

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Revised Regular Meeting Agenda

Monday, June 3, 2019

5:30 p.m. in the Closed Session Room
&
7:00 p.m. in the Council Chambers

*** Item Nos. 5 & 6 were moved from the
Consent Calendar to the Discussion Calendar**

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.

In the Closed Session Room

CLOSED SESSION

Held in the City Council Conference Room adjacent to the Council Chambers on the south side of the building.

CALL TO ORDER

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.

CLOSED SESSION AGENDA ITEMS

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

One matter will be discussed pursuant to Government Code Section 54956.9 (d)(2) and (e)(2)

Dispute over scope of City's easement at Rio Rancho Road

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

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

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

City Attorney

7:00 P.M.

Reconvene in the Council Chambers

CALL TO ORDER

CLOSED SESSION REPORT

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

- A. Certificate of Recognition to The School of Arts & Enterprise (The SAE) Congratulating them for Being Awarded “The Arts School Network Exemplary School Distinction”; A National Honor Considered the Highest Possible Recognition for Specialized Art Schools
- B. A Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming May 2019 as “CalFresh Awareness Month” in the City of Pomona

Attachments: [CalFresh Awareness Month](#)

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. Legislative Advocacy - Support of Assembly Bill 539 Fair Access to Credit Act (Limón)

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

- 1) Approve staff's recommendation to support Assembly Bill 539 Fair Access to Credit Act (Limón); and**
- 2) Authorize staff to draft and disseminate letters in support of this proposed legislation.**

Attachments: [Staff Report](#)
 [AB539 - Legislative Text](#)

2. Second Reading and Adoption of Ordinance for Change of Zone (Zone 10882-2018) for a Property Located at 1531 and 1533 West Orange Grove Avenue

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

ORDINANCE NO. 4262 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CHANGE OF ZONE (ZONE 10882-2018) TO ADD THE R-1-E, SINGLE-FAMILY RESIDENTIAL OVERLAY DISTRICT TO THE EXISTING ZONING DESIGNATION OF R-1-6,000, SINGLE-FAMILY RESIDENTIAL DISTRICT ON A PROPERTY LOCATED AT 1531 AND 1533 WEST ORANGE GROVE AVENUE

Attachments: [Staff Report](#)
 [Attachment No 1 - Draft City Council Ordinance adopting ZONE](#)
 [Attachment No 2 - Public Hearing Notice and 400' Radius Map](#)
 [Attachment No 3 - City Council staff report dated May 20, 2019](#)
 [Attachment No 4 - Planning Commission staff report dated April 24, 2019](#)
 [Attachment No 5 - Location Map and Aerial Photograph](#)
 [Attachment No 6 - Site Photographs](#)
 [Attachment No 7 - Conceptual Project Plans](#)

3. Adoption of a Resolution in Support of U.S. Senate Bill 227 - "Savanna's Act" as a Call to Action in Addressing Missing and Murdered Indigenous Women and Children

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

RESOLUTION NO. 2019-63 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, IN SUPPORT OF U.S. SENATE BILL 227 "SAVANNA'S ACT" AS A CALL TO ACTION IN ADDRESSING MISSING AND MURDERED INDIGENOUS WOMEN AND CHILDREN

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

4. Adoption of a Resolution Authorizing an Exception of the Dollar Threshold limits in Section 2-1003(c)(4) of the Pomona Municipal Code for Engagement of Cumming Construction Management, Inc. for Professional Construction Management Services Associated with Project No. 441-6725-XXXXX-73368

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

RESOLUTION NO. 2019-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AUTHORIZING AN EXCEPTION t0 the DOLLAR THRESHOLD LIMITS IN SECTION 2-1003(C)(4) OF THE POMONA MUNICIPAL CODE FOR ENGAGEMENT OF CUMMING CONSTRUCTION MANAGEMENT, INC. FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED WITH PROJECT NO. 441-6725-xxxxx-73368

Attachments: [Staff Report - Cumming contract-c2](#)
 [Attachment 1 - Resolution Cumming contract-c2](#)

DISCUSSION CALENDAR

5. Status Update on Code Enforcement Cases for Recycling Facilities and Other Industrial Uses - Receive and File

It is recommended that the City Council receive and file the report

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

6. Approval of Letter of Agreement with Fairplex Regarding Processing of Specific Plan Application and Interim Use of Property

It is recommended that the City Council approve the letter agreement and authorize Mayor to execute on behalf of City

Attachments: [Staff Report-Final Fairplex Letter Agreement](#)
 [LACFA-Fairplex- Letter Agreement re Specific Plan 4838-8209-7557](#)

7. Consideration of Disposition of the City Stable

It is recommended that the City Council discuss and consider options for the disposition of the City Stable Facility and provide final direction.

Attachments: [Staff Report.docx](#)
 [Attachment No. 1 - Aerial Photo.pdf](#)
 [Attachment No. 2 - Site Photos.pdf](#)
 [Attachment No. 3 - Cost Breakdown Other Sites.pdf](#)
 [Attachment No. 4 - List of Options-Estimates.pdf](#)

8. Finding of Public Benefit of the Community at Large: Recommended Expenditure and Recap of Funds

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

- 1)** Approve the expenditure recommended and make the finding that the community at large will receive a public benefit from the expenditure of funds for the recommended item; and
- 2)** Receive and file the recap of final amounts for previously approved projects/activities.

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

9. City Vote Regarding the Formation of the Phillips Ranch Landscaping and Lighting Maintenance Assessment District

It is recommended that the City Council authorize the City Manager to cast ballots and vote “yes” on behalf of the City of Pomona for the proposed formation of the Phillips Ranch Landscaping and Lighting Maintenance Assessment District and corresponding increase to the assessment for all of the City-owned parcels currently located within the existing Consolidated Citywide Street Lighting and Landscaping Maintenance District Zones AB.

Attachments: [Staff Report.docx](#)
 [Attachment 1 - 8708-014-900.pdf](#)
 [Attachment 2 - 8708-014-901 .pdf](#)
 [Attachment 3 - 8708-014-902.pdf](#)
 [Attachment 4 - 8708-014-903.pdf](#)
 [Attachment 5 - 8708-014-904.pdf](#)
 [Attachment 6 - 8708-014-905.pdf](#)

PUBLIC HEARINGS

10. Adoption of Resolution Increasing Vehicle Parking District (VPD) Quarterly Parking Permit Fees by Five Dollars per Month

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

RESOLUTION NO. 2019-62 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN INCREASE TO THE VEHICLE PARKING DISTRICT QUARTERLY PARKING PERMIT FEES BY FIVE DOLLARS PER MONTH

Attachments: [Staff Report - VPD Parking Permit Fee Increase](#)
[Attachment 1 - VPD Resolution VPD Fee Increase](#)
[Attachment A - VPD reso](#)

11. Approval of the Fiscal Year 2019-2020 City of Pomona Operating Budget, Housing Authority Budget, Five Year Capital Improvement Program Budget, and Establishing the FY 2019-20 GANN Appropriations Limit

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

RESOLUTION NO. 2019-68 - ADOPTING THE FISCAL YEAR 2019-2020 CITY OF POMONA OPERATING BUDGET

RESOLUTION NO. 2019-69 - ADOPTING THE HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2019-20

RESOLUTION NO. 2019-70 - APPROVING THE 2019-2020 TO 2023-2024 FIVE YEAR CAPITAL IMPROVEMENT PROGRAM AND ADOPTING A CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2019-2020

RESOLUTION NO. 2019-71 - ESTABLISHING THE 2019-2020 GANN APPROPRIATIONS LIMIT

Attachments: [FY19-20 Adopted Budget Report V1.docx](#)
[Attach 1_2019-20-Operating Budget Reso](#)
[Exhibit A - Attachment 1](#)
[Attachment 2_2019-20 Housing Authority Reso](#)
[Attachment 3_2019-20 CIP Reso](#)
[Exhibit A - Attachment 3](#)
[Attachment 4_2019-20 GANN Reso](#)
[Exhibit A for Attachment 4](#)

MATTERS INITIATED BY CITY COUNCIL MEMBERS

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

ADJOURNMENT

IN MEMORY

of

Lara-Soto Family

There will be a Special Closed Session on Tuesday, June 4, 2019, in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. Closed Session items will be discussed at 2:30 p.m.

CERTIFICATION OF POSTING AGENDA

I, Rosalia A. Butler, MMC, City Clerk for the City of Pomona, hereby certify that the agenda for the June 3, 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 on Thursday, May 30, 2019.

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

/s/ Rosalia A. Butler, MMC
City Clerk