



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
Council Member 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, August 7, 2017

7:00 PM

Council Chambers

5:30 P.M.

CLOSED SESSION

Public Comment:

A. CONFERENCE WITH LEGAL COUNSEL

(Pursuant to Government Code Section 54957(a))

B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

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

C. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

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

Singleton v City of Pomona

D. 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

E. PUBLIC EMPLOYEE EVALUATION

(Pursuant to Government Code Section 54957(b)(1))

City Attorney
City Clerk
City Manager

F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code Section 54956.8)

Property: 2501 N. Garey Avenue
Negotiating Parties: Landmark West Enterprises, LLC;
RKR Investors Real Estate Fund, LLC
City's Negotiator: Linda Lowry, City Manager
Under Negotiation: Price and Terms

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Assistant City Attorney Jared stated that the City Council had convened into Closed Session at 5:40 p.m., and that the items listed on the agenda had been announced prior to recessing into Closed Session.

Present at the beginning of the meeting were Councilmembers Carrizosa, Ontiveros-Cole, Torres, and Mayor Sandoval. Councilmember Gonzalez arrived at 5:45 p.m. Councilmember Robledo arrived at 6:05 p.m. Vice Mayor Escobar arrived at 6:35 p.m.

Assistant City Attorney Jared informed that the City Council, by unanimous action, voted to add two items to the Closed Session agenda, as the items had come up after the posting of the agenda and required immediate action.

The first item added was the ongoing case **City of Pomona vs. SQMNA**. This item was discussed; there was no final action, and there was nothing further to report.

The second item added was **Circle Holdings vs. City of Pomona**. This item was added as potential for litigation against the City. This item was discussed, there was no final action taken, and there was nothing further to report.

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

Item B: This item was not discussed, and may be discussed when City Council reconvenes into Closed Session following the Open Session.

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

Item D: This item was discussed, there was no final action taken, and there was nothing further to report. The City Council may continue discussion when they reconvene into Closed Session after Open Session.

Item E: This item was not discussed and will come back on a future agenda.

Item F: This item was discussed, there was no final action taken, and there was nothing further to report.

The City Council recessed from Closed Session at 7:00 p.m.

7:00 P.M.

CALL TO ORDER

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

ROLL CALL

Present: Mayor Tim Sandoval
Councilmember Rubio Gonzalez
Councilmember Adriana Robledo
Councilmember Cristina Carrizosa
Councilmember Elizabeth Ontiveros-Cole
Vice Mayor Ginna E. Escobar
Councilmember Robert Torres

STAFF PRESENT:

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

PLEDGE OF ALLEGIANCE

Councilmember Gonzalez led the Pledge of Allegiance to the Flag.

MAYOR/COUNCILMEMBER COMMUNICATIONS

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

Councilmember Ontiveros-Cole reported that she had attended the backpack distribution event at the Village Academy, and the District 3 Clean-Up in the Angela-Chanslor neighborhood. She announced that the YMCA building had been sold and that the new owners had great plans to restore and repurpose the building.

Councilmember Gonzalez advised that he had attended the Purpose Church Sex Trafficking Protest, Gold Line informational meetings, Pomona Concert Band performances, Historical Society Ice Cream Social and tour of Casa Primera, Pomona Library Foundation Excursions, Day One Movies in the Park, National Night Out Event, Backpack Give-A-Way, the first

Cannabis Policy Community Meeting, and The Club Fundraiser event at Fairplex. He announced that Pomona Unified School District would be opening soon, Pomona Heritage Workshop would take place on August 19, 2017, and the Los Angeles County Fair would open at the end of August. He congratulated Raul Reyner of Mi Havana Cigar Pomona for breaking the Guinness World for the longest hand-rolled cigar.

Vice Mayor Escobar reminded everyone to exercise caution while driving with the start of the new school year. She noted that the National Night Out Event had been well attended in spite of the weather. She advised that she would be making a presentation on the Pomona Strategic Plan to the members of the WELL program during an upcoming meeting in Oxnard.

Councilmember Torres announced that he would be hosting a community meeting regarding homelessness on Wednesday, August 9, 2017, at 6:30 p.m., in response to concerns regarding the condition of Ganesha Park. He noted that everyone was welcome to attend.

Councilmember Carrizosa reported that the first community Cannabis Forum had taken place at Washington Park, and she encouraged the community to attend the upcoming meetings in order to ask questions, express concerns, and provide comments. She thanked the members of the City Council that had participated in the Angela-Chanslor Community Clean-Up, and noted that there had been a great turnout by members of the community.

Councilmember Robledo stated that the National Night Out event had been very positive. She encouraged members of the community to attend the Cannabis Forums scheduled for August 30, 2017 and September 6, 2017. She noted that several members of the Pomona Police Department would be recognized at the upcoming Optimist Club Regional Conference.

Mayor Sandoval thanked the organizers of the We Run Pomona group for the work they were doing to show that Pomona is a safe place to run or walk. He noted that they meet every Tuesday evening to run, and had been in almost every neighborhood in the City. He advised that members of the Angela-Chanslor community had come to him with concerns about the community, and had been part of organizing the Community Clean-Up on August 2, 2017. He stated that on August 5, 2017, a forum had taken place at the dA Center for the Arts regarding "Place Making," which encourages every city to create places where people can create community, and noted that some great ideas had come out of the forum. He informed that he and Deputy City Manager Pelser had visited an urban eatery in Long Beach, and that he would very much like to see something like that in Pomona. He asked the members of the City Council and staff to wear college t-shirts at the September 11, 2017 City Council Meeting in honor of the many students going to college in the fall.

CITY MANAGER COMMUNICATIONS

City Manager Lowry informed the City Council that she had asked three Staff members to provide updates on projects.

Neighborhood Services Director Benita DeFrank provided an update on the homeless count that the Los Angeles Homeless Services Authority conducted. She also informed that the winter shelter would be delayed by a few weeks due to an issue with the design build.

Police Chief Capraro provided a brief presentation on the traffic plan that would be implemented during the month of August to cite speeding drivers. He informed that they would be focusing on rush hour in the areas of Towne, Garey, and Reservoir.

Mayor Sandoval expressed his appreciation for the officers focusing on this campaign, and requested that the traffic plan also be implemented on Village Loop Rd.

Deputy City Manager Pelser provided a brief update on the construction of the downtown parking garage. He informed that construction would begin in the Summer of 2018, and that it would take twelve to fifteen months to complete. He advised that the Planning Commission would be approving the full architectural drawings showing the design of the parking structure.

Assistant City Attorney Jared provided a brief explanation on design build and the additional benefits of the bidding process.

PUBLIC PARTICIPATION

Douglas Pierce, Pomona, spoke regarding a homeless Vietnam veteran who had recently passed away.

Daniel Levanos, One Legacy and Donate Life organization, provided an update on the national numbers for organ, eye, and tissue donations. He thanked the City Council for the Donate Life Month proclamation.

Stephanie Hough, Facility Manager for Heritage Group Homes, provided an update on the impacts of AB403 on their facility, and on the services they provided.

Stella Ursua, Great Alternatives representative, provided a brief presentation on the services they provided to environmentally polluted neighborhoods for the installation of solar energy. She requested assistance from the City to promote and connect with members of the community who would benefit from the program.

Brenda Morris, Pomona, spoke regarding the Affordable Rental Covenant between the City and Fairplex RV Park. She noted that the covenant provided for 50 spaces for low income permanent residents, and that the new management of the RV Park was trying to reclassify them as recreational vehicles users, rather than residents. She requested assistance from the City to help solve the issue between the residents and the management of the RV Park.

Elmer, We Run Pomona representative, stated that 145 individuals had taken part in the We Run Anniversary Run. He announced that they would be sponsoring the first 5K run/walk in Downtown Pomona on October 21, 2017 in support of youth programs in the City, and encouraged everyone to participate.

Randy Beckendam, Pomona, spoke regarding carbon emissions from fast food restaurants and products.

Gustavo Ramirez spoke regarding Civil Rights icon, Delores Huerta, and noted that she would be in Los Angeles for the opening of a movie about her life. He stated that he was hoping to bring her and the movie to Pomona.

Michele DeMott, Fairplex Vice President of Marketing, announced that the 95th Los Angeles County Fair would take place September 1-24, 2017, and that Pomona Day at the Fair would take place on September 1, 2017 with \$1 admission for Pomona residents.

Erin Runions, United Voices of Pomona representative, requested that information be provided on the follow-up inspections of recycling and waste management facilities in Pomona.

Everia Condon, Pomona, requested assistance with an issue she was having with the Planning Department regarding installation of windows in her home.

Mike Suarez, Pomona, spoke regarding the decision of Wendy's to pull out of the project on the corner of Holt Boulevard and San Antonio Avenue.

John Hellison, owner of property at Holt Boulevard and San Antonio Avenue, stated that the Corridor Specific Plan requirements were too restrictive, and discouraged new business growth in the City. He noted that the Wendy's architect had tried to meet the requirements; however, without four variances, they could not meet the standards.

Elinor Crescenzi, United Voice of Pomona for Environmental Justice representative, spoke regarding a draft resolution that had been sent to the City Council regarding zero waste. She encouraged the City Council to participate in a discussion with members of the group to draft the resolution.

John Mendoza, Pomona, announced a breakfast on August 9, 2017, at 8:30 a.m., at Pomona Valley Mining Company regarding storm water and other water issues. He also spoke regarding the homeless issue in the City.

Cynthia Moreno, Pomona, announced that a Taco Tuesday fundraiser would take place on August 8, 2017, from 6:00 to 8:00 p.m. at Decker Park, to raise money to care for rescue animals.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0, to approve the Consent Calendar except Items No. 3, 7, 9, and 11 which were pulled for discussion.

1. Approve the draft minutes of the regular meeting of April 3, 2017
2. Adoption of a Resolution Approving an Agreement to Provide Police Services for the 2017 Los Angeles County Fair by Setting the Rate of Compensation for Such Police Services and Amending the Police Department's FY 2017-18 Operating Budget by Appropriating an Additional \$139,424

RESOLUTION NO. 2017-110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING A CONTRACT WITH THE LOS ANGELES COUNTY FAIR ASSOCIATION BY SETTING THE RATE FOR POMONA POLICE SERVICES DURING THE 2017 LOS ANGELES COUNTY FAIR AND AMENDING THE POLICE DEPARTMENT'S FY 2017-18 OPERATING BUDGET

3. THIS ITEM WAS PULLED FOR DISCUSSION.

4. Adopt a Resolution Authorizing One-Year Extensions of CalHome Program Contracts for the Owner-Occupied Housing Rehabilitation Program (10-CalHome-6658 and 12-CalHome-8684), the Mortgage Assistance Program (14-CalHome-9854), and the Mortgage Assistance Program for Manufactured Housing (14-CalHome-9836)

RESOLUTION NO. 2017-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING ONE-YEAR EXTENSIONS OF CALHOME PROGRAM CONTRACTS FOR THE OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM (10-CALHOME-6658 AND 12-CALHOME-8684), THE MORTGAGE ASSISTANCE PROGRAM (14-CALHOME- 9854) AND THE MORTGAGE ASSISTANCE PROGRAM FOR MANUFACTURED HOUSING (14-CALHOME-9836)

5. Approve the Sole Source Purchase of Upgraded/Enhanced Modules for the Police Department's Incident Crime Information System (ICIS) from Public Safety Systems Incorporated (PSSI) in an Amount Not to Exceed \$77,850
6. Adopt a Resolution Amending the 2017-18 Water Resources Department Operating Budget by: 1) Approving a Carryover of \$352,784 for Vehicles Purchased in Fiscal Year 2016-17 into Fiscal Year 2017-18 due to Delay in Delivery, 2) Appropriating \$230,754 of Available Water Fund and \$122,030 of Sewer Fund Balances

RESOLUTION NO. 2017-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE 2017-18 WATER RESOURCES DEPARTMENT OPERATING BUDGET BY: 1) APPROVING A CARRYOVER OF \$352,784 FOR VEHICLES PURCHASED IN FISCAL YEAR 2016-17 INTO FISCAL YEAR 2017-18 DUE TO DELAY IN DELIVERY, 2) APPROPRIATING \$230,754 OF AVAILABLE WATER FUND AND \$122,030 OF SEWER FUND BALANCES

7. THIS ITEM WAS PULLED FOR DISCUSSION

8. Award of Bid to Elevator Support Services, Inc. for the Elevator Maintenance Services at the Prices Bid for an Initial Term of Three Years, with the Option to Extend the Contract for up to Two Additional One-Year Terms

9. THIS ITEM WAS PULLED FOR DISCUSSION

10. Approving Funding of \$75,000 to the Pomona Economic Opportunity Center (PEOC) in Accordance with the Defined Disbursement Schedule

11. THIS ITEM WAS PULLED FOR DISCUSSION.

12. Adoption of a Resolution approving the sale of 2501 N. Garey Avenue in Pomona, California (APN's 8371-013-900 & 901) to Landmark West Enterprises, LLC for the purchase price of \$840,000

RESOLUTION NO. SA 2017-5

A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY POMONA, CALIFORNIA, APPROVING THE SALE OF 2501 N. GAREY AVENUE IN POMONA, CALIFORNIA (APN'S 8371-013-900 & 901) TO LANDMARK WEST ENTERPRISES, LLC FOR THE PURCHASE PRICE OF \$840,000

13. Adoption of a Resolution Amending the Fiscal Year 2016-17 City Attorney Department Operating Budget by Appropriating \$39,696 from General Fund Reserves to Supplemental Legal Services, Account No. 101-0601-52325-00000

RESOLUTION NO. 2017 -116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA ADOPTING A RESOLUTION AMENDING THE FISCAL YEAR 22016-17 CITY ATTORNEY OPERATING BUDGET BY APPROPRIATING \$39,696 FROM GENERAL FUND RESERVES TO SUPPLEMENTAL CITY ATTORNEY SERVICES, ACCOUNT NO. 101-0601-52325-00000

Councilmember Carrizosa inquired and City Manager Lowry informed that the request was an appropriation to cover the budget gap for the fiscal year ending June 30, 2017.

ITEMS PULLED FOR DISCUSSION

3. Adoption of a Resolution Approving a One-Year Agreement with the Pomona Unified School District to Continue and Mutually Fund the Community School Resource Officer (CSRO) Program

RESOLUTION NO. 2017-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A ONE-YEAR AGREEMENT WITH THE POMONA UNIFIED SCHOOL DISTRICT TO CONTINUE AND MUTUALLY FUND THE COMMUNITY SCHOOL RESOURCE OFFICER (CSRO) PROGRAM

Councilmember Gonzalez requested that staff work with Pomona Unified School District to provide armed Community School Resource Officers, and additional cameras on campuses.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to adopt a Resolution Approving a One-Year Agreement with the Pomona Unified School District to Continue and Mutually Fund the Community School Resource Officer (CSRO) Program.

7. Adopt a Resolution Amending the FY 17-18 Adopted Operating Budget by Appropriating \$85,000 from General Fund Reserves and Approval of Professional Services with Urban Futures Inc. (UFI), in an Amount Not to Exceed \$75,000 to Develop a 10-Year Fiscal Sustainability Plan and to Approve a Professional Services Agreement with Colantuono Highsmith Whatley, PC Attorney in the Amount not to Exceed \$10,000 for Attorney Services to review the City's General Sanitation Fee (GSF) and Franchise In-Lieu Fees

RESOLUTION NO. 2017-114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING A RESOLUTION AMENDING THE FY 17-18 ADOPTED OPERATING BUDGET BY APPROPRIATING \$85,000 FROM GENERAL FUND RESERVES AND APPROVAL OF PROFESSIONAL SERVICES WITH URBAN FUTURES INC. (UFI), IN AN AMOUNT NOT TO EXCEED \$75,000 FOR A 10-YEAR FISCAL SUSTAINABILITY PLAN AND WITH COLANTUONO HIGHSMITH WHATLEY, PC ATTORNEY IN THE AMOUNT NOT TO EXCEED \$10,000 FOR ATTORNEY SERVICES TO REVIEW THE CITY OF POMONA'S GENERAL SANITATION FEE (GSF) AND FRANCHISE IN-LIEU FEES

Councilmember Carrizosa inquired and Finance Director Jones informed that during the budget process, staff proposed that the City develop a 10-Year Fiscal Sustainability Plan. She introduced the representative from Urban Futures, Inc.

Michael Bush, Urban Futures, Inc. Chief Executive Officer, stated that the plan would help the City Council look at where they wanted to go financially over the next ten years, and provide recommendations to achieve those goals. He advised that the base-line report should be ready in a couple of months.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to adopt a Resolution Amending the FY 17-18 Adopted Operating Budget by Appropriating \$85,000 from General Fund Reserves and Approval of Professional Services with Urban Futures Inc. (UFI), in an Amount Not to Exceed \$75,000 to Develop a 10-Year Fiscal Sustainability Plan and to Approve a Professional Services Agreement with Colantuono Highsmith Whatley, PC Attorney in the Amount not to Exceed \$10,000 for Attorney Services to review the City's General Sanitation Fee (GSF) and Franchise In-Lieu Fees.

9. Approval to Terminate an Agreement with Landscape West Management Services, Inc. for Landscaping Maintenance of Phillips Ranch - Zones A and B; Award the Remaining Term to Greentech Landscape, Inc., the Next Lowest Bidder, Including up to Two (2) Additional One (1)-year Extensions; and Adopt a Resolution Appropriating \$69,881 from Phillips Ranch Assessment District Fund Reserves

RESOLUTION 2017-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE ADOPTED FY 2017-18 OPERATING BUDGET BY APPROPRIATING \$69,881 FROM PHILLIPS RANCH ASSESSMENT DISTRICT FUND RESERVES (FUND 256) TO FUND AN AWARD OF CONTRACT TO GREENTECH LANDSCAPE, INC. FOR LANDSCAPE MAINTENANCE SERVICES

Vice Mayor Escobar inquired and Public Works Director McWade informed that there was approximately \$400,000 in Fund 256. Director McWade advised that the assessments were not received by the City until December, and that Fund 256 was used to cover costs until the assessments were received.

Vice Mayor Escobar asked and Abel Marquez, Greentech Landscape, Inc. representative, stated that they had worked with the city of Long Beach and the County of Orange.

Vice Mayor Escobar inquired and Public Works Director McWade advised that Landscape West had a Performance Bond and surety counsel, and staff would be working through that option to recover withheld payments.

Director McWade advised that there would be weekly meetings with the Mr. Marquez.

Cynthia Moreno, Pomona, spoke regarding the need for the community to be more involved with the decision making process regarding the landscaping in the Phillips Ranch area.

Public Works Director McWade provided information on the process of selecting a contractor to provide landscaping services.

Vice Mayor Escobar requested that a representative from Greentech be available to attend a community meeting on August 14, 2017 for District 5.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to approve the Termination of an Agreement with Landscape West Management Services, Inc. for Landscaping Maintenance of Phillips Ranch - Zones A, and Award the Remaining Term to Greentech Landscape, Inc., the Next Lowest Bidder, Including up to Two (2) Additional One (1)-year Extensions; and Adopt a Resolution Appropriating \$69,881 from Phillips Ranch Assessment District Fund Reserves.

11. Approval to Prepare a Crime Fact Sheet and Letter Urging State Legislative Action to Mitigate Negative Impacts upon Public Safety Resulting from the Passage of AB 109 and Propositions 47 and 57

Councilmember Ontiveros-Cole inquired and Police Chief Capraro advised that the Fact Sheet and Letter was intended to send a message to Legislators on the impact of AB 109 and Propositions 47 and 57 to local law enforcement.

Mayor Sandoval advised that this was a collective effort of cities in the San Gabriel Valley to impress upon State Legislators the impact the legislation had on local municipalities.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to approve the Preparation of a Crime Fact Sheet and Letter Urging State Legislative Action to Mitigate Negative Impacts upon Public Safety Resulting from the Passage of AB 109 and Propositions 47 and 57.

DISCUSSION CALENDAR

14. Discussion on Implementing a Rental Housing Inspection and Residential Resale Inspection Ordinance

Development Services Director Lazzaretto provided a brief presentation.

Benjamin Wood, Pomona Economic Opportunity Center, stated that the Center had been working with tenants and landlords with various issues. He was supportive of the ordinance; however, he expressed concern that landlords would pass the cost of the inspection on to the tenants.

Vice Mayor Escobar inquired and Director Lazzaretto informed that a cost recovery study would have to be conducted to determine the fee. He advised that a marketing campaign would be conducted in English and Spanish to inform both landlords and tenants of how the program works.

Councilmember Gonzalez requested that a measure be put in place to discourage landlords from passing the costs on to tenants, and requested that staff explore reinstating the Crime Free Multi-Family Housing Program.

Discussion ensued regarding the fee structure, recovery costs, including the registration fee as part of business licenses, staffing levels, budget impacts, inclusion of single-family homes, compliance, Fair Housing requirements, trash and bulky items pick-up, and incentive programs for property owners.

Vice Mayor Escobar requested that the marketing campaign also include language in Vietnamese, as well as English and Spanish.

The City Council provided feedback to staff, and the ordinance will be brought back for further consideration.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to reorder the Agenda and move Item No. 19 after Item No. 14.

15. Designate a Voting Delegate and Alternate(s) for the 2017 League of California Cities Annual Conference

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to have Vice Mayor Escobar as the Voting Delegate and Councilmember Robledo as the Alternate for the 2017 League of California Cities Annual Conference.

16. 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 Latino Art Museum in support of their International Yearbook and Exhibition 2017 - Amount requested: TBD
- B) Amount to be determined to Kennedy Austin Foundation in support of their back-to-School backpack and school supply drive - Amount requested: \$500
- C) Amount to be determined to the Latino Educational Fund in support of their back-to-school backpack and school supply drive - Amount requested: TBD

MOTION BY MAYOR SANDOVAL, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to add Item D and E due to it coming up after the posting of the Agenda.

- D) John S. Barge, III - "A GUINNESS WORLD RECORD ATTEMPT" "World's Largest Painting of Citrus Fruit Species" held at the dA Center for Performing Arts, Amount: TBD
- E) We Run Pomona 5K Walk or Run, Amount: TBD

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to add Items D and E.

Councilmember Escobar and Mayor Sandoval informed that they would each contribute \$500 to Item C. Councilmember Carrizosa informed she would provide staff with her contributions at a later date.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to Approve Findings of Public Benefit to the Community at Large, Items A-E.

17. Presentation and City Council Direction Regarding the City Involvement and Participation in Mayor Sandoval's "Pomona Beautiful" Weekly Volunteer Beautification Movement

Katie Hudson, Pomona, requested that the City allow individuals needing to perform Community Services hours to participate in the community clean-ups.

Gustavo Ramirez, Pomona, urged the City Council to continue the clean-up movement, and commended the City Council for their efforts.

NOTE: At the request of Mayor Sandoval Item No. 17 was continued to the September 11, 2017 City Council Meeting.

- 17A.** Adopt a Resolution to approve the Purchase of Real Property located at 1390 E. Mission Boulevard, APN 8327-014-005 for \$861,300; Amend the FY 2017-18 Capital Improvement Program (CIP) Budget by creating a New CIP Public Facility Project, "Emergency Shelter Annex/Water Utility Access" Project No. 428-2590-XXXXX-71053 and Appropriate to that Project \$584,424 of Available Neighborhood Stabilization Program (NSP1) Funds and \$316,876 of Water Resources Department (WRD) Fund Balance

RESOLUTION NO. 2017-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A STANDARD OFFER, AGREEMENT AND ESCROW INSTRUCTIONS FOR PURCHASE OF REAL PROPERTY LOCATED AT 1390 EAST MISSION BOULEVARD FOR \$861,300; AMENDING THE FY 2017-18 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CREATING A NEW CIP PUBLIC FACILITY PROJECT, "EMERGENCY SHELTER ANNEX/WATER UTILITY ACCESS," PROJECT NO. 428-2590-XXXXX-71053 AND APPROPRIATE \$584,424 OF AVAILABLE NEIGHBORHOOD STABILIZATION PROGRAM (NSP1) FUNDS AND \$316,876 OF WATER RESOURCE DEPARTMENT FUND BALANCE

John McClinton submitted a speaker card in support; however, he was not present when called upon to speak.

Scott, Community Builders of Pomona, noted that both the City and Public Council believed they were right regarding compliance with SB 2, and inquired as to who would determine the compliance issue.

Assistant City Attorney Jared advised that Public Council had sued the City on two issues, one which had been settled, and the other was ongoing regarding SB2. He noted that the courts would determine compliance.

City Manager Lowry stated that approval of the item would allow the necessary appropriations in order to purchase the property.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0 BY ROLL CALL VOTE, to adopt a Resolution to approve the Purchase of Real Property located at 1390 E. Mission Boulevard, APN 8327-014-005 for \$861,300; Amend the FY 2017-18 Capital Improvement Program (CIP) Budget by creating a New CIP Public Facility Project, "Emergency Shelter Annex/Water Utility Access" Project No. 428-2590-XXXXX-71053 and Appropriate to that Project \$584,424 of Available Neighborhood Stabilization Program (NSP1) Funds and \$316,876 of Water Resources Department (WRD) Fund Balance.

PUBLIC HEARINGS

18. Public Hearing Amending the Consolidated Plan and the Fiscal Year (FY) 2017-2018 Annual Action Plan to Appropriate \$584,424 in Neighborhood Stabilization Program 1 (NSP1); and Amend the 2017-2018 Operating and Capital Improvement Budgets

RESOLUTION NO. 2017-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN AMENDMENT TO THE CONSOLIDATED PLAN AND THE FISCAL YEAR (FY) 2017-18 ANNUAL ACTION PLAN TO ALLOCATE \$584,424 IN NEIGHBORHOOD STABILIZATION PROGRAM 1 (NSP1) FUNDS AND AMEND THE FY 2017-18 CITY OPERATING BUDGET, AS A RESULT OF THE APPROPRIATION OF \$8,894 IN UNEXPENDED NSP1 FUNDS AND \$67,422 IN UNEXPENDED NEIGHBORHOOD STABILIZATION PROGRAM 2 NSP3 FUNDS

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to open the Public Hearing.

There were no public speakers.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to close the Public Hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0, to adopt a Resolution Amending the Consolidated Plan and the Fiscal Year (FY) 2017-2018 Annual Action Plan to Appropriate \$584,424 in Neighborhood Stabilization Program 1 (NSP1); and Amend the 2017-2018 Operating and Capital Improvement Budgets.

NOTE: Item No. 19 was considered following discussion of Item No. 14.

19. Conduct a Public Hearing on the Planning Commission's Denial of Conditional Use Permit (CUP 4607-2016) for a proposed fourteen-unit residential development at 1198-1236 S. San Antonio Ave., and Tentative Tract Map No. 74367 (TTM 4947-2016) which proposes to subdivide two lots totaling approximately 46,550 square feet for residential detached condominium purposes, in the R-2-S (Low Density Multiple Family with Supplemental Overlay) zone. Applicant/Appellant, Shahram Tork (Council District: 3)

RESOLUTION NO. 2017-119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 4607-2016) TO DEVELOP 14 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 1198-1236 S. SAN ANTONIO AVENUE WITHIN THE R2-S ZONING DISTRICT

RESOLUTION NO. 2017-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING TENTATIVE TRACT MAP (TTM 4947-2016) TO DEVELOP 14 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 1198-1236 S. SAN ANTONIO AVENUE WITHIN THE R2-S ZONING DISTRICT

OR

RESOLUTION NO. 2017 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DENYING CONDITIONAL USE PERMIT (CUP 4607-2016) TO DEVELOP 14 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 1198-1236 S. SAN ANTONIO AVENUE WITHIN THE R2-S ZONING DISTRICT

RESOLUTION NO. 2017 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA DENYING TENTATIVE TRACT MAP (TTM 4947-2016) TO DEVELOP 14 RESIDENTIAL CONDOMINIUM UNITS LOCATED AT 1198-1236 S. SAN ANTONIO AVENUE WITHIN THE R2-S ZONING DISTRICT

Development Services Director Lazzaretto provided a brief presentation.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to Open the Public Hearing.

A developer, noted that the revisions to the plan had reduced the shade and shadows on the neighboring property, and they had attempted to address every issue that had previously been discussed.

Charles Young, Pomona, expressed concern that, even with the revisions, that the project did not meet the shade requirements, and was still detrimental to the neighboring property.

Rishi Kumar, Pomona, requested that a third party shade analysis be conducted, and that the discussion be continued to the next City Council meeting in order to work out the remaining issues with the developer.

Hank Fung, Pomona, expressed support for the project, and noted that, as a registered civil engineer, he believed the shade analysis was accurate. He urged the City Council to approve the project.

Charles Allen and Richard Haskell submitted speaker cards in support of further negotiations on the matter; however, they did not wish to speak.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to Close the Public Hearing.

Councilmember Carrizosa expressed support for the project, and noted that three studies had been conducted, the developer had reduced the number of units, redesigned the parking, and had attempted to resolve all of the issues presented by the neighbors. She noted that the project would help revitalize the property.

Councilmember Robledo stated that there had been significant revisions by the developer, and was supportive of the project, even though it did not completely meet all the requests of the neighbors.

Councilmembers Torres, Ontiveros-Cole, Vice Mayor Escobar, and Mayor Sandoval were supportive of the project with the revisions that the developer had made, and encouraged the neighbors and the developer to come to a compromise.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0 BY ROLL CALL VOTE, to approve Conditional Use Permit 4607-2016 and Tentative Tract Map 4947-2016.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to extend the meeting past midnight.

MOTION BY MAYOR SANDOVAL, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to reorder the agenda to discuss Item No. 21 following Item No. 19.

20. Public Hearing Regarding the Levy of Fiscal Year 2017-18 Assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District and Adoption of a Resolution Confirming the Assessment District Diagram and the Assessments to be Placed on the Fiscal Year 2017-18 Tax Rolls

RESOLUTION NO. 2017-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONFIRMING THE ASSESSMENT DISTRICT DIAGRAMS, ZONE BOUNDARIES AND ASSESSMENTS FOR THE LEVY OF 2017-18 ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT

Public Works Director McWade provided a brief presentation.

Vice Mayor Escobar advised that she would like to set up a committee to work on the Phillips Ranch Lighting and Landscape assessments.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to open the Public Hearing.

There were no public speakers.

MOTION BY MAYOR SANDOVAL, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0 to close the Public Hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to adopt a Resolution Confirming the Assessment District Diagrams, Zone Boundaries and Assessments for the Levy of the 2017-18 Assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District.

- 21.** Introduction and First Reading of an Ordinance Related to an Expansion of the Parking Lot for Casa Colina, Approving Change of Zone (Zone 4972-2016) to Change the Zoning Classification From R-1-7,500 to the Pomona Corridors Specific Plan Residential Transition Area, and Specific Plan Amendment (SPA 4920-2016) to Expand the Boundaries of the Pomona Corridors Specific Plan Residential Transition Area for the Properties at 267, 279 and 291 E. Bonita Avenue, 2815 Melbourne Avenue and the First Public Alley North of Bonita. The City Council is Also Considering Tentative Parcel Map 74494 (Parcel map 6122-2016) to Consolidate the Hospital Campus Property, 267-291 E. Bonita Avenue, 2815 Melbourne Avenue and the First Public Alley North of Bonita Into One, and Development Plan Review (DPR 6124-2016) to Allow the Development of a 71-Space Surface Parking Lot, Filed in Conjunction With SPA 4920-2016, in the Residential Transition Area of the Pomona Corridors Specific Plan

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING CHANGE OF ZONE (ZONE 4972-2016) TO REZONE THE PROPERTIES AT 267, 279, AND 291 E. BONITA AVENUE, 2815 MELBOURNE AVENUE AND THE FIRST PUBLIC ALLEY NORTH OF BONITA AVENUE FROM R-1-7, 500 TO THE POMONA CORRIDORS SPECIFIC PLAN RESIDENTIAL TRANSITION

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT (SPA 4920-2016) TO AMEND THE POMONA CORRIDORS SPECIFIC PLAN (PCSP) BY EXPANDING THE BOUNDARY OF THE RESIDENTIAL TRANSITION AREA FOR PROPERTIES LOCATED AT 267, 279 AND 291 E. BONITA AVENUE, 2815 MELBOURNE AVENUE AND THE FIRST PUBLIC ALLEY NORTH OF BONITA

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING DEVELOPMENT PLAN REVIEW (DPR 6124-2016) TO BUILD A PARKING LOT ON THE 30, 675 SQUARE FOOT LOT CONSISTING OF 267, 279 AND 291 E. BONITA AVENUE AND 2815 MELBOURNE AVENUE AND THE FIRST PUBLIC ALLEY NORTH OF BONITA AVENUE WEST OF MELBOURNE

NOTE: Mayor Sandoval recused himself from discussion of Item No. 21, as he is on the Board of Directors of Casa Colina Hospital. Vice Mayor Escobar conducted the meeting for the discussion of Item No. 21.

Development Services Director Lazzaretto provided a brief report.

Councilmember Torres stated that he would like to hear more feedback from residents in the area.

Dr. Felice Loverso, Casa Colina President, noted that they had increased the number of employees over the past 15 years from 100 to 1000, and were in dire need of additional parking. He noted that the additional parking would mostly be daytime use.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0-1-0 (MAYOR SANDOVAL RECUSED), to open the Public Hearing.

Luis Carrera, Pomona, submitted a speaker card in opposition to Item No. 21; however, he was not present to speak.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY VICE MAYOR ESCOBAR, CARRIED 6-0-1-0 (MAYOR SANDOVAL RECUSED), to close the Public Hearing.

Councilmember Carrizosa expressed concern with the number of amendments that had been submitted for the project.

Councilmember Torres stated that he had heard a number of concerns by the neighbors, and requested that a community meeting take place with staff, Casa Colina representatives, and members of the community.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER TORRES, CARRIED 6-0-1-0 (MAYOR SANDOVAL RECUSED), to reopen the Public Hearing for the purpose of continuing the Public Hearing to the October 2, 2017 Regular City Council meeting to allow Councilmember Torres to hold a community meeting regarding this matter.

NOTE: Mayor Sandoval returned to the meeting following discussion of Item No. 21.

NOTE: Item No. 21 was discussed following Item No. 19.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY VICE MYOR ESCOBAR, CARRIED 7-0, to discuss Item No. 22 prior to completion of the rest of the agenda.

22. Introduction and First 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 CITY COUNCIL APPROVING OF 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

Development Services Director Lazzaretto provided a brief presentation.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0, to open the Public Hearing.

Neisha Vyas, Public Council staff attorney, stated that two lots for the entire City would not meet the emergency shelter requirements of SB 2. She urged the City Council to identify additional sites.

Councilmember Carrizosa stated that Pomona had a large number of homeless individuals, and that no other community in the area had taken steps to do more, with limited resources, than Pomona had to meet the homeless needs.

Councilmember Torres noted that the homeless individuals that were part of the lawsuit brought against the City by Public Council, had not benefitted at all by the lawsuit. He questioned the intent of the lawsuit and its benefit to the homeless in the City.

Councilmember Robledo inquired, and Ms. Vyas declined to provide names of other cities that were in similar circumstances to Pomona regarding the homeless situation.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0, to close the Public Hearing.

Councilmember Ontiveros-Cole stated that the City had worked hard to meet the requirements of SB2; however, things had been set back because of the lawsuit by Public Council.

Assistant City Attorney Jared advised that by designating the two sites as emergency shelter sites the City would achieve compliance, and was sufficient to meet the need. He noted that staff had received a letter from Ms. Vyas on August 3, 2017, regarding five areas that they wanted addressed, which gave rise to the amended language.

Vice Mayor Escobar stated that Pomona had been a champion for the homeless, and was setting a precedence for serving them.

Councilmember Torres agreed with the other Councilmembers, and advised that he would be referring the angry residents that he had heard from to call Public Council and register their complaints.

Councilmember Gonzalez said that many of the homeless individuals were not from Pomona. He noted that there were usually 50 unoccupied beds at the winter shelter. He provided a brief history of the City since 1968, when the City accepted refugees from the Watts Riots.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0 BY ROLL CALL VOTE, to approve the Introduction and First 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, as amended.

NOTE: Item No. 22 was discussed following Item No. 21.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Robledo requested that a City Council Goal Setting Workshop be scheduled, and that the Urban Farming Policy be brought to the City Council for discussion.

Councilmember Torres asked that staff research the possibility of profit sharing opportunities with Fairplex.

Councilmember Gonzalez noted that there had been a number of elected officials, and past Councilmembers in attendance earlier in the meeting.

Councilmember Ontiveros-Cole requested that a joint meeting be scheduled with the Planning Commission regarding the Corridor Specific Plan. She asked that staff research what could be done regarding the throw-away papers that littered the City.

Councilmember Carrizosa agreed with the request to review the Corridor Specific Plan.

Vice Mayor Escobar requested an update on the dog park, and a policy on social media for the City Council.

RECESS INTO CLOSED SESSION

The City Council recessed into Closed Session at 1:07 a.m. on Tuesday, August 8, 2017.

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION DISCUSSIONS

Assistant City Attorney Jared reported the following:

Item B: The matter was discussed, there was no final action taken, and there was nothing further to report.

Item D: The matter regarding labor negotiations was discussed, there was no final action taken, and there was nothing further to report.

Item E: The matter regarding public employee evaluations of the City Clerk, City Manager and City Attorney was discussed, direction was provided to staff, there was no final action taken, and there was nothing further to report.

ADJOURNMENT

The City Council meeting was adjourned on Tuesday, August 8, 2017 at 1:59 a.m.

The next regular City Council meeting will be held on Monday, September 11, 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
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