tax (\$5,266), Prop C Funds (\$270,424), and Committing \$4,582,505 of Future Prop C Funds to the Project; Award Construction Contract to Hardy & Harper, Inc. for Phase 1, in the Sum of \$3,839,000; and Authorize Construction Change Order Capacity Up to \$300,000

RESOLUTION NO. 2018 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET REAPPROPRIATING FUNDING FROM "STREET PRESERVATION - CITYWIDE (FY 16-17), PROJECT NO. 428-2590-XXXXX-67920 AND "EXCESS RDA BOND PROCEEDS ALLOCATION," PROJECT NO. 428-2590-XXXXX-71041, COMMITTING PROP C FUNDS IN THE AMOUNT OF \$4,582,505 (OF WHICH \$2,100,000 IS MATCHING FOR THE 2015 METRO CALL FOR PROJECTS AND \$2,482,505 IS NON-MATCHING FUNDS), AND APPROPRIATING \$515,975 OF SERIES AX BONDS (DISTRICT 2 ALLOCATION), STATE GAS TAX FUNDS, AND PROP C FUNDS TO "MAJOR STREET REHABILITATION - 2015 METRO CALL," PROJECT NO. 428-2590-XXXXX-67918

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 - Vicinity Maps A-1 to A-5](#)

2. Adopt a Resolution Amending the FY2017-18 Capital Improvement Program (CIP) Budget by Creating a New CIP Project "City Stable Facility," Project No. 428-2590-xxxxx-71054; Receiving and Appropriating \$949,380 From Property Coverage Proceeds

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE FY2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CREATING A NEW CIP PROJECT, "CITY STABLE FACILITY," PROJECT NO. 428-2590-XXXXX-71054; RECEIVE AND APPROPRIATING \$949,380 FROM PROPERTY COVERAGE PROCEEDS

Attachments: [18-068 City Stable.docx](#)
 [Attachment 1 Resolution Creating CIP Project](#)
 [Attachment 2-Priority Needs by Site.docx](#)

3. Adoption of a Resolution Establishing the Annual Consumer Price Index (CPI) Adjustment of Business License Taxes, Utility Users' Maximum Annual Taxes, and Income Levels for Qualifying for Residential Utility Users' Tax Exemptions

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING THE ANNUAL CONSUMER PRICE INDEX (CPI) ADJUSTMENT FOR BUSINESS LICENSE TAXES, UTILITY USERS' MAXIMUM ANNUAL TAXES, AND INCOME LEVELS FOR RESIDENTIAL UTILITY USERS' TAX EXEMPTION ELIGIBILITY

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [Exhibit. A to Reso - Business License Tax Schedule](#)
 [Exhibit B - COMPARISON TABLE](#)
 [Attachment 2 - COMPARISON TABLE.pdf](#)
 [Attachment 3 - CPI Annual Increase](#)

4. Approve the draft minutes of the regular meetings of June 5 and June 12, 2017 City Council meetings

Attachments: [06-05-2017 Draft Minutes.pdf](#)
 [06-12-2017 Draft Minutes.pdf](#)

5. Approval of Updated Special Legal Counsel Panel and Adjustment to the Hourly Rates for Legal Services Provided by McCune and Harber

Attachments: [Outside Attorney Panel Staff Report.docx](#)
 [Outside Attorney Panel Panel Att A.pdf](#)

6. Adoption of a Resolution in Support of the Reducing Crime and Keeping California Safe Act of 2018

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2018

Attachments: [Staff Report](#)
 [Proposed Resolution](#)

7. Second Reading and Adoption of an Ordinance Reauthorizing City Ordinance No. 4111

Pertaining to Collection of Public, Educational and Government (PEG) Access Support Fees and Amending Section 54-102 to Add Automatic Reauthorization

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, REAUTHORIZING AND AMENDING SECTION 54-102 OF THE CITY CODE PERTAINING TO THE ESTABLISHMENT AND COLLECTION OF PUBLIC, EDUCATION, AND GOVERNMENT (PEG) FEES

Attachments: [Staff Report](#)

[Ordinance 2nd Reading PEG Reauthorization.doc](#)

DISCUSSION CALENDAR

8. Finding of Public Benefit to the Community at Large: Recommended Expenditures and Recap of Approved Funds

CURRENT REQUESTS:

A) Amount to be determined to Pomona Eagles in support of their Special Olympics Golf Tournament - Amount requested: \$500

B) Amount to be determined to purchase materials install two Little Free Libraries in District Four Neighborhoods - Amount requested: TBD

C) Amount to be determined to Decker Elementary School in support of Decker Fun Run and Festival - Amount requested: TBD

D) Amount to be determined to the Costanoan Rumsen Carmel Tribe in support of 26th Annual Ohlone "Big Time" Gathering & Pow Wow - Amount requested: \$2,430

Attachments: [FOPB Staff Report](#)

[Attachments 1-12](#)

9. Appoint One Councilmember to Participate on the San Gabriel Valley Council of Governments (SGVCOG) Transportation Committee as the City's Representative, and One Councilmember as an Alternate to the Representative

Attachments: [Council Report - Appointment to Transportation Committee 2-26-18R.docx](#)

10. Consideration of a Finding of Public Convenience or Necessity (PCN) to Allow the Sale of Beer and Wine (ABC License Type 20) for Off-site Consumption in Conjunction with a Convenience Store Located at 805 Rio Rancho Road

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY, CALIFORNIA, APPROVING A FINDING OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE SALE OF BEER AND WINE (ABC LICENSE TYPE 20) FOR OFF SITE CONSUMPTION IN CONJUNCTION WITH A CONVENIENCE STORE LOCATED AT 805 RIO RANCHO RD

Attachments: [805 Rio Rancho PCN Staff Report 3 5 18 - Final CA with all edits.docx](#)
 [Attachment 1 Reso PCN Approval 3.5.18 - 805 Rio Rancho Road.docx](#)
 [Attachment 2 Reso PCN Denial 3.5.18 - 805 Rio Rancho Road.docx](#)
 [Attachment 3 PC Staff Report CUP 7445-2017 No Attachments.pdf](#)
 [Attachment 4 PC Reso 17-026 Approved CUP.pdf](#)
 [Attachment 5 PC Official Minutes 6-14-2017 Excerpts.pdf](#)
 [Attachment 6 City Council Staff Report PCN 7-10-2017.pdf](#)
 [Attachment 7 City Council Reso 2017-105 Denying PCN.pdf](#)
 [Attachment 8 City Council Annotated Agenda 7-10-2017 Excerpts.pdf](#)
 [Attachment 9 ABC Census Tract Concentration.pdf](#)
 [Attachment 10 Pomona Police Crime Statistics.pdf](#)
 [Attachment 11 ABC High Crime Thresholds.pdf](#)
 [Attachment 12 Sensitive Uses Map.pdf](#)

PUBLIC HEARINGS

11. Conduct a Public Hearing Adopting a Resolution Approving the City of Pomona Housing Authority's FY 2018-2019 Annual Plan for Submission to the U.S. Department of Housing and Urban Development

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY, APPROVING THE HOUSING AUTHORITY'S Fiscal Year 2018-2019 ANNUAL PLAN FOR SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, INCLUDING THE CERTIFICATION OF CONSISTENCY WITH THE CONSOLIDATED PLAN FOR FY 2018-2019

Attachments: [Staff Report - 2018-19 Annual Plan.doc](#)
 [Attachment 1- 2018 Resolution.doc](#)
 [Exhibit A- HP PHA Plan 2018.docx](#)
 [Exhibit 1- Certification of Consistency.pdf](#)
 [Civil Rights Certification.pdf](#)
 [PHA Certification of Compliance.docx](#)
 [Exhibit 2- RAB Response Comments.rtf](#)
 [Exhibit 3- SEMAP Scores for FY 2016-17.pdf](#)

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 March 19, 2018, 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 March 5, 2018 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 February 27, 2018.

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

City Clerk