

City of Pomona

505 S. Garey Ave.
Pomona, CA 91766



Annotated Agenda

Monday, April 1, 2019

7:00 PM

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.

5:30 P.M.

CLOSED SESSION

PUBLIC COMMENT:

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

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property:

Portions of:

APN 8318-001-900 at 2000 N. San Antonio Avenue

APN 8331-005-901 & 902 at 600 E. Philadelphia St.

APNs 8333-005-903, 904, 905, 906, 907 & 908 at 865 ½ E.
Grand Avenue

APN 8327-014-029 at 1400 E. Mission Blvd.

APN 8708-025-902 at 25 ½ Canyon Rim Rd.

Negotiating Party: Crown Castle

City's Negotiator: Linda Lowry, City Manager

Under Negotiation: Lease Price and Terms

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

Development Services Director

REPORT OUT FROM CLOSED SESSION

Interim City Attorney Christi Hogin reported that the City Council had convened into Closed Session at 5:30 p.m. with all members present and that the items listed on the agenda had been announced prior to recessing into Closed Session with no public present.

She informed that all items on the Closed Session agenda had been discussed; the City Council took one reportable action Pursuant to Government Code Section 54957(b)(1) Public Employee Appointment. The City Council must give, and they unanimously approved the City Manager's appointment of Anita Gutierrez as the Development Services Director.

The City Council recessed from Closed Session at 6:50 p.m.

Mayor Sandoval on behalf of the City Council congratulated Development Services Director Anita Gutierrez on her appointment.

7:00 P.M.

CALL TO ORDER

The City Council meeting was called to order at 7:02 p.m.

ROLL CALL

Present: 7 - Mayor Tim Sandoval
Vice Mayor- Rubio Gonzalez
Councilmember Victor Preciado
Councilmember Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert Torres

Staff Present: Linda Lowry, City Manager
Christi Hogin, Interim City Attorney
Rosalia A. Butler, MMC, City Clerk
Genoveva Rocha, CMC, Deputy City Clerk II

PLEDGE OF ALLEGIANCE

Councilmember Victor Preciado led the Pledge of Allegiance to the Flag.

PRESENTATIONS

- A. Proclamation declaring April 13, 2019 as Cesar Chavez Day in the City of Pomona

- B. Proclamation declaring April 2019 as a Golden Rule - Random Acts of Kindness Month in the City of Pomona

MAYOR/COUNCILMEMBER COMMUNICATIONS

The Mayor and Councilmembers reported on conferences, seminars, and regional meetings attended and announced upcoming events.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry proposed to the City Council dates in May to hold a joint meeting with the Planning Commission to discuss the Cannabis Ordinance and the agreement with the Fairplex.

The City Council agreed on setting the meeting to Wednesday, May 1, 2019, meeting time to be determined.

City Manager Linda Lowry yielded this time to Neighborhood Services Director Benita DeFrank to give an overview of the closure of the L.A. County winter shelter.

Neighborhood Services Director Benita DeFrank provided the City Council with an update on the steps taken to notify the public and to close the Los Angeles County winter shelter.

PUBLIC PARTICIPATION

At this time, the public was invited to speak on items not on the agenda.

CONSENT CALENDAR

Approval of the Consent Agenda

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the Consent Calendar with the exception of Item No. 5 and Item No. 11.

1. Approval of City Council/Housing Authority/Successor Agency Meeting Minutes

It is recommended that the City Council approve the following meeting minutes:

March 5, 2018 Regular Meeting Minutes
March 12, 2018 Special Meeting Minutes
March 19, 2018 Regular Meeting Minutes
February 25, 2019 Regular Meeting Minutes
March 4, 2019 Regular Meeting Minutes

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

2. Authorizing the Acceptance of Five Continuum of Care Grant Awards from HUD Totaling \$3,482,855 and a Professional Services Agreement with Volunteers of America, Los Angeles (VOALA) in the amount of \$1,655,708

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

1) Adopt the following resolution:

RESOLUTION NO. 2019-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF FIVE CONTINUUM OF CARE PROGRAM GRANT AWARDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TOTALING \$3,482,855 IN GRANT FUNDING

2) Authorize a Professional Services Agreement with Volunteers of America, Los Angeles, (VOALA) in the amount of \$1,655,708 as a sub-recipient of the grant; and

3) Authorize the City Manager to execute the appropriate contracts and other documentation requested for acceptance of the award and operation of the above listed CoC programs for submittal to LAHSA and to HUD, subject to approval as to form by the City Attorney.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

3. Approve a "Piggyback" Contract for the Purchase of Granular Activated Carbon (GAC) from Prominent Systems, Inc., utilizing a Contract Competitively Bid and Awarded by the City of Riverside, California

It is recommended that the City Council approve a piggyback option for the purchase of GAC removal and replacement services, as-needed, from Prominent Systems, Inc. (Prominent), utilizing a contract that was competitively bid and awarded by the City of Riverside, CA (Bid No. RPU-7623).

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

4. Approving the Fiscal Year 2019-20 Submittal Projects Lists for the Road Repair and Accountability Act of 2017 (RMRA/SB-1)

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

RESOLUTION NO. 2019-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CITY'S STREET PROJECTS LISTS, WITH CORRESPONDING CAPITAL IMPROVEMENT PROGRAM (CIP), AND RELATED PUBLIC WORKS OPERATIONAL ITEM LIST PLAN TO THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) TO BE ELIGIBLE FOR FISCAL YEAR 2019-20 RMRA/SB-1 FUNDING

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

5. Approval of Cooperative Agreements for Street Rehabilitation and Amending the FY 2018-19 Capital Improvement Program (CIP) Budget by Receiving and Appropriating a Total of \$545,155 from the City of Claremont and County of Los Angeles for Street Rehabilitation - District 6 Project No. 428-2590-XXXXX-67921 Towne Avenue

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

- 1) Adopt the following resolutions:

RESOLUTION NO. 2019-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A COOPERATIVE AGREEMENT WITH THE CITY OF CLAREMONT FOR STREET REHABILITATION- DISTRICT 6, PROJECT NO. 428-2590-XXXXX-67921 AND AMENDING THE FY 2018-19 CIP BUDGET BY APPROPRIATING A \$233,675 CONTRIBUTION TO THE PROJECT FROM THE CITY OF CLAREMONT

RESOLUTION NO. 2019-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A COOPERATIVE AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR STREET REHABILITATION- DISTRICT 6, PROJECT NO. 428-2590-XXXXX-67921 AND AMENDING THE 2018-19 CIP BUDGET BY APPROPRIATING A \$311,480 CONTRIBUTION TO THE PROJECT FROM THE COUNTY OF LOS ANGELES

2) Find that the "Street Rehabilitation - District 6," Project No. 428-2590-XXXXX-67921 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), in that the project consists of the operation, repair and maintenance of existing streets; and

3) Authorize the City Manager to take all necessary actions needed by the City of Claremont, County of Los Angeles, and others to execute the cooperative agreements and related project funding documents on behalf of the City for Street Rehabilitation - District 6, Project No. 428-2590-XXXXX-67921

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, to approve Resolution Nos. 2019-30, 2019-31, and Staff recommendations

6. Award of \$83,368 of HOME Investment Partnerships Program (HOME) Funds to Shield of Faith Economic Development Corporation, a Community Development Housing Organization

It is recommended that the City Council take the following actions

1) Adopt the following resolution:

RESOLUTION NO 2019-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AWARDED \$83,368 OF HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS TO SHIELD OF FAITH ECONOMIC DEVELOPMENT CORPORATION, A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION

2) Authorize the City Manager to amend the existing agreement with Shield of Faith Economic Development Corporation and to execute the agreement and related documents, subject to review by the City Attorney.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

7. Approval of Membership in the California Choice Energy Authority, Agreements with Southern California Edison and River City Bank, and a \$100,000 Initial Bond Payment to the California Public Utilities Commission

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

RESOLUTION NO. 2019-37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO APPROVE MEMBERSHIP IN THE CALIFORNIA CHOICE ENERGY AUTHORITY, AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON AND RIVER CITY BANK; AND A BOND PAYMENT TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

8. Amendment of FY 2018-19 City Operating Budget, by decreasing Revenue Estimates and Appropriations for the Community Development Block Grant (CDBG) Program by \$186,569 and increasing appropriations for the Low-Mod Housing Asset Fund by \$29,887

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

1) Adopt the following resolution:

RESOLUTION NO. 2019-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CITY OPERATING BUDGET, BY DECREASING REVENUE ESTIMATES AND APPROPRIATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BY

\$186,159 AND INCREASING APPROPRIATIONS FOR THE LOW-MOD HOUSING ASSET FUND BY \$29,887

2) Authorize the City Manager to take necessary actions needed to ensure the repayment of \$29,887 in non-federal funds to the U.S. Department of Housing and Urban Development (HUD) per HUD finding.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

9. Approval of Amendment No. Three to the Agreement with the County of Los Angeles Workforce Development, Aging, and Community Services to receive \$7,161 in One-Time Funding and a Resolution Amending the FY 2018-19 Budget Receive and Appropriate the Funds

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

1) Adopt the following resolution:

RESOLUTION NO. 2019-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2018-2019 OPERATING BUDGET TO RECEIVE AND APPROPRIATE ONE-TIME GRANT FUNDS IN THE AMOUNT OF \$7,161 TO PURCHASE EQUIPMENT FOR THE ELDERLY NUTRITION PROGRAM

2) Authorize entering into Amendment Number Three to the Agreement with the County of Los Angeles Workforce Development, Aging, and Community Services (WDACS) to receive \$7,161 in one-time funding to purchase equipment for the Elderly Nutrition Program; and

3) Authorize the City Manager to execute the Amendment, subject to approval as to form by the City Attorney.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

10. Supporting Balanced Energy Solutions and Local Choice

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

RESOLUTION NO. 2019-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SUPPORTING BALANCED ENERGY SOLUTIONS AND LOCAL CHOICE

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

11. Regulation of Commercial Cannabis Businesses

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

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

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

DISCUSSION CALENDAR

12. Finding of Public Benefit of the Community at Large: Recommended Expenditures and Recap of Funds

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

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

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0 making a Finding of Public Benefit to the Community at Large for Recommended Expenditures and Recap of Expended Funds for Items A through E as listed on the Staff report.

13. Approval of a Revocable License for a Community Mural (Mural Permit No. 11316-2019) located on City owned property located at Pomona City Hall - Council District 2

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

RESOLUTION NO. 2019-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND ADMINISTER A REVOCABLE LICENSE AGREEMENT WITH THE DA CENTER FOR THE ARTS

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0, to adopt Resolution No. 2019-39 approving and authorizing the City Manager to Execute and Administer a Revocable License Agreement with the DA Center for the Arts.

PUBLIC HEARINGS

14. Approval of the Draft FY 2019-2020 Annual Action Plan Funding Recommendations for Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME) and Emergency Solutions Grant (ESG) Funds

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING DRAFT FY 2019-2020 ANNUAL ACTION PLAN WITH PROPOSED FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME) AND EMERGENCY SOLUTIONS GRANT (ESG) FEDERAL ENTITLEMENT PROGRAMS;

- 2) Approve funding awards for the Fiscal Year (FY) 2019-20 Community Development Block Grant and Emergency Solutions Grant Programs; and

- 3) Approve funding recommendations for the FY 2019-20 Home Investment Partnerships Program; and

- 4) Approve the inclusion of funding awards in the Annual Action Plan.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to Open the Public Hearing.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to Close the Public Hearing.

There was no reportable action taken on this item.

MATTERS INITIATED BY CITY COUNCILMEMBERS

The Mayor or members of the City Council requested items for future City Council consideration.

ADJOURNMENT

The City Council meeting was adjourned at 10:19 p.m. on Monday, April 1, 2019.