



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, December 17, 2018

7:00 PM

Council Chambers

5:30 P.M. City Council Conference Room

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

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

Chino Basin Municipal Water District v. City of Chino, et al.; Case No. RCVRS 51010

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Interim City Attorney Christi Hogan reported that the City Council had convened into Closed Session at 6:00 p.m. and that Council took no reportable action on Item A.

7:00 P.M. Council Chambers

CALL TO ORDER

Mayor Sandoval called the City Council Meeting 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 Lustro
Councilmember Robert Torres

STAFF PRESENT:

Linda Lowry, City Manager
Christi Hogan, Interim City Attorney
Rosalia Butler, City Clerk
Genoveva Rocha, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Member of the American G.I. Forum of California, Howard Hernandez, led the Pledge of Allegiance.

MAYOR/COUNCILMEMBER COMMUNICATIONS

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

Councilmember Ontiveros-Cole spoke on the success of the Santa Cop Toy Drive and toy drive event at Victory Outreach.

Councilmember Gonzalez spoke on the Council's attendance to the following various City events: Padua Hills Theatre event, Millard Sheets Panels event, Holiday at the Plaza Christmas Parade, Metro Gold Line Meeting, Cesar Chavez Park community event, Grand Opening of "La Cachanilla Market," Showing of the film "Don't Worry He Won't Get Far on Foot" presented by the Pomona Valley Film Society.

Councilmember Garcia thanked the Pomona American Little League for their donation of toys to District 3.

Councilmember Lustro spoke on his participation in the Pomona Christmas Parade and also shared that he had attended the Pomona Police Department's Volunteer Luncheon. He also shared that he had attended the Santa Cop Toy Drive event.

Councilmember Torres thanked Mayor Sandoval for the invitation to join his clean-up crew where he assisted in cleaning up various locations within the City. He also expressed his enjoyment in being part of the Pomona Christmas Parade. He also shared that he would be hosting his 2nd Annual Toy Drive.

Mayor Sandoval thanked the community for all the various events occurring within the City. He also acknowledged Councilmember Garcia and Councilmember Lustro for their service as city commissioners.

Councilmember Preciado recognized the various community members who help in make a difference in the City.

Councilmember Ontiveros-Cole spoke on the new homeless shelter built in the City and her attendance at the HEROS Award event.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry commended the City Councilmembers in their volunteering efforts of serving meals at the Hope for Home homeless shelter.

PUBLIC PARTICIPATION

Douglas Pierce spoke on the migration of people to the United States.

Howard Hernandez spoke on concerns he had with respect to medical care and other services for veterans within the community.

Brenda Morris spoke on her concerns regarding the Fairplex RV Park and asked Council to review the affordable rental covenant and also asked for Council's overall support and assistance.

Brian Schindler asked the Council to review the rental covenant for the Fairplex RV Park because he indicated that the Fairplex was not in compliance with the rental covenant.

Irene Hansen spoke on her concern with invoices received of fines sent by the Pomona Police Department for false alarms.

Orlando Arias asked the City Council to add more left hand turn signals at Orange Grove at Dudley, White and Hamilton.

Bob Cruz, Public Affairs Manager for Southern California Gas Co., spoke on the issue of the State of California wanting to electrify all buildings, including homes, and the cost in retrofitting buildings to become all electrical based.

Kyle Brown, member of Clean and Green Pomona, spoke on the truck routes located within the City and asked City staff for an update and asked the City Council to place this item on the next agenda.

Damiana Aldana, member of Clean and Green Pomona, also requested that the City Council add the item of truck routes to the City Council's next agenda.

Daniel Valles shared with the Council that he would like to open a cannabis business within the City of Pomona.

Tammy Roush gave an update on events occurring at the Fairplex and events that the Fairplex is associated with.

Randy Bekenham spoke on his concern regarding homelessness and hunger and what can be done to assist with these social issues and encouraged the Council to think creatively with respect to these issues.

Michael Webb congratulated the City Council on taking on the challenges within the City. Mr. Webb also spoke about an individual in the City who is running his own private tow company and charging residents for this service along with storage fees. He asked the City Council to look into this private tow company and their business license.

CONSENT CALENDAR

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to approve the Consent Calendar except for Item No.'s 1, 3, 5, 7, 14 & 19 which were pulled for discussion and voted on separately. Motion carried by a vote of 7-0.

1. Approval of Draft Minutes for June 18, 2018 and December 3, 2018

Councilmember Lustro pulled Item No. 1 and requested to abstain from voting on this item along with Councilmember Garcia.

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to approve the draft minutes for June 18, 2018 and December 3, 2018. Motion carried by a vote of 5-0 with Councilmembers Garcia and Lustro abstaining.

2. Adoption of a Resolution Approving Lot Merger LM1-2018 for Remodeling of an Existing Commercial Property (La Cachanilla 5 Market) and Parking Lot Located at 1135-1157 N. White Avenue, Pomona, CA (Council District 1)

RESOLUTION NO. 2018-167

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM1-2018 OF A PORTION OF LOT 20, BLOCK C OF GANESHA PARK TRACT RECORDED IN BOOK 14, PAGES 74 AND 75 OF MAPS AND A PORTION OF LOT 5 OF TRACT NO. 7957 RECORDED IN BOOK 91 PAGE 37 OF MAPS, COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8340-006-037 AND -035, FOR REMODELING OF AN EXISTING COMMERCIAL PROPERTY AND PARKING LOT LOCATED AT 1135-1157 N. WHITE AVENUE, POMONA, CA

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-167. Motion carried by a vote of 7-0.

3. Adopt a Resolution Amending the 2018-19 Capital Improvement Program (CIP) Budgets by Reappropriating Various Funding Sources Between Eight Park Projects Included in the Los Angeles County Regional Open Space District (LACROPSD) Grant and Closing Completed/Cancelled Projects and Unappropriating Unexpended Funds in the Amount of \$506,480

RESOLUTION NO. 2018-168

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY REAPPROPRIATING \$1,852,043 OF VARIOUS FUNDING SOURCES BETWEEN EIGHT PARK PROJECTS INCLUDED IN THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT (LACRPOSD) AND AMENDING THE FY 2018-2019 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY CLOSING COMPLETED/CANCELLED PROJECTS AND UNAPPROPRIATING \$506,480 OF UNEXPENDED PROJECT FUNDS FROM VARIOUS STREET, TRAFFIC AND PARK FACILITY PROJECTS

Councilmember Ontiveros-Cole pulled Item No. 3 and inquired on the outcome of the remaining amount of the state grant that was left.

Public Works Director Meg McWade stated that the remaining amount was not available for re-appropriation and indicated that the amount was not related to the parks project.

A motion was made by Councilmember Torres and seconded by Councilmember Garcia, to adopt Resolution No. 2018-168. Motion carried by a vote of 7-0.

4. Approve the Requirement to Obtain a Los Angeles County Permit, to Comply with the County Health Code and California Retail Food Code (Cal Code), as Part of the Process for City of Pomona Special Event Applicants Who Are Serving Food to the Public

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to approve the requirement to obtain a Los Angeles County Permit, to comply with the County Health Code and California Retail Food Code (Cal Code), as part of the process for City of Pomona special event applicants who are serving food to the public. Motion carried by a vote of 7-0.

5. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Program (CIP) Budget by Appropriating \$20,000 from District 4 Discretionary Carryover Fund (No. 418-72104) to Create "Median Improvements - Towne Avenue and McKinley Avenue," Project 67926

RESOLUTION NO. 2018-169

A RESOLUTION OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET TO CREATE A NEW CIP PROJECT, "MEDIAN IMPROVEMENTS - TOWNE AVENUE AND MCKINLEY AVENUE," PROJECT NO. 428-2590-XXXXX-67926, AND APPROPRIATING \$20,000 FROM DISTRICT 4 DISCRETIONARY FUND BALANCE

Councilmember Ontiveros-Cole pulled Item No. 5.

The following speakers spoke in support of Item No. 5:

Kristen Erickson
Kevin Swartzlander
Ashley Swartzlander
Steve Lewis (Did not speak.)
Justin Grennan

The following speakers spoke in opposition of Item No. 5:

Julio Hernandez
Joahana R. Hernandez
Linda Hernandez

Councilmember Garcia expressed her concern with the closing of the median on Towne Avenue and McKinley Avenue and asked staff if it was possible to add left hand turn pockets.

City Engineer, Rene Guerrero, indicated that the area was not designed for such

pockets and also there was high costs to be considered.

Councilmember Ontiveros-Cole shared her concerns and made a motion to move forward and approve item.

Councilmember Gonzalez shared that he would like to see a cul-de-sac in the area being discussed indicated that he would be supporting item.

Councilmember Garcia stated that a solution for the speeding on Towne Avenue was needed.

A motion was made by Councilmember Ontiveros-Cole and seconded by Councilmember Gonzalez, to adopt Resolution No. 2018-169. Motion carried by a vote of 7-0.

6. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Budget to Reallocate CIP Project Appropriations in the Combined Amount of \$289,634 to Fund CIP Project, "ADA Compliance Program - Curb Ramps, Sidewalks, and Public Facilities/Structure - Citywide [Phase III: ADA Transition Plan]" Project No 428-2590-XXXXX-81055 and Approve a Professional Services Agreement with Owen Group, Inc. in the Amount Not-to-Exceed \$600,000 to Owen Group, Inc. to Draft the Compliance Plan

RESOLUTION 2018-170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 CAPITAL IMPROVEMENT BUDGET TO REALLOCATE CIP PROJECT APPROPRIATIONS IN THE COMBINED AMOUNT OF \$289,634 TO FUND CIP PROJECT, "ADA COMPLIANCE PROGRAM - CURB RAMPS, SIDEWALKS, AND PUBLIC FACILITIES/STRUCTURE - CITYWIDE [PHASE III: ADA TRANSITION PLAN]" PROJECT NO 428-2590-XXXXX-81055

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-170. Motion carried by a vote of 7-0.

7. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Program (CIP) Budget by Appropriating \$12,100 to "City Hall First Floor Remodel", CIP Project No. 428-2590-XXXXX-74115; Approve an Amendment to the Agreement with National Relocation Services (NRS) in the amount of \$39,145.87 to Sole Source Office Space Planning, Furniture and Installation

RESOLUTION 2018-171

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING

THE FY 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$12,100 OF GENERAL FUND BUDGET TO THE CITY HALL FIRST FLOOR REMODEL” PROJECT NO. 428-2590-XXXXX-74115

Councilmember Garcia pulled Item No. 7 and asked that the repairs to the library roof be addressed as soon as possible. She also asked why carpet was to be installed and not linoleum due to high traffic.

Public Works Director McWade indicated that carpet was chosen due to ease of maintenance and the type of carpet selected could withstand a high volume of traffic.

Mayor Sandoval inquired on the reason why the first floor of City Hall was to be remodeled.

Finance Director, Onyx Jones, shared that due to the Mayor’s request during his first one-hundred days as Mayor to make the first floor of City Hall more customer friendly with regard to having customers only having to stand in one line to make payments and have questions answered, and also to make City Hall ADA compliant, city staff moved forward with the reorganization of the first floor.

A motion was made by Councilmember Garcia and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-171. Motion carried by a vote of 7-0.

8. Adopt a Resolution Amending the FY 2018-19 Public Works Operating Budget to Reflect Carryover Funds in the Amount of \$92,700 for Asphalt Material Patch Truck Conversion

RESOLUTION NO. 2018-172

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-19 PUBLIC WORKS OPERATING BUDGET BY RE-APPROPRIATING \$92,700 TO THE TRANSPORTATION FUNDS 208-250-52425-00000, 138-2520-52425-0000, 206-2520-52425-00000 FOR THE CONVERSION OF A HEAVY DUTY TRUCK INTO AN ASPHALT MATERIAL PATCH TRUCK PREVIOUSLY AUTHORIZED IN FISCAL YEAR 2017-18

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-172. Motion carried by a vote of 7-0.

9. To receive and file the City of Pomona Report on Development Impact Fees for Fiscal Year Ended June 30, 2018.

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to receive and file the City of Pomona Report on Development

Impact Fees for Fiscal Year Ended June 30, 2018. Motion carried by a vote of 7-0.

10. Adopt a Resolution Amending the FY 2018-19 Capital Improvement Program (CIP) Budget for "Financial Software Project," Project No. 428-2590-XXXXX-71048 by Appropriating \$26,604 from Series "BG" Bond Funds; Authorize City Manager to Execute a Contract with High Line Corporation to Upgrade and Implement Human Resources, Payroll and Timekeeping Software Program and Cancel Contract with Personnel Data Systems Inc. (PDS)

RESOLUTION NO. 2018-173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE 2018-19 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$26,604 IN SERIES "BG" BOND FUNDS FOR "FINANCIAL

SOFTWARE PROJECT" PROJECT NO. 428-2590-XXXXX-71048

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-173. Motion carried by a vote of 7-0.

11. Resolution Authorizing the Pomona Housing Authority to Submit an Application to the Department of Housing and Urban Development to Request Admission to the Moving to Work Demonstration Program for Fiscal Year 2019

RESOLUTION 2018 NO. 2018-174

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, SITTING AS THE GOVERNING BOARD FOR THE POMONA HOUSING AUTHORITY, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUESTING ADMISSION TO THE MOVING TO WORK DEMONSTRATION PROGRAM FOR FISCAL YEAR 2019

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-174. Motion carried by a vote of 7-0.

12. Adoption of a Resolution Accepting the 2018 Bureau of Justice Assistance (BJA) Bulletproof Vest Partnership (BVP) Program Grant in the Amount of \$25,334, Amending the FY 2018-19 Police Department Appropriations and Resources in the Amount of the Grant and Approving a Sole Source Purchase to Safariland Utilizing the Mallory Safety & Supply Cooperative Agreement, Contract No. 4400008468

RESOLUTION NO. 2018-175

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,

ACCEPTING THE U.S. DEPARTMENT OF JUSTICE'S (DOJ) BULLETPROOF VEST PARTNERSHIP (BVP) GRANT IN THE AMOUNT OF \$25,334 AND AMENDING THE FY 2018-19 POLICE DEPARTMENT APPROPRIATIONS AND RESOURCES IN THE AMOUNT OF THE GRANT

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-175. Motion carried by a vote of 7-0.

13. Adoption of a Resolution Accepting the U.S. Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) FY 2017 Local Solicitation Award in the Amount of \$60,778, Amending the FY 2018-19 Grants Revenue Budget and Approving the Police Department's Proposed Expenditure Plan

RESOLUTION NO. 2018-176

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA ACCEPTING THE \$60,778 IN U.S. DEPARTMENT OF JUSTICE (DOJ) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FY 2017 LOCAL SOLICITATION AWARD FUNDS, AMENDING THE FY 2018-19 GRANT REVENUE BUDGET AND APPROVING THE POLICE DEPARTMENT'S EXPENDITURE PLAN

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-176. Motion carried by a vote of 7-0.

14. Award of Bid to American Guard Services, Inc. for Crossing Guard Services at Hourly Prices Bid for Three (3) Years with Two (2), One-Year Extension Options

Finance Director Jones explained the bidding process for this contract.

Mayor Sandoval pulled Item No. 14 and requested that this item be continued so that staff could do more research on the contractor being considered.

Councilmember Torres asked if the contract for crossing guard services was applicable to all schools in Pomona.

Police Chief Mike Olivieri explained that crossing guard services were to be provided pursuant to the priority of each school that was in great need of these services.

Councilmember Torres requested a list of priority schools in his district for crossing guard services.

Councilmember Garcia also indicated that there were other schools that also required crossing guard services.

A motion was made by Mayor Sandoval and seconded by Councilmember Ontiveros-Cole, to continue Item No. 14 to the first meeting in January 2019. Motion carried by a vote of 7-0.

- 15.** Approve the Police Department Entering into a Modified Memorandum of Understanding (MOU) with Los Angeles County's Taskforce for Regional Autotheft Prevention (TRAP) and Adopt a Resolution Amending the Adopted FY 2018-19 Police Revenue and Operating Budgets by \$290,000 to Increase Sworn Authorized Staffing to Include One (1) Additional New Police Investigator Position

RESOLUTION NO. 2018-177

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE ADOPTED FY 2018-19 POLICE REVENUE AND OPERATING BUDGETS BY \$290,000 TO INCREASE SWORN AUTHORIZED STAFFING TO

INCLUDE ONE (1) ADDITIONAL NEW POLICE INVESTIGATOR POSITION

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-177. Motion carried by a vote of 7-0.

- 16.** Approval of a Contract Amendment to the Professional Services Agreement with Tierra West Advisors for Economic and Feasibility Services Pertaining to the Downtown Parking Structure and Maya Cinema Projects, in the Amount of \$25,000

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to approve a contract amendment to the Professional Services Agreement with Tierra Wes Advisors for Economic and Feasibility Services pertaining to the Downtown Structure and Maya Cinema Projects, in the amount of \$25,000. Motion carried by a vote of 7-0.

- 17.** Modify Special Legal Counsel Panel by Adding the Law Office of Robert Gokoo at a Rate of \$200 per Hour and Increase the Rate of Lagerlof, Senecal, Gosnevy & Kruse LLP to \$450 per Hour

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to modify Special Legal Counsel Panel by adding the Law Office of Robert Gokoo at a rate of \$200 per hour and increase the rate of Lagerlof, Senecal, Gosnevy & Kruse LLP to \$450 per hour. Motion carried by a vote of 7-0.

- 18.** Consideration of Legal Services Agreement for Interim City Attorney Services

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to approve the Legal Services Agreement for Interim City Attorney Services. Motion carried by a vote of 7-0.

19. Authorize the Use of Sourcewell (formerly National Joint Powers Alliance) Contract Agreement Number 121715 Awarded to Shaw Industries, Inc. in the Amount Not-To-Exceed \$48,987.58 for "City Hall First Floor Remodel," Project No. 428-2590-XXXXX-74115

Councilmember Garcia pulled Item No. 19.

Item No. 19 was discussed and addressed along with Item No. 7.

A motion was made by Councilmember Garcia and seconded by Councilmember Ontiveros-Cole, to authorize the use of Sourcewell (formerly National Joint Powers Alliance) Contract Agreement Number 121715 awarded to Shaw Industries, Inc. in the amount not-to-exceed \$48,987.58 for "City Hall First Floor Remodel," Project No. 428-2590-XXXXX-74115. Motion carried by a vote of 7-0.

20. Adoption of Resolutions Amending the Conflict of Interest Code for the City of Pomona, Housing Authority and the Successor Agency to the Former Redevelopment Agency

RESOLUTION NO. 2018-178

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE APPLICABLE TO THE MEMBERS OF THE CITY COUNCIL AND SPECIFIED AND DESIGNATED OFFICERS AND EMPLOYEES

RESOLUTION NO. 2018-179

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE APPLICABLE TO THE MEMBERS OF THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY AND DESIGNATED CITY EMPLOYEES BY INCORPORATING CALIFORNIA CODE OF REGULATIONS SECTION 18730 - THE STANDARDIZED CONFLICT OF INTEREST CODE

A motion was made by Councilmember Torres and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2018-178 & Resolution No. 2018-179. Motion carried by a vote of 7-0.

DISCUSSION CALENDAR

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

CURRENT REQUESTS:

A) Amount to be determined to the Juneteenth Education Technology Mobile Arts Center, Inc. in support of its 18th Annual Dr. Martin Luther King Jr. Unity Breakfast and Tribute - Amount requested: \$10,000

B) Amount to be determined to PEARLS of Service, Inc. in support of its 9th Annual Dr. Martin Luther King Jr. Sunday Supper - Amount requested: \$1,200

C) Amount to be determined to the American Legion in support of window repairs at the American Legions Bldg. - Amount requested: \$TBD

D) Amount to be determined to Kiwanis Park Community Group in support of a community event to welcome new neighbors. - Amount requested: \$TBD

E) Amount to be determined to the Brown Memorial Temple in support of a community event that includes a toy giveaway. - Amount requested: \$TBD

Mayor Sandoval asked if there were any Councilmembers who wished to add to the Finding of Public Benefit list items that came up after the posting of the agenda.

Councilmember Garcia indicated that she would like to assist the Ranch Rescue Team with \$250 to chip, vaccinate and spay & neuter pets at Hope for Home.

Mayor Sandoval asked that this new Finding of Public Benefit item requested by Councilmember Garcia be added to the January 7, 2019 agenda.

A motion was made by Councilmember Torres and seconded by Councilmember Garcia, to approve the items on the Finding of Public Benefit list. Motion carried by a vote of 7-0.

- 22.** Certification of Citizen Sponsored Initiative Measure (The "Initiative") to Enact a Three Quarter Percent (0.75%) Increase in the City's Utility Users Tax; Receive and File the Impact Analysis of the Initiative Prepared Pursuant to Section 9212 of the California Elections Code; and Consider Whether to Adopt the Proposed Ordinance or Direct Staff to Prepare said Ordinance/Initiative for Placement on the Ballot of the Next General Election

Speaker John Mendoza spoke on rebates to disabled/handicapped residents of Pomona with regard to this tax and asked about oversight with regard to the City Attorney.

Finance Director Jones gave an overview of Item No. 22.

Councilmember Torres inquired about the petition received and its qualification on the ballot for the November 2020 election.

Finance Director Jones indicated that enough sufficient signatures were received in order for the petition to qualify to be placed on the November 2020 election ballot.

Interim City Attorney Hogin added that due to this initiative being a tax measure, under Proposition 13, it was required to be placed on the ballot for voter approval.

Councilmember Torres asked if this tax measure needed a 50% or 2/3 voter approval vote.

Interim City Attorney Hogin stated that since proceeds of the proposed tax were to go into the General Fund, it would need a 50%+1 voter approval vote. If proceeds were designated for a specific purpose, the proposed tax would need a 2/3 vote.

Councilmember Ontiveros-Cole asked for clarification on who would benefit from this citizen sponsored initiative. She also asked about exemptions for senior citizens and low-income residents.

Finance Director Jones explained that this proposed initiative would be an exemption for handicap residents with Pomona since the original petition received signatures specifically for handicap residents.

Councilmember Garcia stated that low-income residents who might be disabled and/or handicapped may already be under an exemption.

Councilmember Lustro commented on the approach that was taken in bringing forward this citizen sponsored initiative.

Councilmember Torres commended John Mendoza on securing the large number of signatures that were needed to place the citizen sponsored initiative.

Mayor Sandoval asked about an impact report for the proposed initiative.

City Manager Lowry indicated that an impact analysis was available in the agenda packet for Council review.

A motion was made by Mayor Sandoval and seconded by Councilmember Lustro, to direct staff to place initiative on the ballot of the next General Election in November 2020. Motion carried by a vote of 7-0.

Mayor Sandoval requested that Item No. 24 be heard before Item No. 23. A motion was made by Mayor Sandoval and seconded by Councilmember Garcia to move Item No. 24 before Item No. 23.

24. Discussion Regarding Possible Use of City Owned Property Located on South Buena Vista Avenue (APN 8349-026-902) for Urban Gardening

Mayor Sandoval announced that the following individuals did not wish to speak but wanted their support for Item No. 24 to be read into the record.

IN SUPPORT

Kyun Saeguasa
Faheem Ahmed
Michael Casey
Ivan Hernandez
Brenda Gomez
Marcos Molina
Lavratte Lavin
Marco Rodriguez
Alfredo Camacho-Gonzalez

The following speakers spoke in support of Item No. 24:

Linda Hinojos
Elinor Crescenzi
Lynn Fang
Erin Runions
Ingrid Gutierrez
Pablo Padilla (Gave his time to Ingrid Gutierrez)
Mike Suarez
Teresa Lloro-Bidart
Katherine Palomares
Julieta Muñoz
Randy Bekendan
Tamiko Chacon
Benjamin Wood
Kyle Brown
Danielle Slabaugez
Scott Klemrock

The following speakers spoke in opposition of Item No. 24:

Ray Barrera

Mayor Sandoval proceeded to Council discussion on Item No. 24.

Councilmember Preciado stated his support of Item No. 24.

Councilmember Garcia asked about irrigation being available on the property where proposed community garden was to be placed and who would be responsible for connection fees for irrigation to be connected to the main water line.

Deputy City Manager Kirk Pelsner indicated that further investigation would need to be done to determine if irrigation was available on the property. He also indicated that if a water meter was present at the property, the irrigation fees would be the responsibility

of the user.

Mayor Sandoval thanked all those who came to speak in support of Item No. 24 and also spoke of his support of the item and the possible future purchase of property by user. Mayor Sandoval asked the proposed user for yearly reports to Council on the progress of the community farm.

Deputy City Manager Pelser shared that a license use agreement could be brought forth for Council review and approval at the beginning of the New Year which would be a policy guideline for the land use of the property by the user.

Councilmember Gonzalez commended United Voices on securing a \$50,000 grant for the proposed community garden and also said he echoed the Mayor's ideas for the license use agreement. He also said he would like to see this project become a pilot program for other future community projects.

Councilmember Ontiveros-Cole thanked all those from United Voices who came out to speak in support of item and stated that this project would become an asset to the community.

Councilmember Torres thanked the speakers who came out in support of Item No. 24 and indicated that this project has the potential to gain the support from other organizations and affluent individuals. He also stated that he would be in support of the license use agreement.

Councilmember Lustro thanked all individuals who came out to speak in support of the community garden and their passion for the project and supported the projected.

Councilmember Garcia inquired about the amount that would be needed for liability insurance for the project and also would like to see a neighbor response system for neighbor complaints.

A motion was made by Councilmember Garcia and seconded by Councilmember Preciado, to direct staff to work with applicant to return to Council at the second meeting in January 2019 the documents needed to create a community urban garden on the proposed location for a nominal fee along with appropriate conditions and liability insurance. Motion carried by a vote of 7-0.

23. City Council Appointments and Reappointments to Various Agencies and Boards

The following appointments were made by the City Council to fill vacancies created on the following agencies:

- County Sanitation Districts of L.A. County #21 – *Mayor Sandoval (Delegate)/Councilmember Lustro (Alternate)*
- Pomona Valley Protective Association – *Councilmember Torres (Delegate)/Mayor Sandoval (Alternate)*
- Gold Line Joint Powers Authority – *Mayor Sandoval (Delegate)/Councilmember Torres (Alternate)*
- Alameda Corridor East (ACE) – SGVCOG – *Mayor Sandoval (Delegate)/Councilmember Lustro (Alternate)*
- Pomona Valley Protective Association – *Mayor Sandoval (Delegate)/Councilmember Gonzalez (Alternate)/Councilmember Preciado (Alternate)*
- Pomona-Walnut-Rowland Joint Water Line Commission – *Councilmember Gonzalez (Delegate)/Councilmember Preciado (Alternate)*
- San Gabriel Valley Council of Governments (SGVCOG) – *Mayor Sandoval (Delegate)/Councilmember Lustro (Alternate)*
- San Gabriel Valley Mosquito Abatement District – *Mayor Sandoval (Delegate)/Councilmember Ontiveros-Cole (Alternate)*
- Chino Basin Watermaster Board – *Darron Poulsen (Delegate)/Councilmember Preciado (Alternate)*
- BIA (Building Industry Association/Baldy View Chapter – *Councilmember Gonzalez (Delegate)*
- Blue Ribbon Committee of the L.A. County Fair Association – *Mayor Sandoval (Delegate)/Councilmember Torres (Alternate)/Councilmember Gonzalez (Alternate)*
- California Contract Cities Association – *Mayor Sandoval (Delegate)*
- Spadra Basin Executive Board – *Councilmember Gonzalez (Delegate)/Councilmember Preciado (Alternate)*
- City-School Liaison Committee – *Councilmember Garcia/Councilmember Ontiveros-Cole*
- Downtown Pomona Owners Association (DPOA) – *Councilmember Preciado (Delegate)/Councilmember Gonzalez (1st Alternate)/Councilmember Garcia (2nd Alternate)*
- League of California cities L.A. County Division – *Mayor Sandoval/Councilmember Lustro*
- Los Angeles County City Selection Committee – *Mayor Sandoval*
- Southern California Association of Governments (SCAG) General Assembly – *Mayor Sandoval (Delegate)/Councilmember Gonzalez (Alternate)*
- Pomona Valley Transportation Authority (PVTa) – *Councilmember Torres/Councilmember Preciado/Councilmember Garcia*
- Tri-City Mental Health Governing Board – *Councilmember Ontiveros-Cole/Councilmember Gonzalez*
- City Council Legislative Subcommittee – *Councilmember Lustro/Councilmember Garcia*
- City Council Public Works Ad Hoc Committee – *Councilmember Gonzalez/Councilmember Lustro/Councilmember Garcia*

- Vehicle Parking District Ad Hoc Committee – *Mayor Sandoval/Councilmember Gonzalez/Councilmember Preciado*
- City of Pomona Successor Agency Oversight Board – *Mayor Sandoval*
- Environmental Resources Ad Hoc Committee – *Councilmember Garcia/Councilmember Gonzalez/Councilmember Torres*

Mayor Sandoval indicated that he had been appointed to the San Gabriel Valley Metro Council.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Garcia encouraged City Councilmembers to meet with City Manager regarding their future goals. She also asked to have the trucking routes within the City revisited and asked staff for a list of all vacant lots existing within the City.

Councilmember Torres requested that the City Manager prepare for a meeting with the City's Congress Member regarding federal legislation on homelessness and also asked for a Study Session on the Fairplex RV rental covenant agreement.

Councilmember Preciado asked to confirm on the voting of Vehicle Parking District (VPD) commissioner appointments at the first meeting of January 2019.

City Manager Lowry indicated that the VPD commissioner appointments would be an item on the first agenda of January 2019.

Councilmember Gonzalez inquired on the possibility of getting the roof of the library fixed in order to avoid further damage.

City Manager Lowry stated that the historical buildings took precedence over municipal buildings and that a report would be given to Council on a weekly on the urgency and priority of which city building needed to have its roof fixed first.

Councilmember Ontiveros-Cole also inquired on the library roof being fixed and informed Councilmember Gonzalez about a complaint made from a resident in his district regarding loud music. She also inquired about lights not being lit.

Mayor Sandoval stated that one of the challenges for government entities is to find able individuals to carry out large projects such as homeless centers and roads. He asked if it was possible to work with other cities in the region to make these type of large projects possible that would benefit not only the City of Pomona but surrounding cities as well.

ADJOURNMENT

The City Council meeting was adjourned at 10:59 p.m. on Monday, December 17, 2018.

Respectfully submitted,

ATTEST:

ROSALIA A. 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