

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, February 24, 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

Citizens for Amending Prop L v. City of Pomona

Case No. 19STCO00482

B) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

One matter regarding possible litigation to be initiated will be discussed (Pursuant to
Government Code Section 54956.9 (d)(4))

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Carvalho reported that Council discussed Item A for both cases listed. And discussed Item B, Anticipated Litigation regarding amortized billboards and this was all the reportable action.

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

The posting of the colors was presented by Garey High School JROTC and the Mayor led the Pledge of Allegiance.

ROLL CALL

Present: Mayor Tim Sandoval
Vice-Mayor Victor Preciado
Councilmember Nora Garcia
Councilmember Rubio R. Gonzalez
Councilmember Steve Lusto
Councilmember Elizabeth Ontiveros-Cole
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.** A Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming February 2020 as "Black History Month" in the City of Pomona

Over 40 members of the public came forward to hear the proclamation and witness the certificates of recognition handed out by the Mayor and Council.

- B.** Certificates of Recognition Honoring Black History Month

Jeanette Ellis-Royston
Anthony Bonner Jr.
Nita Watson
City of Pomona

Dr. Amos Brown, Sr
Bishop Henry Alexander

David Judah Oliver

Venita Reynolds

Jack Mosley

Cerena Mosley

Shante Flournoy

Tamela Hutchinson

Reggie Clark

David Brown

Ethel Gardner

M. Joyce Bakersmith

African American Museum of Beginnings

Chara Swodeck

Pastor Ivory Brown

Dr. Trudy Coleman

Rev. Tommy Morrow

Pomona Alliance of Black School Educators

Senior Pastor Jarron C. O'Neal

Crystal O'Neal

Dr. James O'Neal

Pastor Sandra O'Neal

Helen Smith Draper

Joe C. Draper

Gary V. Lett

Farrell Chiles

Pearls of Service, Inc.

Epsilon Eta Omega and Sigma Rho Chapters

MAYOR/COUNCILMEMBER COMMUNICATIONS

Mayor Sandoval moved to continue Public Hearing Items 13, 14 and 15 to the March 16, 2020 meeting because more information is needed in order for Council to make decisions on the appeals in each item. Anyone that submitted a speaker card for these items would be called up to speak during Public Participation if they still wished to comment.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to continue Items 13, 14 and 15 to March 16, 2020.

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

All councilmembers attended various City functions including Activating Parks Workshop, Project Hope Event at Tony Cerda Park, Westmont Park tree planting, Freddie Rodriguez's event sponsored by San Gabriel Valley Economic Partners, House of Ruth Teen Art Display, Public Banking exploratory meeting, and Soto Park grand opening.

The Council encouraged residents to take part in early voting and attend upcoming town halls, community meetings, tree planting events, State of the City at the Fox Theater on March 18, Library Foundation Mayor's Gala on June 4, and Black History Celebration at MLK Memorial Park on February 29.

The Mayor asks staff to bring forward a rental inspection ordinance and an inclusionary housing ordinance or also known as affordable housing.

CITY MANAGER COMMUNICATIONS

City Manager James Makshanoff reported that the City has learned they have been awarded from Prop 68 Statewide Park Program \$1.5 million for Hamilton Park and are still waiting to hear about the Washington Park project that the City applied for.

PUBLIC PARTICIPATION

Edward Samaniego expressed concerns about Tony Cerda Park, Hamilton Park and Veterans (Memorial) Park.

Bulldog Jesse expressed concerns about Veterans (Memorial) Park and said that veterans are being let down by the City.

Dawn Van Allen and Fred Van Allen both spoke on their support of rent control and tenant protections and said not all landlords are bad.

Dennis Querio spoke on issues he is having in the alley behind his rental properties on Willow and Berkeley.

John Chen and Annie Chen expressed concerns about rent control. He has spent a lot of money for improvements at his rental properties and felt that landlords need incentives to improve. She expressed the need for affordable housing in the City.

Gonzalo Saucedo expressed concern for disenfranchisement in the City and the Pomona Police Department appearing on the TV show "Live PD".

John Mayer spoke on rent control and the need for landlords to be educated.

Deborah Clifford spoke on the history of the Ebell Club.

Eva Bitran, ACLU attorney, spoke on police accountability and a previous records request that was not answered fully. A new records request was submitted to the City Clerk.

Neel Garlapati spoke on upcoming events at the Fairplex. He also provided details about the Fairplex being an LA County Voting Center.

Jorge Portillo spoke on his issue regarding a neighbor who leaves multiple cars on his street because he has a permit to sell cars at a nearby lot.

Darrell Kruse expressed concern about the Cannabis permit process and that small business owners would be shut out by the third party rating process.

Miranda Sheffield expressed concerns about ICE in the Pomona community and the need for the undocumented to be protected.

Sofia Portillo expressed concern about a dangerous crosswalk at Orange Grove and Huntington and the need for lighting or other safety measures.

Gilbert Jaw spoke on his support for good landlords and affordable housing.

Amos Young commended the Council on their outreach to the black community.

Kathy Tessier spoke on her support for rent control as written by the state's bill.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the Consent Calendar except for Items 7 and 10 which were pulled for discussion and voted on separately.

1. Approval of Annual Audit Reports for Fiscal Year Ended June 30, 2019

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the Annual Audit Reports for Fiscal Year Ended June 30, 2019

2. Approval of Lot Merger LM9-2019 for the Properties Designated as Assessor Parcel Numbers 8340-004-016 and -017, Related to Remodeling of an Existing Residential Property Located at 1128 Wisconsin Street, Pomona, CA (Council District 1)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-18 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM9-2019 FOR THE PROPERTIES LOCATED AT 1128 WISCONSIN STREET, ASSESSOR PARCEL NUMBERS 8340-004-016 and -017 ; and

- 2) Authorize the City Engineer to sign the Lot Merger LM9-2019 on behalf of the City.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2020-18 approving lot merger LM9-2019 for properties located 1128 Wisconsin Street parcel numbers 8340-004-016 and 017

3. 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:

January 6, 2020 Meeting Minutes

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of January 6, 2020.

4. Approval of Applications for Grant Funds through the Los Angeles County Regional Park and Open Space District's Measure A Funded Grants

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

RESOLUTION NO. 2020-17 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING APPLICATIONS FOR GRANT FUNDS THROUGH THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT'S MEASURE A FUNDED GRANTS

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, for approval of applications for Grant Funds through the Los Angeles County Regional Park and Open Space District's Measure A Funded Grants.

5. Approve a Memorandum of Understanding between the City of Pomona and Three Valleys Municipal Water District to Collaborate in the Development of a Regional Urban Water Management Plan

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

- 1) Direct staff to collaborate with the Three Valleys Municipal Water District (TVMWD) and partnering agencies to develop a 2020 Regional Urban Water Management Plan (RUWMP); and
- 2) Authorize the City Manager to execute an MOU with TVMWD in support of completing the 2020 RUWMP.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve a Memorandum of Understanding between the City of Pomona and Three Valleys Municipal Water District to Collaborate in the Development of a Regional Urban Water Management Plan

6. Approval of Amendment to the Engagement Letter Agreement with Cumming Construction Management, Inc. in the Amount of \$117,015 for Construction Management Services for the Year-Round Emergency Shelter and Emergency Shelter Annex

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

- 1) Amend the Engagement Letter Agreement with Cumming Construction Management, Inc. in the amount of \$117,015 to provide staff augmentation for

Construction Management Services for the "Year-Round Emergency Shelter," CIP Project No. 428-2590-XXXXX-71044 and "Emergency Shelter Annex/Water Utility Access," CIP Project No. 428-2590-XXXXX-71053; and,

2) Authorize the City Manager to execute all documents and subsequent amendments related with this action, with approval of the City Attorney as to form.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, for approval of Amendment to the Engagement Letter Agreement with Cumming Construction Management, Inc. in the Amount of \$117,015 for Construction Management Services for the Year-Round Emergency Shelter and Emergency Shelter Annex

7. Legislative Advocacy - Consideration of a Resolution in Support of H.R. 763 (Deutch) the Energy Innovation and Carbon Dividend Act of 2019

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-19 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, IN SUPPORT OF H.R. 763 - THE ENERGY INNOVATION AND CARBON DIVIDEND ACT OF 2019

- 2) Authorize staff to disseminate the executed Resolution to the appropriate Federal Legislators.

Item 7 was pulled for discussion because speaker cards were submitted.

Don Martens, Jan Bush and Karen Chapman Lenz all spoke in support of this item.

Teresa Santee, Kathryn Kirni and Lina Mira submitted speaker cards in support but did not wish to speak.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to adopt Resolution No. 2020-19 in support of H.R. 763 the Energy Innovation and Carbon Dividend Act of 2019

8. Acceptance of the Donation of Sixty (60) SANDD Mini Devices from Redhawk Medical Products and Services LLC

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

RESOLUTION NO. 2020-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE DONATION OF SIXTY (60) SANDD MINI DEVICES IN AN IN KIND AMOUNT OF \$15,000 FROM REDHAWK MEDICAL PRODUCTS AND SERVICES LLC

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution 2020-14 accepting the donation of Sixty (60) SANDD Mini Devices from Redhawk Medical Products and Services LLC in the amount of \$15,000

9. Approval of the Sale of 1320 Jacqueline Drive in Pomona, California (APN: 8358-034-903) to Maria Diaz for the Purchase Price of \$140,000 - Council District 1

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

- 1) Adopt the following resolution:

SUCCESSOR AGENCY RESOLUTION NO. 2020-02 - A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE SALE OF PROPERTY LOCATED AT 1320 JACQUELINE DRIVE IN POMONA, CALIFORNIA (APN: 8358-034-903) TO MARIA DIAZ FOR THE PURCHASE PRICE OF \$140,000

- 2) Authorize the City Manager to execute the Real Property Purchase & Sale Agreement and Joint Escrow Instructions, in substantially the form submitted, and all related documents to complete the sale transaction contingent upon the Consolidated Oversight Board's ("Oversight Board") approval of the disposition of the Property as herein presented.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, approval of the sale of 130 Jacqueline Drive, Pomona California (APN: 8358-034-903 to Maria Diaz or purchase price \$140,000

10. Adopt a Resolution Amending the FY 2019-20 Capital Improvement Program (CIP) Budget by Creating a New CIP Project "Pomona Library Facility Improvements," Project No. 428-2590-XXXXX-74120, and Receiving and Appropriating \$280,000 of Donation Funds from the Pomona Public Library Foundation (PPLF) to the New Project

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

RESOLUTION NO. 2020-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 CAPITAL IMPROVEMENT (CIP) BUDGET BY CREATING A NEW CIP PROJECT, "POMONA LIBRARY FACILITY IMPROVEMENTS," PROJECT NO. 428-2590-XXXXX-74120, AND BY RECEIVING AND APPROPRIATING \$280,000 OF DONATION FUNDS FROM THE POMONA PUBLIC LIBRARY FOUNDATION (PPLF) TO THE NEW PROJECT

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No 2020-28 amending the FY 2019-20 Capital Improvement Program (CIP) Budget by creating a new CIP Project “Pomona Library Facility Improvements” Project No. 428-2590-XXXXX-74120, and receiving and appropriating \$280,000 of donation funds from The Pomona Public Library Foundation (PPLF) to the new project

11. Approval of the Filing of an Application for \$200,000 in Planning Grant Funds from the Transformative Climate Communities Program and Authorizing the Execution of all Necessary Documents and Agreements

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

RESOLUTION NO. 2020-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE APPLICATION FOR \$200,000 IN GRANT FUNDS FROM THE TRANSFORMATIVE CLIMATE COMMUNITIES PROGRAM AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS AND AGREEMENTS

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2020-25 approving the application for \$200,00 in grant funds from the Transformative Climate Communities Program and authorizing the execution of all necessary documents and agreements

DISCUSSION CALENDAR

12. 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 Latino and Latina Roundtable of the San Gabriel and Pomona Valley in support of their Cesar Chavez Breakfast – Requested Amount: \$1,000
 - B) Amount to be determined in support of Garey High School’s Educational Anti-Vaping Campaign – Requested Amount: \$1,000
 - C) Amount to be determined to Pony United Youth Baseball League in support of their opening season – Requested Amount: TBD
 - D) Amount to be determined in support of Pomona Beautiful’s twice weekly citywide cleanups Requested Amount: \$750

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

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to make a finding of public benefit for Items A-D

PUBLIC HEARINGS

13. Appeal of Major Certificate of Appropriateness No. 12883-2019, HPC Resolution 20-001 for 877 W. Grand Avenue

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

RESOLUTION NO. 2020-20 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DENYING MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 12883-2019) TO ALLOW FOR THE DEMOLITION OF A PRE-1945 SINGLE-FAMILY DWELLING, DETACHED GARAGE, AND POULTRY HOUSE ON A PROPERTY LOCATED AT 877 W. GRAND AVENUE

Item 13 was continued to March 16, 2020.

14. Appeal of Major Certificate of Appropriateness No. 11397-2019, HPC Resolution 20-002 for 961 East Phillips Boulevard

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

RESOLUTION NO. 2020-26 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DENYING MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 11397-2019) FOR THE DEMOLITION OF FOUR PRE-1945 SINGLE FAMILY RESIDENCES BUT ALLOWING THE RELOCATION OF EXISTING HOMES TO THE PROJECT SITE TO FACILITATE ADDITIONAL DENSITY/UNITS ON THE PROPERTY LOCATED AT 961 EAST PHILLIPS BOULEVARD (APN: 8333-031-013)

Item 14 was continued to March 16, 2020

15. Appeal of Major Certificate of Appropriateness No. 12537-2019, HPC Resolution 20-003 for 650 West Grand Avenue

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

RESOLUTION NO. 2020-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 12537-2019) TO ALLOW FOR THE PARTIAL

**DEMOLITION OF A PRE-1945 SINGLE FAMILY RESIDENCE AND RELOCATION
OF STRUCTURE TO SIDE OR FRONT, BUT NOT TO THE REAR, OF THE
SUBJECT SITE LOCATED AT 650 WEST GRAND AVENUE (APN: 8343-005-019)**

Item 15 was continued to March 16, 2020

MATTERS INITIATED BY CITY COUNCILMEMBERS

Mayor Sandoval requested that staff pursue a path to allow for food trucks in the City.

ADJOURNMENT

The City Council meeting was adjourned in memory of former District 6 Councilmember Stephen Atchley at 9:06 p.m. on Monday, February 24, 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