



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
Councilmember Adriana M. Robledo
Councilmember Cristina Carrizosa
Councilmember Ginna E. Escobar
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.*

Monday, September 17, 2018

7:00 PM

Council Chambers

5:30 P.M.

CLOSED SESSION

A. PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957)

City Clerk

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Assistant City Attorney Andrew Jared reported the City Council had convened into Closed Session at 6:10 p.m. with all members present except Councilmember Escobar who arrived at 6:20 p.m. He stated that the items listed on the agenda had been announced prior to recessing into Closed Session, with no public present, and reported the following:

Item A: Discussion took place regarding the City Clerk vacancy. Human Resources Director Linda Matthews sought direction from the City Council, and a Special Meeting for interviews was set for October 22 at 4:00 p.m. upon confirmation from the applicants.

The City Council recessed from Closed Session at 6:25 p.m.

CALL TO ORDER

The City Council meeting was called to order at 7:00 p.m.

ROLL CALL

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

STAFF PRESENT:

Linda Lowry, City Manager
Andrew Jared, Assistant City Attorney
Marie M. Macias, Interim City Clerk
Karla Shipman, Deputy City Clerk

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Robledo.

Mayor Sandoval requested the order of the agenda be changed by moving Item 5 prior to presentations.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY MAYOR SANDOVAL, CARRIED 6-0, changing the order of the agenda to hear Item 5 at this time.

5. City Council Vacancy for District Four and Consideration of Re-Appointment of Councilmember Elizabeth Ontiveros-Cole

Assistant City Attorney Jared advised the City Council regarding Councilmember Ontiveros-Cole's retirement from the Pomona Unified School District. He informed that in order to receive her CALPERS retirement, CALPERS requires that she also retire from her public service on the City Council because the City of Pomona is a CALPERS agency. The City Charter allows for her to be re-appointed to Council.

Elizabeth Ontiveros-Cole spoke about her resignation from City Council as a formality because it was a requirement of the CALPERS retirement system. She expressed a desire to complete her term and requested to be re-appointed.

The following individuals spoke in support of Elizabeth Ontiveros-Cole's re-appointment to the City Council:

- Arturo Delgadillo, District 4 resident
- Steve Golling, District 4 resident
- Mike Suarez, District 4 resident
- Armando Barringa, District 4 resident
- Mike Davis, District 4 resident
- Salvador Armijo, District 4 resident
- Ms. Marino, Pomona

Julia Cortes and Bryan Marino submitted speaker cards in support of Elizabeth Ontiveros-Cole's re-appointment to the City Council but did not wish to speak.

Discussion ensued regarding the re-appointment of Elizabeth Ontiveros-Cole. All Councilmembers expressed support for their colleague. However, some Councilmembers had concerns regarding the procedural issues and asked to continue discussion until the next Council meeting on October 1 to ensure the re-appointment was done correctly.

Councilmember Escobar had the following questions:

1. Why was this not brought on September 10?
2. Can you confirm that the last time the seat was vacant it was between 45-60 days?
3. What do other cities do?
4. If this was brought before September 10, why was it not considered with the nomination period that closed on August 10?
5. Was she briefed on the CALPERS retirement plan?
6. What's the difference between 60 day delay and 14 day delay?
7. When was the last time the councilwoman worked?

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 4-2 (MAYOR SANDOVAL AND COUNCILMEMBER CARRIZOSA OPPOSED), continuing this item to the meeting of October 1, 2018 and directing the City Attorney to provide responses prior to the meeting to aforementioned questions.

PRESENTATIONS

A. Presentation on the Federal Opportunity Zones Program

Deputy City Manager Pelser presented a report and answered questions from Councilmembers.

B. Approve a Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Declaring the Month of September 2018 as "Childhood Cancer Awareness Month"

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0, approving the proclamation.

C. Approve and Present a Proclamation, Recognizing and Supporting the Goals of "Life Insurance Awareness Month" the month of September 2018 in the City of Pomona **(Recipient-Christine Perez)**

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0, approving the proclamation.

The Mayor and Council read and presented the proclamation to Christine Perez, New York Life Insurance Company. She thanked the Council and the City and spoke on the importance of life insurance.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Torres thanked the police department for leading the Area Commander Neighborhood Watch meeting last week. He reported there were over 100 residents from Districts 1 and 6 present and that he had the opportunity to discuss the current financial state of the City and the crucial need for resident support of the ballot measures.

Councilmember Carrizosa thanked the Public Works and Administration departments, noting that Mission Avenue looked beautiful. She suggested maybe some trees and plants could make it look even better.

Councilmember Gonzalez recognized and thanked Pomona Unified School District (PUSD) colleagues Dr. Roberta Perlman and Dr. Frank Guzman. He thanked the police department for the Watch Commander community event at Kennedy Park, with a turnout of at least 70 residents. He discussed the PUSD student safety summit, noting that both events combined had put residents at ease regarding recent events, and reinforced the police department's hard work. He also thanked the police department for getting two sexual predators off the streets.

CITY MANAGER COMMUNICATIONS

City Manager Lowry requested an additional adjournment to the meeting in memory of former City employee John Sidow.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 6-0, to adjourn the meeting in memory of John Sidow.

PUBLIC PARTICIPATION

Douglas Pierce submitted a speaker card, but was not present when called to speak.

David Holmes, Pomona, thanked the Mayor and Council for their help with a pallet issue. He discussed a pallet yard on 3rd Street that had a fire recently and was still operating. He expressed concern that this was a safety issue for the employees there.

Holly Reynolds, Fairplex Executive Director of Learning Centers, reported that this was the 19th year they were able to offer free school field trips to the Fair. She noted they had a Route 66 theme with history and geography exhibits, and had a day for kids with special needs and sensory issues.

Deborah Clifford, Pomona, spoke on her family history of WWII war pilots and told a story about how Pomona was the only U.S. City bombed (accidentally) in WWII.

Randy Beckendam, Pomona, spoke on the Place Making meeting coming up at the Purpose Church. He spoke about the Pomona Unified Voices grant to build an Eco farm.

Elinor Crescenzi, Pomona, spoke on zero waste and urged Council to make a plan to be proactive. She said it was inappropriate for Council to curtail the public comment time limit.

Eunice Russell, Pomona, spoke on the 2018 Council Candidate Forums coming up. She announced that one would take place at Western University with the Willie White focus group, and that the Chamber of Commerce would also be holding a forum.

John Mendoza, Pomona, spoke on his support for zero waste and the need for a recycle ordinance. He also spoke on the F Zone and the need for a better update before it goes to the Planning Commission.

M. Joyce Bakersmith, Pomona, spoke on the Cultural Festival coming up at Willie White Park on October 20, 2018. She requested \$2600 from the Council and asked that the Cultural Festival be made a City event. She said this was the third year she has requested this funding by the City.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 6-0, approving the Consent Calendar

1. Approve a One-Year Agreement to Continue With the Pomona Unified School District's (PUSD) Community School Resource Officer (CSRO) Program, Increase CSRO Assigned Officers from Two (2) to Three (3) and Adopt a Resolution Amending the Adopted FY 2018-19 Police Authorized Sworn Staffing to Include One (1) New Police Officer Position

RESOLUTION NO. 2018-134

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A ONE-YEAR AGREEMENT WITH THE POMONA UNIFIED SCHOOL DISTRICT TO CONTINUE THE COMMUNITY SCHOOL RESOURCE OFFICER (CSRO) PROGRAM AND INCREASING THE POLICE DEPARTMENT'S SWORN AUTHORIZED STAFFING LEVEL TO INCLUDE ONE (1) NEW POLICE OFFICER POSITION

2. Adopt a Resolution Amending the 2018-19 Capital Improvement Program (CIP) Budget by Appropriating \$51,500 of Available Water Funds to the "Street Preservation Local Citywide (FY 17-18)," Project No. 428-2590-XXXXX-68558; and, Amend the Construction Contract with R.J. Noble Company by \$43,830 for Pavement Repair of Water Utility Asphalt Cut on Viewpoint Circle

RESOLUTION NO. 2018-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$51,500 OF AVAILABLE WATER FUNDS TO THE "STREET PRESERVATION - LOCAL CITYWIDE (FY 17-18)," PROJECT NO. 428-2590-XXXXX-68558

3. Approval of Rental of Uniforms, Floor Mats, Mops, Towels and Related Services from Prudential Overall Supply, Under a Cooperative Agreement through National Intergovernmental Purchasing Alliance (National IPA), Contract No. 171695.
4. Award a Contract to Griffin Structures, Inc. In the Amount of \$340,500; and Approve an Amendment to a Professional Services Contract with Dudek for the Capital Improvement Program "Corporate Yard Facility", Project Number 575-8125-XXXXX-93135 in the Amount of \$18,575

DISCUSSION CALENDAR

5. This item was heard after roll call.

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

CURRENT REQUESTS:

- A)** Amount to be determined to the Latino Art Museum in support of their
“Yearbook 2018” and exhibition - Requested amount: TBD
- B)** Amount to be determined to the African-American Museum of Beginnings
in support of museum programming - Requested amount: TBD

Sarah Jo Antunizzi requested funds for Global Flavor, a local event in Downtown Pomona that would showcase the historic downtown area and was a fundraiser for four different non-profits. Funds would pay for fire safety expenses, closing the street, fences and toilets.

Councilmember Robledo advised her to submit a request for the October 1, 2018 Council meeting.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0, making a Finding of Public Benefit for Items A and B.

7. Introduction and First Reading of an Ordinance Amending Chapter 2 of the Pomona City Code by Establishing the Meeting Calendar and Order of Business for Installation and Swearing In of Councilmembers Elect and Transition from Service for Outgoing Councilmembers

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING CHAPTER 2 OF THE POMONA CITY CODE BY ESTABLISHING THE MEETING CALENDAR AND ORDER OF BUSINESS FOR INSTALLATION AND SWEARING IN OF COUNCILMEMBERS

City Manager Lowry provided a brief overview of the report, noting that this procedure would be codified for an orderly process of transition in future elections. Discussion ensued

regarding timeframe for swearing in and recognition of outgoing councilmembers and commissioners.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0, introducing for first reading an Ordinance of the City Council of the City of Pomona, California, amending Chapter 2 of the Pomona City Code by establishing the meeting calendar and order of business for installation and swearing in of councilmembers.

8. Adoption of Resolutions Amending: 1) the Compensation Plan for Executive Management Group A and B Employees to Clarify Compensation Procedures for the City Manager and City Clerk, Modify Salary and Benefit Contributions for Police Chief and Deputy Police Chief, and Change Title of Development Services Manager to Planning Manager; and Amending the Citywide Salary Schedule to Reflect the Changes Recommended Herein and Previously Approved Increases to Salary Rates Effective October 1, 2018, and the Authorized Staffing Levels in the Fiscal Year 2018/19 Operating Budget to Reflect the Recommended Title Change

RESOLUTION NO. 2018-136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING THE COMPENSATION PLAN FOR EXECUTIVE MANAGEMENT GROUP A AND B EMPLOYEES

RESOLUTION NO. 2018-137

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 CHANGE TITLE OF DEVELOPMENT SERVICES MANAGER TO PLANNING MANAGER AND REFLECT SALARY RATE INCREASES PREVIOUSLY APPROVED BY CITY COUNCIL, AND AMEND AUTHORIZED STAFFING LEVELS IN THE DEVELOPMENT SERVICES DEPARTMENT

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0, adopting Resolution No. 2018-136 amending the Compensation Plan for Executive Management Group A and B Employees and adopting Resolution No. 2018-137 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 Change Title of Development Services Manager to Planning Manager and Reflect Salary Increases Previously Approved by City Council, and Amend Authorized Staffing Levels in the Development Services Department.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 6-0, to hear Item 10 before Item 9.

- 10.** Review and Consideration of the Draft City of Pomona Anti-Bullying/Harassment, Decency and Civility Statement

Councilmember Escobar made a statement regarding the seriousness of this matter. She thanked the Council for taking this matter seriously and Councilmember Carrizosa for her solidarity in this matter. She added that she hoped this action would set a precedent for decency. This led to brief discussion of the statement.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 6-0, approving the Draft City of Pomona Anti-Bullying/Harassment, Decency and Civility Statement.

City Council recessed at 9:11 p.m.

City Council reconvened at 9:22 p.m.

- 9.** Consideration of Draft Ordinance Regulating Commercial Cannabis Businesses and Further Council Direction on Finalizing the Draft Ordinance and Related Policies

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE POMONA CITY CODE BY ADDING CHAPTER 74, "COMMERCIAL CANNABIS ACTIVITY," TO THE POMONA CITY CODE; AND AMENDING POMONA ZONING ORDINANCE NO. 1673 BY ADDING SECTION .58015, "CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT REQUIRED FOR COMMERCIAL CANNABIS ACTIVITY," TO ALLOW CLASSIFICATIONS OF COMMERCIAL CANNABIS ACTIVITY [IN ZONES] [OR IN PORTIONS OF ZONES] [OR TO ESTABLISH A SPECIAL OVERLAY ZONE] AND REPEAL PROVISIONS INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE

Judith St. John, Pomona, spoke in opposition to the ordinance. She said the City's reputation had already been tarnished and asked that if made legal, it be banned from Fairplex events.

Mark Ramos, UFCW Union Pomona, spoke in support of the ordinance and a merit based system to bring in businesses. He offered help from his union to craft a merit based system

that would work. He urged the Council to do this right and allow the workers of these businesses to have a Labor Peace Agreement.

Damian Martin spoke against having a lottery system for applicants, noting that there were many drawbacks.

Jonathan Cvetko, LA County Board of Supervisors Cannabis Advisory Work Group and Executive Director of Angeles Emeralds, spoke in support of the ordinance. He stated the Fairplex was a great opportunity and should be included. He recommended the merit based system include a selection committee should there be a tie and not a lottery system in order to ensure the Council maintains control of which businesses come in to the City. He recommended that applicants not be required to already have a property before they apply as that could delay the process and prevent quality applicants from being awarded a business.

Lilia Ornate, Partnership for Positive Pomona and Pomona's Youth Prevention Council, had several recommendations for the ordinance should it pass. These included distances from youth, caps on businesses, no advertising to youth and mandatory prevention education for workers. She offered the services of three prevention programs already in Pomona.

Councilmembers continued discussion related to the Cannabis Ordinance. New sensitive use maps were presented by the City Attorney's office to the Council and public. There was Council consensus on the classification categories of cannabis. Other discussion topics included the limits for the number of businesses, allowing festivals at the Fairplex, minimum application requirements and fees for applicants.

Councilmember Carrizosa left the meeting at 11:11 p.m. Prior to her leaving, the Mayor presented her with sympathy certificates for Oscar Cruz Carrizosa and Maritza Martinez.

10. This item was heard after Item 8.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Gonzalez spoke about Senate Bill 946 regarding sidewalk vendors being signed by Governor Brown. He asked that staff working on the City ordinance ensure that the impacts of the governor signing the bill be addressed.

Mayor Sandoval reminded staff about the pallet business issue and wanted to ensure Code Enforcement was working on the issue.

ADJOURNMENT

The City Council meeting was adjourned at 11:31 p.m. in memory of Oscar Cruz Carrizosa, Maritza Martinez and John Sidow.

The next regular City Council meeting will be held on Monday, October 1, 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:

MARIE MICHEL MACIAS, MMC
Interim City Clerk/Secretary of the Pomona
Housing Authority/Successor Agency to the
the Redevelopment Agency

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

DRAFT

Respectfully submitted,

ATTEST:

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

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

DRAFT