



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, June 3, 2019

7:00 PM

Council Chambers

5:30 P.M. City Council Conference Room

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

One matter will be discussed pursuant to Government Code Section 54956.9 (d)(2) and (e)(2)

Dispute over scope of City's easement at Rio Rancho Road

B. 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

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

City Attorney

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Interim City Attorney Christi Hogan 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.

Ms. Hogan reported she was present for Items A and B but due to conflict of interest was not present for Item C.

The council took no reportable action on Items A, B and C.

Closed Session adjourned at 6:36 p.m.

7:00 P.M. Council Chambers

CALL TO ORDER

The City Council Meeting was called to order at 7:00 p.m.

ROLL CALL

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

**Due to jaw surgery, Councilmember Garcia was unable to speak. Councilmember Preciado spoke on her behalf with notes she provided to him.

STAFF PRESENT:

Linda Lowry, City Manager
Christi Hogan, Interim City Attorney
Rosalia Butler, City Clerk
Karla Shipman, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Councilmember Preciado led the Pledge of Allegiance.

PRESENTATIONS

- A. Certificate of Recognition to The School of Arts & Enterprise (The SAE) Congratulating them for Being Awarded “The Arts School Network Exemplary School Distinction”; A National Honor Considered the Highest Possible Recognition for Specialized Art Schools

Students from the SAE joined the Mayor and Council to be recognized

- B. A Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming May 2019 as “CalFresh Awareness Month” in the City of Pomona

Conrad Trinidad from the local Department of Public Social Services (DPSS) accepted the proclamation and spoke on the CalFresh program.

MAYOR/COUNCILMEMBER COMMUNICATIONS

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

All councilmembers attended various City functions including a District 6 town hall meeting, Mayor’s Prayer Breakfast, American Legion Memorial Day event at Pomona Cemetery, various school graduations and the Children’s Festival/Kite Festival.

Councilmember Preciado spoke on suicide awareness.

Councilmember Ontiveros-Cole spoke on the upcoming For the Love of Cars Event on June 8.

Councilmember Garcia spoke on an upcoming housing workshop at Washington Park on June 4.

Mayor Sandoval spoke on the upcoming Mayor’s Gala to support Pomona’s libraries.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry stated she had nothing to report.

PUBLIC PARTICIPATION

Darrell Kruse expressed his concern for his cannabis business in Pomona.

Ron Cobas and Denise Delgado, Assistance League of Pomona Valley, spoke on Operation School Bell and their Dental Center and thanked the Council for the CDBG funds that have been given to their organization to support the programs.

Neel Garlapati, Fairplex, reported on recent events at Fairplex and upcoming events.

Martin Perez gave an update on Hamilton Park and the dA Center Art in the Park event.

Deborah Clifford spoke on the history of Louis Phillips and his family.

John Clifford spoke on the upcoming Mayor's Gala to support Pomona's libraries and the time capsule that was opened at the Children's Festival.

Amiyoko Moorekemp commended the City for its education system and different options for schools.

Dan McIntire, Pomona Heritage, spoke on the upcoming Mid Century Home Tour event.

CONSENT CALENDAR

Motion by Councilmember Torres, Second by Councilmember Preciado, Carried 7-0, to approve the Consent Calendar except for Item 3 which was pulled for discussion and voted on separately

1. Legislative Advocacy - Support of Assembly Bill 539 Fair Access to Credit Act (Limón)

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

- 1)** Approve staff's recommendation to support Assembly Bill 539 Fair Access to Credit Act (Limón); and
- 2)** Authorize staff to draft and disseminate letters in support of this proposed legislation.

Motion by Councilmember Torres, Second by Councilmember Preciado, Carried 7-0, to support Assembly Bill 539

2. Second Reading and Adoption of Ordinance for Change of Zone (Zone 10882-2018) for a Property Located at 1531 and 1533 West Orange Grove Avenue

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

ORDINANCE NO. 4262

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CHANGE OF ZONE (ZONE 10882-2018) TO ADD THE R-1-E, SINGLE-FAMILY RESIDENTIAL OVERLAY DISTRICT TO THE EXISTING ZONING DESIGNATION OF R-1-6,000, SINGLE-FAMILY RESIDENTIAL DISTRICT ON A PROPERTY LOCATED AT 1531 AND 1533 WEST ORANGE GROVE AVENUE

Motion by Councilmember Torres, Second by Councilmember Preciado, Carried 7-0, to adopt Ordinance No. 4262

3. Adoption of a Resolution in Support of U.S. Senate Bill 227 - "Savanna's Act" as a Call to Action in Addressing Missing and Murdered Indigenous Women and Children

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

RESOLUTION NO. 2019-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, IN SUPPORT OF U.S. SENATE BILL 227 "SAVANNA'S ACT" AS A CALL TO ACTION IN ADDRESSING MISSING AND MURDERED INDIGENOUS WOMEN AND CHILDREN

Carlos Goytia and Gustavo Ramirez spoke in support of U.S. Senate Bill 227.

Motion by Mayor Sandoval, Second by Councilmember Preciado, Carried 7-0, to adopt Resolution No. 2019-63

4. Adoption of a Resolution Authorizing an Exception of the Dollar Threshold limits in Section 2-1003(c)(4) of the Pomona Municipal Code for Engagement of Cumming Construction Management, Inc. for Professional Construction Management Services Associated with Project No. 441-6725-XXXXX-73368

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

RESOLUTION NO. 2019-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AUTHORIZING AN EXCEPTION t0 the DOLLAR THRESHOLD LIMITS IN SECTION 2-1003(C)(4) OF THE POMONA MUNICIPAL CODE FOR

**ENGAGEMENT OF CUMMING CONSTRUCTION MANAGEMENT, INC. FOR
PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED
WITH PROJECT NO. 441-6725-xxxxx-73368**

**Motion by Councilmember Torres, Second by Councilmember Preciado, Carried 7-0,
to adopt Resolution No, 2019-67**

DISCUSSION CALENDAR

**5. Status Update on Code Enforcement Cases for Recycling Facilities and Other Industrial
Uses - Receive and File**

It is recommended that the City Council receive and file the report

Dave Holmes, Clean and Green Pomona, submitted Clean and Green's own report and spoke on the lack of detail in the City's report.

Damiana Aldana, Clean and Green Pomona, gave recommendations for the clean-up of recycling facilities.

Linda Hinojos spoke on her concerns with the City's report.

John Mendoza spoke on the recycling crisis in California.

Mark Gluba, Deputy City Manager, and Anita Gutierrez, Development Services Director, answered questions from the Council.

Council gave direction to bring this item back with recommendations for a zoning code amendment to regulate these businesses and a report of what other agencies responsibilities are to enforce safety issues beyond the scope of the City's Code Enforcement department.

No action vote was taken on this item.

**6. Approval of Letter of Agreement with Fairplex Regarding Processing of Specific Plan
Application and Interim Use of Property**

It is recommended that the City Council approve the letter agreement and authorize Mayor to execute on behalf of City

Eunice Russell spoke on her concerns with the language of the agreement.

Alfred Fraijo, counsel for Fairplex, spoke on the agreement and explained that the stakeholders referred to in the agreement would be appointed by Council.

Miguel Santana, CEO Fairplex, said this agreement was the framework to move forward, the fund established in the agreement would address the needs of the surrounding neighborhood of the Fairplex and that Fairplex is open to further discussion and collaboration from residents.

The following speakers were in support of the agreement:

Michael Rodriguez
Victor Caceres
Ed Tessier
DeAndre Valencia

The following speakers supported an extension to have more time to review the agreement and have more input from the residents:

Efren Herrera
Brian Brooks
Mario Ramos
John Mendoza
Joe Silva

The following submitted speaker cards but did not wish to speak:

Support:

Monica Medina-Jimenez
Arturo Jimenez

Oppose:

Frank Porter
Lisa Gomez
Mike Suarez
James Gayles
Judith St. John

Motion by Mayor Sandoval, Second by Councilmember Torres, Carried 7-0, to continue Item 6.

Mayor Sandoval called for a break at 9:42 p.m.

Mayor Sandoval called the meeting back to order at 9:51 p.m.

7. Consideration of Disposition of the City Stable

It is recommended that the City Council discuss and consider options for the disposition of the City Stable Facility and provide final direction.

Rene Guerrero, Interim Public Works Director, and Darron Paulsen, Water Resources Director gave a presentation on the history of the City Stables.

The Historic Preservation Commission (HPC) Ad-hoc Committee (James Kercheval, Tamara Gonzalez, Jim Gallivan) gave a presentation with their recommendation for the preservation of the City Stables.

The following submitted a speaker card in support of saving the City Stables but did not wish to speak:

Jerry Ruhl	Michael Spezo
Alice Gomez	Carson Bennitt
Debra Martin	Mitch Elias
Kathy Adkins	Kristie Kercheval
Teresa Spezo	Deanna Bass
Arturo Jimenez	

The following spoke in support of saving the City Stables:

William Crisati	Jennifer Williams
Jim Gallivan	Ann Tomkins
Linda Lockwood	Britney Gallivan
Guillermo Gonzalez	Ron Vandermolen-questioned the cost to save
Deborah Clifford	Titus Jumper
Megan Gearhart	Dan McEntire-questioned the cost to save

Jaqueline Elizalde spoke on Brown Act Violations committed by the Historic Preservation Committee.

Discussion ensued between the Council members, HPC, Risk Manager Chris Millard and Darron Paulsen regarding the options for the City Stables, how much the insurance carrier would cover for the damage claim, how the Water Department project affects the City Stables and further questions that the Council wanted answered before they would make any decisions.

The consensus of the Council was the desire to save the historic Stables but also to be fiscally responsible. Councilmembers Preciado and Lustro expressed their opinion that saving the Stables should not be the responsibility of the Water Department. Councilmember Gonzalez expressed environmental concerns with the site. Darron Paulsen clarified for Councilmember Lustro that the water rate increase has nothing to do

with the cost of the new building. Those fees can legally only go to operations and infrastructure.

Direction was provided to staff with the request to bring this item back at a future meeting. The Mayor advised City Manager Lowry the council needed more information on the following:

- Legal concerns/permitting requirements if building is moved
- Cost analysis for the adaptive reuse whether the building stays or is moved, either as part of the Water Department project or to another site
- Historic designation of the Stables-what happens if it's moved?
- Insurance carrier-what is the amount that would be covered for the Stables rebuild?
- Presentation from Darron Paulsen about the Water Department project and how the total price was figured

The Mayor also requested the Brown Act Violation allegation be investigated by the City Attorney.

No action vote was taken on this item.

8. Finding of Public Benefit of the Community at Large: Recommended Expenditure and Recap of Funds

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

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

A) Amount to be determined in support of the Historical Society of Pomona Valley for "For the Love of Cars" event– Requested Amount: TBD

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

Motion by Mayor Sandoval, Second by Councilmember Preciado, Carried 7-0, to make a finding of public benefit for Item A.

9. City Vote Regarding the Formation of the Phillips Ranch Landscaping and Lighting Maintenance Assessment District

It is recommended that the City Council authorize the City Manager to cast ballots and vote "yes" on behalf of the City of Pomona for the proposed formation of the Phillips Ranch Landscaping and Lighting Maintenance Assessment District and corresponding

increase to the assessment for all of the City-owned parcels currently located within the existing Consolidated Citywide Street Lighting and Landscaping Maintenance District Zones AB.

2 speaker cards were submitted by Lori Reull and Ufelia Lund but they were not present when this item was called. Both speaker cards indicated they were opposed to this item.

The City Council approved this item with 7-0 ayes. No motion was made.

PUBLIC HEARING

- 10. Adoption of Resolution Increasing Vehicle Parking District (VPD) Quarterly Parking Permit Fees by Five Dollars per Month**

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

RESOLUTION NO. 2019-62

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,
APPROVING AN INCREASE TO THE VEHICLE PARKING DISTRICT QUARTERLY
PARKING PERMIT FEES BY FIVE DOLLARS PER MONTH**

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

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

**MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER LUSTRO,
CARRIED 7-0, to approve Resolution No. 2019-62**

- 11. Approval of the Fiscal Year 2019-2020 City of Pomona Operating Budget, Housing Authority Budget, Five Year Capital Improvement Program Budget, and Establishing the FY 2019-20 GANN Appropriations Limit**

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

RESOLUTION NO. 2019-68

**ADOPTING THE FISCAL YEAR 2019-2020 CITY OF POMONA OPERATING
BUDGET**

RESOLUTION NO. 2019-69

ADOPTING THE HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2019-20

RESOLUTION NO. 2019-70

APPROVING THE 2019-2020 TO 2023-2024 FIVE YEAR CAPITAL IMPROVEMENT PROGRAM AND ADOPTING A CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2019-2020

RESOLUTION NO. 2019-71

ESTABLISHING THE 2019-2020 GANN APPROPRIATIONS LIMIT

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

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

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 7-0, to approve Resolution No. 2019-68, Resolution No. 2019-69, Resolution No. 2019-70 and Resolution No. 2019-71

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Torres asked about “no parking” signs on Aspen.

Mayor Sandoval moved to adjourn.

ADJOURNMENT

The City Council meeting was adjourned at 12:34 a.m. on Tuesday, June 4, 2019 in memory of the Lara-Soto Family, the Virginia Beach City Employees and Evelyn A. Gamarro.

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
Redevelopment Agency