



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
Vice Mayor 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, November 20, 2017

7:00 PM

Council Chambers

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))

One matter regarding possible litigation to be initiated will be discussed (Pursuant to Government Code Section 54956.9 (d)(4))

B. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

(Pursuant to Government Code Section 54956.9 (d)(1))

Ismael Ruiz dba Pomona Reserves v. City of Pomona

City of Pomona v. Gold Line Construction Authority

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

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Alvarez-Glasman stated that the City Council convened into Closed Session at 5:30 p.m., and that the items listed on the agenda had been announced prior to recessing into Closed Session. He stated that all members of the City Council were present, with Councilmember Robledo participating by telephone.

City Attorney Alvarez-Glasman reported the following:

Item A: The City Council received a briefing on these two matters and direction was provided; however, no final action was taken, and there was nothing further to report.

Item B: Regarding the Ismael Ruiz dba Pomona Reserves v. City of Pomona item, the City Council received a briefing, direction was provided for resolution of the matter consistent with the terms as expressed in Closed Session; however, there was nothing further to report. Regarding the City of Pomona v. Gold Line Construction Authority, the City Council received a briefing on this item, and, if necessary, will go back into Closed Session to finalize the presentation of that item following the Open Session.

Item C: This item was held over to a future date.

One item was added to the agenda by unanimous consent of the City Council, as it had come up after the posting of the agenda and required immediate action regarding the BKK Landfill Agreement. He reported that the City Council unanimously authorized the execution of the Agreement, and processing of that agreement accordingly.

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 (participated telephonically)
Council Member Cristina Carrizosa
Council Member Elizabeth Ontiveros-Cole
Council Member Ginna E. Escobar
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
Cecilia Varela, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Mayor Sandoval led the Pledge of Allegiance to the Flag.

PRESENTATIONS

A. Vice Mayor Escobar presented Certificates of Appreciation - Phillips Paw Park

Councilmember Escobar presented Certificates of Appreciation to fifteen individuals that had worked on the Phillips Paw Park project.

MAYOR/COUNCILMEMBER COMMUNICATIONS

In accordance with AB1234, the Mayor and Councilmembers reported on the following:

Councilmember Carrizosa reported that she had attended a luncheon sponsored by the Vietnamese community on November 19, 2017 for the homeless, and that each of the homeless individuals were provided with a new sleeping bag. She noted that it was heartwarming to see everyone sharing a meal together. She stated that the American Red Cross had donated hundreds of smoke detectors, and that on November 18, 2017, she and Councilmember Rubio and Mayor Sandoval had participated in the installation of those smoke detectors.

Councilmember Torres stated that he had attended the Vietnamese Community luncheon for the homeless, and the Veterans Day celebration.

Councilmember Ontiveros-Cole reported that she had attended the Vietnamese Community luncheon for the homeless, and that Unity Church had donated blankets and coats. She stated that she attended a meeting regarding speeding issues around McKinley Park.

Mayor Sandoval stated that he had attended the Chalk Art Festival on November 10, 2017, and that there were hundreds of people that had attended. He thanked the Cultural Arts Commission and the other organizers for putting the event together.

CITY MANAGER COMMUNICATIONS

City Manager Lowry announced that there would be a Study Session on December 11, 2017 at 7:00 p.m. regarding the Consultant's Report on the ten year financial forecast for the General Fund, as well as a brief presentation on the Housing Element.

PUBLIC PARTICIPATION

Deanne Wickstrom Daline spoke regarding the need to obey immigration laws, and the murder of a young man by someone illegally in the country.

Raul Rodriguez stated that there were many illegal aliens in the country, and that they needed to go through the proper channels to enter the country..

Arthur Shapper urged the City Council to uphold the laws of the United States, and to work to stop illegal immigration.

John Willis spoke regarding the negative impacts of sanctuary cities, and that allowing illegal immigration was unfair to those who had come to this country legally.

Robin Viston, Remembrance Project representative, urged the City Council to not adopt a sanctuary city ordinance, and spoke regarding the murder of a border patrol agent.

Agnes Giboni noted that the City already had enough issues to deal with, without the added burden of becoming a sanctuary city.

Greg Suzka, Remembrance Project representative, stated that adopting a sanctuary city ordinance would cause turmoil for Pomona residents as Immigration and Customs Enforcement (ICE) agents would still be able to enter the City.

Fred McIntosh, Pomona, inquired as to how the City would enforce a sanctuary city policy, and asked that the City Council support legal immigration.

M. Joyce Bakersmith, Pomona, presented the City Council with Certificates of Appreciation for their support of the annual Cultural Festival on October 21, 2017.

Cindy Knight, Pomona, stated that she had received a letter from the South Coast Air Quality Management District (SCAQMD) regarding the installation of a generator on the vacant lot at 1204 N. Park Avenue. Mayor Sandoval informed that the lot would be the site of the Phil and Nell Soto Park, and referred her to staff regarding the letter from the SCAQMD

John Mendoza, Pomona, thanked the City Council for their efforts to bring the community together during this divisive time in the country.

Randy Beckendam, Pomona, informed that the Christmas Turkey Harvest would take place on December 21, 2017 at Amy's Farm, and everyone was invited.

Ian Pushkala, Pomona, expressed support for sanctuary cities and diversity.

Elinor Crescenzi, Pomona, expressed concern that members of the community concerned with environmental justice had not been asked for input on the Zero Waste issue.

Nora Garcia, Pomona, stated that due to the heavy presence of homeless people in and around the Pomona Library, residents of the City did not feel safe coming to the Library. She urged the City Council to make the Library safe and welcoming for families.

Roberta Perlman, Pomona Library Foundation Board Member, requested that the staff look at opening the restrooms in the downstairs area of the Library for use by adults, rather than everyone using the one restroom in the children's area of the Library. She stated that it was a safety issue for children, and also requested additional security for the Library.

Navi, Pomona, expressed concern with the hate groups that were attending the City Council meetings.

John Nolte, Pomona, stated that when he came to live in Pomona, he had been welcomed by the immigrant community, and that he was forever grateful to them.

Douglas Pierce, Pomona, spoke regarding a double parking ticket he had received when he was picking up a neighbor to take to the hospital.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0, to approve the Consent Calendar, except Item No. 9 which was pulled for discussion.

1. Approving the Sale of Real Property Owned by the Housing Successor Agency, Located at 246 Newman Street, Pomona, to Chudamani and Maina Adhikari
2. Adopt a Resolution establishing the order of appointment of Vice Mayor and selecting and designating District 6 Councilmember, Robert Torres, as Vice Mayor

RESOLUTION NO. 2017-153

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 6 COUNCILMEMBER, ROBERT TORRES AS VICE MAYOR

3. Adopt a Resolution to Approve an Agreement Between the City of Pomona and the Alameda Corridor East Construction Authority (ACE) Regarding Traffic Signal Work as Part of ACE's At-Grade Crossing Safety Improvements Project and Amend the FY 2017-18 Capital Improvement Program (CIP) Budget by Amending Revenue Estimates and Appropriating \$25,000 of ACE Reimbursement Funds to "Safety Improvements - At-Grade Crossings," Project No. 428-2590-XXXXX-68551

RESOLUTION NO. 2017-154

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE FY 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BY AMENDING REVENUE ESTIMATES AND APPROPRIATING \$25,000 OF ALAMEDA CORRIDOR EAST CONSTRUCTION AUTHORITY (ACE) REIMBURSEMENT FUNDS TO "SAFETY IMPROVEMENTS - AT-GRADE CROSSINGS," PROJECT NO. 428-2590-XXXXX-68551, AND APPROVING AN AGREEMENT BETWEEN THE CITY OF POMONA AND ACE REGARDING TRAFFIC SIGNAL WORK AS PART OF ACE'S AT-GRADE CROSSING SAFETY IMPROVEMENTS PROJECT

4. Adopt a Resolution Authorizing the Acceptance of \$19,250 of Measure H Homeless Initiative Funds to Locally Administer the Homeless Incentive Program (HIP)

RESOLUTION NO. 2017-155

Adopt a Resolution Authorizing the Acceptance of \$19,250 of Measure H Homeless Initiative Funds to Locally Administer the Homeless Incentive Program (HIP), AMENDING THE FY 2017-2018 OPERATING AND REVENUE NEIGHBORHOOD SERVICES BUDGET

5. Adoption of a Resolution Accepting the State of California's Alcoholic Beverage Control (ABC) Mini Grant and Amending the FY 2017-18 Special Revenue Operating and Revenue Budgets

RESOLUTION NO. 2017-156

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA ACCEPTING THE STATE OF CALIFORNIA'S ALCOHOLIC BEVERAGE CONTROL (ABC) MINI GRANT AND AMENDING THE FY 2017-18 SPECIAL REVENUE OPERATING AND REVENUE BUDGETS

6. Fiscal Year 2018-19 Budget Kickoff
7. Adopt a Resolution Amending the FY 2017-18 Capital Improvement Program (CIP) Budget by Appropriating Available Series "AH" Low Mod Bond Proceeds in the Amount of \$160,825 to the "Year-Round Emergency Shelter," Project No. 428-2590-XXXXX-71044

RESOLUTION NO. 2017-157

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING Available Series “AH” Low Mod Bond Proceeds in the Amount of \$160,825 to the “Year-Round Emergency Shelter,” Project No. 428-2590-XXXXX-71044.

8. Adoption of a Resolution Adopting the 4th Amendment to the San Gabriel Valley Council of Governments’ (SGVCOG) Joint Powers Agreement (JPA)

RESOLUTION NO. 2017-158

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING AMENDMENTS TO THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS JOINT POWERS AGREEMENT AS ADOPTED BY THE COUNCIL’S GOVERNING BOARD

9. **THIS ITEM WAS PULLED FOR DISCUSSION.**

ITEMS PULLED FOR DISCUSSION

9. Adoption of a Resolution Amending the FY 2017-18 Police Department Operating Budget by Appropriating \$273,859 from General Fund Reserves and Approving the Sole Source Purchase of Body Worn Cameras from WatchGuard, Inc.

RESOLUTION NO. 2017-159

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING THE FY 2017-18 POLICE DEPARTMENT OPERATING BUDGET BY APPROPRIATING \$273,859 FROM GENERAL FUND RESERVES

Greg Allen expressed concern with the lack of three bids for this item, and suggested that the purchase be made in the next fiscal year.

Councilmember Carrizosa inquired and Police Chief Capraro informed that the purchase would include all equipment needed for the implementation of the body cameras. She requested that staff provide a demonstration of the cameras once they were ready for use.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to adopt a resolution amending the FY 2017-18 Police Department Operating Budget by appropriating \$273,859 from the General Fund Reserves and approving the Sole Source purchase of Body Worn Cameras from WatchGuard, Inc.

DISCUSSION CALENDAR

Mayor Sandoval requested that Item No. 12 be discussed prior to the rest of the Discussion Calendar.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, TO MOVE ITEM NO. 12 ON THE AGENDA TO THE BEGINNING OF THE DISCUSSION CALENDAR.

THE CITY COUNCIL RECESSED AT 8:17 P.M., AND RECONVENED AT 8:26 P.M.

12. Report and Recommendation of the F-Zone Ad Hoc Committee

Assistant City Attorney Jared provided a brief presentation. He noted that the Counsel for Los Angeles County had requested that no action be taken on this matter this evening.

Mayor Sandoval read a statement regarding his involvement with Fairplex, and that all of his Conflict of Interest forms were on-line and available to anyone wishing to review them. He stated that since his election he had worked to improve the relationship between the City and Fairplex, and had directed staff to bring the F-Zone to the City Council for discussion.

City Attorney Alvarez-Glasman noted that two letters and an email had been received regarding the item, and that they would be included in the record.

The following individuals submitted speaker cards in support of the item; however, they did not wish to speak:

Evangelina Thompson	Vickie Aguilara	Michelle Augusera
Jose Delgadillo	Elvino Aguilara	Nels Christiansen
Ramon Zavala	Phyllis Romela	Ellen Christiansen
Lisa Gomez	Cindy Macias	John Jones
Frank Porter	Jeanette Limon	Maria Garcia
Lorna Vicari	Deodoro Garcia	Vanessa Marquez
Noemi Rodemaker	Celia Garcia	

The following individuals submitted speaker cards in opposition of the item; however, they did not wish to speak:

Holly Reynolds	Heidi Gallagher	Donna Daniel
Lucas Rivera	Robert Mendez	Ley Orba
Edwin Lantern	Clare G.	Jimmy Gutierrez
Dale Coleman	Renee Hernandez	Rob Daniel
Alejandra Tessier	Christy Indoway	John Murray
Cielo Castro	Christy Dalstrom	Karen Lore

Barry Gillis submitted a speaker card but did not indicate either support or opposition; however, he did not wish to speak.

Andrew Gillaris, Pomona, stated that there needed to be balance and moderation in the negotiations, that Fairplex was an asset to the community, and appealed to the City Council to not react to actions of the past.

Zefrain Herrera, Pomona, asked that the residents be allowed to be part of the discussion, and expressed concern that the City was losing money.

Jill Stark, former Fairplex Boardmember, stated that Fairplex was one of the biggest taxpayers in the City.

Kristie Kercheval, Pomona, expressed support for the revisions to the F-Zone, and that it was a good start to resolving issues with Fairplex.

Rebecca Delgadillo, Pomona, stated that she was in support of the F-Zone modifications, and that the current F-Zone had led to financial mismanagement, had handicapped the City leaders, and was a crushing financial loss to the City.

Denise Marquez, Pomona, expressed support for the F-Zone modifications, and that it was a step in the right direction to ensure that the residents had a seat at the table,

Gustavo Arroyo, representative for Congresswoman Norma Torres, stated that the Congresswoman was in support of the modifications, and that it was time to take a serious look at the impacts caused by Fairplex on the surrounding neighborhoods and the City as a whole.

Mario Ramos, Pomona, stated that in 2004, the City had given away oversight of Fairplex, and urged the City Council to send the recommendations to the Planning Commission for the benefit of both Fairplex and the community.

Rose Blanco, Fairplex employee, expressed opposition to the F-zone modifications, and that it was a pleasure working for Fairplex to provide guests a world class experience.

Graham Light, National Hot Rod Association (NHRA) Sr. Vice President, stated that the Winter Nationals created a tremendous economic impact for the community, and brought international and national attention to Pomona. He expressed concern with the Conditional Use Permit (CUP) requirement, and advised that events were planned years in advance. He noted that, if the CUP requirement was implemented, the NHRA would not be able to hold events at Fairplex.

Beth Brooks, Pomona, stated that she had experienced very little noise or trash issues as a result of Fairplex. She expressed concern that those in support of Fairplex had not been invited to the community meetings, and had been blocked from the Protect Our Neighborhood (PON) Facebook page. She noted that Fairplex subsidized the Yellow Bus program for Pomona Unified School District, and that the students and residents deserved to enjoy the educational and entertainment experiences offered by Fairplex.

Ron Vandermolen, Pomona, advised that he had lived across from Fairplex for 21 years, and had not been impacted by events there. He noted that Fairplex had implemented a hot line for any issues arising from Fairplex. He expressed concern that a small group of citizens were trying to determine what was happening in his neighborhood, and that they did not represent the vast majority of residents. He requested that the letters from Los Angeles County and Fairplex be read into the record.

Victor Caceres, Boys and Girls Club of Pomona Executive Director, stated that the modifications were premature, and expressed concern that Fairplex and the community had not been included in the discussions. He noted that Fairplex had shown open arms to the community.

Ann Thompkins, Pomona, noted that there are problems with the language in the modifications. She stated that she was in favor of amending the F-Zone to protect the impacts on the surrounding community; however, the ordinance went beyond protecting the residents, and expressed concern with the financial impacts on the City.

Peter Valenzuela, Pomona, stated that Fairplex had been a great neighbor, and that when there were issues, they had been addressed. He urged the City Council to not move forward with the recommendations from the ad hoc committee.

Mary Pendergrass, Pomona, expressed concern that implementation of the modifications would hinder the largest tax revenue stream in the City, and would discourage businesses from coming to the City. She agreed that the F-Zone needed to be updated to make it more relevant for the current market. She noted that Fairplex had put Pomona on national and international map, created positive impacts, created jobs, had given back to the community, and that employees volunteered at City events.

Miguel Santana, Fairplex President and CEO, stated that there needed to be balance and moderation in the modifications to the F-Zone, and that the proposal was neither balanced nor moderate. He said that it was an extreme response to the very legitimate concerns of the community. He noted that they had been informed that there would be a process to provide input and share solutions; however, that had not happened, and that the first time he had seen the document was when the agenda was made public. He advised that Fairplex had submitted a letter to the City with a list of questions that had not been answered.

M. Joyce Bakersmith, noted that Fairplex was an important part of the community, and that noise issues had been mitigated. She expressed concern that Fairplex had not had any input, and that the ad hoc committee meetings had not been open to the public.

Renee Mendoza, Fairplex Human Resources Director, informed that Fairplex provided over 3500 full-time and seasonal jobs, and that business contractors and vendors provided an additional 5,000 jobs. She urged the City Council to keep that in mind when considering the modifications.

Victoria Jimenez, Fairplex Human Resources employee, expressed opposition to the modifications, and noted that many employees counted on the jobs provided by Fairplex.

John Mendoza, Pomona, stated that it was time for a review of the F-Zone, and that everyone should be part of the discussion.

Susan, Pomona, stated that the problems started when the F-Zone was revised in 2004, and that the proposal was a good start in addressing the issues.

Katherine, Pomona, read a portion of Commissioner Morris' comments from the Planning Commission minutes of July 28, 2004. She thanked the members of the ad hoc committee for their work, and urged the City Council to forward the revisions to the Planning Commission. She stated that everyone concerned should have input, and to come to a balanced solution.

The following individuals expressed support for the modifications to the F-Zone:

Jacob Turner
Jocelyn Betancourt
Mike Suarez

Ian
Briana R

David Angel
Alexa Padilla

Mr. St. John, Pomona, expressed support for the ad hoc committee recommendations, and expressed concern with gridlock, and plans for the development of two hotels, housing, and multiple soccer fields.

James Gales, Pomona, expressed concern with traffic gridlock in the Ganesha Hills area during concerts.

Reyna Garcia Ramos, Pomona, spoke in support of the ad hoc committee recommendations because they put residents first, and provided local control. She noted that Fairplex had an opportunity to be a good neighbor since 2004; however, they had continually violated the F-Zone regulations without any repercussions. She stated that she was not anti-Fairplex; however, the residents should have a process to bring issues to the City.

Barry Anderson, Pomona, stated that the City Council should do what was best for the public as opposed to special interests. He noted that Fairplex had not compensated for environmental costs such as pollution, trash, traffic, noise and carbon footprint, and that an Environmental Impact Report should be conducted.

Katelyn Murray, Pomona, expressed concern with the impact of the modifications on the operation of events, and that it could hurt the City in the long run. She noted that events at Fairplex brought positive publicity and business to Pomona.

Richard Rodriguez, Pomona, stated that he had fond memories of his kids and grandkids at the Fair. He noted that graduates of the automotive program contributed to the community. He expressed concern with the monetary impact on the City.

Donald Delano, Fairplex member, advised that Fairplex was building an organic garden for educational and entertainment experiences, and that they hosted 150,000 students during the Fair. He expressed agreement that some updates were needed to the F-Zone.

Fernando Martinez, Pomona, expressed support for Fairplex, and noted that he had not had any issues arising from Fairplex.

Tom Shay, Pomona, advised that he was supportive of modifications to the F-Zone; however, he did not believe the proposal, as written, would address the concerns of the residents. He stated that the proposal would eliminate all uses except the Fair itself, and that it did nothing to

improve the relationship between the City and Fairplex. He expressed concern with the legalities of some of the modifications, and urged the City Council to work with Fairplex to achieve a solution to the issues.

Mark Warren, Pomona, encouraged the City Council to reconvene the ad hoc committee, and to include Fairplex and Los Angeles County in the discussion.

Patricia Anderson, Pomona, stated that there was a need to take a strong stand against special interests that did not reside in Pomona, and that public interest should take precedence over special interests.

Richard Martinez, Pomona Unified School District (PUSD) Superintendent, advised that the Fairplex board has been very responsive to community issues, and had taken a hard look at how the board was compensated. He noted that PUSD had received great benefits from Fairplex, and that 14,000 students benefitted through science fairs and learning expos. He urged the City Council to rethink the legislation.

David McElwain, LaVerne, prior resident of Pomona, noted that the NHRA events and the Motor Sports Museum allowed people to enjoy their passion for motor sports. He expressed concern with the language of the proposal, and that it was inappropriate to move forward with the proposal at this time.

Debra Martin, Pomona, advised that Fairplex had put mitigation measures in place to deal with noise issues, and that there was no longer an issue. She noted that the Los Angeles County Task Force on Safe Festivals on County Property had made recommendations for Fairplex, and encouraged the City Council to consider those recommendations,

Ed Tessier, Pomona, stated that the original intent behind the Fairgrounds was an effort by visionaries to make Pomona a showcase of the best of Southern California academically, agriculturally, athletically, and culturally; and that the proposed language sent a completely different message. He believed the review process had started off on the wrong foot, and did not look at best practices at similar facilities, and had not looked at the mission and strategic planning process that was underway at Fairplex. He noted that the proposal sent the message that Fairplex needed to be less than it was, not better.

Ann Henderson, Pomona, advised that Fairplex had been a good neighbor, and was not disruptive to her. She stated that the proposal was misguided, and had been put together without having input from all parties. She urged the City Council to move forward in a positive direction, and to receive input from all involved parties.

Sam Tharp, Pomona, stated that his property backed up to Fairplex, and that he had not experienced any problems. He noted that when he was the Principal of Yorba School, Fairplex had invited all 400 students to the Fair.

Roberta Perlman, Pomona, urged the City Council to support Fairplex and to allow it to thrive, and to encourage its healthy and positive growth. She noted the generous donations that Fairplex made to the community, and that 14,000 PUSD students attended the Fair at no cost.

She encouraged the City Council to include Fairplex in the discussions.

Lisa Snyder, Pomona, advised that the letters she had received from Protect our Neighborhood (PON) were divisive. She expressed concern that putting restrictions on Fairplex would not be good for other local businesses, jobs, or revenue. She encouraged the City Council to conduct an Economic Impact Study.

Matt Zarzana, Pomona Classic Car Show Coordinator, stated that they had a great working relationship with Fairplex, and that events were safe and prosperous. He noted that Fairplex had brought huge financial gains to the City and the community. He expressed opposition to the revisions due to CUP requirement.

Brian Brooks, Pomona, advised that noise had been a problem for the community, and that drunk attendees had damaged neighborhood properties. He stated that PON members were not anti-Fairplex. He advised that sending the proposal to the Planning Commission would allow for public input and an opportunity to negotiate.

Daniel, Pomona, noted that he had enjoyed having Fairplex as a neighbor, and that it brought revenue to the City. He expressed concern that the proposal would restrict business and drive business away.

The following individuals submitted speaker cards; however, they were not present when called upon:

Michael Nolan

Melissa Delmonaco

Vanessa Marquez

NOTE: THE CITY COUNCIL RECESSED AT 10:09 P.M., AND RECONVENED AT 10:18 P.M.

Assistant City Attorney Jared clarified that an applicant for a CUP would only need to apply one time, and that a CUP would not be needed every time an event was held.

Councilmember Torres inquired and City Attorney Alvarez-Glasman explained the provisions of the City Charter regarding campaign contributions; however, he noted that current State laws regarding campaign contributions would probably override the Charter provision. He stated that it was up to each Councilmember as to whether they would participate in a decision before the City Council.

Councilmember Torres noted that the City had given Fairplex millions of dollars, and that it was only right that the City have a seat at the table regarding issues surrounding Fairplex. He noted that the real process would begin at the Planning Commission where Fairplex and the community would have an opportunity to voice concerns. He asked that the City Council listen to the community, respect the work of the ad hoc committee, and allow the City to be part of the discussion. He stated that the F-Zone was outdated, and that it was time to revise it.

Vice Mayor Escobar stated that Fairplex was an asset to the City; however, she expressed concern with the wear and tear on the City infrastructure, as well as parking on the streets, and that the parking fees received by the City did not compensate for the maintenance and repairs

of streets. She noted that three of the Councilmembers had spent a year working on the recommendations, and they deserved to have their recommendations considered by the Planning Commission. She said that since 2004 there had been an increase in population, as well as the number of events taking place at Fairplex. She asked that an analysis be done of the number of jobs created by other large venues in the area, and suggested that making the parking fees part of the price of the ticket would discouraged off-site parking.

Councilmember Carrizosa noted that things had changed since 2004, and that at first glance the ordinance seemed fairly simple; however, after the ad hoc committee began analyzing it, there was much more to be considered. She advised that the 2004 ordinance had been written by Fairplex, had imposed a severe disadvantages on the City, and that expansions had taken place without any constraints, verifications, or knowledge of the City. She stated that the City had contributed a great deal of money to the hotel and convention center; however, the City had not received the revenue due to the City. She noted that she was not opposed to Fairplex, and that she had tried to look at the concerns of the community, look at Fairplex, and the needs and interests of the City.

Councilmember Ontiveros-Cole advised that when the ad hoc committee was chosen, both the City and Fairplex made that decision. She stated that the City Council wanted more oversight on what went on at Fairplex; however, they did not want to cut back on the events or work that Fairplex was doing. She said that there was a lot of misinformation and misinterpretation of what the City Council was trying to do. She expressed support for sending the recommendations to the Planning Commission where everyone involved would be able to provide input.

Councilmember Robledo expressed appreciation to all the parties that had spoken, and appreciation to Fairplex for being proactive and reactive to the issues. She stated that it was beneficial to receive input from the ad hoc committee, the community, Fairplex, and Los Angeles County.

Councilmember Gonzalez stated that the recommendations of the ad hoc committee were not complete, and that input needed to be received from Los Angeles County as well as Fairplex. He noted that the issues that had brought this matter forward, had mostly been addressed. He noted that in the year that he had been on the City Council, he had not received any complaints regarding Fairplex. He said that the 2004 ordinance had been overly generous to Fairplex, and that changes needed to take place; however, he was not sure as to how that should happen.

Mayor Sandoval inquired and City Attorney Alvarez-Glasman informed that the provision in the Charter regarding campaign contributions was archaic, and probably would not hold up in a court of law. He noted that Fairplex had not contributed more than \$250 to anyone on the City Council. He advised that he did not believe that donations to the City Council violated the letter of the law; however, the interpretation of intent rested with each individual Councilmember. He also advised that the Fair Political Practices Commission did not enforce local government restrictions.

NOTE: THE CITY COUNCIL RECESSED AT 11:35 P.M., AND RECONVENED AT 11:41 P.M.

Mayor Sandoval stated that the concerns of the residents centered around traffic, noise, and trash from Fairplex, and that those issues needed to be addressed in the recommendations, as well as, a clear process for Fairplex to move forward.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, CARRIED 5-1-0-1 (COUNCILMEMBER GONZALEZ OPPOSED AND MAYOR SANDOVAL ABSTAINED), to direct staff to forward changes recommended by the F-Zone Ad Hoc Committee to the Planning Commission for consideration and for the adoption of modifications to Pomona Zoning Ordinance (PZO) section .435, et seq., to repeal and amend the current code to address the adverse impacts on the community.

NOTE: COUNCILMEMBER ROBLEDO LEFT THE DISCUSSION AT 11:51 P.M.

10. Fiscal Year 2017-18 General Fund 1st Quarter Budget Review, Non General Fund Requests, and Adoption of a Resolution Amending the Fiscal Year 2017-18 Operating Budget and personnel actions as reflected herein

RESOLUTION NO. 2017-160

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2017-2018 ADOPTED OPERATING BUDGET

RESOLUTION NO. 2017-161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING APPENDIX B OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA MID-MANAGEMENT / CONFIDENTIAL EMPLOYEES' ASSOCIATION AND AMENDING THE AUTHORIZED STAFFING LEVELS IN THE FINANCE DEPARTMENT FOR THE FISCAL YEAR 2017-2018 OPERATING BUDGET BY THE ACTIONS LISTED HEREIN

RESOLUTION NO. 2017-162

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING THE PERSONNEL RULES AND REGULATIONS FOR EXECUTIVE MANAGEMENT GROUP A AND B EMPLOYEES BY DELETING THE REVENUE MANAGER CLASSIFICATION

RESOLUTION NO. 2017-163

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

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOA, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO ABSENT), to extend the meeting past

12:00 a.m.

Finance Director Jones provided a brief presentation.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO ABSENT), to adopt a resolution amending the Fiscal Year 2017-18 Operating Budget and personnel actions as reflected herein.

- 11. Finding of Public Benefit to the Community at Large for Recommended Expenditures and Recap of Approved Funds:**

CURRENT REQUESTS:

- A) Amount to be determined to Kennedy Austin Foundation in support of Annual Toy Giveaway - Amount requested: \$700
- B) Amount to be determined to the American Red Cross in support of hurricane disaster relief - Amount requested: TBD

Councilmember Carrizosa requested to add Item C due to it coming up after the posting of the agenda, and that the funding was required by December 16, 2017.

- C) Amount to be determined to Garey High School Music Boosters- Amount requested: TBD

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO ABSENT), to add Item C.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO ABSENT) to approve the Findings of Public Benefit to the Community at Large for the Recommended Expenditures, Items A-C.

- 12. THIS ITEM WAS DISCUSSED PRIOR TO ITEM NO. 10.**

MATTERS INITIATED BY CITY COUNCILMEMBERS

Mayor Sandoval requested that the work regarding SB54 be continued and brought to the City Council for discussion at one of the December meetings.

Councilmember Gonzales asked that a size standard for City park signs be considered.

RECESSED INTO CLOSED SESSION

The City Council recessed into Closed Session at 12:15 a.m. on Tuesday, November 21, 2017.

ADJOURNMENT

The City Council meeting was adjourned at 12:30 a.m. on Tuesday, November 21, 2017, in memory of King Messiah Horn.

The next regular City Council meeting will be held on Monday, December 4, 2017, 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