

City of Pomona

505 S. Garey Ave
Pomona, CA 91766



Revised Regular Meeting Agenda

Monday, December 17, 2018

7:00 PM

Open Session

Council Chambers

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

*Mayor Tim Sandoval
Vice-Mayor Rubio R. Gonzalez
Councilmember Victor Preciado
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.

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 SESSION

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

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.

PUBLIC PARTICIPATION

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

Together the City Council members, City staff, and public honor Pomona's important City meeting values:

*To speak and to listen to everyone with respect and courtesy;
To honor fairness and our cherished democratic process;
To affirm Pomona's dedication to lead as a Compassionate City.*

Thank you all for keeping these values and this commitment to act with them ever present in our minds as we proceed with the meeting together.

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. Approval of Draft Minutes for June 18, 2018 and December 3, 2018

Attachments: [Attachment 1-DRAFT MINUTES 6-18-18.rtf](#)
 [Attachment 2-DRAFT MINUTES 12-03-18.rtf](#)

2. Adoption of a Resolution Approving Lot Merger LM1-2018 for Remodeling of an Existing Commercial Property (La Cachanilla 5 Market) and Parking Lot Located at 1135-1157 N. White Avenue, Pomona, CA (Council District 1)

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM1-2018 OF A PORTION OF LOT 20, BLOCK C OF GANESHA PARK TRACT RECORDED IN BOOK 14, PAGES 74 AND 75 OF MAPS AND A PORTION OF LOT 5 OF TRACT NO. 7957 RECORDED IN BOOK 91 PAGE 37 OF MAPS, COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8340-006-037 AND -035, FOR REMODELING OF AN EXISTING COMMERCIAL PROPERTY AND PARKING LOT LOCATED AT 1135-1157 N. WHITE AVENUE, POMONA, CA

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution](#)
 [Exhibit 1.pdf](#)
 [Exhibit A.pdf](#)
 [Exhibit B.pdf](#)
 [Attachment 2 - Grant of Easement.pdf](#)
 [Attachment 3 - Vicinity Map.pdf](#)
 [Attachment 4 - Aerial Map.pdf](#)

3. Adopt a Resolution Amending the 2018-19 Capital Improvement Program (CIP) Budgets by Reappropriating Various Funding Sources Between Eight Park Projects Included in the Los Angeles County Regional Open Space District (LACROPSD) Grant and Closing Completed/Cancelled Projects and Unappropriating Unexpended Funds in the Amount of \$506,480

RESOLUTION NO. 2018-

A Resolution OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,

AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY REAPPROPRIATING \$1,852,043 OF VARIOUS FUNDING SOURCES BETWEEN EIGHT PARK PROJECTS INCLUDED IN THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT (LACRPOSD) AND AMENDING THE FY 2018-2019 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CLOSING COMPLETED/CANCELLED PROJECTS AND UNAPPROPRIATING \$506,480 OF UNEXPENDED PROJECT FUNDS FROM VARIOUS STREET, TRAFFIC AND PARK FACILITY PROJECTS

Attachments: [Staff Report](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Exhibit A Sec 1 - Copy.pdf](#)

[Attachment 2 - Exhibit A Sec 2 - Copy.pdf](#)

4. Approve the Requirement to Obtain a Los Angeles County Permit, to Comply with the County Health Code and California Retail Food Code (Cal Code), as Part of the Process for City of Pomona Special Event Applicants Who Are Serving Food to the Public

Attachments: [Staff Report](#)

[Attachment 1 - LA County Health Guidelines \(English\)](#)

[Attachment 2 - LA County Health Guidelines \(Spanish\)](#)

[Attachment 3 - Exemption Certification for Community Events](#)

5. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Program (CIP) Budget by Appropriating \$20,000 from District 4 Discretionary Carryover Fund (No. 418-72104) to Create "Median Improvements - Towne Avenue and McKinley Avenue," Project 67926

RESOLUTION 2018 -

A RESOLUTION OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET TO CREATE A NEW CIP PROJECT, "MEDIAN IMPROVEMENTS - TOWNE AVENUE AND MCKINLEY AVENUE," PROJECT NO. 428-2590-XXXXX-67926, AND APPROPRIATING \$20,000 FROM DISTRICT 4 DISCRETIONARY FUND BALANCE

Attachments: [Staff Report](#)

[Attachment 1 - Resolution](#)

[Exhibit A - CIP Project Details Sheet](#)

[Attachment 2 - Vicinity Map](#)

[Attachment 3 - Aerial Map](#)

6. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Budget to Reallocate CIP Project Appropriations in the Combined Amount of **\$289,634** to Fund CIP Project, "ADA Compliance Program - Curb Ramps, Sidewalks, and Public Facilities/Structure -

Citywide [Phase III: ADA Transition Plan]" Project No 428-2590-XXXXX-81055 and Approve a Professional Services Agreement with Owen Group, Inc. in the Amount Not-to-Exceed \$600,000 to Owen Group, Inc. to Draft the Compliance Plan

RESOLUTION 2018 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT BUDGET TO REALLOCATE CIP PROJECT APPROPRIATIONS IN THE COMBINED AMOUNT OF **\$289,634 TO FUND CIP PROJECT, "ADA COMPLIANCE PROGRAM - CURB RAMPS, SIDEWALKS, AND PUBLIC FACILITIES/STRUCTURE - CITYWIDE [PHASE III: ADA TRANSITION PLAN]" PROJECT NO 428-2590-XXXXX-81055**

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

7. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Program (CIP) Budget by Appropriating \$12,100 to "City Hall First Floor Remodel", CIP Project No. 428-2590-XXXXX-74115; Approve an Amendment to the Agreement with National Relocation Services (NRS) in the amount of \$39,145.87 to Sole Source Office Space Planning, Furniture and Installation

RESOLUTION 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$12,100 OF GENERAL FUND BUDGET TO THE CITY HALL FIRST FLOOR REMODEL" PROJECT NO. 428-2590-XXXXX-74115

Attachments: [Staff Report](#)
[Attachment 1 - Amending the FY 2018-19 CIP Budget](#)

8. Adopt a Resolution Amending the FY 2018-19 Public Works Operating Budget to Reflect Carryover Funds in the Amount of \$92,700 for Asphalt Material Patch Truck Conversion

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 PUBLIC WORKS OPERATING BUDGET BY RE-APPROPRIATING \$92,700 TO THE TRANSPORTATION FUNDS 208-250-52425-00000, 138-2520-52425-0000, 206-2520-52425-00000 FOR THE CONVERSION OF A HEAVY DUTY TRUCK INTO AN ASPHALT MATERIAL PATCH TRUCK PREVIOUSLY AUTHORIZED IN FISCAL YEAR 2017-18

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

9. To receive and file the City of Pomona Report on Development Impact Fees for Fiscal Year Ended June 30, 2018.

Attachments: [Staff Report](#)
 [Attachment 1](#)

10. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Program (CIP) Budget for "Financial Software Project," Project No. 428-2590-XXXXX-71048 by Appropriating \$26,604 from Series "BG" Bond Funds; Authorize City Manager to Execute a Contract with High Line Corporation to Upgrade and Implement Human Resources, Payroll and Timekeeping Software Program and Cancel Contract with Personnel Data Systems Inc. (PDS)

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$26,604 IN SERIES "BG" BOND FUNDS FOR "FINANCIAL SOFTWARE PROJECT" PROJECT NO. 428-2590-XXXXX-71048

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

11. Resolution Authorizing the Pomona Housing Authority to Submit an Application to the Department of Housing and Urban Development to Request Admission to the Moving to Work Demonstration Program for Fiscal Year 2019

RESOLUTION 2018 NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, SITTING AS THE GOVERNING BOARD FOR THE POMONA HOUSING AUTHORITY, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUESTING ADMISSION TO THE MOVING TO WORK DEMONSTRATION PROGRAM FOR FISCAL YEAR 2019

Attachments: [Staff Report](#)
 [Attachment 1](#)

12. Adoption of a Resolution Accepting the 2018 Bureau of Justice Assistance (BJA) Bulletproof Vest Partnership (BVP) Program Grant in the Amount of \$25,334, Amending the FY 2018-19 Police Department Appropriations and Resources in the Amount of the

Grant and Approving a Sole Source Purchase to Safariland Utilizing the Mallory Safety & Supply Cooperative Agreement, Contract No. 4400008468

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE U.S. DEPARTMENT OF JUSTICE'S (DOJ) BULLETPROOF VEST PARTNERSHIP (BVP) GRANT IN THE AMOUNT OF \$25,334 AND AMENDING THE FY 2018-19 POLICE DEPARTMENT APPROPRIATIONS AND RESOURCES IN THE AMOUNT OF THE GRANT

Attachments: [Staff Report](#)
 [Attachment 1](#)

13. Adoption of a Resolution Accepting the U.S. Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) FY 2017 Local Solicitation Award in the Amount of \$60,778, Amending the FY 2018-19 Grants Revenue Budget and Approving the Police Department's Proposed Expenditure Plan

RESOLUTION NO. 2018-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA ACCEPTING THE \$60,778 IN U.S. DEPARTMENT OF JUSTICE (DOJ) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FY 2017 LOCAL SOLICITATION AWARD FUNDS, AMENDING THE FY 2018-19 GRANT REVENUE BUDGET AND APPROVING THE POLICE DEPARTMENT'S EXPENDITURE PLAN

Attachments: [Staff Report](#)
 [Attachment 1](#)

14. Award of Bid to American Guard Services, Inc. for Crossing Guard Services at Hourly Prices Bid for Three (3) Years with Two (2), One-Year Extension Options

Attachments: [Staff Report](#)
 [Attachment 1](#)

15. Approve the Police Department Entering into a Modified Memorandum of Understanding (MOU) with Los Angeles County's Taskforce for Regional Autotheft Prevention (TRAP) and Adopt a Resolution Amending the Adopted FY 2018-19 Police Revenue and Operating Budgets by \$290,000 to Increase Sworn Authorized Staffing to Include One (1) Additional New Police Investigator Position

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA,

CALIFORNIA, AMENDING THE ADOPTED FY 2018-19 POLICE REVENUE AND OPERATING BUDGETS BY \$290,000 TO INCREASE SWORN AUTHORIZED STAFFING TO INCLUDE ONE (1) ADDITIONAL NEW POLICE INVESTIGATOR POSITION

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

16. Approval of a Contract Amendment to the Professional Services Agreement with Tierra West Advisors for Economic and Feasibility Services Pertaining to the Downtown Parking Structure and Maya Cinema Projects, in the Amount of \$25,000

Attachments: [Staff Report](#)
 [Attachment 1](#)

17. Modify Special Legal Counsel Panel by Adding the Law Office of Robert Gokoo at a Rate of \$200 per Hour and Increase the Rate of Lagerlof, Senecal, Gosnevy & Kruse LLP to \$450 per Hour

Attachments: [Staff Report](#)
 [Attachment 1-Special Legal Panel](#)

18. Consideration of Legal Services Agreement for Interim City Attorney Services

Attachments: [Staff Report](#)
 [Attachment 1 - Contract.pdf](#)

19. Authorize the Use of Sourcewell (formerly National Joint Powers Alliance) Contract Agreement Number 121715 Awarded to Shaw Industries, Inc. in the Amount Not-To-Exceed \$48,987.58 for "City Hall First Floor Remodel," Project No. 428-2590-XXXXX-74115

Attachments: [Staff Report](#)
 [Attachment 1 - Sourcewell.pdf](#)
 [Attachment 2 - Quote.pdf](#)

20. Adoption of Resolutions Amending the Conflict of Interest Code for the City of Pomona, Housing Authority and the Successor Agency to the Former Redevelopment Agency

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE APPLICABLE TO THE MEMBERS OF THE CITY COUNCIL AND SPECIFIED AND DESIGNATED OFFICERS AND EMPLOYEES

RESOLUTION NO. 2018-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE APPLICABLE TO THE MEMBERS OF THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY AND DESIGNATED CITY EMPLOYEES BY INCORPORATING CALIFORNIA CODE OF REGULATIONS SECTION 18730 - THE STANDARDIZED CONFLICT OF INTEREST CODE

Attachments: [Staff Report](#)
 [Attachment 1 - Resolution City](#)
 [Attachment 2 - Resolution Housing Authority](#)
 [Attachment 3 - CA Code of Regulations](#)

DISCUSSION CALENDAR

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

CURRENT REQUESTS:

- A)** Amount to be determined to the Juneteenth Education Technology Mobile Arts Center, Inc. in support of its 18th Annual Dr. Martin Luther King Jr. Unity Breakfast and Tribute - Amount requested: \$10,000
B) Amount to be determined to PEARLS of Service, Inc. in support of its 9th Annual Dr. Martin Luther King Jr. Sunday Supper - Amount requested: \$1,200
C) Amount to be determined to the American Legion in support of window repairs at the American Legions Bldg. - Amount requested: \$TBD
D) Amount to be determined to Kiwanis Park Community Group in support of a community event to welcome new neighbors. - Amount requested: \$TBD
E) Amount to be determined to the Brown Memorial Temple in support of a community event that includes a toy giveaway. - Amount requested: \$TBD

Attachments: [Staff Report FOPB](#)
 [Attachments 1-16](#)

22. Certification of Citizen Sponsored Initiative Measure (The "Initiative") to Enact a Three Quarter Percent (0.75%) Increase in the City's Utility Users Tax; Receive and File the Impact Analysis of the Initiative Prepared Pursuant to Section 9212 of the California Elections Code; and Consider Whether to Adopt the Proposed Ordinance or Direct Staff to Prepare said Ordinance/Initiative for Placement on the Ballot of the Next General Election

Attachments: [Staff Report-UUT Ballot Initiative-c1.docx](#)
 [Attachment 1 Certificate of Sufficiency](#)
 [Attachment 2 proposed UUT Ordinance](#)
 [Attachment 3 Impact Report 9212 12102018.pdf](#)

23. City Council Appointments and Reappointments to Various Agencies and Boards

Attachments: [Staff Report](#)
 [Attachment 1-Regional Boards and Commissions.doc](#)

24. Discussion Regarding Possible Use of City Owned Property Located on South Buena Vista Avenue (APN 8349-026-902) for Urban Gardening

Attachments: [Staff Report](#)
 [Attachments 1 & 2](#)

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, January 7, 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, Rosalia A. Butler, MMC, City Clerk for the City of Pomona, hereby certify that the revised agenda for the December 17, 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 Thursday, December 13, 2018.

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

/s/ Rosalia A. Butler, MMC
City Clerk