



# City of Pomona

505 S. Garey Ave  
Pomona, CA 91766

## Special 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.*

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Wednesday, December 12, 2018

6:00 PM

Council Chambers

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**6:00 P.M.**

#### **CALL TO ORDER**

The Special City Council Meeting was called to order at 6:00 p.m.

#### **ROLL CALL**

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

#### **STAFF PRESENT:**

Linda Lowry, City Manager  
Christi Hogin, Interim City Attorney  
Rosalia A. Butler, City Clerk  
Genoveva Rocha, Deputy City Clerk

#### **PLEDGE OF ALLEGIANCE**

Councilmember Torres led the Pledge of Allegiance.

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## **PUBLIC PARTICIPATION**

No speakers.

## **DISCUSSION CALENDAR**

Mayor Sandoval asked for a motion by the City Council to have Item No. 3 be heard first. Councilmember Torres motioned and Councilmember Ontiveros-Cole seconded to have Item No. 3 be considered first. Motion was carried by a 7-0 vote.

### **3. Receive Verbal Update on Fairplex Agreement Related to the F-Zone**

City Manager Lowry gave a verbal update on Discussion Item No. 3.

President and CEO of Fairplex, Miguel Santana, shared his excitement on the completion of the proposed Fairplex Agreement.

After a discussion among the City Manager and City Council, Mayor Sandoval requested to move on to the next agenda item.

### **1. Discussion of Elements to be Included in a Draft Ordinance to Regulate Sidewalk Vending in Light of SB946**

City Manager Lowry shared with the City Council about the community meetings that were held regarding the regulation of sidewalk vending and state legislation SB 946 and the outcome of these meetings. Ms. Lowry also expressed to the Council that the staff report presented to them was to inform them of the issues related to sidewalk vending which they could review and discuss with their constituents.

Councilmember Garcia asked how the City could assist sidewalk vendors from being exploited in how much they were paid in the course of doing their job.

Interim City Attorney Hogin stated that the City could have a permit requirement so that rights of sidewalk vendors were not exploited.

Councilmember Ontiveros-Cole expressed her concerns regarding sidewalk vendors coming from other areas and not specifically from within the city of Pomona. Ms. Ontiveros-Cole also asked about the outcome of community meetings regarding sidewalk vending. She also shared her concern on sanitation issues pertaining to sidewalk vending.

Councilmember Gonzalez shared research about how the City of Los Angeles was handling sidewalk vendors and asked that staff review ordinances that were adopted by the cities of Los Angeles and Santa Ana before moving forward with a proposed ordinance for Pomona. He also requested that the City look into outside vending of current restaurants doing business in Pomona.

Councilmember Lustro also agreed that the City should review the ordinance from the City of Los Angeles before crafting a proposed ordinance. Mr. Lustro asked if the City could ask an applicant applying for a sidewalk vending permit how they plan on dealing with trash disposal and also sanitation items such as restroom breaks.

Interim City Attorney Hogin shared that the City had the right to ask those questions of prospective applicants.

Speaker Jim Sambrano, attorney with the Latino Round Table, thanked the Mayor and Councilmembers for reaching out to the community on the issue of sidewalk vending and indicated that the City take its time in executing this proposed ordinance. Mr. Sambrano spoke on the costs pertaining to obtaining a sidewalk vending permit and also fines associated with the proposed sidewalk vending ordinance.

Speaker, Ben Wood, congratulated new Councilmembers and City staff on their new positions. Mr. Wood shared his concerns regarding the issue of sidewalk vending and asked for an amnesty program for those vendors who have been issued tickets and fines/infractions. He also requested for healthy snacks to be incorporated into the process of sidewalk vending.

Speaker, Elinor Cresenzi, shared ideas on equitable policy and shared a draft ordinance for the Council to review that she had completed.

Speaker, Robert Arnous, representing the Chamber of Commerce of Pomona, indicated that more education was needed for businesses and individuals who are interested in sidewalk vending and shared that they are in support of decisions that the Mayor and Council will make regarding sidewalk vending.

## **2. Discussion on Consideration of an Ordinance to Regulate Commercial Cannabis Businesses and Further Council Direction on a Draft Ordinance and Related Policies**

City Manager Lowry gave an overview on item and shared with the Council that there were maps being distributed to them regarding the proposed land use of cannabis within the City.

Interim City Attorney Hogin shared that due to the change in State law, individuals were able to personally cultivate up to six marijuana plants and that Council should keep this in mind as they review the maps distributed to them and if they would like to have this type of cultivation permitted within the City.

Mayor Sandoval shared that the previous Council voted that individuals could only grow marijuana plants indoors and not outdoors.

Interim City Attorney Hogin spoke on the issues with indoor and outdoor cultivation and the environmental impacts with outdoor cultivation and also shared on the issues with retail and delivery of cannabis.

Speaker, Chris Egger, director of public affairs for a company called Cannabis Partners, indicated that the Council should be looking for applicants that are wanting to get to know the community and are transparent and use best practices.

Councilmember Garcia asked about the delivery of cannabis within the City.

Interim City Attorney Hogin that the non-delivery of cannabis is hard to enforce.

Councilmember Torres inquired on when this particular item would be coming to Council for further discussion.

Mayor Sandoval indicated that he wanted the draft ordinance to come back to Council as soon as possible.

City Manager Lowry stated that if Council and City Attorney had no reservations or issues with the proposed draft ordinance given to the Council for review, it would be brought forth to the Council for approval.

Mayor Sandoval shared that he wanted the City to look into how the City of Santa Barbara handled the process of cannabis in their city and how their ordinance was crafted. Mayor Sandoval requested for staff to complete a draft ordinance for Council to review at a January 2019 Council meeting.

Councilmember Gonzalez spoke on the number of illegal cannabis dispensaries within the City and shared that the legal dispensaries will be allies with the City to close down illegal dispensaries.

Councilmember Garcia commented that she had items on the draft ordinance that should would like to review and asked that the draft ordinance be revisited.

Councilmember Torres repeated that the draft ordinance would be available for Council review in January 2019.

## **ADJOURNMENT**

Mayor Sandoval motioned and Councilmember Ontiveros-Cole seconded to adjourn the Special City Council Meeting at 7:07 p.m.

Respectfully submitted,

ATTEST:

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

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