



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
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, September 11, 2017

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))

Oliney v. City of Pomona
Aguayo v. City of Pomona
Tessier v. City of Pomona

B. CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees
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

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code Section 54956.8)

Property: APN 8707-018-902 (Humane Way at UPRR)
Negotiating Party: Alameda Corridor East Construction Authority/Union Pacific Railroad Company
City's Negotiator: Linda Lowry, City Manager
Under Negotiation: Price and Terms

Property: APNs 8341-010-921 through 921: Parcels bounded by Mission Blvd., Park Ave., 6th St. and Parcels St.
Negotiating Party: Jamboree Housing Corp.
Housing Authority
Negotiator: Linda Lowry, City Manager/Executive Director
Under Negotiation: Price and Terms

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Assistant City Attorney Jared stated that the City Council convened into Closed Session at 5:35 p.m. and that the items listed on the agenda had been announced prior to recessing into Closed Session.

He stated Item C-2 was added to the Agenda due to it coming up after the posting of the agenda and that it required immediate action.

Present at the beginning of the meeting were Mayor Sandoval, Councilmembers Gonzalez, Carrizosa, Ontiveros-Cole, Escobar and Torres. Councilmember Robledo was absent.

Item A-1: This item was discussed, a briefing was provided, and direction was given; however, there was no final action taken, and there was nothing further to report.

Item A-2: A briefing was provided, and direction was given; however, there was no final action taken, and there was nothing further to report.

Item A-3: This item was discussed, and direction was provided. The City Council approved the settlement agreement which was agreed to by the parties at a prior mediation. The basic terms of the settlement are an execution of various commitments to complete ADA improvements over the next twenty-nine years and a payment of \$100,000 of settlement in that matter.

Item B: This item was not discussed. The City Council will be recessing into Closed Session at the conclusion of Open Session to discuss the item.

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

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

The City Council recessed from Closed Session at 6:55 PM.

7:00 P.M.

CALL TO ORDER

The City Council meeting was called to order at 7:03 p.m.

ROLL CALL

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

STAFF PRESENT:

Linda Lowry, City Manager
Andrew Jared, Assistant City Attorney
Eva M. Buice, City Clerk
Genoveva Rocha, Deputy City Clerk

POSTING OF COLORS

Ganesha High School JROTC presented the Posting of the Colors.

PLEDGE OF ALLEGIANCE

Mayor Sandoval led the Pledge of Allegiance to the Flag.

PRESENTATIONS

A. Approve and Present a Proclamation (Childhood Cancer)

The City Council approved and presented a Proclamation on Childhood Cancer.

B. Presentation of Certificate to Pomona's Health Promotors

The City Council presented Certificates to Pomona's Health Promotors

C. Presentation of Award to Winners of the Most Improved Communities for Conservation Pilot Program by Southern California Edison, Southern California Gas Company, City of Pomona, Water Resources Department, Monte Vista Water District, and Golden State Water Company

Noelle Hastings, Southern California Edison representative, presented awards to winners of the program.

MAYOR/COUNCILMEMBER COMMUNICATIONS

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

Mayor Sandoval announced that the City Council and staff were wearing college t-shirts from various colleges in honor of those students in the City going to college this fall.

Vice Mayor Escobar stated that she, along with Mayor Sandoval and Councilmember Torres, had participated in the ribbon cutting ceremony at the L.A. County Fair, which opened on Friday, September 8, 2017. She thanked the City Council, City Attorney, and staff for their participation in the Cannabis and Marijuana Education Studies. She advised that she had made a presentation to the Well Untapped group regarding Community Outreach and Strategic Plan for water, and thanked Water Resources Director Poulsen for his input on the presentation. She noted that she would be representing the City at the upcoming League of California Cities Conference.

Councilmember Ontiveros-Cole reported that traffic safety measures had been installed at the corner of Caswell Avenue and Alvarado Street, which had greatly improved the safety issues in that intersection. She noted that the "No Dumping" signs that had been installed in District 4 had a positive influence in the surrounding areas.

Councilmember Torres stated that he had held a Community Meeting regarding the homeless situation in the City, and that it had been well received by those in attendance. He advised that he had been the MC for the Pomona Concert Band concert on August 17, 2017. He advised that he had attended the Pomona Day at the Fair, and the DACA event last week.

Councilmember Carrizosa informed that she had attended the DACA event, and had participated in a discussion panel for the Business and Professional Women's Conference.

Councilmember Gonzales stated that he had attended a number of events, including the Librarian Recognition for the Pomona Library Foundation, organized a solar eclipse event for his students, attended the Pomona Heritage Restoration Workshop, and two events at Western University. He recognized two Pomona Police Officers who had subdued a bear in north Pomona.

Mayor Sandoval noted the many colleges that Pomona students would be attending. He advised that he had been chosen to serve on the Mayors Advisory Council for Senator Harris, in which he would be able to provide input on local issues. He thanked Councilmember Carrizosa for the work she had done to organize the press conference for the DACA event.

CITY MANAGER COMMUNICATIONS

City Manager Lowry did not have anything to report.

PUBLIC PARTICIPATION

Douglas Pierce, Pomona, discussed the inconsistencies in the criminal justice system, and announced that he had turned 90 years old.

T. Allen, Pomona, spoke in opposition to Planned Parenthood, and the philosophy of Eugenics.

John Barge, III, Pomona, requested assistance with funding of a world record sized citrus painting depicting the history of Pomona.

Baltazar Hernandez, Pomona, spoke regarding the importance of bees to farming and food production, and requested that the City Code be changed to allow beehives in backyards and orchards.

Randy Beckendam, Pomona, spoke regarding the benefits of mulching, and its use in weed abatement on vacant lots.

Larry Coke, Pomona, requested that the funding for paving projects on 9th Street and on Lexington Avenue instead be used to pave the street by Fremont Academy.

M. Joyce Bakersmith, Pomona, requested support for the Willie White Park Neighborhood Watch Cultural Festival.

Roberta Perlman, Pomona, expressed concern with the elimination of the Planning Commission and City Council approval of projects in the Corridor Specific Plan. She announced that the Pomona Library Foundation's "Homework Club" would begin on October 2, 2017, from 3:30 to 6:00 p.m., Monday through Thursday, for students in Kindergarten through Third grade.

Monique Monzaneres, Youth and Family Club of Pomona representative, announced that the Club would be hosting a benefit dinner and concert on September 23, 2017, to benefit the services and activities provided by the club. She stated that everyone was invited to participate.

John Mendoza, Pomona, announced that the Metropolitan Water District would be hosting a meeting on September 26, 2017, regarding the California Water Fix, and urged everyone to support the Metropolitan Water District's efforts to improve water delivery to Southern California.

CONSENT CALENDAR

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO ABSENT), to approve the Consent Calendar with Item Nos. 4, 10, 13, 14, and 15 being pulled for discussion.

1. Approve the draft minutes of the regular meetings of April 17, 2017, May 1, 2017 and the

Joint Special Meeting of April 24, 2017.

2. Award of Contract to Burrtec Waste Industries, Inc. for Receiving Residential and Processing Residential Recyclables and Disposal of Residual Materials for an Initial Term of Three Years, with the Option to Extend the Contract up to Two Additional One Year Terms
3. Adopt a Resolution Accepting the State of California Office of Traffic Safety (OTS) Occupant Protection Grant in the Amount of \$150,589, Amending the FY 2017-18 Operating and Revenue Budgets and Authorizing the Award of Contract to SafetyBeltSafe U.S.A. in the Amount of \$125,014

RESOLUTION NO. 2017-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) OCCUPANT PROTECTION GRANT AND AMENDING THE FY 2017-18 OPERATING AND REVENUE BUDGETS

4. **THIS ITEM WAS PULLED FOR DISCUSSION.**
5. Authorize the Purchase of As-Needed Auto Parts and Supplies to Repair City Vehicles Utilizing Multiple Competitively Bid Cooperative Agreements Awarded by NIPA, U.S. Communities, NCPA and NJPA
6. Adopt a Resolution Authorizing the Acceptance of Two Continuum of Care Program Grant Awards from the U.S. Department of Housing and Urban Development Totaling \$1,251,572 in Grant Funding

RESOLUTION NO. 2017-124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF TWO CONTINUUM OF CARE PROGRAM GRANT AWARDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TOTALING \$1,252,572 IN GRANT FUNDING

7. Approval of Voting Positions on Resolutions for League of California Cities Annual Conference
8. 2018 Meeting Conflicts and 2017 Holiday Closure of City Hall

RESOLUTION NO. 2017-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CANCELLATION AND RESCHEDULING OF MEETINGS AND ESTABLISHING THE RESCHEDULED MEETING DATES AS "REGULAR" MEETINGS OF THE CITY COUNCIL

9. Adopt a Resolution Approving the Sale of 460 E. 4th Street in Pomona, California (APN

8335-013-905) to the 2014 SANTACRUZ TRUST, a California living trust/will, for the Purchase Price of \$130,000, Council District 2

RESOLUTION NO. 2017-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY, APPROVING AN AGREEMENT FOR THE SALE OF REAL PROPERTY LOCATED AT 460 EAST 4TH STREET TO THE 2014 SANTA CRUZ TRUST FOR THE SALE PRICE OF \$130,000

10. THIS ITEM WAS PULLED FOR DISCUSSION.

11. Adopt a Resolution Amending the FY 2017-18 Capital Improvement Program (CIP) Budget by Appropriating \$45,000 from Available Park Dwelling Tax Funds to, and Authorizing the Increase in Contingency Limit to \$90,000 for, "Kennedy Park - Field Improvements," Project No. 428-2590-XXXXX-71027 to Fund Completed Soils Work

RESOLUTION NO. 2017-127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET TO APPROPRIATE AVAILABLE PARK DWELLING TAX FUNDS IN THE AMOUNT OF \$45,000 FOR COMPLETED SOILS WORK FOR "KENNEDY PARK - FIELD IMPROVEMENTS," PROJECT NO. 428-2590-71027

12. Approve the Sole Source purchase of Nine (9) New/Upgraded Electronic Citation Devices for the Police Department's Motor Officers from MSA Systems, Inc., in an Amount Not to Exceed \$35,000

13. THIS ITEM WAS PULLED FOR DISCUSSION.

14. THIS ITEM WAS PULLED FOR DISCUSSION.

15. THIS ITEM WAS PULLED FOR DISCUSSION.

ITEMS PULLED FOR DISCUSSION

4. Adoption of a Resolution Accepting the State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant in the Amount of \$450,000 and Amending the FY 2017-18 Operating and Revenue Budgets

RESOLUTION NO. 2017-123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT AND AMENDING THE FY 2017-18 OPERATING AND REVENUE BUDGETS

Councilmember Carrizosa stated that she wanted to take a separate vote on the item.

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-1-1-0 (COUNCILMEMBER CARRIZOSA OPPOSED, COUNCILMEMBER ROBLEDO ABSENT) to adopt a Resolution Accepting the State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant in the Amount of \$450,000 and Amending the FY 2017-18 Operating and Revenue Budgets.

10. Approve funding of \$50,000 to the Pomona Chamber of Commerce in accordance with the Defined Disbursement Schedule

Councilmember Torres requested that the Pomona Chamber of Commerce provide a presentation to the City Council in order to better understand the role of the Chamber and the benefits to the residents and the business community.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO AGSENT), to continue Item 10 to the September 18, 2017 City Council meeting.

13. Second Reading of an Ordinance to Amend the Pomona Corridors Specific Plan to Include Emergency Shelter by Right for a Specific Parcel at 1400 E. Mission Boulevard and Potentially Other Parcels by Conditional Use Permit, and to Modify the Appeal Period Timeframe for Projects From 10 Days to 20 Days, and to Remove the 300' Distance Requirement for Emergency Shelters Within the Boundary of Pomona Corridors Specific Plan.

ORDINANCE NO. 4238

AN ORDINANCE OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE SPECIFIC PLAN AMENDMENT (SPA 7700-2017) TO AMEND THE POMONA CORRIDORS SPECIFIC PLAN (PCSP) TO INCLUDE EMERGENCY SHELTERS BY RIGHT FOR A SPECIFIC PARCEL AT 1400 E. MISSION BOULEVARD AND POTENTIALLY OTHER PARCELS BY CONDITIONAL USE PERMIT, AND TO MODIFY THE APPEAL PERIOD TIMEFRAME FROM 10 DAYS TO 20 DAYS FOR ALL PROJECTS APPROVED UNDER THE DEVELOPMENT STANDARDS OF THE POMONA CORRIDORS SPECIFIC PLAN, AND TO AMEND DEVELOPMENT STANDARDS IN THE CORRIDORS SPECIFIC PLAN PERTAINING TO EMERGENCY SHELTERS

Councilmember Carrizosa inquired and Development Services Director Lazzaretto informed that the purchase of this property would put the City in compliance with SB 2, which required the City to have zoning to allow for emergency shelters to be built, and explained the other actions in the ordinance. City Manager Lowry advised that the Water Department had purchased part of the property, and that there was a utilities component in the purchase as well.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO ABSENT), to approve an ordinance amending the Pomona Corridors Specific Plan to Include Emergency Shelter by Right for a Specific Parcel at 1400 E. Mission Boulevard and Potentially Other Parcels by Conditional Use Permit, and to Modify the Appeal Period Timeframe for Projects From 10 Days to 20 Days, and to Remove the 300' Distance Requirement for Emergency Shelters Within the Boundary of Pomona Corridors Specific Plan.

14. Adopt a Resolution to Join the Taking Back Our Community Coalition to Urge State Legislative Action to Mitigate Negative Impacts upon Public Safety Resulting from the passage of AB 109 and Propositions 47 and 57

RESOLUTION NO. 2017-128

CITY PARTICIPATION IN THE TAKING BACK OUR COMMUNITY COALITION (COALITION) OF MUNICIPALITIES AND AGENCIES WITHIN THE STATE OF CALIFORNIA (MEMBERS) FOR THE PURPOSE OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ASSERTING ESTABLISHING A UNIFIED MESSAGE TO ADVOCATE FOR COMMON SENSE CHANGES TO CALIFORNIA'S CRIMINAL JUSTICE SYSTEM THAT ADDRESS THE PUBLIC SAFETY IMPACTS RESULTING FROM ASSEMBLY BILL 109; PROPOSITION 47 AND PROPOSITION 57

John Mendoza, Pomona, expressed concern that Pomona would not have a say in the process if the City joined the Coalition.

Councilmember Carrizosa asked and City Manager Lowry advised that the San Gabriel Valley City Managers Association was trying to get cities across the State to participate in the Coalition in an effort to mitigate the impacts of AB 109 and Propositions 47 and 57. She noted that staff had brought the subject to the City Council at the previous meeting, and had been directed to formally bring it back for an official vote.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 6-0-1-0 (COUNCILMEMBER ROBLEDO ABSENT), to adopt a Resolution to Join the Taking Back Our Community Coalition to Urge State Legislative Action to Mitigate Negative Impacts upon Public Safety Resulting from the passage of AB 109 and Propositions 47 and 57.

15. Request for a Public Hearing on an appeal of the Planning Commission's approval of Conditional Use Permit (CUP 4574-2016), Tentative Tract Map (TRACT MAP 4763-2016 TTM 74105) and Major Oak Tree Permit (MAJOTP 4575-2016 for a proposed five unit residential development and removal of five oak trees at 1385 S. San Antonio Avenue in the R-2-S (Low Density Multiple Family with Supplemental Overlay) Zone; Appellant: Councilmember Elizabeth Ontiveros-Cole

Development Services Director Lazzaretto provided a brief presentation.

Councilmember Ontiveros-Cole inquired and Director Lazzaretto informed that the project would not be a gated community, and that the public would have access to San Antonio Avenue, as well access for emergency vehicles.

Dan Tan, Investments representative, stated that they had met all of the zoning requirements, and had satisfied every request made of them by the Planning Commission and the Planning Department. He advised that it had been two and a half years since the start of the project, and requested that the City Council not delay it any further by approving the request to hold a Public Hearing.

The following individuals submitted speaker cards in support of holding a Public Hearing; however, they did not wish to speak:

Ron Vandermolen
Alice Vyala

Ann Thompkins, Pomona, stated that the Oak Tree Preservation ordinance required that trees be replaced on a one-for-one basis, and the approval by the Planning Commission only stipulated three trees, and that two would be replanted elsewhere. She noted that the resolution did not provide for the replanting of the two trees.

Florentino Gonzales, Pomona, advised that trash had constantly been dumped on the property, and that he had cleaned it up at least five times. He noted that the neighborhood was tired of the trash dumping, and would like to see the lot cleaned up.

Jim Gallivan, Pomona, requested that the project be redesigned to retain as many of the oak trees as possible.

Debra Martin, Pomona, stated that the trees were located on the perimeter of the property, and should be able to be incorporated into the design of the project. She urged the City Council to hold a Public Hearing to discuss options for preserving the trees.

Tony Cerda, Pomona, expressed opposition to the removal of the trees, and noted that the trees were over 400 years old and provided health benefits to the community.

Jess Gonzales, Pomona, stated that the trees had historical significance, and noted that often times when trees were transplanted, they did not survive.

MOTION BY COUNCILMEMBER ONTIVEROS-COLE, SECOND BY VICE MAYOR ESCOBAR, FAILED 3-2-1-1 (COUNCILMEMBER ROBLEDO ABSENT, COUNCIL MEMBERS CARRIZOSA AND TORRES OPPOSED, AND COUNCIL MEMBER GONZALEZ ABSTAINED), to grant the request for a Public Hearing.

DISCUSSION CALENDAR

16. Adopt a Resolution approving a lease agreement with Jucchou Corp for the use and operation of Palm Lake Golf Course

RESOLUTION NO. 2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,
APPROVING A LEASE AGREEMENT WITH JUCCHOU CORP. FOR USE AND
OPERATION OF PALM LAKE GOLF COURSE**

Development Services Director Lazzaretto stated that just prior to the meeting, he had received a phone call from Jeffrey Hirose, the operator for Jucchou Corporation, informing him that they had formed an agreement with the fourth place bidder. He recommended that the item be held over to the September 18, 2017 City Council meeting, in order for staff to review the new agreement.

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

Debra Martin
Jess Gonzales
Tony Cerda

Ron Vandermolen
Alice

The other individuals that submitted speaker cards agreed to wait to speak until the item was brought back to the City Council for consideration.

By consensus of the City Council, the item was held over to the September 18, 2017 City Council meeting.

17. Discussion on proposal by Wendy's Restaurant for a Parcel on the Northeast corner of Holt Blvd and San Antonio Avenue

Development Services Director Lazzaretto provided a brief presentation.

Mike Suarez, Pomona, expressed concern that the Corridor Specific Plan standards were too restrictive, and urged the City Council to review the standards.

John Hellison, owner of the property, stated that the Corridor Specific Plan was detrimental to the development of new business in the City, and that as a commercial property owner, he was handcuffed by the Plan. He urged the City Council to support new business, and review the Corridor Specific Plan standards.

Elinor Crescenzi, Pomona, asked the City Council to consider planning designs that would encourage healthy lifestyles, and consider the long term consequences to the types of businesses allowed in the City.

Councilmember Ontiveros-Cole expressed concern that the Corridor Specific Plan was detrimental to business, which in turn affected jobs, taxes and revenue, and believed that the Corridor Specific Plan needed to be revised.

Director Lazzaretto advised that the Corridor Specific Plan was designed to provide certainty to businesses, and that when a project was designed within the guidelines, there would be a high probability of approval. He noted that there was a provision for a business to go before the Planning Commission and the City Council for consideration.

Discussion ensued regarding the vision and process that went into the implementation of the Corridor Specific Plan, current developments in the process, and the possibility of revising the Plan.

18. Presentation and City Council direction regarding the City involvement and participation in Mayor Sandoval's "Pomona Beautiful" weekly volunteer beautification movement

Mayor Sandoval provided a brief presentation. He stated that he was proposing a beautification movement that would include volunteer members of the community, as well as the City Council, staff, business owners, and service clubs. He believed that by involving members of the community, there would be more pride and participation in helping to make Pomona beautiful. He advised that he would like to propose "Pomona Beautiful" awards for residents in each district.

Diane Goodwin, Pomona, stated that she wanted to see Pomona look more attractive and clean. She advised that the Pomona Beautiful volunteers met every Tuesday morning at 8:00 a.m. in front of City Hall. She invited anyone interested to join them, and if they could not come at that time, to pick an area of the City and help beautify it.

Henry Clark, Pomona, encouraged everyone to get involved in the Pomona Beautiful program.

Councilmember Carrizosa inquired and Mayor Sandoval informed that the Tuesday morning clean-up was just part of the overall effort. Councilmember Carrizosa noted that late afternoon was also a good time to hold a clean-up, when children and men were available to participate.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER TORRES, CARRIED 5-0-2-0 (COUNCILMEMBER ROBLEDO AND VICE MAYOR ESCOBAR ABSENT), to support the Pomona Beautiful program, and to engage the service organizations in the City to sponsor areas in the community for cleanup.

19. 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 the Inland Valley Humane Society & S.P.C.A. in support of their Dog Leg Classic Golf Tournament - Amount requested: \$750
- B) Amount to be determined to Sacred Heart Church in support of their Annual Fundraiser Event - Amount requested: TBD
- C) Amount to be determined to the Pomona Host Lions in support of their Sight for Success Fundraiser - Amount requested: TBD
- D) Amount to be determined to Pomona Catholic in support of their 19th Annual Casino Night - Amount requested: TBD

- E) \$2,375 to fund cleanup/beautification efforts Angela-Chanslor Neighborhood and District 3 alleys

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER TORRES, CARRIED 5-0-2-0 (COUNCILMEMBER ROBLEDO AND VICE MAYOR ESCOBAR ABSENT) to approve the Finding of Public Benefit to the Community at Large, Items A-E.

20. Appeal of the Planning Commission's Zoning Conformity determination of classifying a proposed School Bus Parking Yard at 1326-1352 E. 9th Street in the M-2 (General Industrial) zone as a Charter Bus Company, thereby requiring a Conditional Use Permit: Appellant: Durham School Services

Development Services Director Lazzaretto provided a brief presentation.

Assistant City Attorney Jared clarified that this item did not involve land use and that there would not be a resolution prepared regarding the decision. He noted that the decision only required a majority of the members present, and that three affirmative votes were required.

Don Palmer, property co-owner, stated that Durham School Services was under a deadline to open, and that if a Conditional Use Permit (CUP) was required, they would retract the offer. He noted that the State of California requirement for charter buses stated that school buses were exempted from a charter carrier operation. He said that the operation would be for outdoor storage, equipment storage, and use in transit, which met all three definitions for the zone classification.

Tyler, property owner counsel, noted that Durham School Services had a contract with the Pomona Unified School District (PUSD) to provide transportation services for students. He stated that Durham would be moving their administrative offices to the property, and that all of the buses were clean energy buses. He advised that by locating the buses within the City, there would be less traffic, and that there would be no disparity with the surrounding businesses which were storage yards.

Dave Holmes, owner of property east of the location, stated that he was in support of Durham School Services locating to the property; however, he believed that the decision should go through the CUP process in order to assure that there would be no environmental issues.

Nora Garcia, Pomona, urged the City Council to support the recommendation of staff and the Planning Commission. She stated that the requirements for a CUP were for the health and safety of residents, and expressed concern with additional traffic.

Nathan P., property co-owner, stated that the project would generate more jobs, and that Durham would withdraw their offer should a CUP be required.

Councilmember Gonzales inquired and Director Lazzaretto informed that without a CUP, the City would have no control over parking, and that a traffic study would take approximately 4-8 weeks to complete.

Councilmember Carrizosa expressed concern with parking and traffic.

Assistant City Attorney Jared clarified that the decision was to determine if the use was more like a transportation equipment yard and storage, or more like a charter bus company. He noted that a charter bus use would require a CUP. He stated that the City Code did not specifically address this use, and that was the reason the decision was before the City Council.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, CARRIED 5-0-2-0 (COUNCILMEMBER ROBLEDO AND VICE MAYOR ESCOBAR ABSENT), to uphold the staff recommendation to interpret the business as a charter bus company.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Carrizosa suggested that staff look at locating one of the two trees to be moved from the San Antonio Avenue site (Item 15), to the new pocket park, and the other to one of the other City parks.

Councilmember Torres requested that the City Council look at drafting a resolution in support of the "Dreamers," and to request Congress to address the immigration issues. It was requested that the resolution be brought back to the City Council at the October 2, 2017 meeting.

Councilmember Ontiveros-Cole requested that a joint Study Session be held with the Planning Commission in order to bring the new Councilmembers and Planning Commissioners up to date on the Corridor Specific Plan. She announced that there would be a District 4 Community Meeting at Lincoln Community Church on September 19, 2017.

Mayor Sandoval requested that staff provide a presentation to the City Council regarding disaster preparedness. He announced that a 5-K Run would take place on October 21, 2017, and encouraged the staff and the community to participate.

RECONVENE INTO CLOSED SESSION

The City Council reconvened into Closed Session at 11:10 PM.

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

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Assistant City Attorney Jared reported the following:

Item B - This item was discussed, a briefing was provided by the City's labor negotiators, and direction was provided by the City Council; however, no final action was taken, and there was nothing further to report.

ADJOURNMENT

The City Council meeting was adjourned at 11:45 p.m.

The next regular City Council meeting will be held on Monday, September 18, 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
Redevelopment Agency

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