



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
Councilmember Rubio R. Gonzalez
Vice-Mayor 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, January 28, 2019

7:00 PM

Council Chambers

5:30 P.M.

CLOSED SESSION AGENDA

PUBLIC COMMENT:

At this time there were no public speakers present.

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Pursuant to Government Code Section 54956.9 (d)(2) and (e)(1))
Two matters regarding exposure to litigation

B. CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6)
Employee organizations:
Part Time Unrepresented Employees
Part Time General Employees Unit
Unrepresented Group A and B Employees
Unrepresented Mid-Management Group C-2 Employees
Pomona City Employees' Association, a Chapter of Teamsters Local 1932
Pomona Mid-Management Confidential Employees Association (PMMCEA)
Pomona Police Officers Association (PPOA)
Pomona Police Managers Association (PPMA)

Labor Negotiators: Linda Lowry and Linda Matthews

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

Title: City Attorney

RECESS

7:00 P.M.

CALL TO ORDER

The City Council meeting was called to order at 7:01 p.m.

CLOSED SESSION REPORT

Interim City Attorney Christi Hogin stated that the City Council had convened into Closed Session at 5:32 p.m. and that the items listed on the agenda had been announced before convening into Closed Session and reported the following:

Each of the items listed on the agenda was discussed, Interim City Attorney Hogin stated she was not present for the discussion on Item C, and there was no reportable action on any of the items.

PLEDGE OF ALLEGIANCE

Mayor Sandoval led the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

PRESENTATIONS

- A.** Recognition of Pomona Resident Ernesto "Tito" Mercado, USA Boxing Men's Youth Champion, now part of Team USA's Boxing Team for the 2020 Olympics

Ernesto Tito Mercado was not present at the time; therefore the City Council postponed the certification recognition presentation.

B. Recognition of Retiring Executive Director of House of Ruth, Sue Aebischer

At this time the City Council presented a Certificate of Recognition to Ms. Sue Aebischer.

Ms. Aebischer thanked the City Council for the partnership with the City.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Garcia informed that through collaboration with the City of Pomona, Pomona Valley Medical Center Hospital, Day One, and Pomona Valley Runners, the First Annual Women's Heart Health Walk would be held outside of the Robert and Beverly Lewis Outpatient Pavilion on February 1, 2019 at 5:30 p.m.; she invited everyone to join in on the event.

Councilmember Gonzalez announced he would be attending the League of California Cities conference; he assisted with the Sound the Alarm event where hundreds of smoke alarms were installed in the neighborhood surrounding Kennedy Park.

Councilmember Preciado announced a District 2 meetup on Saturday February 9, 2019 and asked that those interested in attending reach out to him for more information.

Councilmember Ontiveros-Cole reported on her District 4 Community Meeting the residents were given firsthand information regarding the community.

Councilmember Torres expressed his thanks to the Mayor and Councilmembers that attended the Senior Health Fair where several services were provided to the senior citizens.

Councilmember Lustro informed he attended the ribbon cutting for the new student services building at Cal Poly Pomona and spoke about partnering with the university.

CITY MANAGER COMMUNICATIONS

At this time, Mayor Sandoval and Vice Mayor Gonzalez presented a Certificate of Recognition to Pomona Resident Ernesto "Tito" Mercado.

City Manager Linda Lowry informed the City Council that Habib Balian, Chief Executive Officer of the Foothill Gold Line, was present to give a brief presentation and update on the construction and expansion of the Foothill Gold Line.

Mr. Balian provided the City Council with a presentation and update on the construction and expansion of the Gold Line.

PUBLIC PARTICIPATION

Orlando Arias-Pulido, Marshall Middle School, invited the City Council to Career Day at Marshall Middle on February 8, 2019 at 8:45 a.m.

Andrea Edwards, Pomona, expressed her concern over Valley Boulevard and Holt Avenue regarding the potholes in the area specifically Ridgeway Street and Valley Avenue.

Deborah Clifford. Pomona Valley Historical Society spoke on John Bowers whom emigrated from Germany with his parents and is buried in the Spadra Cemetery.

Ion Puschilla, Pomona, expressed his disappointment over the City's website and requested that the City create a more user-friendly website.

Elodia Gallardo, Pomona, spoke on an issue of being overcharged \$20 every month by the water company for over twelve years and requested that the City issue her a refund.

City Manager Linda Lowry explained to the City Council that the City is only authorized to issue a refund up to twelve months and anything greater than twelve months would be brought to the City Council to authorize a greater refund than the City Ordinance allows.

Mayor Sandoval informed that he would discuss the situation further with the City Manager and upon receiving background information they could provide Ms. Gallardo with more information.

Fabian Pavon, Pomona, invited the City Council to an Ethnic Studies forum on Thursday Jan 31, 2019 at 6:30 p.m., at the PUSD Education Boardroom.

John Mckeller, Just Us 4 Youth, spoke on the organization's service to fifteen Pomona Unified School District campuses on conflict mediation with at risk students.

Selena Pacheco, Community Partner for Grid Alternative, spoke on green and renewable technology available to residents in Pomona.

Jesus Sanchez, Gente Organizada, spoke on the Christian Aguilar incident and requested that the Council take disciplinary action against the officers that were involved.

Interim City Attorney Christi Hogin commented that it was important for the Council to hear from the community regarding the matter; however, because it was still under investigation she could not comment further.

Arturo Jimenez, Pomona, commented that it was a breath of fresh air to hear the tone of the interim city attorney. He also spoke on the importance to look at proper GIS investments for the City. Geographic Information Systems. Provides meaningful transparency.

People should be able to understand the information provided to them.

Elinor Crescenzi, Pomona, expressed her gratitude to the City Council for engaging in listening to the community and bringing the work of the community of the city to the table.

Randy Beckendam spoke on Pomona Reawakening and Compassionate Cities

Benjamin Woods spoke on the court case for the officers involved in the Christian Aguilar incident and stated that they were not indicted.

Dwight Richards, Fairplex, provided the City Council with an update on the events happening at the Fairplex.

CONSENT CALENDAR

1. Adopt a Resolution in Support of Zero Waste

RESOLUTION 2019-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, IN SUPPORT OF AN ENVIRONMENTALLY AND COMMUNITY ORIENTED ZERO WASTE PLAN AND IMPLEMENTATION OF POMONA'S ZERO WASTE INITIATIVES

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-08 in support of Zero Waste.

2. Receive and File Report Required by City Ordinance No. 4244 Relative to California Values Act (SB54)

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to receive a status report on implementation of and compliance with City of Pomona Ordinance No. 4244 and the State of California Values Act (SB 54).

3. Approval of Sole-Source Sixth Amendment for Professional Services with Urban Crossroads, Inc. in the Amount of \$57,800 for Consultant Specialty Traffic Review Services Related to Gold Line

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to Approve a sole-source sixth amendment for professional services in the amount \$57,800 with Urban Crossroads, Inc. for specialty review services related to Gold Line; and Authorize the City Manager to execute the necessary documents to implement the above action, subject to review by the City Attorney.

4. Award an Extension of a Current Agreement with Urban Graffiti Enterprises, Inc. for Six Months in the Amount Not to Exceed \$57,780 for the Bus Stop Maintenance Program

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to Approve an extension of a current agreement with Urban Graffiti Enterprises, Inc. in the amount not-to-exceed \$57,780 for the bus stop maintenance program and additional related services; and Authorize the City Manager to execute the extension to the contract on behalf of the City, subject to review by the City Attorney.

5. Award Bid Number 2018-17 for Citywide Property Clean Up and Board Up Services to SCS Services (SCS) for an Initial Term of Three-Years, with Two, One-Year Extension Options, at Prices Bid

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to award Bid No. 2018-17 to SCS for an initial three-year term, with two, one-year extension options, for citywide property clean up and board up services at prices bid; authorize annual CPI increases upon staff's review and approval; and authorize the City Manager to execute agreements, when determined applicable, and any extensions thereto, subject to review by the City Attorney.

6. Second Reading and Adoption of Ordinance No. 4255 Amending Chapter 58 of the Pomona City Code to Modify Truck Route Designations; and Adoption of a Resolution Making a Finding of General Plan Conformity

ORDINANCE NO. 4255

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING SECTION 58-294 OF THE POMONA CITY CODE PERTAINING TO TRUCK ROUTE DESIGNATIONS

RESOLUTION NO. 2019-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA MAKING A FINDING OF GENERAL PLAN CONFORMITY FOR THE PROPOSED AMENDMENT OF THE POMONA CITY CODE (SECTION 58-294) PERTAINING TO TRUCK ROUTE DESIGNATIONS

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to Adopt, at second reading, Ordinance No. 4255 (Attachment 1) amending Chapter 58 of the Pomona City Code regarding designated truck routes in the City; and Adopt Resolution No. 2019-09 making a finding of General Plan conformity for amending Chapter 58 of the Pomona City Code.

7. Approval of a Revocable License for Community Garden on City Owned Property Located on South Buena Vista Avenue (APN 8349-026-902) - Council District 2

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, APPROVING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND ADMINISTER, A LICENSE AGREEMENT WITH THE CENTER FOR COMMUNITY ACTION AND

ENVIRONMENTAL JUSTICE

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019- approving a Revocable License (License) by and between the City of Pomona (City) and Center for Community Action and Environmental Justice (Licensee) that will provide for the Licensee to utilize City owned property (APN 8349-026-902) for an urban gardening use.

8. Authorize a Sole Source Purchase Order to Helicopter Engine Repair Overhaul Services (HEROS) for Emergency Engine Repairs to the Police Department's Helicopter in an Amount Not to Exceed \$30,450

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to authorize a sole source purchase order to Helicopter Engine Repair Overhaul Services (HEROS) for emergency engine repairs to the Police Department's helicopter in an amount not to exceed \$30,450.

9. Approve a Month-to-Month Contract Extension Amendment to All City Management Services for Crossing Guard Services for Approximately \$24,719 Per Month

Arturo Jimenez, Pomona, informed that he was advocating on behalf of Montvue Elementary and that he felt a crossing guard was necessary to have at that location, and thanked the City Council for considering the school.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to Approve a Month-to-Month Contract Extension Amendment to All City Management Services for Crossing Guard Services for Approximately \$24,719 Per Month.

10. Adjustment of Authorized Staffing Levels in the Fiscal Year 2018/19 Operating Budget by the Addition of One (1) Housing Analyst and Reclassification of One (1) Parks Maintenance Specialist to Facilities Maintenance Technician

RESOLUTION NO. 2019 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING AUTHORIZED STAFFING LEVELS IN THE FISCAL YEAR 2018/19 ADOPTED OPERATING BUDGET BY ADDING ONE (1) HOUSING ANALYST AND RECLASSIFYING ONE (1) PARKS MAINTENANCE SPECIALIST TO FACILITIES MAINTENANCE TECHNICIAN

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-11, amending authorized staffing levels in the Fiscal Year 2018/19 Adopted Operating Budget.

DISCUSSION CALENDAR

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

A) Amount to be determined to the Pomona American Little League in support of the

purchase of uniforms and equipment - Requested Amount: TBD

B) Amount to be determined to the Pomona Community Foundation in support of Youth Music, Arts, and Sports Programming - Requested Amount: TBD

C) Amount to be determined in support of the Kiwanis Park Community Group's purchase of trees and other enhancements for Kiwanis Park - Requested Amount: TBD

D) Amount to be determined in support of the St. Joseph Catholic Church's stage rental and banner display fees for their annual church fiesta - Requested Amount: TBD

F) Amount to be determined to the Latino/a Educational Association of Pomona, Inc. in support of food for participants of the Latino Family Symposium 2019 - Requested Amount: TBD

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, Approving the expenditures recommended and make the finding that the community at large will receive a public benefit from the expenditure of funds for recommended items A through F; and, Receive and file the recap of final funding amounts for previously approved projects/activities.

- 12.** Direction to Staff to Issue Required Public Hearing Notices Regarding Proposed Rate Increases/Adjustments to Water, Sewer, and Recycled Water Rates to Property Owners and Utility Customers

Water Resources Director Darron Poulsen along with Steve Gagnon from Raftelis, and Water Resources Manager Chris Diggs, provided a presentation to the City Council.

Councilmember Lustro commented that the presentation was well received by the residents; he was pleased to see how the City of Pomona's rates compares to surrounding cities and that the rates are low in comparison. He thanked Water Resources Director Darron Poulsen for his preparation of this process.

Vice Mayor Gonzalez acknowledged that the rate increase had been a topic of discussion for some time and that he trusted in Water Resources Director Darron Poulsen.

Mayor Sandoval inquired and Water Resources Director Darron Poulsen informed that the community will have an opportunity to provide input at the public hearings.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, directing staff to issue the required water, sewer, and recycled water public hearing notices to the City property owners and utility customers for the proposed rate increases.

- 12A.** Discussion on Regulating Commercial Cannabis Businesses and Direction Regarding Draft Ordinance and Related Policies Interim City Attorney Christi Hogin provided a presentation to the City Council.

The City Council directed City Manager Linda Lowry and Interim City Attorney Christi Hogin to work together along with pertinent Staff members to draft a conservative Cannabis Ordinance relying on the City of Santa Barbara's model, and to look for any gaps that the City of Santa Barbara may have not included to ensure that important points are not overlooked.

PUBLIC HEARINGS

13. Adopt a Resolution Amending the Consolidated Plan, the Fiscal year (FY) 2018-2019 Annual Action Plan and the FY 2018-2019 City Operating Budget by Reallocating Budgeted Funds and Appropriating Additional Community Development Block Grant (CDBG) Funds, HOME Investment Partnership Act (HOME) Program Funds, Emergency Solutions Grant (ESG) Funds and Cal HOME Funds.

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, APPROVING AN AMENDMENT to the Consolidated Plan, the Fiscal year (FY) 2018-2019 Annual Action Plan AND the FY 2018-2019 City Operating Budget by reallocating \$500,000 in HOME PROGRAM funds and appropriating an additional \$390,534 in Community Development Block Grant (CDBG) Funds, \$74,719 in CDBG Program Income Funds, \$5,000 in HOME Investment Partnership Act (HOME) Program Funds, \$23,906 in HOME Program Income Funds, \$538 in Emergency Solutions Grant (ESG) Funds and \$48,794 in Cal HOME Funds.

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

There were no public speakers present.

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

Councilmember Ontiveros-Cole inquired and Neighborhood Services Director Benita DeFrank informed that the figures from District 4 in the schedule reflect balances that were left over and they cannot be used for public service, but can roll the balance for citywide projects that are rolling over and that it was an allocation of funds from the 2017-18 Fiscal Year.

At this time, Mayor Sandoval acknowledged Finance Director Onyx Jones for her professionalism, love, and passion during her time at the City of Pomona. He wished her well on her future endeavors as the Chief Financial Officer City of Culver City.

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, adopting Resolution No. 2019-12 amending the Consolidated Plan, the Fiscal year (FY) 2018-2019 Annual Action Plan and the FY 2018-2019 City Operating Budget by reallocating \$500,000 in HOME funds among different eligible projects and appropriating an additional \$390,534 in Community Development Block Grant (CDBG) Funds, \$74,719 in CDBG Program Income Funds, \$5,000 in HOME Investment Partnership Act (HOME) Program Funds, \$23,906 in HOME Program Income Funds, \$538 in Emergency Solutions Grant (ESG) Funds and \$48,794 in Cal HOME Funds.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Torres requested that the police department provide extra patrol at the apartment complex located on Bangor and La Verne; he informed that he had received several requests from residents regarding loitering in the alley.

Councilmember Ontiveros-Cole spoke on her concerns regarding the lack of crossing guards at the schools and her concern for the trees in the City and requested that together with the Historic Preservation Commission they work towards revisiting the tree Ordinance.

Mayor Sandoval commented that there is a cost with every school wanted a crossing cross and providing one to every school means cutting funds from somewhere else; regarding the trees he questioned what impact there would be requiring that every tree have a permit to cut it down. He expressed the need for due diligence before revising the tree ordinance.

Councilmember Ontiveros informed that it would only pertain to trees that are 7500 hundred years old.

Councilmember Garcia spoke on the safety of students and children on city streets and her concern over drivers speeding in residential streets she inquired whether speeding stings could be held and add police enforcement; she also requested that the City Manager have the crossing guard needs reviewed since the last review was done in 2015.

Councilmember Preciado requested that if speed education points were implemented he would like to be advised to inform the neighborhood.

Councilmember Gonzalez commented that former Police Chief Capraro opted to get body cameras for all officers to prevent further incidents like what happened at the L.A. County Fair and expressed that the City is progressing when with civil rights.

Councilmember Lustro requested information on how the City can commence the process for notifying retailers that are out of compliance when it comes to their shopping carts.

Councilmember Torres stated that the City Council and the City Manager can submit a request to the Board of Education for their assistance to help pay for crossing guards. He also expressed his concern regarding tree permits and commented that if the City has granted permission to the residents, the residents should be allowed to cut or trim the tree.

Mayor Sandoval expressed that it would be valuable to have the Commissions present quarterly to the City Council which would give the City Council an opportunity to provide input; he also requested a time frame as to when the Rental Inspection Ordinance and Tobacco Ordinance can be brought back to the City Council; he also requested that a goal setting retreat be scheduled in February for the City Council.

ADJOURNMENT

The City Council meeting was adjourned at 9:19 p.m. on Monday, January 28, 2019.

Respectfully submitted,

ATTEST:

ROSALIA BUTLER, MMC
City Clerk/Secretary of the Pomona
Housing Authority/Successor Agency to the
Agency to the Redevelopment Agency

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