

# City of Pomona

505 S. Garey Ave  
Pomona, CA 91766



## Regular Meeting Agenda

Monday, March 18, 2019

7:00 PM

Closed and 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](http://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

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*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. PUBLIC EMPLOYEE APPOINTMENT** (Pursuant to Government Code Section 54957(b)(1))

City Attorney

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** (Pursuant to Government Code Section 54956.9 (d)(2) and (e)(5))

One matter will be discussed.

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

Employee Organizations:

Part Time Unrepresented Employees  
Part Time General Employees Unit  
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**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

- A.** Proclamation proclaiming the week of March 18-24, 2019 as "Fix A Leak Week" in the City of Pomona

Attachments:     [Proclamation-Fix A Leak Week.docx](#)  
                              [Proclamation](#)

- B.        Recognition of Diamond Ranch High School's Girls Basketball Team for Capturing the CIF Southern Section 3A Championship and Reaching the Second Round in the State Tournament

## **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.        Amendment of the FY 2018-19 Capital Improvement Program Budget by Closing Completed/Cancelled Projects and Re-Appropriating Unexpended Funds in the Amount of \$206,975.61

It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2019-19 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CLOSING COMPLETED/CANCELLED PROJECTS AND RE-APPROPRIATING \$206,975.61 IN UNEXPENDED FUNDS**

**Attachments:**     [Staff Report.docx](#)  
                              [Attachment 1- Resolution.doc](#)  
                              [Attachment 3- Exhibit A](#)  
                              [Attachment 4 - CIP Sheet - .xlsx](#)

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

It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2019 - 21 - 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.docx](#)  
                              [Attachment 1 - UUT CPI Resolution 19.doc](#)  
                              [2019 EX. A. to Reso - Business License Tax Schedule.pdf](#)  
                              [Attachment 2 - COMPARISON TABLE - BUSINESS LICENSE.pdf](#)

3.     Award of Sole Source Open Purchase Orders to Ameron Pole Products, Iteris and Excellence Opto, Inc. for an Initial Term of Three Years, with the Option to Extend the Contract for Up to Two Additional One-Year Terms

It is recommended that the City Council take the following actions:

- 1) Award an open purchase order to Ameron Pole Products for traffic signal and street light poles for three years, with the option to extend the contract for up to two additional one-year terms; and
- 2) Award an open purchase order to Iteris for traffic signal equipment for three years, with the option to extend the contract for up to two additional one-year terms; and

3) Award an open purchase order to Excellence Opto, Inc. for street light fixtures for three years, with the option to extend the contract for up to two additional one-year terms.

Attachments:    [Staff Report.docx](#)

4. Electing to be Exempt from the California Congestion Management Program (CMP) - Metro

It is recommended that the City Council adopt the following resolution:

**RESOLUTION NO. 2019-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ELECTING TO BE EXEMPT FROM THE CONGESTION MANAGEMENT PROGRAM**

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

5. Approve a Memorandum of Understanding (MOU) between the City of Pomona (City) and the Inland Empire Utilities Agency (IEUA) to collaborate in the development of the Chino Basin Program (CBP)

It is recommended that the City Council take the following actions:

- 1) Direct staff to collaborate with IEUA and other Chino Basin stakeholders to develop projects to address the various objectives of the CBP; and
- 2) Authorize the City Manager to execute the MOU with IEUA in support of identifying and supporting future projects identified in the CBP.

Attachments:    [Staff Report- Approve MOU Between the City and IEUA for CBP](#)  
                          [Attachment No. 1-Chino Basin Program MOU.docx](#)

6. Authorize the Submittal of Two Community Wellbeing Grant Applications to Tri-City Mental Health Center in the Amount of \$20,000

It is recommended that the City Council authorize staff to submit two grant applications for projects eligible for the Tri-City Community Wellbeing Program in the total amount of \$20,000.

Attachments:    [Council Report - TriCity Applications.docx](#)

7. Authorize the use of Sourcewell Cooperative Contract awarded to National Auto Fleet Group for the purchase of one new 2019 Ford F-150 Truck for Community Services in

the amount of \$34,407.30

It is recommended that the City Council authorize the use of Sourcewell (formerly NJPA, or National Joint Powers Alliance) Cooperative Contract #120716-NAF awarded to National Auto Fleet Group for the purchase of one new 2019 Ford F-150 Full-Size Truck in the amount of \$34,407.30.

**Attachments:**     [Staff Report - Sourcewell Ford F-150 Purchase 3-18-19.docx](#)  
                              [Attachment 1 - Form E \(Contract Acceptance and Award\).pdf](#)

**8. Citizens Oversight Committee Bylaws**

It is recommended that the City Council review and approve the proposed Citizens Oversight Committee Bylaws.

**Attachments:**     [Staff Report- Citizens Oversight Committee Bylaws](#)  
                              [Attachment 1 ORDINANCE 4253](#)  
                              [Attachment 2 COC proposed bylaws](#)

**DISCUSSION CALENDAR**

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

It is recommended that the City Council take the following actions:

1) Approve the expenditures recommended and make the finding that the community at large will receive a public benefit from the expenditure of funds for recommended items; and

2) Receive and file the recap of final amounts for previously approved projects/activities.

**Attachments:**     [Staff Report FOPB](#)  
                              [Attachments 1 - 21](#)

**10. Proposed Phillips Ranch Zone AB Assessment District Service Level Increase Options**

It is recommended that the City Council take the following actions:

1) Receive and file the City of Pomona Benefit Analysis for Phillips Ranch dated February 26, 2019 prepared by NBS Government Finance Group; and

2) Select a service level/assessment option as described in the "Alternatives" section of the staff report; and

3) Adopt the following resolution:

**RESOLUTION NO. 2019-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA INITIATING PROCEEDINGS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 TO FORM THE PHILLIPS RANCH LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, DESCRIBING THE PROPOSED IMPROVEMENTS TO SERVE SAID DISTRICT, AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT**

**Attachments:**     [Staff Report - Selection of Service Level Options in Phillips Ranch](#)  
[Attachment 1 - Pomona Phillips Ranch BenefitAnalysis 02.26.19.pdf](#)  
[Attachment 2 - Resolution Initiating Proceedings to form the Phillips](#)

**11. Regulation of Commercial Cannabis Businesses**

It is recommended that the City Council take the following actions:

- 1) Waive further reading and introduce on first reading the following ordinance:

**ORDINANCE NO. 4257 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE POMONA CITY CODE BY ADDING CHAPTER 68, "COMMERCIAL CANNABIS BUSINESSES"**

- 2) Direct staff to draft proposed zoning ordinance amendments to allow certain commercial cannabis businesses in specified zones to be heard by the Planning Commission and direct that the Commission conduct a public hearing and make recommendations regarding the amendments; and
- 3) Direct staff to present the Planning Commission's recommendation on amendments to the Zoning Code to address Commercial Cannabis Uses, in the form of an ordinance, to the City Council at a duly noticed public hearing; and
- 4) Direct staff to prepare and present for Council consideration of a resolution establishing the maximum number and types of commercial cannabis businesses to be allowed in specified zones and a resolution adopting a Process Integrity Standards.

**Attachments:**     [Cannabis Ordinance Staff Report](#)  
[Draft Ordinance](#)

**12. Review of the Fiscal Year 2018-19 General Fund Mid-Year Budget; Amendment of the Fiscal Year 2018-19 Operating Budget; Authorization of the Fiscal Year 2018-19 Staffing Levels**

It is recommended that the City Council adopt the following resolutions:



**RESOLUTION NO. 2019-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2018-2019 ADOPTED OPERATING BUDGET AND THE FISCAL YEAR 2018-19 AUTHORIZED STAFFING LEVELS**

**RESOLUTION NO. 2019-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX B OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA CITY EMPLOYEES' CHAPTER OF THE TEAMSTERS LOCAL 1932 BY DELETING THE CLASSIFICATION OF PUBLIC SERVICES SPECIALIST AND ADDING THE CLASSIFICATION OF LEAD LANDSCAPE MAINTENANCE TECHNICIAN**

**RESOLUTION NO. 2019-33 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX B OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA MID-MANAGEMENT/CONFIDENTIAL EMPLOYEES' ASSOCIATION TO DELETE THE CLASSIFICATION OF CODE COMPLIANCE MANAGER AND ADD THE CLASSIFICATION OF CODE COMPLIANCE SUPERVISOR**

**RESOLUTION NO. 2019-34 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR EXECUTIVE MANAGEMENT GROUP A AND B EMPLOYEES BY INCREASING THE SALARY RANGES FOR THE CLASSIFICATIONS OF PUBLIC WORKS DIRECTOR AND WATER RESOURCES DIRECTOR**

**RESOLUTION NO. 2019-35 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AMENDMENTS TO THE CITY OF POMONA'S SALARY SCHEDULE TO MEET THE CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 2, SECTIONS 570.5 AND 571**

**Attachments:**     [Mid Year 2018-19 CC report 3-18-19](#)  
                              [Att 1 Resolution op budget and auth staffing](#)  
                              [Att 2 Resolution PCEA v1.docx](#)  
                              [Att 3 Resolution PMMCEA v1.docx](#)  
                              [Att 4 Resolution Group A-B.docx](#)  
                              [Att 5 Resolution Salary Schedule.docx](#)  
                              [Att 6 Exh A - Salary Schedule 03-18-19.pdf](#)

## **PUBLIC HEARINGS**

- 13.**     Approval of the City of Pomona Housing Authority's FY 2019-2020 Annual Public Housing

Authority Plan for submission to the Department of Housing and Urban Development (HUD)

It is recommended that the City Council, sitting as the Governing Board of the City of Pomona Housing Authority, open the Public Hearing and after receiving testimony and public comment, adopt the following resolution:

**RESOLUTION NO. 2019-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY, APPROVING THE PUBLIC HOUSING AGENCY CERTIFICATION OF CONSISTENCY WITH THE CONSOLIDATED PLAN AND CERTIFICATION OF COMPLIANCE WITH THE PUBLIC HOUSING AUTHORITY ANNUAL PLAN SUBMISSION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**

**Attachments:**     [Staff Report .docx](#)

[Attachment 1- Resolution.doc](#)

[Attachment 2.pdf](#)

[Attachment 2a.pdf](#)

[Attachment 2b.pdf](#)

[Attachment 2c.pdf](#)

[Attachment 2d.pdf](#)

[Attachment 2e.pdf](#)

## **MATTERS INITIATED BY CITY COUNCIL MEMBERS**

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

## **ADJOURNMENT**

*This meeting will adjourn to a Special Meeting on Monday, March 25, 2019. At this time, the location is to be determined. The Special Meeting will commence at 5:00 p.m.*

## **CERTIFICATION OF POSTING AGENDA**

*I, Genoveva Rocha, Deputy City Clerk II, for the City of Pomona, hereby certify that the agenda for the March 18, 2019, 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](http://www.ci.pomona.ca.us) on March 12, 2019*

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

/s/ Genoveva Rocha, CMC  
Deputy City Clerk II