



CITY OF POMONA COUNCIL REPORT

November 4, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Andrew Mowbray, Finance Director/City Treasurer
Rene Guerrero, Public Works Director

**SUBJECT: APPROVAL OF FAIRPLEX MITIGATION FUND ADVISORY
COMMITTEE BYLAWS**

RECOMMENDATION:

It is recommended that the City Council review and approve the Fairplex Mitigation Fund Advisory Committee Bylaws.

EXECUTIVE SUMMARY: As result of the Agreement Regarding Interim Use of Fairplex (Agreement), Fairplex will financially contribute to a mitigation fund (The Fund) to construct public safety measures and related sidewalk and street improvements at and around Fairplex property. The Agreement (Attachment 1) requires the creation of a 9-member Advisory Committee that will meet publicly and recommend to the Council uses for The Fund. If approved by the City Council, the proposed Bylaws would guide the new Advisory Committee.

FISCAL IMPACT: There is no fiscal impact with approval of the Fairplex Mitigation Fund Advisory Committee Bylaws.

PUBLIC NOTICING REQUIREMENTS: None.

PREVIOUS RELATED ACTION: On May 1, 2019, the City Council and the Planning Commission held a joint meeting at which staff presented a summary of the process for developing a specific plan. At its June 3, 2019, meeting, the City Council heard further community input and considered a draft letter agreement. The City Council referred the matter back to staff for further refinement. On July 29, 2019, the City Council approved the Agreement regarding the interim Use of Fairplex and is the result of a culmination of years-long efforts by neighborhood residents, the City, and Fairplex management to develop standards for the fairgrounds' operations to be compatible with the residential neighborhood that surround Fairplex.

ENVIRONMENTAL IMPACT: None

DISCUSSION: On July 29, 2019, the City Council entered the Agreement and requested that staff create a 9-member Advisory Committee (Committee) that will meet publicly with the purpose to recommend to the Council suggested uses for The Fund generated from this agreement. The Advisory Committee will follow Bylaws set forth in this City Council action. To mitigate the impacts of Fairplex events while the specific planning is underway, Fairplex will create a revenue source that will be set aside in The Fund for improvements meant to mitigate impacts caused by historical year-round events, such as impacts to traffic, public safety and noise caused by music.

The Fund will be overseen by the Committee which will hold open and public meetings. The Committee structure is intended to create transparent and accountable use of the mitigation funds and to include affected neighborhood citizens in determining The Fund's best use. The estimated annual contribution of new revenue by Fairplex to The Fund is between \$320,000 and \$710,000 with an estimated three year accumulated amount of \$1.5M. To date the Mitigation Fund has received approximately \$198,000 as a result of Agreement terms stated for the 2019 Los Angeles County Fair.

To complement the initial framework set up within the Agreement, staff has formulated proposed Bylaws to cover items including but not limited to officers and their respective duration of terms, meetings, posting of agendas, and governing rules of decorum and parliamentary procedure. The Bylaws (Attachment 2) provide guidance on the transaction of business and the conduct of meetings. The proposed Bylaws have been reviewed by legal counsel.

Important Fairplex Mitigation Fund Advisory Committee items set forth in the proposed Bylaws include but are not limited to:

- The process for selection of officers including the Chair, Vice-Chair, and Secretary;
- That the duration of terms of the Chair and Vice-Chair shall be one (1) year, and two (2) consecutive terms may be observed at the pleasure of the Committee. Notwithstanding the foregoing, every effort should be made to allow all Committee Members to serve their term as officers, provided they so desire and have served on the Fairplex Mitigation Fund Advisory Committee for at least one (1) year; provided, however, that the Committee may elect a member desirous of being an officer and not having at least one year experience on a 6/7 vote.
- The Secretary shall be the Finance Director/City Treasurer and the Public Works Director or designees, and shall not be a voting member of the Committee.
- The Committee will hold regular meetings tri-annually, as well as special meetings, which may be called as needed.
- Meetings will take place on the third Wednesday of the months of March, June, and October at 6:00 p.m. in the City Council Conference Board Room, adjacent to the City Council Chambers.
- Each Council Member is responsible for determining their appointee who is a resident of Pomona residing within the improvement area boundary established and to notify the City Clerk. Fairplex and the Board of Supervisors of the County of Los Angeles will each appoint one member to the Advisory Committee and will notify the City Clerk. When all 9 members of the Advisory Committee are confirmed, the first meeting date will be established by the City Clerk.

COUNCIL PRIORITIES & GOALS: This item supports the 2019-2020 City Council Priority 1: Fiscal and Operational Responsibility – Goal D: Support City Commissions and ensure alignment between City Council goals and Commission activities.

ALTERNATIVE(S): None

Prepared by:

Andrew Mowbray
Finance Director/City Treasurer

ATTACHMENT(S):

Attachment No. 1 – Agreement Regarding Interim Use of Fairplex
Attachment No. 2 – Fairplex Mitigation Fund Advisory Committee Proposed Bylaws