



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 Robledo
Councilmember Cristina Carrizosa
Councilmember Ginna 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, October 1, 2018

7:00 PM

Council Chambers

5:30 P.M.

CLOSED SESSION

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

Pelayo, et al. v. City of Pomona; USDC Case No. 2:17-cv-07292

Miguel, et al. v. Land Developer Associates, et al.; LASC Case No.
KC068640

Citizens for Prop L v. City of Pomona; SDCA Case Nos. B 283740 / BS
150549

B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

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

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

Property: 1041 S. White Avenue

Negotiating Party: Mayans Development

Housing Authority's Negotiator: Linda Lowry, Executive Director

Under Negotiation: Price and Terms

7:00 P.M.

CALL TO ORDER

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

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Arnold Alvarez-Glasman stated that the City Council convened into Closed Session at 5:45 p.m. and that the items listed on the agenda had been announced prior to recessing into Closed Session with no public present and he reported as follows:

Present: Mayor Sandoval, Vice-Mayor Gonzalez, Councilmember Carrizosa, and Councilmember Escobar.

Councilmember Robledo arrived at 5:55 p.m.

Councilmember Torres arrived at 6:00 p.m.

Item A-1: This item was discussed by outside counsel, direction was provided, there was no further action taken, and there was nothing further to report.

Item A-2: A briefing was provided by the City Attorney's Office, there was no final action taken, and nothing further to discuss.

Item A-3: This item was discussed, direction was provided, there was no final action taken, and nothing further to report.

Item B-1: This item was discussed; there was no further action taken, and nothing further to report.

Item B-2: This item was discussed; there was no further action taken, and nothing further to report.

Item C: This item was discussed, a briefing was provided by City Manager Linda Lowry and Deputy City Manager Kirk Pelser, direction was provided, there was no reportable action taken, and nothing further to report.

POSTING OF COLORS

The Posting of the Colors was presented by the Pomona High School JROTC Color Guard.

PLEDGE OF ALLEGIANCE

Councilmember Robledo led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Tim Sandoval
Councilmember Rubio Gonzalez
Councilmember Adriana Robledo
Councilmember Cristina Carrizosa
Councilmember Ginna Escobar (arrived at 7:15 p.m.)
Council Member Robert Torres

STAFF PRESENT:

Linda Lowry, City Manager
Arnold Alvarez-Glasman, City Attorney
Andrew Jared, Assistant City Attorney
Genoveva Rocha, Deputy City Clerk II
Karla Shipman, Deputy City Clerk

Mayor Sandoval requested Item No. 5 be moved to this section of the agenda.

MOTION BY VICE-MAYOR GONZALEZ, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 5-0, (COUNCILMEMBER ESCOBAR WAS ABSENT), moving Item No. 5 to this section of the agenda.

Councilmember Escobar joined the discussion at 7:15 p.m.

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

The following spoke in support of re-appointing Elizabeth Ontiveros-Cole:

Mike Suarez	Adelaida Padilla
Peter Weyhreter	Venita Reynolds
Adam Donner	Richard Bunce
Romeo Manolo	Elizabeth Ontiveros-Cole
Jason Aboud	Amos Young
Armando	
Alice Gomez	
Shonna Pomona	
Arturo Delgadillo	
Virginia Madrigal	
Deena Quick	
Rebecca Alvarez	

The following submitted speaker cards in support of re-appointing Elizabeth Ontiveros-Cole but did not wish to speak:

Ivonne Trypucko	Cherie Pope
Eric Trypucko	Caroline Mann
Judy Oaxaca	Cynthia Moreno
Danny Oaxaca	Ismael Gonzalez
Julia Cortez	Teresa Gonzalez
Christopher Kim	Bryan Marino
Anna Northrup	Donald Martens
Eric Jung	

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY MAYOR SANDOVAL, CARRIED 6-0, to Re-Appoint Elizabeth Ontiveros-Cole as Councilmember for District 4.

Councilmember Ontiveros-Cole took her seat on the dais following the administration of the oath of office by Deputy City Clerk Genoveva Rocha.

Mayor Sandoval requested that Public Participation be heard at this time.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to move Public Participation to this section of the agenda

PUBLIC PARTICIPATION

Douglas Pierce, Pomona, spoke about the need for the sales tax measure.

Edgardo Blanco and Cecilia Reyes spoke on the preferential parking district

Donna Otero thanked Councilmember Carrizosa for her support of the Rumsen Ohlone event at Ganesha Park.

Virginia Madrigal expressed concern that the sales tax measure would not pass.

Cherie Pope expressed concerns with City streets.

Deborah Clifford spoke on how the Fair came to be in Pomona.

Erica Frausto, Pomona Chamber of Commerce, advertised an upcoming candidate forum.

Ron Vandermolen, Planning Commission, spoke on emergency shelter overlays.

M. Joyce Bakersmith spoke about the upcoming annual Cultural Festival at Willie White park.

Paola Avendano spoke about a fundraiser for Freddie Rodriguez's office supporting

Pomona Police Department.

Tammy Roush, Fairplex, gave LA County Fair updates and spoke on upcoming events.

Randy Beckendam, spoke about the Pomona Farmers Market held at Purpose Church.

Elinor Creszenci expressed concerns for public participation at council meetings and support for zero waste programs

Katie Hudson expressed concern for divided council and the need to show more unity.

MOTION BY VICE-MAYOR GONZALEZ, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 5-0, (COUNCILMEMBER ESCOBAR WAS ABSENT), moving Item No. 6 to this section of the agenda.

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

A) Amount to be determined to purchase 50 signs for the Compassionate Cities "Welcome Your Neighbors" project - Amount requested: \$500

Two speakers for Item No. 6:

M Joyce Bakersmith requested funds for the Cultural Festival at Willie White Park

Christian Kim spoke on his non-profit organization's desire to donate money to the Compassionate Cities

Councilmember Escobar requested addition of Item B to the Finding of Public Benefit to the Community at Large as it came up subsequent to the posting of the agenda and required immediate action.

B) Decker Elementary- Red Ribbon Week Assembly Amount Requested: \$400

Councilmember Escobar stated that she would fund Item B if added.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, adding Item B to the Finding of Public Benefit as it came up subsequent to the posting of the agenda and required immediate action.

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, making a finding of public benefit for Items A and B.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to move Mayor/Councilmember Communications and City Manager Communications to the end of the agenda

CONSENT CALENDAR

1. Adopt a Resolution Authorizing Submittal of an Application to CalRecycle for Rubberized Pavement Grant Funds Up to \$350,000 for FY 2018-19 Capital Improvement Program (CIP) Projects:
"Street and Alley Rehabilitation Improvements - District 3," Proj No. 428-2590-xxxxx-71051
"Street Improvements - District 5," Proj. No. 428-2590-xxxxx-71045, and
"Street Rehabilitation - District 6," Proj. No. 428-2590-xxxx-67921

RESOLUTION 2018 –138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) FOR A RUBBERIZED PAVEMENT GRANT FOR FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS "STREET AND ALLEY REHABILITATION IMPROVEMENTS - DISTRICT 3," PROJECT NO. 428-2590-XXXXX-71051, "STREET IMPROVEMENTS - DISTRICT 5," PROJECT NO. 428-2590-XXXXX-71045, AND "STREET REHABILITATION - DISTRICT 6," PROJECT NO. 428-2590-XXXXX-67921

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0 to adopt Resolution No. 2018-138

2. Second 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. 4252

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

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0 to adopt Ordinance No. 4252

3. Second Reading of an Ordinance Adopting a Change of Zone (ZONE 6154-2016) for a change of zone from R-1-6,000, Single-family residential district to R-1-E Overlay, Single-family residential overlay district for the 0.45 acre site located at 1538 South Towne Avenue (APN 8328-007-006).

ORDINANCE NO. 4251

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CHANGE OF ZONE (ZONE-6154-2016) TO REZONE ONE PARCEL WITH AN R-1-6,000 (SINGLE-FAMILY RESIDENTIAL DISTRICT) ZONING DESIGNATION TO R-1-E OVERLAY (SINGLE-FAMILY RESIDENTIAL OVERLAY DISTRICT) ZONING DESIGNATION FOR A PROPERTY LOCATED AT 1538 SOUTH TOWNE AVENUE, ASSESSOR'S PARCEL NUMBER 8328-007-006

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0 to adopt Ordinance No. 4251.

4. Appropriation of \$400,000 of Series AD Low Mod Bond Proceeds from the Sale of Mission Promenade I (MPI) to Project No.428-2590-XXXXX-71053, and Award a Construction Contract to Resource Environmental Inc. in the amount of \$67,312 for Demolition of existing Buildings and Improvements at the "Emergency Shelter Annex/Water Utility Access" Project No. 428-2590-XXXXX-71053

RESOLUTION NO. 2018-139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$400,000 OF SERIES AD LOW MOD BOND PROCEEDS FROM THE SALE OF MISSION PROMENADE I (MPI) TO PROJECT NO. 428-2590-XXXXX-71053, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONSTRUCTION CONTRACT AND ANY SUBSEQUENT CHANGE ORDERS AND OTHER DOCUMENTATION NECESSARY ON BEHALF OF THE CITY

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0 to adopt Resolution No. 2018-139.

DISCUSSION CALENDAR

Item No. 5 was heard after roll call.

Item No. 6 was heard after Public Participation.

7. CONTINUED DISCUSSION AGENDA ITEM: Further Continuation of City Council's Discussion on 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

Five speakers for Item No. 7:

Dr. Pearlman, schoolboard member, spoke about keeping children safe when drafting this ordinance

Mark Ramos, UFCW union, supported the ordinance with a labor peace agreement.

Miss Damont, expressed concerns about cannabis in Pomona.

Jonathan Cvetko, supported licenses for cannabis events.

Damien Martin supported focus on the industrial business over the retail business

The City Council continued their discussion related to the Cannabis Ordinance. By consensus of the Council, staff was directed to create a synthesized application process and bring the item back to the City Council at the October 15, 2018 meeting.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry informed that Cal Poly would not be available on October 22, 2018 for the Study Session regarding Cal Poly's planning process presentation; she informed that Cal Poly suggested meeting on October 29, 2018.

By consensus of the City Council, staff was directed to schedule the Closed Session for the City Clerk interviews on October 29, 2018 at 4:00 p.m. and the Study Session for the Cal Poly presentation at 6:00 p.m.

MAYOR/COUNCILMEMBER COMMUNICATIONS

There were no comments made by Council.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Torres asked about when the FZone discussion would be back on the calendars

Councilmember Carrizosa spoke on creating a policy that the City does not verify petition signatures but rather send them to the County.

Councilmember Ontiveros-Cole expressed concern about McKinley and Towne and the traffic accidents there.

Mayor Sandoval commented on the importance of the tax measure passing and getting information to the residents. He spoke on the Gold Line project. He also expressed concern about Code Enforcement being a reactive body and can it be a proactive body.

ADJOURNMENT

The City Council meeting was adjourned on Monday, October 1, 2018 at 11:47 p.m.

Respectfully submitted,

ATTEST:

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

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