



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
Council Member Rubio R. Gonzalez
Council Member Adriana M. Robledo
Council Member Cristina Carrizosa
Council Member Elizabeth Ontiveros-Cole
Council Member Ginna E. Escobar
Vice Mayor 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, May 21, 2018

7:00 PM

Council Chambers

5:30 P.M.

CLOSED SESSION

Public Comment:

A. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Pursuant to Government Code Section 54956.9 (d)(1))

Singleton v. City of Pomona
City of Pomona v. Sociedad Quimica Y Minera De Chile SA, et al.

B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Two matters regarding possible litigation to be initiated will be discussed
(Pursuant to Government Code Section 54956.9 (d)(2))

C. 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: Linda Lowry and Linda Matthews

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

Property: N/E Corner Center & Main Streets - VPD Lot 1
Negotiating Party: Clearwater 1, LLC
City's Negotiator: Linda Lowry, City Manager
Under Negotiation: Price and Terms

Property: Veteran's Park Site (APNs 8707-019-903, 906 & 908)
Negotiating Party: Seventh Street Development
City's Negotiator: Linda Lowry, City Manager
Under Negotiation: Price and Terms

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Assistant City Attorney Jared reported that the City Council convened into Closed Session at 5:40 p.m., and that the items listed on the agenda had been announced prior to recessing into Closed Session. He reported the following:

Councilmembers Gonzalez, Carrizosa, Ontiveros-Cole, and Mayor Sandoval were present.

Vice Mayor Torres arrived at 5:45 PM.

Councilmember Robledo arrived at 5:50 PM.

Item A: This item was not discussed and, time permitting, will be discussed when the City Council recesses back into Closed Session after the Open Session.

Item B: This item was not discussed and, time permitting, will be discussed when the City Council recesses back into Closed Session after the Open Session.

Item C: This item was discussed and direction was provided; however, there was no final action taken, and there was nothing further to report.

Item D: These two items were discussed and direction was provided. Regarding Item D(1), **by a 4-0-3-0 vote (Vice Mayor Torres, Councilmembers Robledo and Escobar absent), an exclusive negotiating agreement was agreed to between the City and Clearwater 1 LLC for the potential sale of property.** This item will come back to the City Council at a future date. Regarding Item D(2), the item was discussed and direction was provided; however, there was nothing further to report.

NOTE: Councilmembers Robledo and Torres joined the Closed Session during discussion of Item D(2).

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 7:00 p.m.

ROLL CALL

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

Councilmember Escobar participated via telephone conference.

STAFF PRESENT:

Linda Lowry, City Manager
Andrew Jared, Assistant City Attorney
Eva M. Buice, City Clerk
Karla Shipman, Deputy City Clerk

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Sandoval.

PRESENTATIONS

- A. Approve and Present a Proclamation of the City of Pomona, County of Los Angeles, State of California, proclaiming the week of May 20-27, 2018 as "National Public Works Week" in the City of Pomona

By consensus of the City Council the proclamation was approved proclaiming the week of May 20-17, 2018 as "National Public Works Week." Mayor Sandoval presented the proclamation to members of the Public Works staff.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0 BY ROLL CALL VOTE, to add Presentation Item B to the Agenda as it came up after the posting of the agenda and required immediate action.

- B. Approve and Present a Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming the Month of May 2018 as "National Physical Fitness and Sports Month" in the City of Pomona

By consensus of the City Council the proclamation was approved proclaiming the Month of May 2018 as "National Physical Fitness and Sports Month." The City Council presented the proclamation to members of We Run Pomona and Day One.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Escobar reported on the California Contract Cities Conference that she, and Vice Mayor Torres and Councilmember Robledo, had attended.

Councilmember Torres stated that he had attended the California Contract Cities Conference and that there had been a good discussion regarding homelessness and the regional effort that was being done to combat the issue.

Councilmember Ontiveros-Cole reported that there had been a great turnout for the Children's Festival on Saturday, May 19, 2018. She thanked Mayor Sandoval for his efforts to bring the event to fruition.

Councilmember Robledo advised that the California Contract Cities Conference had provided an excellent session on what was being done regionally regarding the homeless issue. She stated that she was proud of the progressive approach that the City of Pomona towards the issue. She noted that there had been a good turnout by the residents for the Beautification Day event and the Police Department Open House.

Councilmember Sandoval commented on the various activities that he had attended recently which included the Royal Elementary Robotics event, the Second Saturday Art Walk, Pomona Beautification Day, the Homeless Service Center Ground Breaking Ceremony, the Children's Festival, the Kite Festival, the Police Department Open House, and the Pony United Closing Ceremonies. He noted that the Double Tree Hilton and restaurant had recently opened at the old Shiloh Inn location. He thanked Councilmember Escobar for attending court on behalf of the City Council.

Councilmember Carrizosa stated that it was great to see the community response to the Children's Festival and the Police Department Open House. She said there had been a good number of children at the Café Con Libros Bookstore on Saturday following the Festival. She invited everyone to attend the Pomona Youth Orchestra concert on Saturday, May 26, 2018 at 7:00 p.m. She noted that Pomona had many activities for the community.

Mayor Sandoval reported that there were approximately 1,000 people that attended the Children's Festival at the Civic Center Plaza. He stated that he would like to see more activities at the Civic Center Plaza, including a Summer Concert series.

CITY MANAGER COMMUNICATIONS

City Manager Lowry informed that she did not have anything to report.

PUBLIC PARTICIPATION

Andrea Lee spoke about the need for God in the community.

Ona Tate, Pomona resident, stated that she wanted to promote the Poor People's Campaign. She expressed concern regarding the lead based paint program and asked how the information was disseminated to the community.

Jeanette with Poor People's Campaign, advised that they were trying to bring awareness to the Campaign, and to ask elected officials to stand up for what is right and wrong.

John Reyes, Pomona resident, expressed concern with the City of Pomona sponsoring an abortion clinic. He implored the City Council to shut the establishment down.

Gabrielle Gonzales, and students from La Verne University, invited everyone to an event at the dA Center for the Arts, on Tuesday, May 22, 2018 to learn more about arts and cultural programs, and how they can enrich the community.

Pete Garcia, Pomona resident, expressed concern with the homeless issue in the city. He said they leave debris and trash everywhere, and that they were causing safety issues for the residents. He also spoke regarding the poor condition of the streets in the city, and asked what could be done to improve them.

Lucas Rivera, Fairplex representative, stated that the LA County Fair was reinstituting Pomona Day at the Fair, and that tickets for Pomona residents would be \$1 on opening day. He also introduced the \$66 Family Collector's Box, which included four tickets and a parking pass. He noted that the boxes were collector's items, and a new one would be introduced each year.

Victor Preciado, and representatives of Pomona Beautification Day, thanked the City staff and all of the volunteers that participated in the Pomona Beautification Day event. It was noted that there were 64 projects completed in the community.

Elinor Crescenzi, Pomona resident, stated that they were able to divert ninety-seven percent of the waste from the Pomona Beautification Day event. She noted that with a little extra planning, the diversion rate for waste from events could be increased. She challenged the City Council to use reusable containers for the drinks that were consumed during the City Council meetings.

Dante Brock, 777 Place Apartments manager, requested assistance from the City with parking issues at the apartment complex.

Concerned Resident, DeVries, spoke regarding closing down two nearby abortion clinics, and encouraged the City Council to view a short film regarding abortion at 180movie.com.

Christopher Kim, Pomona resident, thanked the City Council for finding new ways to raise revenue for the City. He inquired as to what progress had been made on the theater project. He urged the City Council to place a ballot measure on the November ballot to tax cannabis.

Miguel Santana, President and CEO of Fairplex, announced that the Fairplex Strategic Plan would be released on June 4, 2018. He noted that they had worked on the plan for over a year, and had conducted ten community meetings. He stated that the plan provided a vision for the future, how they can maximize the assets for the community, and how they want to establish partnerships with the community.

Coach Wilson and Leah, Pomona Giants Football representatives, thanked the Mayor for inviting them to participate in the Children's Festival. They advised that the new season would begin on July 31, 2018. They thanked Councilmember Escobar for speaking to their board.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0 BY ROLL CALL VOTE, to approve the Consent Calendar, except Item No. 2 which was pulled for discussion.

1. Approve the draft minutes of the July 17, 2017 City Council meeting.
2. **THIS ITEM WAS PULLED FOR DISCUSSION.**
3. Approval of a GIS service agreement with Draw Tap for 3 years at an annual cost of \$175,000 plus 3% C.O.L.A. After Year One
4. Adopt a Resolution making an election, pursuant to Health and Safe Section 33607.5(b), to continue to receive tax increment payments from the South Garey/Freeway Corridor and Downtown RP#3 project areas

RESOLUTION NO. 2018-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, MAKING AN ELECTION PURSUANT TO HEALTH AND SAFETY SECTION 33607.5(b) FOR THE CITY OF POMONA TO RECEIVE FIRST 25% OF TAX INCREMENT PAYMENTS FOR S-GAREY/FREEWAY CORRIDOR AND DOWNTOWN RP#3 PROJECT AREAS

Councilmember Gonzales inquired and Finance Director Jones informed that Los Angeles County had requested the resolution as they did not have a formal record of the agreement. She noted that it was just an administrative procedure.

5. Adopt a Resolution Approving the Sale of Property at 1320 Jacqueline Drive in Pomona, California (APN 8359-039-903) to Expressions Entertainment Inc., for the Purchase Price of \$130,000 - Council District 1

RESOLUTION NO. SA 2018-6

A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE SALE OF PROPERTY LOCATED AT 1320 JACQUELINE DRIVE IN POMONA, CALIFORNIA (APN 8359-039-903) TO EXPRESSIONS ENTERTAINMENT INC., FOR THE PURCHASE PRICE OF \$130,000

6. Adopt a Resolution Approving the Sale of Property at 400 East 4th Street in Pomona, California (APN 8335-013-909) to Thalia Corona, for the Purchase Price of \$160,000 - Council District 2

RESOLUTION NO. SA 2018-7

A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE SALE OF PROPERTY LOCATED AT 400 EAST 4TH STREET IN POMONA, CALIFORNIA (APN 8335-013-909) TO THALIA CORONA, FOR THE PURCHASE PRICE OF \$160,000

7. Adopt a Resolution of Intention to Renew the Downtown Pomona Property and Business Improvement District

RESOLUTION NO. 2018-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DECLARING ITS INTENTION TO RENEW THE DOWNTOWN POMONA PROPERTY AND BUSINESS IMPROVEMENT DISTRICT

8. Approval of Updated Special Legal Counsel Panel to Add the Law Firm of Lozano Smith for Labor and Employment Law Matters
9. Adopt at second reading two Ordinances related to the Rio Rancho III Project, approving Zoning Code Amendment (CODE 8025-2017) and a Change of Zone (ZONE 7828-2017) for the site located at 1901 S. White Avenue

ORDINANCE NO. 4247

AN ORDINANCE OF THE CITY COUNCIL APPROVING A ZONING CODE AMENDMENT(CODE 8025-2017) TO ADD THE SMALL LOT RESIDENTIAL ZONE TO THE ZONING ORDINANCE

ORDINANCE NO. 4248

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING A CHANGE OF ZONE (ZONE 7828-2017) TO REZONE THREE PROPERTIES FROM C-4 TO SMALL LOT RESIDENTIAL FOR THE PROPERTIES AT 1901 S. WHITE AVENUE

Note: Councilmember Escobar left the discussion at 8:12 p.m.

ITEMS PULLED FOR DISCUSSION

2. Adopt a Resolution Amending the FY 2017-18 Capital Improvement Program (CIP) Budget by Unappropriating \$4,023,669 of Committed Prop C Funds from "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918, and Appropriating it to Holt Avenue (West) Reconstruction," Project No. 428-2590-XXXXX-71047; and unappropriating \$4,023,669 in Series "AX" Bonds (Garey Village Sale Proceeds) from "Holt Avenue (West) Reconstruction," Project No. 428-2590-XXXXX-71047 and Appropriating it to "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918

RESOLUTION NO. 2018-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY REAPPROPRIATING \$4,023,669 OF PROP C FUNDS AND SERIES "AX" BOND FUNDS (GAREY VILLAGE SALE PROCEEDS) BETWEEN "MAJOR STREET REHABILITATION - 2015 METRO CALL," PROJECT NO. 428-2590-XXXXX-67918 AND "HOLT AVENUE (WEST) RECONSTRUCTION," PROJECT NO. 428-2590-XXXXX-71047

Councilmember Carrizosa stated the funding was previously appropriated for the East Holt project, and expressed concern that it was now being used for West Holt. She asked staff to look into the history of the projects.

Public Works Director McWade advised that there were two projects for Holt Avenue, one on West Holt and one on East Holt from Garey Avenue east. She noted that she would research the information and include it in the City Council weekly report.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 6-0-1-0 (COUNCILMEMBER ESCOBAR ABSENT) BY ROLL CALL VOTE, to Adopt a Resolution Amending the FY 2017-18 Capital Improvement Program (CIP) Budget by Unappropriating \$4,023,669 of Committed Prop C Funds from "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918, and Appropriating it to Holt Avenue (West) Reconstruction," Project No. 428-2590-XXXXX-71047; and unappropriating \$4,023,669 in Series "AX" Bonds (Garey Village Sale Proceeds) from "Holt Avenue (West) Reconstruction," Project No. 428-2590-XXXXX-71047 and Appropriating it to "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918 .

DISCUSSION CALENDAR

10. Finding of Public Benefit to the Community at Large: Recommended Expenditures

CURRENT REQUESTS:

- A) Amount to be determined to Day One in support of their Summer School Skillz

program - Requested amount: \$500

- B) Amount to be determined to Pomona PD Crime Prevention Unit in support of the Cops4Kids program - Requested amount: \$1,200
- C) Amount to be determined to Kingdom of God Revelation Ministries in support of the 2018 Mayor's Prayer Breakfast - Requested amount: \$1,250

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 6-0-1-0 (COUNCILMEMBER ESCOBAR ABSENT) BY ROLL CALL VOTE, to approve the Finding of Public Benefit to the Community at Large as listed on the agenda.

Councilmember Ontiveros-Cole requested to add Item D, Historical Society of Pomona Valley event For the Love of Cars, to the Finding of Public Benefit due to it coming up after the posting of the agenda and it needing immediate action.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 6-0-1-0 (COUNCILMEMBER ESCOBAR ABSENT) BY ROLL CALL VOTE, to add Item D to the Finding of Public Benefit.

- D) Amount to be determined to Historical Society of Pomona Valley for the event For the Love of Cars

AMENDED MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 6-0-1-0 (COUNCILMEMBER ESCOBAR ABSENT) BY ROLL CALL VOTE, to approve the Finding of Public Benefit to the Community at Large as listed on the agenda including Item D.

PUBLIC HEARINGS

- 11. Conduct a Public Hearing and Adopt a Resolution for the Establishment of an Overnight Preferential Parking District in the Neighborhood adjacent to the Residential Area located on East Pasadena Street and San Francisco Avenue

RESOLUTION NO. 2018-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, FOR THE ESTABLISHMENT OF A PREFERENTIAL PARKING DISTRICT IN THE AREA OF EAST PASADENA STREET AND SAN FRANCISCO AVENUE BETWEEN TOWNE AVENUE AND SAN ANTONIO AVENUE AND FINDING OF EXTREME HARDSHIP AND WAIVER OF PERMIT FEE

Public Works Director McWade provided a brief presentation on this item.

Councilmember Ontiveros-Cole recused herself from participation in this item as she owned real property in this district.

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 5-0-1-1 (COUNCILMEMBER ESCOBAR ABSENT AND COUNCILMEMBER ONTIVEROS-COLE RECUSED) BY ROLL CALL VOTE, to open the Public Hearing.

Dean Rudenour, resident of Pomona, noted that the majority of people parking in the area lived in the adjacent apartments and did not live on the streets being considered. He noted that the streets were narrow, which had resulted in several accidents. He encouraged the City Council to adopt the resolution.

Elizabeth Ontiveros-Cole, Pomona resident, expressed concern with the oversaturation of vehicles parking on the streets, which had brought about conflict with neighbors, filth in the streets, illegal parking, an increase in car theft and vandalism, and various other undesirable activities. She urged the City Council to adopt the resolution.

Armando Barragan, Pomona resident, stated that his driveway was frequently blocked by people parking on the street, which had caused him to be late to work on a few occasions. He noted trash trucks were not able to pick up the trash because vehicles were parked so close to them. He noted that one of his neighbors had as many as 11 vehicles parked on the street.

The following individuals submitted speaker cards in favor of the preferential parking district:

- Roxana Villanueva
- Amalia Huerta
- Eriberto
- Blanca Ruiz
- Dora Leyva
- Adelaida Padilla
- Steve Golling
- Veronica G. McKelvey
- Frank F. Canez
- Marian C. Ayala
- Sheri Skiles
- Frank Allen
- Carrie L. Howes
- Walter E. Parrish
- Josefa Rios
- Robert Ruiz
- Anitra M. French
- Douglas Edwin Smith
- Anthony Paul Saucedo
- Penny Kingston

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 5-0-1-1, (COUNCILMEMBER ESCOBAR ABSENT AND COUNCILMEMBER ONTIVEROS-COLE RECUSED) BY ROLL CALL VOTE, to Close the Public Hearing.

Councilmember Carrizosa inquired and Director McWade advised that there was space for between three and five vehicles to park on most of the properties, and that there was some space in the alley for parking. Councilmember Carrizosa asked and Director McWade informed that one pass would not be sufficient; however, there was not enough space to issue additional passes. Councilmember Carrizosa expressed support for waiving of the fees.

Councilmember Robledo requested that the letter from Mr. Warren be included in the record.

Vice Mayor Torres advised that there had been two areas in his district where preferential parking had been implemented, and that there had been very little feedback from the residents. He expressed support for the preferential parking district.

Mayor Sandoval was supportive of the resolution and suggested meeting with the owners of the apartment complexes regarding the parking situation.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR TORRES, CARRIED 5-0-1-1 (COUNCILMEMBER ESCOBAR ABSENT AND COUNCILMEMBER ONTIVEROS-COLE RECUSED) BY ROLL CALL VOTE, to adopt a resolution for the establishment of a Preferential Parking District in the area of East Pasadena Street and San Francisco Avenue between Towne Avenue and San Antonio Avenue, and waiving all permit fees.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Escobar requested that the cannabis ordinance be brought back for discussion as soon as possible.

Councilmember Carrizosa noted that the cupola on the bridge over the railroad tracks was in poor condition, and that she had previously brought the issue up. She asked that staff bring back for discussion options for repairing the cupola.

Vice Mayor Torres requested that a history of the various redevelopment projects be provided to the City Council, along with the amount of return that the City had received on the projects. City Manager Lowry noted that it would take staff quite a bit of time to gather the information, and suggested that it be provided in segments. Vice Mayor Torres was agreeable with the suggestion.

Mayor Sandoval announced that there would be an important community meeting regarding water rates and the City's budget on Thursday, May 24, 2018 at 6:00 p.m. at Kennedy Park. He noted that there would be a total of six community meetings that would take place between now and the end of July, and that they were open to the community.

RECESS INTO CLOSED SESSION

The City Council recessed at 8:55 p.m. into Closed Session.

ADJOURNMENT

The City Council meeting was adjourned at 8:55 p.m.

The next regular City Council meeting will be held on Monday, June 4, 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:

EVA BUICE, MMC
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