

City of Pomona

505 S. Garey Ave
Pomona, CA 91766



Revised Regular Meeting Agenda

Monday, February 25, 2019

7:00 PM

Closed Session & Regular Meeting Agenda

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.

A. 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. Presentation of a Proclamation declaring February as Teen Dating Violence Awareness Month

Attachments: [Proclamation- Teen Dating Violence Awareness Month](#)

- B. Recognition of Western University Medical Students for their contribution to District 6 Senior Health Fair on January 17, 2019

- C. Recognition of Ramiro Pinedo Jr., Pomona resident and one of thirty United States recipients of the prestigious Fulbright Research Grant award for the 2018-2019 year, to complete independent environmental research in Brazil

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 23, 2018 Regular Meeting Minutes
April 30, 2018 Special (Workshop) Meeting Minutes
May 21, 2018 Regular Meeting Minutes
June 4, 2018 Regular Meeting Minutes
July 9, 2018 Special Meeting Minutes
August 1, 2018 Special Meeting Minutes
October 1, 2018 Regular Meeting Minutes
October 22, 2018 Special Meeting Minutes
November 7, 2018 Special Meeting Minutes

November 30, 2018 Special Meeting Minutes
January 7, 2019 Regular Meeting Minutes
February 4, 2019 Regular Meeting Minutes

Attachments: [Attachment 1 - FINAL MINUTES 4-23-18.pdf](#)
 [Attachment 2 -FINAL MINUTES 4-30-18 Closed Session.pdf](#)
 [Attachment 3 -FINAL MINUTES 4-30-18 Special Meeting.pdf](#)
 [Attachment 4-FINAL MINUTES 5-21-18.pdf](#)
 [Attachment 5-FINAL MINUTES 6-4-18.pdf](#)
 [Attachment 6-FINAL MINUTES 7-9-18.pdf](#)
 [Attachment 7-FINAL MINUTES 8-1-2018.pdf](#)
 [Attachment 8-FINAL MINUTES 10-01-2018.pdf](#)
 [Attachment 9-FINAL MINUTES 10-22-2018.pdf](#)
 [Attachment 10-FINAL MINUTES 11-07-2018.pdf](#)
 [Attachment 11-FINAL MINUTES 11-30-18.pdf](#)
 [Attachment 12-FINAL MINUTES 1-7-2019.pdf](#)
 [Attachment 13-FINAL MINUTES 2-4-2019.pdf](#)

2. Citizens Oversight Committee Bylaws

It is recommended that the City Council Review and Approve the Citizens Oversight Committee Bylaws

Attachments: [Staff Repor- CC Bylaws.docx](#)
 [Attachment No. 1 - ORD. 4253](#)
 [Attachment No. 2 -- COC proposed bylaws](#)

3. Approve Amendment No. 1 to the Agreement Between the City of Pomona and the San Gabriel Valley Council of Governments (SGVCOG), Formerly Alameda Corridor East (ACE) Construction Authority, Regarding Traffic Signal Work for "Safety Improvements - At-Grade Crossing", Project No. 428-2590-xxxxx-685551

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

Approve Amendment No. 1 to the agreement between the City of Pomona and SGVCOG, formerly ACE, regarding traffic signal work for "Safety Improvements - At-Grade Crossing", Project No. 428-2590-xxxxx-685551; and
Authorize the Mayor to execute Amendment No. 1 and future amendments to this agreement, subject to review by the City Attorney

Attachments: [Staff Report.docx](#)

4. Award an Extension of a Current Agreement with MCE Corporation for Three Months in an Amount not-to-exceed \$323,072 for Landscape and Park Amenity Maintenance and

Additional Related Services

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

- 1) Approve a three-month extension of a current agreement with MCE Corporation in the amount not-to-exceed \$323,072 for landscape and park amenity maintenance and additional related services; and
- 2) Authorize the City Manager, or her designee, to execute the extension to the contract on behalf of the City, subject to review by the City Attorney.

Attachments: [Staff Report - Extend Agreement with MCE through June 2019.docx](#)

5. Annual Audit Report, Fiscal Year Ended June 30, 2018

It is recommended that the City Council receive and file the Annual Audit Report.

Attachments: [Staff Report - Audit 2018 FINAL v3.docx](#)
 [Attachement 1 - 2018 City of Pomona CAFR](#)
 [Attachment 2 - 2018 Pomona Public Financing Authority](#)
 [Attachment 3 - 2018 Pomona Housing Authority](#)
 [Attachment 4 - 2018 Pomona Single Audit](#)
 [Attachmetn 5 - 2018 Pomona Communication with Governance Letter](#)

6. Amendment of the FY 2018-19 South Garey Assessment District Operating Budget for Replanting South Garey Avenue Medians

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-16 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 SOUTH GAREY ASSESSMENT DISTRICT OPERATING BUDGET BY APPROPRIATING \$3,680 FROM AVAILABLE RESERVES FOR REPLANTING SOUTH GAREY AVENUE MEDIANS; and

- 2) Authorize work (replanting the South Garey Avenue Medians) to be performed by MCE Corporation, the current contractor for median landscaping.

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

7. Award of Contract to Housing Programs Contractor for the City's Various Housing Rehabilitation Programs

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

- 1) Award a Contract to the Housing Programs Contractor as the Lead Remediation/Abatement Program Consultant for the City's Various Housing Rehabilitation Programs in an amount not to exceed \$93,000;
- 2) The term of the Agreement to be 3 years, plus 2 additional option years; and,
- 3) Authorize the City Manager, or her designee, to execute the contract and amendments thereto, subject to review by the City Attorney.

Attachments: [Staff Report- Housing Programs Contractor.doc](#)

8. Amend Award of Bid to Include Sales Tax for the Purchase of Service Weapon Ammunition in the Amount of \$11,066

Attachments: [AMEND AWARD OF BID TO INCLUDE SALES TAX FOR THE](#)

9. Approve second amendment to extend the professional services agreement with RMC for development of the Water, Sewer and Recycled Water Strategic Plan

Attachments: [Staff Report- Strategic Plan Second Amendment.docx](#)

[Attachment No. 1-Second Amendment to Agreement for Consultant](#)

DISCUSSION CALENDAR

10. Finding of Public Benefit to the Community at Large for 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- 16](#)

11. **Commercial Cannabis Regulation Ordinance**

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

- 1) Introduce and give first reading of the following ordinance:

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

2) Direct staff to draft 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 recommendations 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 also present for Council consideration a resolution establishing the maximum number and types of commercial cannabis businesses to be allowed in specified zones.

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

PUBLIC HEARINGS

12. Establishing an ordinance to create a Community Choice Aggregation (CCA), and award an agreement with California Choice Energy Authority in an amount not to exceed \$160,000 to provide CCA implementation services

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING A COMMUNITY CHOICE AGGREGATION PROGRAM PURSUANT TO THE PUBLIC UTILITIES CODE

Attachments: [Report - Public Hearing and Award Agreement to CalChoice](#)
 [Attachment No. 1 - CCA Ordinance.docx](#)

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 4, 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 February 25, 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 February 20, 2019.

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

/s/ Rosalia A. Butler, MMC, City Clerk