

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, June 17, 2019

7:00 PM

7:00 p.m. in the Council Chambers

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.

7:00 P.M.

Reconvene in the Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATIONS

- A. A Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming June 2019 as LGBTQ+ Pride Month in the City of Pomona

Attachments: [LGBTQ+ Pride Month](#)

- B. Recognition of Outgoing Chief Operating Officer and Provost Dr. Gary Gugelchuk for his 36 Years of Service and Loyal Dedication to the Pomona Valley and Inland Empire through his Leadership and Scholarship at Western University of Health Sciences

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

It is recommended that the City Council approve the following City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes:

- April 8, 2019 Meeting Minutes
- May 1, 2019 Meeting Minutes
- May 6, 2019 Meeting Minutes
- May 13, 2019 Meeting Minutes
- May 20, 2019 Meeting Minutes
- June 4, 2019 Meeting Minutes

Attachments: [FINAL MINUTES 4-8-2019](#)
 [FINAL MINUTES 5-1-2019](#)
 [FINAL MINUTES 5-6-2019](#)
 [FINAL MINUTES 5-13-2019](#)
 [FINAL MINUTES 5-20-2019](#)
 [FINAL MINUTES 6-4-2019](#)

2. Establishing the Order of Appointment Vice-Mayor and Selecting and Designating District 2 Councilmember, Victor Preciado, as Vice-Mayor

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

RESOLUTION NO. 2019-80 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SELECTING AND DESIGNATING DISTRICT 2 COUNCILMEMBER, VICTOR PRECIADO, AS VICE-MAYOR

Attachments: [Staff Report-Vice-Mayor Appointment.docx](#)
 [Attachment 1 - RES. 2019-80 Vice Mayor Appointment.doc](#)
 [Attachment 2 - RES. 2018-097 Establishing the Order of Vice-Mayor Appointme](#)

3. City Social Media Policy

It is recommended that the City Council receive and file the report and Social Media Policy.

Attachments: [Staff Report](#)
 [Draft Policy](#)

4. Authorizing Change in Officers Authorized to Order the Deposits or Withdrawals of

Monies in the Local Agency Investment Fund (LAIF)

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

RESOLUTION NO. 2019-74 - A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AND THE CITY COUNCIL SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY AUTHORIZING THE CHANGE OF OFFICERS TO ORDER THE DEPOSIT OR WITHDRAWAL OF CITY OF POMONA AND CITY OF POMONA HOUSING AUTHORITY MONIES IIN THE LOCAL AGENCY INVESTMENT FUND

Attachments: [Staff Report-LAIF - change in officers.docx](#)
 [Attachment 1 - Resolution 2019-74.doc](#)

5. Approve the Los Angeles County Sheriff's Food Service Unit as a Sole Source Vendor to Provide Jail Prisoners Meals, Approve four (4) Remaining Years of the Contract Term, Limiting Annual Expenditures to Approved Fiscal Year Budget Appropriations

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

1) Approve Los Angeles County Sheriff's Food Service Unit, as a sole source vendor to provide jail prisoners meals for remaining four (4) years of contract term, limiting annual expenditures to approved fiscal year budget appropriations

2) Authorize the City Manager, or designee, to execute the contract, and any extensions thereto, subject to review by the City Attorney

Attachments: [Approval of Sole Source Purchase to Los Angeles County Sheriff's Food Service Agreement.pdf](#)

6. Approval of Lot Merger LM10-2018, for the Property Located at 1403 N. Garey Avenue, Pomona, CA, Assessor Parcel Numbers 8339-027-910 and -911, related to the Parking Lot Improvements of the Tri-City Mental Health Center Facilities (Council District 1)

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

1) Adopt the following resolution:

RESOLUTION NO. 2019-75 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM10-2018 FOR THE PROPERTY LOCATED AT 1403 N. GAREY AVENUE, ASSESSOR PARCEL NUMBERS 8339-027-910 AND -911; and

2) Authorize the City Engineer to sign the Lot Merger LM10-2018 on behalf of the City.

Attachments: [Staff Report.docx](#)
 [Attachment No. 1 - Resolution 2019-75.doc](#)
 [Exhibit 1.pdf](#)
 [Exhibit A.pdf](#)
 [Exhibit B.pdf](#)
 [Attachment No. 2 - Vicinity Map.pdf](#)
 [Attachment No. 3 - Aerial Map.pdf](#)

7. Approval of Lot Merger LM11-2018, for the Property Located at 2008 N. Garey Avenue, Pomona, CA, Assessor Parcel Numbers 8362-002-902, -903, and -905, related to the Parking Lot Expansion of the Tri-City Mental Health Center Facilities (Council District 6)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM11-2018 FOR THE PROPERTY LOCATED AT 2008 N. GAREY AVENUE, ASSESSOR PARCEL NUMBERS 8362-002-902, -903, AND -905; and

- 2) Authorize the City Engineer to sign the Lot Merger LM11-2018 on behalf of the City.

Attachments: [Staff Report.docx](#)
 [Attachment No. 1 - Resolution 2019-76.doc](#)
 [Exhibit 1.pdf](#)
 [Exhibit A.pdf](#)
 [Exhibit B.pdf](#)
 [Attachment No. 2 - Vicinity Map.pdf](#)
 [Attachment No. 3 - Aerial Map.pdf](#)

8. Approval of Summarily Vacation VUI-2017 of the City's Unused Water Easement Within Lots 1, 2, and 3 of Parcel Map No. 73002 Assessor Parcel Numbers 8327-018-031, -033, -034, and -037, related to the Reservoir Industrial Development Project Located at 1110-1258 S. Reservoir Street, Pomona, CA (Council District 3)

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

RESOLUTION NO. 2019-77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ORDERING THE SUMMARILY VACATION VU1-2017 OF THE CITY'S UNUSED WATER EASEMENT WITHIN LOTS 1, 2 AND 3 OF PARCEL MAP NO. 73002 FOR THE PROPERTY LOCATED AT 1110-1258 S. RESERVOIR STREET, ASSESSOR PARCEL NUMBERS 8327-018-031, -033, -034,

AND -037

Attachments: [Staff Report.docx](#)
[Attachment No. 1 - Resolution 2019-77.doc](#)
[Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[Attachment No. 2 - Vicinity Map.pdf](#)
[Attachment No. 3 - Aerial Map.pdf](#)

9. Appropriate \$69,650 CalRecycle Rubberized Pavement Grant Funds to “Street Rehabilitation - District 6,” Project No. 428-2590-XXXXX-67921
It is recommended that the City Council take the following actions:

1) Adopt the following resolution:

RESOLUTION NO. 2019-72 - AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$69,650 OF CALRECYCLE RUBBERIZED PAVEMENT GRANT FUNDS TO “STREET REHABILITATION - DISTRICT 6,” PROJECT NO. 428-2590-XXXXX-67921; and

2) Authorize the City Manager, or her designee, to execute grant application/agreement-related documents (and direct fiscal appropriation of any additional grant funds received for this project).

Attachments: [Staff Report.docx](#)
[Attachment No. 1 - Resolution No. 2019-72t.doc](#)

10. Consolidated Citywide Street Lighting and Landscaping Maintenance District, Zones A and B Assessments

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

RESOLUTION NO. 2019-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE ANNUAL ENGINEER'S REPORT, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT, ZONES A AND B FOR FISCAL YEAR 2019-20, AND GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNUAL LEVY OF ASSESSMENTS

Attachments: [Staff Report.docx](#)
[Attachment 1 - Existing Resolution of Intention for Citywide District to City.docx](#)
[Attachment 2 - Phillips Ranch Only ER for No Increase.pdf](#)

11. Consolidated Citywide Street Lighting and Landscaping Maintenance District, Zones C through I Assessments

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

RESOLUTION NO. 2019-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE ANNUAL ENGINEER'S REPORT, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT, ZONES C THROUGH I FOR FISCAL YEAR 2019-20, AND GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNUAL LEVY OF ASSESSMENTS

Attachments: [Staff Report - Approval of Engineer's Report for Zones C-I.docx](#)
[Attachment No. 1 - Report -Pomona LLMD FY19-20 Final 31May19.pdf](#)
[Attachment No. 2 - Existing Resolution of Intention for Citywide District to City.d](#)

12. Amendment to the Engagement Letter Agreement with Cumming Construction Management, Inc. in the Amount of \$119,625 for Construction Management Services for the Year-Round Emergency Shelter

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

- 1) Amend the Engagement Letter Agreement with Cumming Construction Management, Inc. in the amount of \$119,625 to provide staff augmentation for Construction Management Services for the "Year-Round Emergency Shelter," CIP Project No. 428-2590-XXXXX-71044; and
- 2) Authorize the City Manager to execute all documents and subsequent amendments related with this action, with approval of the City Attorney as to form.

Attachments: [Staff Report - Amendment to Contract for Cumming](#)

13. Award of Contract for Bus Shelter Maintenance and Transit Station Power/Pressure Washing to Parkwood Landscape Maintenance, Inc. at Hourly Prices Bid for an Estimated Annual Cost of \$161,978

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

- 1) Award a three-year contract, with (2) one-year extension options, for an annual estimated contract cost of \$161,978 for bus stop maintenance and additional related services, including power/pressure washing at transit stations; and
- 2) Authorize the City Manager to execute the contract and any extensions, subject to

review by the City Attorney.

Attachments: [Staff Report - Bus Shelter](#)
 [Attachment No. 1 - Summary of Bid.pdf](#)

DISCUSSION CALENDAR

14. Finding of Public Benefit of the Community at Large: Recommended Expenditure(s) and Recap of Funds

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

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

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

Attachments: [FOPB Staff Report](#)
 [Attachments 1-2](#)

15. Allegation of Brown Act Violation by Historic Preservation Commission

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

1) Admonish the members of the Historic Preservation Commission to only discuss Commission business during property noticed meetings and specifically to refrain from using Nextdoor or any social media to discuss matters within the Commission's subject matter jurisdiction; and

2) Direct the City Clerk to provide a copy of "Guidelines to Prevent Serial Meetings" to each member of a City commission or committee subject to the Brown Act.

Attachments: [Staff Report - Response to Brown Act demand-c2](#)
 [Attachment No. 1](#)

16. Report back on possible land use options pertaining to legal nonconforming recycling facilities.

It is recommended that the City Council review this report; and

1. Direct staff to prepare a code amendment to the nonconforming Section of the Pomona Zoning Code to shorten the time frame in which a use can be discontinued from two years to 180 days.

Attachments: [ReportBack regarding recycling-6 17 19](#)

17. Amendment of the FY 2019-20 General Fund Parks and Landscape Medians Operating Budget and Award of Contracts for Citywide Landscaping and Park Amenity Maintenance Services and Citywide Medians and Parkways Landscape Maintenance Services to MCE Corporation

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-79 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 GENERAL FUND PARKS AND LANDSCAPE MEDIANS OPERATING BUDGET BY APPROPRIATING \$177,783 FROM AVAILABLE RESERVES AND AWARD OF CONTRACTS FOR CITYWIDE LANDSCAPING AND PARK AMENDITY MAINTENANCE SERVICES, AND CITYWIDE MEDIANS AND PARKWAYS LANDSCAPE MAINTENANCE SERVICES TO MCE CORPORATION; or

- 2) Direct staff to negotiate with the bidder to amend the scope of work to bring the contract amount to be within the existing budget; or
- 3) Adopt the resolution above and direct staff to further pursue in-house maintenance and a transition plan for Council consideration.

Attachments: [Staff report - Resolution Amending FY 19-20 Parks and Landscape Maintenance](#)
[Attachment 1 - Resolution.doc](#)
[Attachment 2 Bid tabulation 2019-11.pdf](#)
[Attachment 3 - Bid Tabulation 2019-07.pdf](#)
[Attachment 4 -Landscaping and Parks Amenities Maintenance Scope of Work.p](#)
[Attachment 5 - Medians and Parkways Scope of Work.pdf](#)

PUBLIC HEARINGS

18. Adoption of the Draft Housing Element and Implementation Amendments to the Pomona Zoning Code, the Pomona Downtown Specific Plan, the Pomona Corridors Specific Plan, Ordinance No. 4224 and Ordinance No. 4238 in Order to Comply with Programs Identified in the Amendments, and the Adoption of the Addendum for the Draft Housing Element and Implementation Amendments

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

- 1) Open the public hearing to receive public testimony; and
- 2) Adopt the following resolution:

RESOLUTION NO. 2019-73 - A RESOLUTION OF THE CITY COUNCIL OF THE

**CITY OF POMONA, CALIFORNIA, APPROVING THE ADDENDUM TO THE
GENERAL PLAN ENVIRONMENTAL IMPACT REPORT AND ADOPTING
REVISIONS TO THE 2013-2021 POMONA HOUSING ELEMENT**

3) Waive first reading, read by title only and introduce the following ordinance:

**ORDINANCE NO. 4263 - AN ORDINANCE OF THE CITY OF POMONA,
CALIFORNIA, APPROVING AMENDMENTS TO THE POMONA ZONING CODE,
POMONA DOWNTOWN SPECIFIC PLAN, POMONA CORRIDORS SPECIFIC
PLAN, ORDINANCE NO. 4224 AND ORDINANCE NO. 4238 RELATING TO
EMERGENCY SHELTER LOCATIONS AND STANDARDS, MINIMUM DENSITY
REQUIREMENTS AND PARKING RATIOS**

4) Authorize the Director of Development Services to make non-substantive clarifications or corrections to the Housing Element in the event the California Department Housing and Community Development (HCD) makes such a request.

Attachments: [Staff Report June17](#)

[Attachment No. 1 Council Resolution Adopting Draft Housing Element](#)

[Attachment No. 2 Ordinance](#)

[Attachment No. 3 PC Staff Report May 08 2019](#)

[Attachment No. 4 PC Resolution](#)

[Attachment No. 5 - ADDENDUM HousingElement](#)

[Attachment No. 6 HousingElement complete](#)

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, July 1, 2019, 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 Monday, June 17, 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, June 13, 2019.

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

/s/ Rosalia A. Butler, MMC
City Clerk

