



# City of Pomona

505 S. Garey Ave  
Pomona, CA 91766

## Meeting Minutes

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

*Mayor Tim Sandoval  
Vice Mayor Rubio R. Gonzalez  
Council Member Adriana M. Robledo  
Council Member Cristina Carrizosa  
Council Member Elizabeth Ontiveros-Cole  
Council Member Ginna E. Escobar  
Council Member 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.*

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Monday, July 16, 2018

7:00 PM

Council Chambers

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**5:30 P.M.**

#### **CLOSED SESSION**

#### **Public Comment:**

#### **A. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

One matter regarding exposure to litigation will be discussed  
(Pursuant to Government Code Section 54956.9 (d)(2))

#### **B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code Section 54956.8)

Property: 150-180 E. Center Street (APNs 8336-026-900 to 903)  
Negotiating Party: Watt Communities, LLC  
Housing Authority  
Negotiator: Linda Lowry, Executive Director  
Under Negotiation: Price and Terms

Property: VPD Lot 2 on Center Street (APN 8336-021-901)  
Negotiating Party: Watt Communities, LLC  
City's Negotiator: Linda Lowry, City Manager  
Under Negotiation: Price and Terms

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### **CITY ATTORNEY REPORT OUT FROM CLOSED SESSION**

City Attorney Arnold Alvarez-Glasman stated that the City Council convened into Closed Session at 5:42 p.m., and that the items listed on the agenda had been announced prior to recessing into Closed Session. He reported as follows:

Present: Mayor Sandoval, Vice-Mayor Torres, Councilmembers Gonzalez, Carrizosa, and Ontiveros-Cole.

Councilmember Escobar arrived at 5:55 p.m.

Councilmember Robledo arrived at 6:14 p.m.

**Item A-1:** This item was discussed, a briefing was provided, there was no further action taken, and there was nothing further to report.

**Item B-1:** This item was discussed; direction was provided authorizing the City Manager to execute an agreement with Watt Communications, LLC.

**Item B-2:** One additional item was added to the closed session agenda, inasmuch as this item came up after the posting of the agenda and there was an immediate need to receive direction from the City Council. This was unanimously approved by the City Council to add it to the agenda. The City Council was briefed on this one matter of potential litigation under Government Code Section 54956.9(d)(4). No final action was taken.

**The City Council recessed from Closed Session at 6:55 p.m.**

**7:00 P.M.**

### **CALL TO ORDER**

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

### **ROLL CALL**

Present: Mayor Tim Sandoval  
Vice Mayor Rubio Gonzalez  
Councilmember Adriana Robledo  
Councilmember Cristina Carrizosa  
Councilmember Elizabeth Ontiveros-Cole  
Councilmember Ginna E. Escobar  
Councilmember Robert Torres

**STAFF PRESENT:**

Linda Lowry, City Manager  
Arnold Alvarez-Glasman, City Attorney  
Marie M. Macias, Interim City Clerk  
Genoveva Rocha, Deputy City Clerk

**PLEDGE OF ALLEGIANCE**

Mayor Sandoval led the Pledge of Allegiance.

Mayor Sandoval welcomed Interim City Clerk Marie Macias back to the City of Pomona.

**MAYOR/COUNCILMEMBER COMMUNICATIONS**

Councilmember Escobar announced that she had appointed Eunice Russell to the Community Life Commission. She reported that she, along with Councilmember Gonzalez, Councilmember Torres, City Manager Lowry, and City Attorney Alvarez-Glasman had recently attended the Independent Cities Association Conference in Carlsbad, California.

Councilmember Torres stated that he had attended the Independent Cities Association conference in Carlsbad. He noted that the presentation on Homelessness had been beneficial, and noted that Pasadena and Pomona were taking the lead in the San Gabriel Valley regarding the homeless issue. He thanked the Pomona Police Department for their help with the Neighborhood Watch meetings, and for the great job they had done enforcing illegal fireworks on the Fourth of July holiday.

Councilmember Gonzales stated that he had also attended the Independent Cities Association Conference, and that he had participated in a number of beneficial workshops. He informed that he had chaperoned the Library Foundation Summer Experience. He noted that over a thousand people had participated in an unofficial block party celebrating the Fourth of July close to the Fairgrounds. He invited everyone to the Pomona Concert Band's Summer Concerts at Ganesha Park. He advised that he had attended the press conference regarding the rail diversion at Temple Avenue and Valley Boulevard, and that the plans would help alleviate traffic and horn noise in the area. He said that he had attended the Welch Park Budget and Water Update Community Meeting and that about 20 residents had been present.

Mayor Sandoval announced that the San Gabriel Valley Council of Governments would be hosting a Homeless Summit on August 1, 2018 from 8:00 a.m. to 3:00 p.m. in San Dimas.

Councilmember Gonzalez and the City Council presented a Certificate of Recognition to Samuel Torres for nine years of service to Pomona Catholic High School, and congratulated him on his appointment as the Superintendent of Schools for the Archdiocese of San Bernardino. Mayor Sandoval noted that the certificate had previously been approved by the City Council; however, Mr. Torres could not be present at that meeting.

## **CITY MANAGER COMMUNICATIONS**

City Manager Linda Lowry requested that the City Council reorder the agenda to allow for the tabulation of votes pertaining to Item No. 16, the Public Hearing on the renewal of the Downtown Pomona Property and Business Improvement District, Approving the Assessment Formula and Levying the Assessments.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0, to reorder the agenda and move Item No. 16 regarding the Pomona Business Improvement District forward following Public Participation.**

## **PUBLIC PARTICIPATION**

Mayor Sandoval proposed and the City Council agreed to limit public speakers to two minutes due to the number of speaker cards that had been submitted.

Douglas C. Pierce, Pomona resident, requested that an overhead crosswalk be installed at the Hamilton Street railroad crossing.

Manuel Castillegos stated that since May, there had been a marked increase in vandalism in the downtown area, particularly around El Merendero Restaurant. He advised that drugs were being sold in the vacant building by Parking Lot 14. He noted that the air conditioning units for the building had been vandalized, and that employees had to be escorted to their cars due to the type of individuals hanging out in the parking lot. He requested assistance from the City to address the issue.

Don Martens, Pomona resident and Citizens Climate Lobby representative, urged the City Council to consider backing a national carbon fee with a dividend initiative.

Orlando Arias, Pomona resident, requested that additional safety measures, such as turn arrows and crosswalks, be installed at the intersection of Holt Avenue and Fairplex Drive, and at the 482 bus stop. He asked that more bike lanes be installed throughout the city.

Andrea Edwards, Pomona resident, stated that the fine for illegal fireworks should be increased to \$5,000 or even \$10,000, rather than the current \$1,000 fine. She noted that the City of Pasadena had a \$50,000 fine. She requested additional safety measures be implemented at the Holt Avenue and Towne Avenue intersection.

Elinor Crescenzi, Pomona resident, said that many times when decisions were made to raise fines and other decisions in the city, not all the voices were heard. She stated that neighbors need to remind those in their community of why fireworks are illegal.

Dale Coleman, Fairplex representative, stated that Fairplex had recently partnered with Supervisor Solis to host the Second Annual LA Veterans Resource Expo. He announced that the Los Angeles County Fair would run from August 31 to September 23, 2018. He noted that

during the week of September 5-9, 2018, tickets for all veterans, active duty personnel, and first responders would be \$2. He also announced that on August 31, 2018, tickets for Pomona residents would be \$1. He advised that there were a number of events taking place at Fairplex prior to when the Fair started.

Daniel Luevanos, Ambassador for One Legacy, Donate Life, announced that the Sixth Annual Donate Life Run/Walk event had over 10,000 participants. He provided an update on the various activities that One Legacy had recently been a part of.

Fernando Romero, Executive Director of the Pomona Economic Opportunity Center, spoke regarding the Pomona United for Stabilized Housing (PUSH) Coalition's campaign to place an initiative on the ballot in November to establish rent control in the City.

Beth Brooks, Pomona resident, stated that she sympathized with the plight of those affected by a shooting at the northwest corner of McKinley and Towne Avenue; however, she noted that the memorial had been in place for two years. She suggested that there be a time limit on how long those types of memorials could be left in place.

Randy Beckendam, Pomona resident, urged the City Council to consider making provision for various urban farming ideas such as community gardens, composting sites, neighborhood produce stands and street vendors. He provided the City Council with some fresh produce.

Jim Gallivan, Pomona resident, expressed concern with the fence that was being considered at Lincoln School. He noted that the school was one of the first buildings in the country to be earthquake certified, and that bricks from the original school had been used to build the current fence.

M. Joyce Bakersmith, Pomona resident, invited the City Council and residents to attend the Juneteenth monthly meetings held on the third Thursday of each month at Willie White Park. She noted that Councilmember Torres would be the speaker at the next meeting, along with representatives from Code Enforcement and Parking Enforcement.

Paola Avendano, Representative for Assembly Member Freddie Rodriguez, invited the City Council and the public to a Town Hall meeting on July 19, 2018 at 4:00 p.m. in the Pomona City Council Chambers, regarding the local impacts of AB 109 and Propositions 47 and 57. She noted that State and Local leaders would be discussing the effects of criminal justice reform and prison realignment. She also invited everyone to attend the Summer Open House at the 52<sup>nd</sup> Assembly District office in Chino on July 21, 2018, from 11:00 a.m. to 1:30 p.m. She thanked Mayor Sandoval and Councilmember Carrizosa for attending the Coffee for a Cause event.

John Nolte, Pomona resident, informed that the PUSH Coalition had been working to gather signatures to place a rent control and tenant protection measure on the ballot for November; however, they had not been able to gather enough signatures due to the high cost of signature gathering. He urged the City Council to place the subject on the August 6, 2018 City Council

Agenda for consideration of placing it on the November ballot.

Irene Aguirre, Pomona resident, asked the City Council to take into consideration the negative impacts that legalizing cannabis would have on the community.

Jan Cicco, San Gabriel Valley Council of Governments representative, spoke regarding the various efforts being implemented regarding the housing crisis and homeless issues throughout the San Gabriel Valley. She invited the City Council to attend the Homeless Summit on August 1, 2018 in San Dimas.

Benjamin Wood, Pomona Economic Opportunity Center and PUSH Coalition member, urged the City Council to place the rent control initiative on the November ballot.

Maribel Escobedo, PUSH volunteer, indicated there was a great deal of support for rent control in the City, and urged the City Council to place the rent control initiative on the November ballot.

Roshun Shah, Pomona Valley Democratic Socialists of America representative and PUSH volunteer, urged the City Council to place the rent control initiative on the November ballot.

The following individuals submitted speaker cards in support of placing the rent control initiative on the November ballot, but did not wish to speak:

- Maria Galvan
- Mike Suarez
- Ingrid Gutierrez
- Jeanette Royston
- Richard Bunce
- Jan Chase
- Noah Latkin
- Kathryn Kirui
- Malcolm Lugo

Councilmember Carrizosa requested the rent control item be placed on the upcoming agenda for discussion.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, FAILED 2-5 (Councilmembers Gonzalez, Robledo, Ontiveros-Cole, Escobar, and Mayor Sandoval opposed) to include a discussion regarding rent control on the August 6, 2018 City Council agenda for possible inclusion on the November 2018 ballot.**

**NOTE: Item No. 16 was considered prior to the Consent Calendar.**

### **CONSENT CALENDAR**

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0, approving the Consent Calendar with the exception of Item Nos. 1, 3, 5, and 12 removed for discussion.**

**1. THIS ITEM WAS REMOVED FOR DISCUSSION.**

2. Authorize the Submittal of an Application to the California Department of Transportation (Caltrans) in the Amount of \$250,000 for Highway Safety Improvement Program (HSIP) Funds to Upgrade Existing Pedestrian Crosswalk Indicators at an Estimated 127 Signalized Intersections
3. **THIS ITEM WAS REMOVED FOR DISCUSSION.**
4. Adopt a Resolution Amending the FY 2018-19 Public Works Operating Budget by Appropriating \$344,624 of FY 2017-18 Carried-Over Measure M Funds for Vehicles and Authorize the Use of NJPA Contracts for Award of Purchase to Altec Industries Inc. for Two 2018 Aerial Lift Trucks in the Amount of \$214,812, and Award of Purchase to National Auto Fleet Group, in the Amount of \$129,812 for Three 2018 Light Duty Trucks and One 2018 Sport Utility Vehicle

**RESOLUTION NO. 2018-98**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE FY 2018-19 PUBLIC WORKS OPERATING BUDGET BY APPROPRIATING \$344,624 FOR THE PURCHASE OF PUBLIC WORKS VEHICLES IN FISCAL YEAR 2018-19**

5. **THIS ITEM WAS REMOVED FOR DISCUSSION.**
6. Adoption of a Resolution Approving Lot Merger LM9-2016 of Portions of Lots 4 and 5 of Tract No. 9242, Recorded in Book 125 Page 21 of Maps, and Portion of Lot 1 of Tract No. 14867, Recorded in Book 310 Pages 48 and 49 of Maps, County of Los Angeles, Assessor Parcel Numbers 8326-009-001 and -002 , and Portion of -031, for Conversion and Remodeling of an Existing Residential Property into a Commercial Office and Parking Lot Located at 1054-1062 E. Third Street, Pomona, CA (Council District 3)

**RESOLUTION NO. 2018-100**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM9-2016 OF PORTIONS OF LOT 4 AND 5 OF TRACT NO. 9242, RECORDED IN BOOK 125 PAGE 21 OF MAPS, AND PORTION OF LOT 1 OF TRACT NO. 14867, RECORDED IN BOOK 310 PAGES 48 AND 49 OF MAPS, COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8326-009-001, -002, AND PORTION OF -031, FOR CONVERSION AND REMODELING OF AN EXISTING RESIDENTIAL PROPERTY INTO A COMMERCIAL OFFICE AND PARKING LOT LOCATED AT 1054-1062 E. THIRD STREET, POMONA, CA**

7. Adoption of a Resolution Accepting the State of California's Tobacco Law Enforcement Grant and Amending the FY 2018-19 Special Revenue Operating and Revenue Budgets

**RESOLUTION NO. 2018-101**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA'S TOBACCO LAW ENFORCEMENT GRANT AND AMENDING THE FY 2018-19 SPECIAL REVENUE OPERATING AND REVENUE BUDGETS**

8. Approve and adopt a Resolution Approving the FY 2018/2019 Statement of Investment Policy for the City of Pomona and Reaffirming the City Treasurer Appointment

**RESOLUTION NO. 2018-102**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING THE 2018-2019 STATEMENT OF INVESTMENT POLICY FOR THE INVESTMENT OF PUBLIC FUNDS BY THE CITY TREASURER AND REAFFIRMING APPOINTMENT OF FINANCE DIRECTOR AS CITY TREASURER**

9. Authorization to Submit a Grant Application to the U.S. Department of Housing and Urban Development to Fund a Family Unification Program for Qualified Families Facing Homelessness and Certain Foster Care Youth.
10. Award of Contract to HdL Companies for Tax Reporting, Monitoring and Analysis Services and Adoption of a Resolution Authorizing Hinderliter de Llamas and Associates (subsidiary of HdL Companies) to Examine the Sales, Use and Transaction Tax Records of the Department of Tax and Fee Administration, and Authorizing Certain City Officials Access Thereto

**RESOLUTION NO. 2018-103**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING EXAMINATION OF SALES, USE AND TRANSACTION TAX RECORDS**

11. Adoption of Resolution Amending the Citywide Salary Schedule to Reflect an Increase to the Salary Range for the Position of the City Clerk

**RESOLUTION NO. 2018-104**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING AMENDMENTS TO THE CITY OF POMONA'S SALARY SCHEDULE TO MEET THE CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 2, SECTIONS 570.5 AND 571 TO REFLECT CHANGE TO THE CITY CLERK SALARY RANGE**

12. THIS ITEM WAS REMOVED FOR DISCUSSION.



- 12A.** Adoption of Resolutions Approving an Amendment and Extension of the 2016-17 Memorandum of Understanding Between the City of Pomona and the Pomona Police Managers' Association for the period of July 1, 2017 through June 30, 2019 and Amending the Fiscal Year 2018/19 Operating Budget

**RESOLUTION NO. 2018-105**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN AMENDMENT AND EXTENSION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE MANAGERS' ASSOCIATION FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2019**

**RESOLUTION NO. 2018-106**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2018-2019 ADOPTED OPERATING BUDGET**

**ITEMS PULLED FOR DISCUSSION**

- 1.** Adopt a Resolution Establishing the Order of Appointment of Vice Mayor and Selecting and Designating District 1 Councilmember, Rubio Gonzalez, as Vice Mayor

**RESOLUTION NO. 2018-97**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING THE ORDER OF APPOINTMENT OF VICE MAYOR AND SELECTING AND DESIGNATING DISTRICT 1 COUNCILMEMBER, RUBIO GONZALEZ AS VICE MAYOR**

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, adopting Resolution No. 2018-97 establishing the order of appointment of Vice Mayor and selecting and designating District 1 Councilmember, Rubio Gonzalez as Vice Mayor.**

Mayor Sandoval and the City Council congratulated Vice Mayor Gonzalez on his appointment, and his family was also present to congratulate him.

- 3.** Award a Construction Contract in the Amount of \$805,740 to FS Contractors, Inc. for "ADA Curb Ramps and Sidewalks Compliance Program - Citywide Phase II: Lincoln Park," Project No. 428-2590-xxxxx-81055

tree in Lincoln Park include citizen input.

Rene Guerrero, City Engineer, advised that at the request of the Historic Preservation Commission, staff had consulted with a third party arborist regarding the preservation of the oak tree. He noted that staff would have the final say regarding the tree once the final recommendation had been received from the arborist.

Councilmember Ontiveros-Cole inquired and Mr. Guerrero informed that the concrete surrounding the oak tree would be removed and replaced with decomposed granite, which would allow the root system to receive more water. She further inquired and he advised that the two-way stop sign at the intersection of Palomares and Lincoln Avenue would be replaced with a four-way stop sign and additional signage. Councilmember Ontiveros-Cole asked and Mr. Guerrero stated that any additional lighting in the park would be compatible in appearance with the current lighting. Councilmember Ontiveros-Cole informed that she would be adding funding for four additional trees in the park.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, approving the Award of Construction Contract in the Amount of \$805,740 to FS Contractors, Inc. for “ADA Curb Ramps and Sidewalks Compliance Program – Citywide Phase II: Lincoln Park,” Project No. 428-2590-xxxxx-81055.**

5. Adoption of a Resolution Approving Submittal of the Amended Fiscal Year 2018-19 Projects Lists (Operational) for the Road Repair and Accountability Act of 2017 (RMRA/SB-1) and Amending the City of Pomona’s FY 2018-19 Adopted Operating Budget to Reflect the Changes

**RESOLUTION NO. 2018-99**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING SUBMITTAL OF THE AMENDED FISCAL YEAR 2018-19 PUBLIC WORKS OPERATIONAL PLAN TO THE CALIFORNIA TRANSPORTATION COMMISSION TO BE ELIGIBLE FOR RMRA/SB-1 FUNDING AND AMENDING THE CITY OF POMONA’S ADOPTED FY 2018-19 OPERATING BUDGET BY UNAPPROPRIATING \$296,593 OF SB1 FUNDS AND APPROPRIATING \$296,593 TO GAS TAX FUNDS (FUND 208)**

Councilmember Carrizosa urged everyone to vote no on a repeal of the Road Repair and Reconstruction Act of 2017. She noted that the City was receiving the benefits of the tax money with road construction projects in the works.

Councilmember Torres advised that the City’s budget had been prepared with the belief that the City would continue receiving these funds.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, adopting Resolution No. 2018-99 approving the submittal of the Amended Fiscal Year 2018-19 Projects Lists (Operational) for the Road Repair and Accountability Act of 2017 (RMRA/SB-1) and Amending the City of Pomona's FY 2018-19 Adopted Operating Budget to Reflect the Changes.**

12. Approval of Council and Commission Meeting Agenda Format Change to Include a Statement of "Compassionate City" Meeting Conduct Values

Jan Chase, Compassionate Pomona Initiative proponent, expressed her support for the wording of the "Compassionate City" Meeting Conduct Values statement. She suggested having the youth of the City complete some type of artwork using the wording of the statement, and that the artwork be hung in the foyer of the City Council Chambers.

Kathryn Kirui and Jeanette Ropton submitted speaker cards in support of Item No. 12, but did not wish to speak.

Councilmember Carrizosa stated that one way to show fairness and compassion would be to do something about the rent control issue in the City. She expressed concern that the community was suffering, and that the actions of the City Council needed to reflect what the community was going through.

Mayor Sandoval agreed with Councilmember Carrizosa and supported the building of more affordable housing. He noted that there was a shortage of housing statewide. He requested staff bring the revision of the current rental ordinance back to the City Council for consideration.

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, approving the Council and Commission Meeting Agenda Format to include a Statement of "Compassionate City" Meeting Conduct Values.**

### **DISCUSSION CALENDAR**

13. Finding of Public Benefit to the Community at Large: Recommended Expenditures and Recap of Approved Funds

#### **CURRENT REQUESTS:**

- A)** Amount to be determined in support of the NAACP Pomona Valley Branch in support of their Poor People Campaign event - Requested amount: \$1,225
- B)** \$450 to the Pomona Public Library Foundation in support of the Mayor's Gala
- C)** Amount to be determined to J.E.T.M.A.C. Inc. in support of the 2018 Juneteenth VIP Reception & Flag Raising - Requested amount: \$3,000

- D) Amount to be determined to Pomona Catholic School in support of the annual Casino Night Fundraiser - Requested amount: \$1,000
- E) Amount to be determined to Victory Outreach Pomona Valley in support of the "I Love Pomona" Festival - Requested amount: \$1,000
- F) \$950 to Support Kids in Progress, Inc. in support of their "Salute to Welcome Home Vietnam Veterans and all Veterans" event
- G) Amount to be determined to the National Council of Negro Women in support of their Annual Bethune-Height Recognition Luncheon - Requested amount: TBD

Trudy Coleman thanked the City Council for their support of the Juneteenth event. She noted that they were raising money to install a flagpole by the Juneteenth monument.

Councilmember Torres stated that he would contribute \$1,000 to the Juneteenth request. Mayor Sandoval inquired and the Council agreed, to equally divide the remaining \$2,000 for Item C among the other six Councilmembers to meet the total request of \$3,000.

Madeline Cisneros, Victory Outreach Youth Ministry, invited everyone to attend the "I Love Pomona Festival" on Saturday, July 21, 2018 at Victory Outreach Church. She noted that there would be a number of vendors and that they would be distributing free backpacks filled with school supplies to the children attending the event. Mayor Sandoval inquired, and the City Council concurred, to equally divide the requested amount among the Councilmembers.

Councilmember Carrizosa inquired, and the City Council agreed to divide the requested amount for Item A equally among the Councilmembers.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, Making a Finding of Public Benefit to the Community At Large for Items A through G.**

- 14. Designate a Voting Delegate and Alternate(s) for the 2018 League of California Cities Annual Conference

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, designating Mayor Sandoval as the Voting Delegate, and Councilmember Escobar as the Alternate, for the League of California Cities Annual Conference.**

Vice Mayor Gonzalez stated that he would like to help with the exhibit promoting the City of Pomona for the conference.

- 15. Consideration of the Strategy to Preserve Vital City Services and Directing Staff to present Necessary Documents to Place Potential Revenue Measures on the November 2018 Ballot

Finance Director Onyx Jones provided a Power Point presentation. She noted that the City

had requested Urban Futures, Inc. to conduct an analysis of the City's financial future, and they had advised that by Fiscal Year 2021, the City would have depleted all of its reserves, and that the City would need to make up an \$8-10 million shortfall to keep from depleting the reserves. They proposed two options, one was to cut costs by that amount, or to increase revenues. Director Jones stated that the option to cut costs would mean significant cuts in staff and several departments. She advised that there were three options to raise revenue, one being a sales tax increase of three-quarters of a cent; the second would be a parcel tax; and the third would be to extend the Utility Users Tax to utilities not currently being taxed. She advised that the City's sales tax monitoring consultant, HdL, had projected an increase of \$12 million in revenue with a three-quarter of a cent sales tax increase.

**NOTE: Following the staff presentation portion of this item, the City Council reconvened discussion of Item No. 16. Following completion of Item No. 16, discussion of Item No. 15 continued.**

Discussion ensued regarding options to increase revenues, requirements for general taxes and special taxes, and the role of an oversight committee.

Councilmember Escobar expressed support for a special tax in order to ensure the revenue would be used for specific purposes.

Mayor Sandoval called on the following individuals to speak:

Amos Young, Pomona resident, commended the City Council for their work on tough issues. He expressed confidence in the City Council to make the right decisions, and that he would back a tax measure if placed on the ballot.

Elinor Crescenzi, Pomona resident, encouraged the City Council to look at other innovative ways to create guidance on the budget by engaging the community in the process.

Mayor Sandoval announced that in an effort to be proactive, the City Council had requested staff bring back a ten-year financial forecast, and the results had indicated that at the current rate by 2021, the City's reserves would be depleted. He noted that since 2008 services and personnel had been severely cut; however, with the increasing pension costs, a decision had to be made to increase revenue, not just cut more services. He expressed support for placing a measure on the ballot to increase the sales tax. He stated that a sales tax increase was not a substitute for increasing economic development.

Councilmember Ontiveros-Cole expressed support for a sales tax measure.

Councilmember Robledo agreed with Mayor Sandoval regarding the need to bring in more economic development to the City.

Councilmember Carrizosa stated that in order to increase economic development, improvements to the City's infrastructure needed to take place to help attract development. She noted that careful consideration of the wording of the measure was necessary in order for

the voters to clearly understand what the tax would be used for. She was supportive of a sales tax measure as long as it was clearly stated.

City Manager Lowry stressed that it was not simply a matter of cutting costs, but that City operations would fail without an increase to the City's revenue.

Councilmember Torres requested a consultant be hired to conduct a poll to understand what the citizens wanted regarding services, and to educate the voters on the realities of the coming deficit.

Councilmember Escobar noted that she could not support the measure unless the City Council was provided with comparisons of other cities regarding in-house services and contract services. She added that if the measure were to pass, she would like to have City Hall hours extended to five days a week.

City Attorney Alvarez-Glasman stated that the City could spend funds to inform the citizens regarding what the measure would do, how much revenue would be realized, and what services would benefit from the revenue.

Councilmember Escobar inquired and Director Jones advised that it would cost between \$30,000 and \$50,000 to hire a consultant, depending on what information the City Council requested.

City Attorney Alvarez-Glasman advised that a decision had to be made on or before August 6, 2018 in order to meet the deadline to get the measure on the ballot for November.

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY MAYOR SANDOVAL, CARRIED 7-0, extending the meeting past midnight.**

**MOTION BY VICE-MAYOR GONZALEZ, SECOND BY MAYOR SANDOVAL, CARRIED 7-0, directing Staff and the City Attorney to return to the August 6, 2018 Council Meeting to present a general sales tax measure of .75% with a ceiling of 1%, including a ten year sunset, an oversight committee, and special reporting at the end of the year; to include the City Attorney's ballot wording suggestion and include that the sales tax would help the City stay afloat, and would also provide the opportunity to make improvements.**

Finance Director Jones introduced David McPherson, Cannabis Compliance Director with HdL Companies, and advised that he had worked on a number of cannabis tax measures for cities in California. She noted that as a result of his previous work, much of the ground work had already been done.

Mr. McPherson provided a Power Point Presentation regarding the proposed ordinance, the fiscal analysis, cumulative tax collection, and discussed next steps.

Councilmember Escobar inquired and Mr. McPherson informed that every measure that HdL

had drafted had been approved by the voters. He noted that in the recent June election, there had been a 65 to 80 percent passing rate on cannabis tax measures. Councilmember Escobar expressed agreement with the three-year freeze and the flexible options. She asked and Mr. McPherson advised that the ordinance would allow the City to tax both legal and illegal operations, and provided for the collection of those taxes. He stated that only the actual growing space would be taxed. Councilmember Escobar expressed support for the measure if it was a special tax with specific designation of programs or services to be provided.

Mr. McPherson advised that new regulations had just been issued allowing the delivery of cannabis anywhere in California, even if it was illegal within that jurisdiction. He noted that some cities had no plans to approve the sale of cannabis; however, they wanted an ordinance in place to have the ability to tax illegal businesses.

Mayor Sandoval inquired and Mr. McPherson informed that there were three cities in California that had placed a cannabis tax measure on the ballot as a special tax, and that all three had failed to pass with the required 67 percent.

Discussion ensued regarding taxation of illegal cannabis businesses, collection of fines and taxes on illegal businesses, as well as the effects on the development process.

**MOTION BY MAYOR SANDOVAL, SECOND BY VICE-MAYOR GONZALEZ, CARRIED 5-2 (COUNCILMEMBERS ESCOBAR AND TORRES OPPOSED), directing Staff and the City Attorney to bring back to the August 6, 2018 Council meeting a proposed cannabis measure that was comprehensive, that was not a special tax but rather a 50% plus one, a general tax with no specific earmarks, with clarity that the money would go towards enforcement and general public safety.**

## **PUBLIC HEARINGS**

**Item No. 16 was considered prior to the Consent Calendar.**

- 16. Hold Public Hearing and Adopt a Resolution Renewing the Downtown Pomona Property and Business Improvement District, Approving the Assessment Formula and Levying the Assessments**

## **RESOLUTION NO. 2018-107**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA RENEWING THE DOWNTOWN POMONA PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, APPROVING THE ASSESSMENT FORMULA AND LEVYING THE ASSESSMENTS**

City Attorney Alvarez-Glasman advised that the record should reflect that there were no City Councilmembers required to disclose any property ownership within the Downtown Pomona Property and Business Improvement District.

Deputy City Manager Kirk Pelsner provided a brief presentation and advised that all ballots would be opened and tabulated that evening in the Closed Session Conference Room by Deputy City Clerk Genoveva Rocha, with assistance from Larry Egan, Executive Director of the Downtown Pomona Owners Association (DPOA).

Mayor Sandoval inquired and Deputy City Manager Pelsner advised that all notices and ballots, as required by law, had been mailed to the record owners of each parcel within the proposed district. The Mayor asked and Interim City Clerk Macias confirmed that she had brought all ballots received to the meeting.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, opening the Public Hearing.**

City Attorney Alvarez-Glasman announced that anyone wishing to submit a ballot, would need to submit it prior to the close of public testimony. He advised that the counting of the ballots would take place in the City Council Chambers Annex adjacent to the City Council Chambers. He stated that any member of the public was invited to observe the counting of the ballots; however, they would not be allowed to disrupt the process in any way.

Mayor Sandoval proposed and the City Council agreed to limit public speakers to two minutes due to the number of speaker cards that had been submitted.

Larry Egan, Executive Director of the Downtown Pomona Owners Association (DPOA), advised that they had conducted a number of meetings, surveys and processes in order to include all of the owners in the old district, and in the new section being added to the district. As a result of their findings, the new boundaries would include a couple of blocks above First Street, as well as all of the prior district boundaries. He stated that there had been a 74 percent turnout of property owners.

Carolyn Hemming, DPOA representative, noted that there were a number of great projects happening in the downtown area and that those would not have been possible without the work of the DPOA. She read a letter in support of the Downtown Property and Business Improvement District (PBID), and submitted it to the City Council.

Beth Brooks, Pomona resident, stated that it was very convenient to conduct business in the downtown area with the addition of a number of new businesses in the downtown area. She expressed support for the PBID.

Mary Pendergast, Pomona resident, said the downtown area was vibrant and clean, with a thriving entertainment and business presence. She stated the DPOA had encouraged downtown owners to work together and it had resulted in the renewing of the downtown area. She urged the City Council to approve the PBID.



Erica Frausto, Pomona Chamber of Commerce Representative, commented that the DPOA had made major strides in improving the downtown area, and urged the City Council to approve the Business Improvement District.

Maritza Zenteno, Pomona resident, expressed appreciation for the DPOA's work to improve the downtown area, and for activities such as the Christmas Parade and the Art Walk.

Victor Caceres stated that the DPOA had done an exemplary job in impacting the positive changes in the downtown area.

Andre Robinson, UPS Store franchise owner, did not believe his business would have survived without the DPOA's support. He said that the downtown businesses would not be as successful without the efforts of the DPOA.

David Speidel, Mayfair Hotel Apartments owner, expressed appreciation for the marketing and security that the DPOA had provided, and stated that the security was a major benefit to the property owners in the district.

Victor Preciado, Pomona resident, noted that he enjoyed spending time in the downtown area and believed that the success of businesses was a result of the DPOA.

Virginia Madrigal, Pomona resident, stated that the DPOA had brought back the vibrancy to the downtown area that had been lost. She said the DPOA was doing a great job in keeping the district clean and safe.

Rhonda Belville, Redwing Glass owner, advised that her business was located in the expansion area, and that she had requested to opt out of the district; however, her request had been denied. She said that for a number of months she had been requesting information and that she had only received it earlier in the day. She requested an explanation of how the funds were being used.

Eunice Russell, Pomona resident, stated that she had seen a difference in the downtown and expressed support for the district.

Paola Avendano, Representative for Assembly Member Freddy Rodriguez, read a letter in support of the PBID from Assembly Member Rodriguez, and submitted the letter to the City Clerk.

Roberto Arnold, Pomona Hispanic Chamber, believed that the efforts of the DPOA had enabled the downtown area to grow and thrive. He thanked the DPOA for their support of the downtown businesses.

Following public testimony regarding the PBID, Mayor Sandoval noted that the time had come for anyone wishing to submit a ballot, withdraw or change their ballot, to do so.

City Attorney Alvarez-Glasman stated that the record should reflect that no one had come forward.

Mayor Sandoval inquired and Mr. Egan from the DPOA responded that if a majority of the businesses on a given block wanted to opt into the district, that all the businesses on that block would be included in the district. Mr. Egan noted that there had been a number of blocks that had opted out.

The following individuals submitted speaker cards in support of this item, but did not wish to speak.

- Patrick J. Soto
- Diego Sotelo
- Katie R. Hudson
- Germaine Nesbitt
- Victoria Hemming
- Mark Ferguson
- Janet Martinez
- Ryan Chang
- Vincent Rodriguez
- Robert Parke
- Jessica Leon
- Margaret Yvonne Diaz
- Scott Michael Lucas
- Jeff Schenkel
- Manjit Singh
- Steven Craven
- Nef Cortez
- John Mendoza
- Cary Loewenstein
- Elizabeth D. Fraser
- Danny Holznecht
- Benny Ayala
- Galo Galvan
- Jason John Stevens
- Phil Ray Bell Jr.
- Augusto E. Vivanco
- Matthew Xavier Garcia
- Myriam Perdomo
- Evelina Gamboa
- Mia Garcia
- Tricia Manzo
- Natalie A. DeNicholas
- Marvin Campbell
- Danielle Soto
- Dale Coleman
- Oscar A. Perdamo
- Ismael Arias
- Alex M. Smith
- Vanessa Gonzalez
- Freddie Rodriguez, Assemblyman
- Alvaro Santana
- Dimas Diaz
- Michelle Rodriguez
- George Martinez
- Renee Barbee
- Ramneet Kaur
- Conrad D. Elrod
- Jill Reift
- Heather V. Thee
- Aaron John Barton
- Ann Henderson
- Connie Leyva, State Senator
- Stephanie Benjamin
- Margaret Rinke
- Aaron M. DeRobles
- Joey J. Negrette
- Jerry Tessier
- Mark A. Warren
- Steve A. Nunez
- Ann S. Kaiser
- Dennis M. Kuntz
- Salvador Manzo Sr.
- Erinn Baker
- Daniel Chavez
- Janet Braunskin
- Minerva Hernandez
- Albert Gonzales
- Melissa J. Gutierrez
- M. Joyce Bakersmith
- Angelina Jungo
- Jessie Gomez
- Joe Mario Martinez
- Hector Diaz
- Katie Lucas
- Jeff Keating
- Simratpal Khun
- Sunny Sandhu
- Kyle Delacruz
- Paula Lantz
- Graciela Nardi
- Michael Schowalter
- Ethel M. Gardner
- Benny Ayala
- Stephanie Campbell
- Ray Medwa
- Sally Egan
- Sergio O. Arballo
- Sandra Cerrillos
- Oscar J. Perdomo
- David Melchoa
- Eddie C. Wong
- Raymond Perdomo
- Joshua Swodeck

Councilmember Torres inquired and Mr. Egan explained that there had been a number of businesses interested in being a part of the PBID; however, during the meetings that had been conducted, many of those businesses indicated that they did not want to pay the assessment fees.

Councilmember Carrizosa inquired and Mr. Egan advised that he had explained to the owners of El Merendero and to Mr. Manuel Castillegos that it was their responsibility to secure the roofs of the buildings that had been vandalized. He noted that he had security footage of the incidents; however, the business owners had not filed police reports. Therefore, the Police Department could not investigate the vandalism on those properties.

Discussion ensued regarding the rules of how parcels were included in the PBID and the benefits received by those in the district. Following discussion, Mayor Sandoval convened the matter in order to continue with the rest of the agenda, until such time as the ballots had been counted.

**Note: During discussion of Item No. 15, the City Council reconvened the Public Hearing (Item No. 16) following the tabulation of the votes.**

Mayor Sandoval inquired, and Interim City Clerk Macias announced that 78.42 percent of the ballots had been cast in favor and 21.58 percent of the ballots had been cast in opposition to the renewal of the Downtown Pomona Property and Business Improvement District.

**MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, to Renew the Downtown Pomona Property and Business Improvement District, Approving the Assessment Formula, and Levying the Assessments.**

**Note: The discussion was reconvened to Item No. 15.**

17. Public Hearing - Consideration of a Resolution Establishing and Adjusting Fees for services Provided by the Public Works Department and Adjusting the General Sanitation Fee

#### **RESOLUTION NO. 2018-108**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA ESTABLISHING AND ADJUSTING PUBLIC WORKS DEPARTMENT-ENGINEERING DIVISION SERVICES FEES AND ADJUSTING THE GENERAL SANITATION FEE**

Public Works Director McWade provided a brief overview of the item.

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to open the Public Hearing.**

There were no public speakers.

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY MAYOR SANDOVAL, CARRIED 7-0, to close the Public Hearing.**

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY VICE-MAYOR GONZALEZ, CARRIED 7-0, Approving Resolution No. 2018-108, Establishing and Adjusting Public Works Department-Engineering Division Services Fees and Adjusting the General Sanitation Fee.**

18. Request to Continue Public Hearing Opened on June 18, 2018 to August 6, 2018 for the introduction and first reading of Change of Zone (Zone 6154-2018) as well as consideration of Conditional Use Permit (CUP 9774-2018) for a property located at 1538 South Towne Avenue.

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, Approving a Request to Continue the Public Hearing Opened on June 18, 2018 to August 6, 2018 for the introduction and first reading of Change of Zone (Zone 6154-2018) as well as consideration of Conditional Use Permit (CUP 9774-2018) for a property located at 1538 South Towne Avenue.**

#### **MATTERS INITIATED BY CITY COUNCILMEMBERS**

Councilmember Torres requested written notification as to when the F-Zone item would be heard by the Planning Commission. He asked that staff remind the Planning Commission of their role as an advisory body. He stated that a number of families had requested that a stop sign be installed at the corner of San Antonio Avenue and Collingswood Drive.

Councilmember Ontiveros-Cole asked that the ordinance regarding fireworks be brought back to the City Council for possible revisions. She stated that several parents of Kingsley School students had requested additional safety measures be installed around the intersection of Columbia and Washington Avenues prior to the beginning of school.

Vice Mayor Gonzalez advised that the Purpose Church would be conducting another "Sex Trafficking Protest" on Tuesday, July 17, 2018, at 6:30 p.m. on the corner of Garey and Holt Avenues, and noted that the Police Department had rescued a thirteen year old girl from trafficking on East Holt Avenue. He asked that the rental inspection ordinance be brought back for City Council discussion. He stated that the Miss Pomona Pageant was in need of funding and requested that it be placed on the Finding of Public Benefit for the next meeting.

Mayor Sandoval requested that recommendations for a Youth Commission be brought back to the City Council sometime in September. He asked that the tobacco ordinance also be revisited sometime in September.

Councilmember Carrizosa agreed with Mayor Sandoval regarding a Youth Commission.

## **ADJOURNMENT**

The City Council meeting was adjourned at 12:34 a.m. on Tuesday, July 17, 2018.

The next regular City Council meeting will be held on Monday, August 6, 2018. Closed Session will begin at 5:30 p.m. and the open session shall commence at 7:00 p.m. in the City Council Chambers.

Respectfully submitted,

ATTEST:

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Marie Michel Macias, MMC  
Interim City Clerk/Secretary of the Pomona  
Housing Authority/Successor Agency to the  
Redevelopment Agency

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TIM SANDOVAL  
Mayor/Chair of the Pomona  
Housing Authority/Successor Agency to the  
Redevelopment Agency