



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 Victor Preciado
Councilmember Rubio R. Gonzalez
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 6, 2020

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))

Inland Valley Humane Society v. City of Pomona
L.A. County Superior Court; Case No. BC599074

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Pursuant to Government Code Section 54956.9 (d)(2))

Seven (7) matters regarding exposure to litigation will be discussed

C. PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957 (b)(1))

Police Chief

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Sonia Carvalho reported that the City Council had convened into Closed Session at 5:45 p.m. with Mayor Sandoval calling the Closed Session meeting to order. Councilmembers Garcia, Gonzalez, Lustro, Ontiveros-Cole and Preciado were present and Councilmember Torres was absent. City Attorney Carvalho reported that Council discussed Item A Conference with Legal Counsel – Pending Litigation and direction was given by Council. City Attorney Carvalho also reported that Council discussed both Item B Conference with Legal Counsel – Anticipated Litigation and Item C Public Employee Appointment but no reportable action was taken.

7:00 P.M. Council Chambers

CALL TO ORDER

Mayor Sandoval called the City Council Meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

Councilmember Preciado led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Tim Sandoval
Vice-Mayor Victor Preciado
Councilmember Rubio R. Gonzalez
Councilmember Steve Lustro
Councilmember Elizabeth Ontiveros-Cole

Absent: Councilmember Nora Garcia
Councilmember Robert Torres

STAFF PRESENT

Mark Gluba, Acting City Manager
Sonia Carvalho, City Attorney
Rosalia Butler, City Clerk
Karla Shipman, Deputy City Clerk

PRESENTATIONS

- A.** Certificate of Recognition to Pomona Veteran(s)
- B.** Proclamations of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming January 2020 as “Human Trafficking Awareness Month” in the City of Pomona
- C.** A Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming January 2020 as “Dreaming Month” in the City of Pomona

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Ontiveros-Cole wished the community a Happy New Year and spoke on success of toy drives and her participation in the Kwanzaa event.

Councilmember Preciado thanked the community for participating and volunteering in various community events during the holiday season and wished everyone a Happy New Year.

Councilmember Lustro wished everyone a Happy New Year.

CITY MANAGER COMMUNICATIONS

Acting City Manager Mark Gluba requested that the City Council amend Consent Calendar Item No. 11 to include the various changes staff presented to Council for consideration. Mr. Gluba also gave Council an update on the sidewalk vendor program being implemented within the City.

PUBLIC PARTICIPATION

Gustavo Ramirez spoke on non-violence and protecting the Indigenous community of Pomona.

Lucas Rivera, Senior Vice-President of F.U.N. at the Fairplex, gave an update of the events that occurred at the Fairplex during December 2019 and upcoming future events.

Darrell Kruse spoke on his concerns regarding the operation of his medical marijuana dispensary business.

Paige Bruyn spoke on her concerns regarding the City’s budget and its liability administrative allocation.

Jesus Sanchez spoke on the compliance of legislation AB 1421 regarding the availability of certain types of peace officer records for public inspection.

Jacqueline Elizalde spoke on the methods that the community is trying to combat human trafficking and various organizations that are in support of combatting human trafficking.

Benjamin Wood shared his ideas on a Police Commission within the City.

Darlene Johnson shared her concerns with the number of police officers in the City of Pomona and the need for more officers.

Robert Burton informed the Council of the expulsion of trial members.

CONSENT CALENDAR

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole, to approve the Consent Calendar except for Item No.'s 1, 3, 5, 6, 8 & 11 which were pulled for discussion and voted on separately. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

1. Approval of the Police Department to Enter into an Agreement with the City of La Verne for Booking and Housing Arrestees at the Pomona City Jail; Amending the FY 2019-20 Operating Budget by Increasing Revenue Estimates and Appropriations by \$191,022 and Increase Authorized Staffing to Include Two (2) New Jailer Positions

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-02 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE POLICE DEPARTMENT ENTERING INTO AN AGREEMENT WITH THE CITY OF LA VERNE FOR BOOKING AND HOUSING ARRESTEES AT THE POMONA CITY JAIL AND AMENDING THE FY 2019-20 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS BY \$191,022 AND INCREASE AUTHORIZED STAFFING TO INCLUDE TWO (2) NEW JAILER POSITIONS

- 2) Authorize the City Manager to execute, all documents herein on behalf of the City, subject to review by the City Attorney.

Gonzalo Saucedo spoke in opposition of the proposed agreement with the City of La Verne.

Mayor Sandoval spoke on his concerns with inmates arrested in the City of La Verne not being released in the City of Pomona and asked if it could be added to the

agreement that it is the responsibility of the City of La Verne to care for inmates that were arrested in the City of La Verne and also asked what the cost to the City of Pomona would be if these inmates were released within Pomona. Mayor Sandoval also asked for clarification the City of La Verne's position on the California Values Act and if La Verne had a contract with Immigration & Customs Enforcement (ICE).

Chief Mike Olivieri explained that inmates from La Verne being released within the City of Pomona will not be an impact because of the low number of inmates that come from La Verne to be booked and past experience has shown that these inmates have someone to call to get them back to the City of La Verne.

City Attorney Sonia Carvalho added that language could be added to the agreement between the City of Pomona and the City of La Verne indicating that the City of La Verne would be responsible for the transporting of their inmates back to La Verne.

Chief Olivieri also clarified that the City of Pomona jail has complete jurisdiction over SB 54 with respect to the arrest and inmate and that no other jurisdiction can supersede that policy. He also indicated that he did not know if the City of La Verne had a contract with ICE but would obtain that information for the Mayor and Council.

Mayor Sandoval inquired about the medical treatment of an inmate and asked for clarification of the responding department to assist with this treatment and if there would be an additional cost.

Chief Olivieri shared that Los Angeles County Fire is the first responder to the medical treatment of an inmate and also confirmed that it would not be an added cost to the current contract between the City of Pomona and Los Angeles County Fire.

A motion was made by Mayor Sandoval and seconded by Councilmember Gonzalez, to adopt Resolution No. 2020-02 including the amendment of adding language in the agreement with respect to the City of La Verne being held responsible for the return of released inmates back to the City of La Verne and authorize the City Manager to execute, all documents herein on behalf of the City, subject to review by the City Attorney. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres.

2. Authorization to Amend the Agreement with Volunteers of America Los Angeles, as the Hope for Home Homeless Services Center Site Operator, to Implement Measure H Funded Programs

It is recommended that the City Council take the following actions:

- 1) Amend the Hope for Home Services Center Site Operator Agreement by \$194,004, to include the award of \$131,760 in Measure H funding to expand the crisis housing program at the Hope for Home Services Center by six beds and \$62,244 in Measure H funding to be used for the Transitional Storage Center for staff salaries; and

2) Authorize the City Manager to execute the contracts and other documentation requested for implementation of the grant awards, subject to approval as to form by the City Attorney.

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole, to amend the Hope for Home Services Center Site Operator Agreement by \$194,004, to include the award of \$131,760 in Measure H funding to expand the crisis housing program at the Hope for Home Services Center by six beds and \$62,244 in Measure H funding to be used for the Transitional Storage Center for staff salaries and authorize the City Manager to execute the contracts and other documentation requested for implementation of the grant awards, subject to approval as to form by the City Attorney. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

3. CalHome Program - Response to Notice of Funding Availability (NOFA) for Mortgage Assistance Program and Owner-Occupied Rehabilitation Assistance Totaling \$4.0 Million

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-03 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM FOR MORTGAGE ASSISTANCE AND FOR OWNER-OCCUPIED HOUSING REHABILITATION ASSISTANCE; THE EXECUTION OF STANDARD AGREEMENTS IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE CALHOME PROGRAM

- 2) Authorize the City Manager to execute in the name of the City of Pomona, the application, the Standard Agreements, and all other documents required by the Department of Housing and Community Development for participation in the CalHome Program, and any amendments thereto; and
- 3) Amend the Home Investment Partnerships (HOME) Owner-Occupied Housing Rehabilitation Program's maximum funding amounts for consistency with CalHome Program Guidelines.

Councilmember Ontiveros-Cole pulled Item No. 3 for further discussion.

Councilmember Ontiveros-Cole asked if this program would assist homeowners in adding additions to their homes.

Neighborhood Services Director Benita DeFrank shared that the State of California has added Accessory Dwelling Units and Junior Accessory Dwelling Units as part of what can be funded under the CalHome Program.

A motion was made by Councilmember Ontiveros-Cole and seconded by Councilmember Lustro, to adopt Resolution No. 2020-03; and authorize the City Manager to execute in the name of the City of Pomona, the application, the Standard Agreements, and all other documents required by the Department of Housing and Community Development for participation in the CalHome Program, and any amendments thereto; and amend the Home Investment Partnerships (HOME) Owner-Occupied Housing Rehabilitation Program's maximum funding amounts for consistency with CalHome Program Guidelines. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

4. Amendment of the FY 2019-20 Operating Budget by Appropriating \$307,000 of Los Angeles Regional Park and Open Space Grant Funds to Tree Planting Projects in the Northside and Southside Study Areas

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2020-04 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 OPERATING BUDGET BY APPROPRIATING \$307,000 OF LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT FUNDS TO TREE PLANTING PROJECTS IN THE NORTHSIDE AND SOUTHSIDE STUDY AREAS

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2020-04. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

5. Adoption of a Resolution Accepting the Mental Health Training Grant in the Amount of \$5,130 and Amending the FY 2019-20 Operating Budget

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-01 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING \$5,130 IN BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) MENTAL HEALTH TRAINING GRANT FUNDS, AND AMENDING THE FY 2019-20 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING \$5,130 IN BSCC GRANT FUNDS

- 2) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval

as to form by the City Attorney.

Gonzalo Saucedo spoke in opposition of the grant.

A motion was made by Councilmember Ontiveros-Cole and seconded by Councilmember Preciado, to adopt Resolution No. 2020-01 and authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

6. Award an Agreement to R3 Consulting Group, Inc. for Solid Waste Rate and Cost of Service Study, and Amend the FY 2019-20 Operating Budget by Appropriating \$120,000 from Franchise Fee-Funded Programs Enterprise Fund Balance

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-05 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 OPERATING BUDGET BY APPROPRIATING \$120,000 FROM THE FRANCHISE FEE-FUNDED PROGRAMS ENTERPRISE FUND BALANCE

- 2) Award an agreement to R3 Consulting Group, Inc. to conduct a Solid Waste Service Rate Study, Cost of Service and Fee Study, and Hauler Audit for an amount not-to-exceed \$166,520; and
- 3) Authorize the City Manager to execute agreements, when determined applicable, and any amendments or extensions thereto, subject to review by the City Attorney.

Councilmember Preciado pulled Item No. 6 for further discussion.

Councilmember Preciado asked if the study would include all current franchise haulers in the City and inquired on how the City could enforce regulations on non-franchise haulers doing business within the City of Pomona.

Public Works Director Rene Guerrero explained that through this consultant, a separate audit would be done of the four (4) current franchise haulers servicing the City and that this study and audit would also help enforce the position of the City pertaining to non-franchise haulers.

Mayor Sandoval asked when the current franchise hauler contracts were scheduled to expire.

Public Works Director Guerrero explained that the current franchise hauler contracts

were to sunset in 2021.

A motion was made by Councilmember Preciado and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2020-05; and award an agreement to R3 Consulting Group, Inc. to conduct a Solid Waste Service Rate Study, Cost of Service and Fee Study, and Hauler Audit for an amount not-to-exceed \$166,520; and authorize the City Manager to execute agreements, when determined applicable, and any amendments or extensions thereto, subject to review by the City Attorney. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

7. Approval of City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes

It is recommended that the City Council approve the following City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes:

September 16, 2019 Meeting Minutes
November 18, 2019 Meeting Minutes

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole, to approve the September 16, 2019 and November 18, 2019 Meeting Minutes. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

8. Approve an Award of Bid for Service Weapon Ammunition to Dooley Enterprises, Inc., for Practice and Duty Police Ammunition in the Amount Not to Exceed \$71,886

It is recommended that the City Council take the following actions:

- 1) Approve the award of bid for service weapon ammunition to Dooley Enterprises, Inc., in the amount of \$71,886 for the purchase of service weapon ammunition; and
- 2) Authorize the City Manager to execute the contract award and other documentation on behalf of the City.

Gonzalo Saucedo spoke in opposition of Item No. 8.

A motion was made by Councilmember Gonzalez and seconded by Councilmember Preciado, to approve the award of bid for service weapon ammunition to Dooley Enterprises, Inc., in the amount of \$71,886 for the purchase of service weapon ammunition and authorize the City Manager to execute the contract award and other documentation on behalf of the City. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

9. Amendment for Districts 3, 5, and 6 to the FY 19-20 Capital Improvement Program (CIP) Budget and Contract Awarded to All American Asphalt for Street and Alley Rehabilitation Improvements in Districts 3, 4, 5, and 6

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-09 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 CIP BUDGET BY AMENDING THE “STREET AND ALLEY REHABILITATION IMPROVEMENTS - DISTRICT 3,” PROJECT NO. 428-2590-XXXXX-71051, FY 19-20 CIP PROJECT DESCRIPTION AND THE CONTRACT AWARDED TO ALL AMERICAN ASPHALT FOR STREET AND ALLEY REHABILITATION IMPROVEMENTS IN DISTRICTS 3, 4, 5 & 6 TO ADD WASHINGTON PARK PARKING LOT AND SIDEWALK REHABILITATION AND ADD PHILADELPHIA STREET REHABILITATION (FROM GAREY AVENUE TO THE EAST - NOT TO EXCEED \$1,078,295 AS FUNDS ALLOW) AND INCREASE GENERAL FUND REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$244,972 THAT WILL BE REIMBURSED BY AVAILABLE LOS ANGELES COUNTY PROP A (Parks) FUNDS; AND, REAPPROPRIATE \$80,000 OF MEASURE R FUNDS FROM “MAJOR STREET REHABILITATION - CITYWIDE (FY 13-14 TO FY 15-16),” PROJECT NO. 428-2590-XXXXX-68548 IN THE AMOUNTS OF \$40,000 EACH TO “STREET IMPROVEMENTS - DISTRICT 5,” PROJECT NO. 428-2590-XXXXX-71045, AND “STREET REHABILITATION - DISTRICT 6,” PROJECT NO. 428-2590-XXXXX-67921

- 2) Authorize change order capability for the construction agreement between the City of Pomona and All American Asphalt for “Street and Alley Rehabilitation Improvements - District 3, Project No. 428-2590-XXXXX-71051; Street Improvements - District 5, Project No. 428-2590-XXXXX-71045; Street Rehabilitation - District 6, Project No. 428-2590-XXXXX-67921; and, Holt Avenue (East) Reconstruction, Project No. 428-2590-XXXX-71050 (The Project) in the amount not to exceed \$244,972 for Washington Park Parking Lot and Sidewalk Rehabilitation as part of “Street and Alley Rehabilitation Improvements - District 3,” Project No. 428-2590-XXXXX-71051; and
- 3) Authorize change order capability for The Project construction agreement between the City of Pomona and All American Asphalt for “Street and Alley Rehab. - District 3, Project No. 428-2590-XXXXX-71051 in the amount not to exceed \$1,078,295 or to the maximum amount the funds in this project will allow for the extension of Philadelphia Street rehabilitation improvements from Garey Avenue East (potentially through Towne Avenue), which exceeds the \$100,000 allowed by City Code Section 2-1001(b)(14) and is commensurate with the size and scope of this project; and

- 4) Amend change order capability for The Project between City of Pomona and All

American Asphalt for "District 6 "Project No. 428-2590-XXXXX-67921 from \$485,772.83 to \$645,685 or to the maximum amount the funds in this project will allow for the extension of Towne Avenue rehabilitation improvements from Bonita Avenue to the South (potentially through Arrow Highway), which exceeds the \$100,000 allowed by City Code Section 2-1001(b)(14) and is commensurate with the size and scope of this project; and

- 5) Authorize total construction contract change order capacity not to exceed \$2,575,181 or the total budgeted and available combined funds in all The Project individual CIP project budgets: and
- 6) Authorize weekend and/or night work for Towne Avenue from Foothill Boulevard toward Arrow Highway, Philadelphia Street from Garey Avenue to the East, and Rio Rancho Road from Phillips Ranch Road to SR-71; and
- 7) Find that the additional work to The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (c), in that the projects consist of the operation, repair and maintenance of existing streets; and
- 8) Authorize the City Manager to execute the amendment to the construction contract and any subsequent change orders on behalf of the City.

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole, to approve actions 1-8 above as recommended. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

10. Second Reading and Adoption of Ordinance Amending Chapter 2, Article VII of the Pomona City Code Pertaining to the Requirements and Procedures for Procuring Supplies, Services, Equipment and Capital Improvement Contracts, and Sale of Surplus Property

It is recommended that the City Council adopt the following ordinance:

ORDINANCE NO. 4276 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING CHAPTER 2, ARTICLE VII OF THE POMONA CITY CODE PERTAINING TO THE REQUIREMENTS AND PROCEDURES FOR PROCURING SUPPLIES, SERVICES, EQUIPMENT AND CAPITAL IMPROVEMENT CONTRACTS, AND SALE OF SURPLUS PROPERTY

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole, to adopt Ordinance No. 4276. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

11. Approval of the Recognized Obligation Payment Schedule (ROPS 20-21) for the Period of July 1, 2020 through June 30, 2021, Approving the Administrative Budget for the Same Period, and Authorizing the Transmittal of the ROPS and Administrative Budget to the Oversight Board for Approval

It is recommended that the Successor Agency to the former Redevelopment Agency adopt the following resolution:

SA RESOLUTION NO. 2020-01 – A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 20-21) FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021, APPROVING THE ADMINISTRATIVE BUDGET FOR THE SAME PERIOD, AND AUTHORIZING THE TRANSMITTAL OF THE ROPS AND ADMINISTRATIVE BUDGET TO THE OVERSIGHT BOARD FOR APPROVAL

Councilmember Lustro pulled Item No. 11 for further discussion.

Councilmember Lustro asked for further explanation regarding the County involuntarily holding tax increment revenues to meet the County's deferral payment causing a burden on the City's General Fund and if this same issue was occurring in other agencies.

Finance Director Andrew Mowbray shared that the City staff along with the City Attorney were working together to address this issue with the County and was optimistic that this issue would be resolved between the County and City for the 2020-2021 Fiscal Year. Mr. Mowbray also added that this issue was affecting many agencies in the area.

A motion was made by Councilmember Lustro and seconded by Councilmember Preciado, to adopt SA Resolution No. 2020-01. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

DISCUSSION CALENDAR

12. Fiscal Year 2020-21 Budget Kickoff and a Review of the City of Pomona Fiscal Sustainability Policy and Fund Balance Policy

It is recommended that the City Council take the following actions:

- 1) Approve the attached Fiscal Year (FY) 2020-21 Budget Guiding Principles and review the FY 2020-21 Budget Preparation Calendar and Budget Process
- 2) Review the City of Pomona Fiscal Sustainability Policy
- 3) Review the City of Pomona Fund Balance Policy

Finance Director Mowbray gave a PowerPoint presentation on Item No. 12.

Ann Tomkins shared her concern with not seeing Measure PG Funds reflected in the 20-21 Budget Guiding Principles and that these funds needed to be tracked.

Councilmember Gonzalez asked if it had not been for Measure PG, would the City's budget be going in a different direction.

Finance Director Mowbray indicated that with the passing of Measure PG it has improved the City's budget.

Councilmember Lustro asked for clarification on the language of an item in the policy.

After a brief discussion between City staff and Council, a motion was made by Councilmember Preciado and seconded by Councilmember Ontiveros-Cole, to approve the attached Fiscal Year (FY) 2020-21 Budget Guiding Principles and review the FY 2020-21 Budget Preparation Calendar and Budget Process; and review the City of Pomona Fiscal Sustainability Policy; and review the City of Pomona Fund Balance Policy. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

13. Finding of Public Benefit to the Community at Large: Recommended Expenditure(s) and Recap of Funds

It is recommended that the City Council take the following actions:

- 1) Approve the expenditure(s) recommended and make the finding that the community at large will receive a public benefit from the expenditure of funds for the recommended item(s); and

A) Amount to be determined to Pearls of Service, Inc. in support of community workshops in low-income areas – Requested Amount: \$1,500

B) Amount to be determined to Tamela Hutchinson & Fabian Pavon in support of MLK event – Requested Amount: \$1,500

C) Amount to be determined in support of City Council organized Toy/Food Drives – Requested Amount: TBD Pomona Districts 1, 2, and 3

- 2) Receive and file the recap of final amounts for previously approved projects/activities.

Tamela Hutchinson requested funds of public benefit for upcoming Black History event occurring in the City.

A motion was made by Councilmember Ontiveros-Cole and seconded by Councilmember Lustro, to approve the recommended expenditure(s) and make the finding that the community at large will receive a public benefit from the expenditure of funds for the recommended items; and receive and file the recap of final amounts for previously approved projects/activities. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

14. Authorization of Issuance of Pension Obligation Bonds and Authorization to File Validation Action

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2020-06 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA AUTHORIZING THE ISSUANCE OF BONDS NOT TO EXCEED \$220 MILLION TO REFUND CERTAIN PENSION OBLIGATIONS OF THE CITY, APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT AND PURCHASE CONTRACT, AUTHORIZING JUDICIAL VALIDATION PROCEEDINGS RELATING TO THE ISSUANCE OF SUCH BONDS AND APPROVING ADDITIONAL ACTIONS RELATED THERETO

Finance Director Mowbray gave an overview on Item No. 14.

Consultant, Michael Bush, CEO from Urban Futures, also gave an overview on Item No. 14.

After discussion among the City Council and City staff, a motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole, to adopt Resolution No. 2020-06. Motion carried by a vote of 5-0 with Councilmembers Garcia and Torres absent.

PUBLIC HEARINGS

15. Appeal of Approved Mural Permit No. 12295-2019, CAC Resolution 19-007 for 450 W. Grand Avenue

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2020-08 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING MURAL PERMIT NO. 12295-2019 TO ALLOW THE INSTALLATION OF A COMMUNITY-EXECUTED PAINTED MURAL AT A PROPERTY LOCATED AT 450 WEST GRAND AVENUE, ALSO KNOWN AS TONY CERDA PARK (APN: 8343-004-902, 8343-004-900)

Planning Manager, Gustavo Gonzalez, gave a presentation on Item No. 15.

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole to open the Public Hearing. Motion carried by a vote of 4-0 with Councilmembers Garcia and Torres absent and Councilmember Preciado recusing himself from the voting process of this item.

City Attorney Sonia Carvalho explained that due to a Conflict of Interest, Councilmember Preciado would be recusing himself from voting on Item No. 15.

The following members of the public did not speak but wished to have their vote read into the record:

Tony Cerda – In support of the mural.

Donna Otero – In opposition of the mural.

James Otero – In opposition of the mural.

Water Ruiz – In opposition of the mural.

The following members of the public spoke during the comment period of the Public Hearing and were in support of the mural:

Connie Almaguer

Jaqueline Elizalde

The following members of the public spoke during the comment period of the Public Hearing and were in opposition of the mural:

Sam Escobar

Pete Melendez

Dee Dee Ybarra

A motion was made by Councilmember Lustro and seconded by Councilmember Ontiveros-Cole to close the Public Hearing. Motion carried by a vote of 4-0 with Councilmembers Garcia and Torres absent and Councilmember Preciado recusing himself from the voting process of this item.

Mayor Sandoval recommended to the Council that Mural Permit No. 12295-2019 be denied and the mural removed. He also requested that staff present to Council an effective, clear process to the approval of future murals.

Councilmembers Gonzalez, Ontiveros-Cole and Lustro spoke in support of the Mayors recommendation.

A motion was made by Mayor Sandoval and seconded by Councilmember Gonzalez, to deny the approval of Mural Permit No. 12295-2019 and have staff return with a clear process on the approval of future murals. Resolution No. 2020-08 was not adopted. Motion carried by a vote of 4-0 with Councilmembers

Garcia and Torres absent and Councilmember Preciado recusing himself from the voting process.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Ontiveros-Cole asked about the status of the enforcement the City is doing with respect to sidewalk vendors.

Acting City Manager, Mark Gluba, shared that the L.A. County Health Department is also working with the City to ensure compliance by all sidewalk vendors.

Councilmember Lustro requested an update on the regency billboards matter.

Acting City Manager Gluba indicated that this particular item would be coming to Council at a Council meeting in February.

Mayor Sandoval inquired on the selection of the third party evaluator for the Cannabis process and when it will be presented to the Council for consideration.

Acting City Manager Gluba informed the Mayor that this item would be coming to the Council at a future meeting.

ADJOURNMENT

The City Council meeting was adjourned in memory of Dr. Edward Chern at 9:34 p.m. on Monday, January 27, 2020.

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