



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 Victor Preciado
Councilmember Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
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, April 1, 2019

7:00 PM

Council Chambers

5:30 P.M.

CLOSED SESSION

PUBLIC COMMENT:

A. CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6)

Employee Organizations:

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

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

Property: **Portions of:** APN 8318-001-900 at 2000 N. San Antonio Avenue
APN 8331-005-901 & 902 at 600 E. Philadelphia St.
APNs 8333-005-903, 904, 905, 906, 907 & 908
at 865 ½ E. Grand Avenue

APN 8327-014-029 at 1400 E. Mission Blvd.
APN 8708-025-902 at 25 ½ Canyon Rim Rd.
Negotiating Party: Crown Castle
City's Negotiator: Linda Lowry, City Manager
Under Negotiation: Lease Price and Terms

C. PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957(b)(1))

Development Services Director

REPORT OUT FROM CLOSED SESSION

Interim City Attorney Christi Hogin reported that the City Council had convened into Closed Session at 5:30 p.m. with all members present and that the items listed on the agenda had been announced prior to recessing into Closed Session with no public present.

She informed that all items on the Closed Session agenda had been discussed; the City Council took one reportable action Pursuant to Government Code Section 54957(b)(1) Public Employee Appointment. The City Council must give, and they unanimously approved the City Manager's appointment of Anita Gutierrez as the Development Services Director.

The City Council recessed from Closed Session at 6:50 p.m.

Mayor Sandoval on behalf of the City Council congratulated Development Services Director Anita Gutierrez on her appointment.

7:00 P.M.

CALL TO ORDER

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

ROLL CALL

Present: 7 - Mayor Tim Sandoval
Vice-Mayor Rubio Gonzalez
Councilmember Victor Preciado
Councilmember Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert Torres

Staff Present: Linda Lowry, City Manager
Christi Hogin, Interim City Attorney
Rosalia A. Butler, MMC, City Clerk
Genoveva Rocha, CMC, Deputy City Clerk II

PLEDGE OF ALLEGIANCE

Councilmember Victor Preciado led the Pledge of Allegiance to the Flag.

PRESENTATIONS

- A. Proclamation declaring April 13, 2019, as Cesar Chavez Day in the City of Pomona
- B. Proclamation declaring April 2019 as a Golden Rule - Random Acts of Kindness Month in the City of Pomona

MAYOR/COUNCILMEMBER COMMUNICATIONS

The Mayor and Councilmembers reported on conferences, seminars, and regional meetings attended and announced upcoming events.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry proposed to the City Council dates in May to hold a joint meeting with the Planning Commission to discuss the Cannabis Ordinance and the agreement with the Fairplex.

The City Council agreed on setting the meeting to Wednesday, May 1, 2019, meeting time to be determined.

City Manager Linda Lowry yielded this time to Neighborhood Services Director Benita DeFrank to give an overview of the closure of the L.A. County winter shelter.

Neighborhood Services Director Benita DeFrank provided the City Council with an update on the steps taken to notify the public and to close the Los Angeles County winter shelter.

PUBLIC PARTICIPATION

Robert Larry Gordon, Fairplex, spoke on Care Harbor an event taking place at the Fairplex on April 27, 2019.

Nancy Hanna, Pomona, spoke on a citation received from the Code Enforcement Department due to yard maintenance and requested an administrative hearing.

Mayor Sandoval referred Ms. Hanna to speak Deputy City Manager Mark Gluba.

Reverend King, Pomona, spoke on the need for a civilian oversight commission and the Christian Aguilar incident.

Gustavo Ramirez spoke on his organization efforts and his experience with police brutality.

M. Joyce Bakersmith, Pomona, recited statistics published online by the Pomona Police Department and stated she was not in agreement with a police oversight committee.

James Dale, Fairplex, spoke on the Care Harbor event at the Fairplex which will provide free medical, vision, dental and veterinary care; he thanked the Supervisor Hilda Solis, City Staff, Councilmembers Garcia, Ontiveros-Cole, and Mayor Sandoval for their support.

Jim Sanbrano, Latino/a Roundtable, spoke on the 15th Annual Cesar E. Chavez Breakfast and the Assembly Bill 1421 that went into effect on January 1, 2019.

Evelia Rocha, Pomona, spoke on the social media post published by the Chief of Police and expressed her disappointment with the post.

Vanny Yalith Muniz, Pomona, informed the City Council on the dire conditions of the apartment complex where she resided and stated that the rent is increased every six months without any repairs completed to the building.

Mayor Sandoval referred Ms. Muniz to speak with Neighborhood Services Director Benita DeFrank.

Deborah Clifford, Pomona Valley Historical Society, continued her historical summary on Cyrus Burdick.

Erica Loza Vargas, Pomona, expressed over the safety issues at the apartment complex where she lives on Phillips and Palomares.

Jose De Jesus Collardo, Pomona, spoke on the encounter he had with the Pomona Police Department.

Tammy Roush, Fairplex, spoke on upcoming events at the Fairplex.

Mayor Sandoval acknowledged Three Valleys Water Board Member John Mendoza in the audience.

Fernando Romero spoke on the 2020 census and expressed he was in solidarity with those requesting a police oversight commission.

Fabian Pavon, Pomona, stated he was in solidarity with the residents pushing for the police oversight commission, and he spoke on the Cesar E. Chavez Pilgrimage.

Vanessa Guadalupe, Pomona, spoke on Sandra Bland

Randy Bekendam, Amy's Farm, spoke on the dangers of glyphosate.

Francisco A. Suarez, Pomona, spoke on police brutality and expressed he was in favor of a police oversight committee.

Benjamin Wood spoke on the internal affair process and expressed his disappointment on the social media post published by the Chief of police.

Pedro Camacho, PUSH, spoke on several code violations at the apartment complex where he resides, requested assistance from the City Council and a meeting with Councilmember Garcia.

Mayor Sandoval informed Mr. Camacho that the council is working to remedy the situation and that he could show Mrs. DeFrank the photos he brought with him.

Laura Pederson, Pomona, spoke on the Christian Aguilar case and the importance of a police oversight committee.

Edgar Velasco, Pomona, did not wish to speak but informed he was in favor of a police oversight committee.

Yesenia Meza, PUSH, spoke on rent control and rent stabilization and expressed she was not in favor of the Glendale Ordinance because owners could pay the tenants to move out.

Alice Duran, Hope for Home, stated she was a resident at hope for home that has been seeking permanent housing and spoke about the high rental fees.

Elinor Crescenzi, Pomona, invited the public to participate on Pomona Beautification Day.

Jose Calderon expressed his concerns related to public confidence in the police department and suggested looking at other cities who have implemented oversight commissions.

Denise Miranda spoke on her concerns related to the social media post and expressed her support for a police oversight commission.

CONSENT CALENDAR

Approval of the Consent Agenda

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the Consent Calendar with the exception of Item No. 5 and Item No. 11.

1. Approval of City Council/Housing Authority/Successor Agency Meeting Minutes

It is recommended that the City Council approve the following meeting minutes:

March 5, 2018 Regular Meeting Minutes
March 12, 2018 Special Meeting Minutes
March 19, 2018 Regular Meeting Minutes
February 25, 2019 Regular Meeting Minutes
March 4, 2019 Regular Meeting Minutes

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

2. Authorizing the Acceptance of Five Continuum of Care Grant Awards from HUD Totaling \$3,482,855 and a Professional Services Agreement with Volunteers of America, Los Angeles (VOALA) in the amount of \$1,655,708

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF FIVE CONTINUUM OF CARE PROGRAM GRANT AWARDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TOTALING \$3,482,855 IN GRANT FUNDING

2) Authorize a Professional Services Agreement with Volunteers of America, Los Angeles, (VOALA) in the amount of \$1,655,708 as a sub-recipient of the grant; and

3) Authorize the City Manager to execute the appropriate contracts and other documentation requested for acceptance of the award and operation of the above listed CoC programs for submittal to LAHSA and to HUD, subject to approval as to form by the City Attorney.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

3. Approve a "Piggyback" Contract for the Purchase of Granular Activated Carbon (GAC) from Prominent Systems, Inc., utilizing a Contract Competitively Bid and Awarded by the City of Riverside, California

It is recommended that the City Council approve a piggyback option for the purchase of GAC removal and replacement services, as-needed, from Prominent Systems, Inc. (Prominent), utilizing a contract that was competitively bid and awarded by the City of Riverside, CA (Bid No. RPU-7623)

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

4. Approving the Fiscal Year 2019-20 Submittal Projects Lists for the Road Repair and Accountability Act of 2017 (RMRA/SB-1)

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2019-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CITY'S STREET PROJECTS LISTS, WITH CORRESPONDING CAPITAL IMPROVEMENT PROGRAM (CIP), AND RELATED PUBLIC WORKS OPERATIONAL ITEM LIST PLAN TO THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) TO BE ELIGIBLE FOR FISCAL YEAR 2019-20 RMRA/SB-1 FUNDING

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

5. Approval of Cooperative Agreements for Street Rehabilitation and Amending the FY 2018-19 Capital Improvement Program (CIP) Budget by Receiving and Appropriating a Total of \$545,155 from the City of Claremont and County of Los Angeles for Street Rehabilitation - District 6 Project No. 428-2590-XXXXX-67921 Towne Avenue

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolutions:

RESOLUTION NO. 2019-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A COOPERATIVE AGREEMENT WITH THE CITY OF CLAREMONT FOR STREET REHABILITATION- DISTRICT 6, PROJECT NO. 428-2590-XXXXX-67921 AND AMENDING THE FY 2018-19 CIP BUDGET BY APPROPRIATING A \$233,675 CONTRIBUTION TO THE PROJECT FROM THE CITY OF CLAREMONT

RESOLUTION NO. 2019-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A COOPERATIVE AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR STREET REHABILITATION- DISTRICT 6, PROJECT NO. 428-2590-XXXXX-67921 AND AMENDING THE 2018-19 CIP BUDGET BY APPROPRIATING A \$311,480 CONTRIBUTION TO THE PROJECT FROM THE COUNTY OF LOS ANGELES

2) Find that the "Street Rehabilitation - District 6," Project No. 428-2590-XXXXX-67921 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), in that the project consists of the operation, repair and maintenance of existing streets; and

3) Authorize the City Manager to take all necessary actions needed by the City of Claremont, County of Los Angeles, and others to execute the cooperative agreements and related project funding documents on behalf of the City for Street Rehabilitation - District 6, Project No. 428-2590-XXXXX-67921

M. Joyce Bakersmith, Pomona, inquired and Interim Public Works Director Rene Guerrero informed that the work will begin summer of 2019 and that the funds were money came from one-time bond funds.

Councilmember Torres thanked Staff for putting together the report and for the information related to the project.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, to approve Resolution Nos. 2019-30, 2019-31, and Staff recommendations

6. Award of \$83,368 of HOME Investment Partnerships Program (HOME) Funds to Shield of Faith Economic Development Corporation, a Community Development Housing Organization

It is recommended that the City Council take the following actions

- 1) Adopt the following resolution:

RESOLUTION NO 2019-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AWARING \$83,368 OF HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS TO SHIELD OF FAITH ECONOMIC DEVELOPMENT CORPORATION, A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION

- 2) Authorize the City Manager to amend the existing agreement with Shield of Faith Economic Development Corporation and to execute the agreement and related documents, subject to review by the City Attorney.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

7. Approval of Membership in the California Choice Energy Authority, Agreements with Southern California Edison and River City Bank, and a \$100,000 Initial Bond Payment to the California Public Utilities Commission

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2019-37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, TO APPROVE MEMBERSHIP IN THE CALIFORNIA CHOICE ENERGY AUTHORITY, AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON AND RIVER CITY BANK; AND A BOND PAYMENT TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

8. Amendment of FY 2018-19 City Operating Budget, by decreasing Revenue Estimates and Appropriations for the Community Development Block Grant (CDBG) Program by \$186,569 and increasing appropriations for the Low-Mod Housing Asset Fund by \$29,887

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CITY OPERATING BUDGET, BY DECREASING REVENUE ESTIMATES AND APPROPRIATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BY \$186,159 AND INCREASING APPROPRIATIONS FOR THE LOW-MOD HOUSING ASSET FUND BY \$29,887

- 2) Authorize the City Manager to take necessary actions needed to ensure the repayment of \$29,887 in non-federal funds to the U.S. Department of Housing and Urban Development (HUD) per HUD finding.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

9. Approval of Amendment No. Three to the Agreement with the County of Los Angeles Workforce Development, Aging, and Community Services to receive \$7,161 in One-Time Funding and a Resolution Amending the FY 2018-19 Budget Receive and Appropriate the Funds

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2018-2019 OPERATING BUDGET TO RECEIVE AND APPROPRIATE ONE-TIME GRANT FUNDS IN THE AMOUNT OF \$7,161 TO PURCHASE EQUIPMENT FOR THE ELDERLY NUTRITION PROGRAM

- 2) Authorize entering into Amendment Number Three to the Agreement with the County of Los Angeles Workforce Development, Aging, and Community Services (WDACS) to receive \$7,161 in one-time funding to purchase equipment for the Elderly Nutrition Program; and

- 3) Authorize the City Manager to execute the Amendment, subject to approval as to form by the City Attorney.

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

10. Supporting Balanced Energy Solutions and Local Choice

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2019-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SUPPORTING BALANCED ENERGY SOLUTIONS AND LOCAL CHOICE

MOTION BY VICE MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

11. Regulation of Commercial Cannabis Businesses

It is recommended that the City Council adopt the following ordinance:

ORDINANCE NO. 4257 - AN ORDINANCE OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE POMONA CITY CODE BY ADDING CHAPTER 68, "COMMERCIAL CANNABIS BUSINESSES"

Mark Ramos stated he only wished to speak if the item was pulled from the Consent Calendar.

Lobna F. Anaim, Pomona, spoke on her experience as a past dispensary owner.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0.

DISCUSSION CALENDAR

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

It is recommended that the City Council take the following actions:

1) Approve the expenditures recommended and make the finding that the community at large will receive a public benefit from the expenditure of funds for recommended items; and

2) Receive and file the recap of final amounts for previously approved projects/activities.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0 making a Finding of Public Benefit to the Community at Large for Recommended Expenditures and Recap of Expended Funds for Items A through E as listed on the Staff report.

13. Approval of a Revocable License for a Community Mural (Mural Permit No. 11316-2019) located on City owned property located at Pomona City Hall - Council District 2

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2019-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND ADMINISTER A REVOCABLE LICENSE AGREEMENT WITH THE DA CENTER FOR THE ARTS

Development Services Director Anita Gutierrez and Assistant Planner Alina Barron provided a brief presentation to the City Council.

Joshua Swodeck, Chair of the Cultural Arts Commission, spoke on how the idea for the mural came to fruition.

Edgar Nava, A&O Young Adults, commended the City Council for the art located in downtown Pomona; he expressed that the art has a positive impact on the community and that he was in favor of item no. 13.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0, to adopt Resolution No. 2019-39 approving and authorizing the City Manager to Execute and Administer a Revocable License Agreement with the DA Center for the Arts.

PUBLIC HEARINGS

14. Approval of the Draft FY 2019-2020 Annual Action Plan Funding Recommendations for Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME) and Emergency Solutions Grant (ESG) Funds

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING DRAFT FY 2019-2020

ANNUAL ACTION PLAN WITH PROPOSED FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME) AND EMERGENCY SOLUTIONS GRANT (ESG) FEDERAL ENTITLEMENT PROGRAMS;

- 2) Approve funding awards for the Fiscal Year (FY) 2019-20 Community Development Block Grant and Emergency Solutions Grant Programs; and

3) Approve funding recommendations for the FY 2019-20 Home Investment Partnerships Program; and

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4) Approve the inclusion of funding awards in the Annual Action Plan.

**MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER
ONTIVEROS-COLE, CARRIED 7-0, to Open the Public Hearing.**

Carmen I. Garcia spoke on the services provided by her organization and gave examples of the services they provide to the community.

Greg Shapton, CLASP, informed that CLASP services forty-nine students from Pomona and that the funds help students that are falling behind and to tutor them in common core.

Antoinette Lynch, CLASP, did not wish to speak.

Stephanie Lynn Roberts, Operation School Bell, spoke on the services provided by the organization.

Cathy Harden, Assistance League of Pomona Valley, informed of the dental care that they provide to the school children of Pomona.

Patricia Silvestre, Lincoln Avenue Church, spoke on the services provided to students and families in Pomona.

**MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER
ONTIVEROS-COLE, CARRIED 7-0, to Close the Public Hearing.**

There was no action taken on this item.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Discussion ensued regarding the amount of vehicle vs. pedestrian traffic collisions. Councilmember Ontiveros-Cole requested that there be enforcement on jaywalking and Councilmember Nora Garcia asked that schools remind their students to use the crosswalks appropriately.

ADJOURNMENT

The City Council meeting was adjourned at 10:19 p.m. on Monday, April 1, 2019 to a Special Meeting on Monday, April 8, 2019, at the American Red Cross Blood Donation Center, located at 100 Red Cross Circle, Pomona, CA 91768. The Special Meeting will commence at 5:00 p.m.

IN MEMORY OF

Daniel Rodriguez

Respectfully submitted,

ATTEST:

ROSALIA BUTLER, 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