



NOTICE OF THE CITY COUNCIL OF THE CITY OF POMONA

On March 16 , 2020, the City Council declared a local emergency in response to the global COVID-19 outbreak. Preserving the health and safety of our employees and the public is our top priority.

In accordance with California Governor's Executive Order N-25-20 regarding the Brown Act and guidance from the California Department of Public Health on gatherings, please note the following:

On July 6, 2020, the City Council meeting will occur via teleconference. **There will be no in-person public meeting location.**

To watch the meeting:

- Visit the City's website and click on "Pomona Internet Streaming Channel"
- Spectrum or FIOS customers can watch on TV-Channel 29
- Visit the City's website the day after the meeting and click on our video archive

To participate:

Comments for Public Participation or for a specific item on the agenda will be accepted by **email only**. Comments will be read into the record by the City Clerk. The deadline to submit your comments is **Monday, July 6, 2020 by 6 p.m.**

- Please email your comments to cityclerk@ci.pomona.ca.us
- Comments must be limited to 200 words
- Please title your email "Public Comment 07-06-2020" and indicate if you are commenting on a specific agenda item

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Regular Meeting Agenda

Monday, July 6, 2020

7:00 PM

5:30 p.m. Closed Session Meeting & 7:00 p.m. Open Session Meeting
via Teleconference ("Zoom")

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

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

Please note that due to the COVID-19 pandemic and in accordance with California Governor's Executive Order N-25-20 regarding the Brown Act, the agenda has been modified to accommodate the needs of a Council meeting that is teleconferenced.

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.

Via Teleconference

CLOSED SESSION

Via Teleconference

CALL TO ORDER

PUBLIC COMMENT

Public Participation - In response to the global COVID-19 pandemic and in accordance with California Governor's Executive Order N-25-20 regarding the Brown Act and guidance from the California Department of Public Health on gatherings, please note that comments for Public Participation or for a specific item on the agenda will be accepted by email only at this time. Comments will be read into the record by the City Clerk. The deadline to submit your comments is by 6:00 p.m. on the day of the scheduled Council meeting. Please email your comments to cityclerk@ci.pomona.ca.us and title your email "Public Comment" along with the date of the Council meeting and indicate if you are commenting on a specific agenda item. All comments must be limited to 200 words.

CLOSED SESSION AGENDA ITEMS

A) 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: James Makshanoff and Linda Matthews

7:00 P.M.

Via Teleconference

CALL TO ORDER

CLOSED SESSION REPORT

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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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:

June 15, 2020 Meeting Minutes

Attachments: [FINAL MINUTES 06-15-2020](#)

2. Authorize an Agreement with Los Angeles County Workforce Development, Aging and Community Services (WDACS) to Receive Grant Funding Not to Exceed \$300,000 for the Elderly Nutrition Program (ENP) to Provide Meal Services in FY 2020-21

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

- 1) Authorize the City to enter into an agreement with Los Angeles County Workforce Development, Aging and Community Services (WDACS) to receive grant funding not to exceed \$300,000 for the Elderly Nutrition Program (ENP), to provide meal services to the elderly in FY 2020-21; and
- 2) Authorize the City Manager or his designee to execute the grant agreement and any

amendments thereto, subject to review by the City Attorney.

Attachments: [Council Report - LA County Elderly Nutrition Program Agreement 2020-21](#)

3. Award a Contract to First Choice Vending and Amusements LLC for Operation of Vending Machines at Various City Facilities in FY 2020-21 with Four (4) One-Year Extension Options

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

- 1) Award a one-year contract to First Choice Vending and Amusements LLC for the operation of vending machines at various City facilities in FY 2020-21, with four (4) one-year extension options; and
- 2) Authorize the City Manager or his designee to execute the contract and any amendments or extensions thereto, subject to review by the City Attorney.

Attachments: [Staff Report - First Choice Vending Contract 6-15-20.docx](#)

4. Approval of an Agreement with the Downtown Pomona Owners Association for Supplemental Police Patrols in the Downtown Business Improvement District

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-87- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A ONE-YEAR AGREEMENT WITH THE DOWNTOWN POMONA OWNERS' ASSOCIATION (DPOA) BEGINNING JULY 1, 2020 FOR SUPPLEMENTAL POLICE PATROL SERVICES IN THE AMOUNT OF \$168,000 FOR THE POMONA BUSINESS IMPROVEMENT DISTRICT (PBID) WITH A ONE-YEAR EXTENSION OPTION

- 2) Authorize the City Manager, or designee, to execute the Agreement on behalf of the City, in substantially the form submitted, subject to review and approval by the City Attorney.

Attachments: [2020-21 DPOA Agreement 7.6.20.docx](#)
 [DPOA Enhanced Patrol Resolution 2020-21 6.4.20.doc](#)
 [Agreement for Supplemental Police Patrol Services- Attachment No. 2](#)

5. Approval of the Annual Report for the Downtown Pomona Property and Business Improvement District (PBID) and Levying the Assessments for FY 2020-2021

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

RESOLUTION NO. 2020-99 - A RESOLUTION OF THE CITY COUNCIL OF THE

CITY OF POMONA, CALIFORNIA, APPROVING THE ANNUAL REPORT SUBMITTED BY THE DOWNTOWN POMONA OWNERS' ASSOCIATION FOR THE DOWNTOWN POMONA PROPERTY AND BUSINESS IMPROVEMENT DISTRICT FOR FY 2020-21 AND LEVYING THE ASSESSMENTS FOR FY 2020-21

Attachments: [070620 Final CC report DPOA annual 2020-21](#)
 [070620 Reso DPOA 2020-21 annual](#)
 [Exhibit A to reso 2020-21](#)
 [Attach 2 map](#)

6. Retirement Incentive Estimated Costs and Savings

It is recommended that the City Council receive the report regarding the proposed retirement incentive program and associated costs and savings and direct staff to bring back the program for adoption at the subsequent Council meeting on July 20, 2020.

Attachments: [Retirement Inc Staff Report](#)
 [Ret Inc Att 1 Program Plan Non-Sworn](#)
 [Ret Inc Att 2 Program Plan Sworn](#)
 [Ret Inc Att 3 Cost Analysis Council 7-6-2020](#)

7. Temporary Approval to Allow Occasional Sales (Yard Sales) on the First Weekend of Every Month until December, 2020, due to Impacts on Families from COVID-19 Pandemic

It is recommended that the City Council direct staff to cease enforcement of Municipal Code Section 30-751(a), on the specified weekends and disseminating the temporarily modified Yard Sale schedule to the public through City social media and other communication platforms.

Attachments: [Staff Report](#)

DISCUSSION CALENDAR

8. Finding of Public Benefit to 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 the recommended item(s); and
- 2) Receive and file the recap of final amounts for previously approved projects/activities.

Attachments: [FOPB Staff Report](#)
 [Attachments 1-4](#)

9. Adoption of Resolution Extending Charter Review Commission and Clarifying Procedures

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

RESOLUTION NO. 2020-104 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA EXTENDING THE TIME DURING WHICH THE POMONA CITY CHARTER REVIEW COMMISSION MAY CONSIDER AND PROPOSE CITY CHARTER AMENDMENTS AND CLARIFYING THE PROCEDURES FOR CITY CHARTER AMENDMENT PROPOSALS BY THE CHARTER REVIEW COMMISSION

Attachments: [CRC Extension Staff Report](#)
 [CRC Extension Att 1 Resolution](#)

10. Adoption of a Resolution Approving the Form and Authorize the Execution of an Official Statement and Continuing Disclosure Certificate Relating to the Issuance of Pension Obligation Bonds; Approving Additional Actions Related Thereto

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

1) Adopt the following resolution:

RESOLUTION NO. 2020-105 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA APPROVING THE FORM OF A PRELIMINARY OFFICIAL STATEMENT AND A CONTINUING DISCLOSURE CERTIFICATE IN CONNECTION WITH THE ISSUANCE OF BONDS TO REFUND CERTAIN PENSION OBLIGATIONS OF THE CITY AND APPROVING ADDITIONAL ACTIONS RELATED THERETO

2) Provide staff directions as to which funding option is preferred

3) Direct staff to allocate savings from the issuance of Pension Obligation Bonds to the City's 'Committed Fund Balance' Reserve.

Attachments: [Pomona POB July 6 2020 Staff Report \(VF\).docx-july 1.docx](#)
 [attach 1_Resolution of City Council Approving Preliminary Official](#)
 [attach 2 Official Statement Pomona 2020 Pension Obligation Bonds](#)
 [attach 3 Continuing Disclosure Certificate Pomona 2020 Pension](#)

PUBLIC HEARINGS

11. Public Hearing Regarding the Levy of Fiscal Year 2020-21 Assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District

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

- 1) Conduct a Public Hearing regarding the levy of assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District FY 2020-21; and
- 2) After receiving public comments and testimony, conclude the Public Hearing and adopt the following resolution:

RESOLUTION NO. 2020-91 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONFIRMING THE ASSESSMENT DISTRICT DIAGRAM, ZONE BOUNDARIES, AND THE LEVY OF FISCAL YEAR 2020-21 ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT

Attachments: [Staff Report](#)
 [Attachment 1](#)
 [Attachment 2](#)
 [Attachment 3 - Notice of Public Hearing](#)

12. Public Hearing and Adoption of Resolution Setting Customer Power Rates for Pomona Choice Energy Community Choice Aggregation

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

- 1) Conduct a Public Hearing; and
- 2) Adopt the following resolution:

RESOLUTION NO. 2020-96 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CUSTOMER POWER RATES FOR POMONA CHOICE ENERGY

Attachments: [Staff Report - Pubic Hearing to Set Rates for Pomona Choice Energy.docx](#)
 [Attachment 1 - Resolution 2020-96.docx](#)
 [Attach 1, Exhibit A - PCE Rate Schedule.pdf](#)
 [Attachment 2 Rate Setting PH Notice.pdf](#)

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 July 20, 2020 via teleconference due to the COVID-19 pandemic. 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, City Clerk for the City of Pomona, hereby certify that the agenda for the July 6, 2020 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 July 1, 2020.

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

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