



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, September 10, 2018

7:00 PM

Council Chambers

CLOSED SESSION

PUBLIC PARTICIPATION

There were no members of the public present to speak.

CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Pursuant to Government Code Section 54956.9 (d)(1))

Dilley v. City of Pomona; Los Angeles Central District Case No. BS 174286

SQM North America Corporation; US Court of Appeals Ninth Circuit Case No. 15-56062

B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

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

One matter regarding exposure to litigation will be discussed (Pursuant to Government Code Section 54956.9 (d)(2))

C. CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code

Section 54957.6)

Unrepresented Group A and B Employees

Labor Negotiators: Linda Lowry and Linda Matthews

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property: Veterans' Park Site; APNs 8707-019-902, 903, 906 & 909

Negotiating Party: Seventh Street Development, Inc.

Successor Agency's

City's Negotiator: Linda Lowry, City Manager

Under Negotiation: Price and Terms

REPORT OUT FROM CLOSED SESSION

City Attorney Arnold Alvarez-Glasman stated that the City Council convened into Closed Session at 5:45 p.m. and that the items listed on the agenda had been announced prior to recessing into Closed Session and reported the following:

Item A-1: This item was discussed, a briefing was provided, there was no further action taken, and there was nothing further to report.

Item A-2: A briefing was provided and the City Council unanimously affirmed the appeal to the Ninth Circuit Case No. 15-56062.

Item B-1: One matter regarding potential litigation initiated, and the City Council unanimously authorized SL Environmental Law Group to commence litigation on the TCP contamination matters as discussed in Closed Session.

Item B-2: This item was discussed, authorization was given to the City Manager to sign conflict letter.

Item C: This item was discussed, the City Council was provided a briefing, the item will return as an Open Session item on September 17, 2018.

Item D: This item was discussed, the City Council unanimously authorized the execution of an exclusive negotiating agreement with Seventh Street Development, Inc.

The City Council recessed from Closed Session at 6:00 p.m.

7:00 P.M.

CALL TO ORDER

The City Council meeting was called to order at 7:00 p.m.

ROLL CALL

Present: 7 - Mayor Tim Sandoval
Council Member Rubio Gonzalez
Council Member Adriana Robledo
Council Member Cristina Carrizosa
Council Member Elizabeth Ontiveros-Cole
Council Member Ginna E. Escobar
Council Member Robert Torres

Staff Present: Linda Lowry, City Manager
Arnold Alvarez-Glasman, City Attorney
Marie M. Macias, Interim City Clerk
Genoveva Rocha, Deputy City Clerk

POSTING OF COLORS

The Posting of the Colors was presented by the Ganesha High School JROTC Color Guard.

PLEDGE OF ALLEGIANCE

Mayor Sandoval led the Pledge of Allegiance to the Flag.

PRESENTATIONS

A. Resources Presentation- (No Report)

Chief of Police Olivieri gave a presentation and explained how police officers are deployed throughout the City. He informed that the Pomona Unified School District was funding two officers and that the City was funding an additional officer, but they would be stationed on campus.

B. Approval and Presentation of a Proclamation declaring the month of September as "Attendance Awareness Month" in the City of Pomona

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to Approve and Present a Proclamation declaring the month of September as "Attendance Awareness Month" in the City of Pomona.

C. Certificate of Recognition to Schafali Grewal

Councilmember Ontiveros-Cole and Mayor Sandoval presented a Certificate of Recognition to Schafali Grewal for her efforts in rescuing and placing pets with permanent owners.

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Escobar spoke on the L.A. County Fair's opening weekend and she spoke on her combined efforts with Councilmember Gonzalez to combat graffiti in the community.

Councilmember Gonzalez spoke on National Night Out, Dia de Los Puerco's soft opening and various park cleanups held throughout the City.

Councilmember Ontiveros-Cole spoke on the Tiger's Roar event held at Harrison Elementary School.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry stated she did not have anything to report.

PUBLIC PARTICIPATION

Douglas Pierce spoke on his visit to the Ronald Reagan Presidential Library; he also spoke on his former property in the City and the problems he encountered with the property.

Lisa Engdahl, Chair of Clean & Green, expressed concern over the lack of enforcement on pallet businesses in the City. She explained that Di Stefano Cheese was denied their insurance because of the unpermitted pallet businesses next door.

David O. Holmes expressed concern over the pallet yards and Di Stefano Cheese Company receiving their insurance cancellation letter. He requested that the City Council address the issue.

Ron Cobas spoke on Di Stefano Cheese losing their insurance and the concern regarding the neighboring pallet business.

Andrea Yvette Lee spoke about God in the community.

M. Joyce Bakersmith invited the City Council to the Willie White Park Focus Group Candidate Forum for Districts 2, 3, and 5, regarding the upcoming City Council elections, on September 29, 2018, held at Western University Heck Lecture Hall. She also requested the City Council's financial assistance with the upcoming Cultural Festival.

Juan Reyes expressed his concern over the new parking regulations allowing residents to park only one vehicle on the street. He questioned why it was necessary to obtain 75% of the signatures rather than 51% of signatures on the petition.

Mayor Sandoval requested that City Engineer Rene Guerrero speak to Mr. Reyes and explain the petition process.

Kelly A. Solis commented that she was deferring her time to Ginna E. Escobar

Ginna Escobar commented that she was deferring her time to her daughter Ginna E. Escobar.

GINNA E. ESCOBAR spoke on threats received during her campaign and requested that the Mayor make a position of statement regarding fair campaigns.

ROSANNE BADER spoke about Mount San Antonio College and Measure Go a \$750 Million Bond Measure that will help improve education on campus for the surrounding communities, she encouraged everyone to vote Yes on Measure GO at the November 6, 2018 election.

MANUEL BACA spoke on Measure GO. He informed the measure was designed to fund the school's master plan, preparing students for transfer and to bring the buildings are up to code.

GAREY CHOW, MTSAC Trustee, informed that Measure GO would provide a university level facility to the students.

JUDY ST. JOHN stated she supported Councilmember Escobar's statement as she requested to voice opposition to the bullying and scare tactics relating to the election campaigns.

MAYOR SANDOVAL informed there was a response given by the City's legal team. He requested that it be noted for the record that there should have been a follow up response. He stated there was no questions that a statement needed to be made regarding issues related to campaigning and it was necessary to move forward thoughtfully.

WALTER MARQUEZ, CFO at Fairplex, invited the City Council to a special behind the scenes tour where they would discuss safety, traffic, special operations, and carnival operations.

RANDY BECKENDAM spoke on the SCALF project and commented that he had provided flyers with more information for the City Council.

MIGUEL SANTANA spoke on the opening weekend of the Los Angeles County Fair. He informed that it was a successful weekend and that with the partnership with the Pomona Police Department there are less incidents that have occurred on and off campus. The Fairplex took measures to reduce traffic and that over 10,000 residents from Pomona attended the fair on Pomona Day.

FERNANDO ROMERO, Pomona Economic Opportunity Center (PEOC), invited the community to celebrate the 20th Anniversary of the PEOC at the Ebell Hall.

MAYOR SANDOVAL requested an update on the efforts the City is making to enforce pallet businesses to be in compliance.

COUNCILMEMBER CARRIZOSA seconded the Mayor's request.

BOTH COUNCILMEMBERS CARRIZOSA and ROBLEDI expressed their dismay on comments and threats directed towards Councilmember Escobar's re-election campaign.

MAYOR SANDOVAL stated that bullying of any type was never acceptable. He informed the City Council that he was made aware of the challenges presented in preparing a statement on bullying. He requested that the entire City Council be made aware of those challenges.

Councilmember Escobar expressed her concern that she had not heard back from the City Council or the Mayor regarding her request of anti-bullying while campaigning during the election period.

City Attorney Arnold Alvarez-Glassman stated the City did not currently have an enforceable policy on anti-harassment, anti-bullying, and improper activities. He informed he would share the email he sent to the Mayor and City manager and at the request of the entire City Council he would prepare a statement for the following meeting.

Councilmember Torres stated he was expecting to see the statement prior to the meeting; he requested that the statement be sent prior to the meeting so that it could be thoroughly reviewed to ensure he does not infringe on his rights to inform the public.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to Approve the Consent Calendar with Item Nos. 8, 10, 11, and 12 being pulled for discussion.

1. Adopt a Resolution Amending the Consolidated Plan, the Fiscal year (FY) 2018-2019 Annual Action Plan, the FY 2018-2019 City Operating Budget by Increasing Revenue Estimates and Appropriations in HOME Investment Partnership Act (HOME) Program, HOME Program Administration, Community Development Block Grant, Lead Hazard Control and Healthy Homes and Neighborhood Stabilization Program Income Funds

RESOLUTION NO. 2018-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN AMENDMENT TO THE CONSOLIDATED PLAN, THE FISCAL YEAR (FY) 2018-2019 ANNUAL ACTION PLAN AND THE FISCAL YEAR CITY OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS IN HOME INVESTMENT PARTNERSHIP ACT (HOME) PROGRAM, HOME PROGRAM ADMINISTRATION, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), AND LEAD HAZARD CONTROL AND HEALTHY HOMES (LHC/HH) PROGRAM FUNDS AND NEIGHBORHOOD STABILIZATION PROGRAM INCOME FUNDS (NSP 3)

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

2. Adoption of a Resolution Superseding Resolution 2018-103 and Authorizing Hinderliter de Llamas and Associates (subsidiary of HdL Companies) to examine the sales, use and transaction tax records of the Department of Tax and Fee Administration, and Authorizing Certain City Officials Access Thereto

RESOLUTION NO. 2018-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SUPERSEDING RESOLUTION 2018-103 AND AUTHORIZING EXAMINATION OF SALES, USE AND TRANSACTION TAX RECORDS

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

3. Adopt a Resolution Authorizing the Acceptance of \$7,500 from the State Department of Finance Awarded in Meeting State Applicable Benchmarks as Authorized by Provision 4 of Item 9100-101-0001 of the 2017 Budgeted Act

RESOLUTION NO 2018-122

ADOPT A RESOLUTION AUTHORIZING THE ACCEPTANCE OF \$7,500 FROM THE STATE DEPARTMENT OF FINANCE AWARDED IN MEETING STATE APPLICABLE BENCHMARKS AS AUTHORIZED BY PROVISION 4 OF ITEM 9100-101-001 OF THE 2017 BUDGETED ACT

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

4. Adoption of a Resolution Amending the FY 2018-2019 City Operating Budget by Appropriating \$100,000 in Available Housing Authority Admin Fund Balance for Program Expenses Related to the Homeless Services Center, Including an Award of a Sole Source Contract to LeSar Development Consultants for Professional Services Related to Program Implementation and Evaluation for an amount not to exceed \$25,000

RESOLUTION NO. 2018-123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-2019 CITY OPERATING BUDGET BY APPROPRIATING \$100,000 IN AVAILABLE HOUSING AUTHORITY ADMIN FUND BALANCE FOR PROGRAM EXPENSES RELATED TO THE HOMELESS SERVICES CENTER, INCLUDING AN AWARD OF A SOLE SOURCE CONTRACT TO LESAR

**DEVELOPMENT CONSULTANTS FOR PROFESSIONAL SERVICES RELATED TO
PROGRAM IMPLEMENTATION AND EVALUATION FOR AN AMOUNT NOT TO
EXCEED \$25,000**

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED
7-0.**

5. Award of Contract with Chandler Asset Management to Provide Investment Services for the City of Pomona

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED
7-0.**

6. Adopt a Resolution Approving the Amended Recognized Obligation Payment Schedule (ROPS 18-19B) for the Period of January 1, 2019 through June 30, 2019

RESOLUTION NO. SA 2018-10

**A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO
THE REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA
APPROVING THE AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE
FOR THE PERIOD OF JANUARY 1, 2019 THROUGH JUNE 30, 2019, "ROPS 18-19B"**

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED
7-0.**

7. Adoption of a Resolution Amending the FY 2018-19 Police Special Funds Budget by Appropriating \$134,206 of Unspent/Carryover Supplemental Law Enforcement Services Account (SLESA) Funds from FY 2016-17 and FY 2017-18 SLESA Projects, Amending the FY 2017-18 SLESA Expenditure Plan and Award a Purchase Contract to National Auto Fleet Group in an Amount Not to Exceed \$68,325

RESOLUTION NO. 2018-124

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING THE
FY 2018-19 POLICE SPECIAL FUNDS BUDGET BY APPROPRIATING \$134,206 OF
UNSPENT/CARRYOVER SLESA PROJECT FUNDS FROM FY 2016-17 AND FY
2017-18, AMENDING THE FY 2017-18 SLESA EXPENDITURE PLAN AND AWARDED
A PURCHASE CONTRACT**

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED
7-0.**

8. Adoption of a Resolution Accepting the State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant in the Amount of \$410,000 and Amending the FY 2018-19 Operating and Revenue Budgets

RESOLUTION NO. 2018-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT AND AMENDING THE FY 2018-19 OPERATING AND REVENUE BUDGETS

This item was pulled for discussion.

9. Adoption of a Resolution Accepting the State of California Office of Traffic Safety (OTS) Child Passenger Safety Program Grant in the Amount of \$153,000, Amending the FY 2018-19 Operating and Revenue Budgets and Authorizing the Award of Contract to SafetyBeltSafe, U.S.A. in the Amount Not to Exceed \$127,514

RESOLUTION NO. 2018-126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) CHILD PASSENGER SAFETY PROGRAM GRANT AND AMENDING THE FY 2018-19 OPERATING AND REVENUE BUDGETS

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

10. Amendment to Emergency Shelter Overlay

This item was pulled for discussion.

11. Status of the Fairgrounds District Code Amendment Review by the Planning Commission

This item was pulled for discussion.

12. Review and Recommended Voting Positions for Resolutions for the 2018 League of California Cities Annual Conference

This item was pulled for discussion.

13. Adopt a Resolution Authorizing the Acceptance and Appropriation of a \$27,500 Donation from the Pomona Community Foundation to Fund an Annual Contract with Healthify, AKA Purple Binder, to Provide On-line Public Access to a Voluntary Resource Data Base of the Supportive Services Available to the Pomona Community

RESOLUTION NO 2018-127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF A \$27,500 DONATION FROM THE POMOMA COMMUNITY FOUNDATION TO FUND AN ANNUAL CONTRACT WITH HEALTHIFY AKA PURPLE BINDER, TO PROVIDE ON-LINE PUBLIC ACCESS TO A VOLUNTARY RESOURCE DATA BASE OF THE SUPPORTIVE SERVICES AVAILABLE TO THE POMONA COMMUNITY

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

14. Adoption of a Resolution Approving Lot Merger LM10-2017 and Lot Line Adjustment LLA2-2017 of Portions of Lots 11, 12, 19 and 20 of Hutchinson's Subdivision of Lots 5, 8 and 11 of the Bingham Tract, Recorded in Book 26, Page 66 of Miscellaneous Records, County of Los Angeles, Assessor Parcel Numbers 8336-007-018, 8336-008-009 and -001, for Parking Compliance of the Commercial Properties Located at 776-808 N. Garey Avenue, Pomona, CA (Council District 4)

RESOLUTION NO. 2018-128

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, APPROVING LOT MERGER LM10-2017 AND LOT LINE ADJUSTMENT LLA2-2017 OF PORTIONS OF LOTS 11, 12, 19, AND 20 OF HUTCHINSON'S SUBDIVISION OF LOTS 5, 8, AND 11 OF THE BINGHAM TRACT, RECORDED IN BOOK 26, PAGE 66 OF MISCELLANEOUS RECORDS, COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8336-007-018, 8336-008-009 AND -001, FOR PARKING COMPLIANCE OF THE COMMERCIAL PROPERTIES LOCATED AT 776-808 N GAREY AVENUE, POMONA, CA (COUNCIL DISTRICT 4)

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

15. Approval of Purchase of Maintenance Repair & Operation (MRO) Supplies, Parts, Equipment, Materials & Related Services from Grainger, Under a Cooperative Agreement through National IPA.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

16. Approval of an amendment of the agreement with Fairbank, Maslin, Metz, & Associates in the amount not to exceed \$24,040 to provide Public Opinion Research and Educational Communication Services

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0.

ITEMS PULLED FOR DISCUSSION

8. Adoption of a Resolution Accepting the State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) Grant in the Amount of \$410,000 and Amending the FY 2018-19 Operating and Revenue Budgets

RESOLUTION NO. 2018-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT AND AMENDING THE FY 2018-19 OPERATING AND REVENUE BUDGETS

Councilmember Carrizosa requested to pull this item for a separate vote.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 6-1 (COUNCILMEMBER CARRIZOSA OPPOSED).

10. Amendment to Emergency Shelter Overlay

Hank Fung spoke on the importance of complying with Senate Bill 2 and on the misperceptions of the public regarding this item.

Mayor Sandoval expressed his concerns regarding including motels in the Emergency Shelter Overlay and requested a consensus from the City Council to remove the inclusion of motels with the exception of the American Recovery Center.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to remove the Motel/Lodging businesses along Mission Boulevard, Holt Avenue, and Garey Avenue language from the Emergency Shelter Overlay with the exception of American Recovery.

11. Status of the Fairgrounds District Code Amendment Review by the Planning Commission

Development Services Director Mario Suarez provided a presentation to the City Council.

Mario Ramos inquired when the ordinance would be finalized and urged the City Council to make a decision.

Brian C. Brooks expressed that the City should have oversight of the events taking place at the Fairplex and urged the City Council to make a decision.

Judy St. John urged the City Council to make a decision after having received the recommendations of the Ad-Hoc Committee.

Jesus Campos commented that there needed to be action in expediting the code amendment.

Councilmember Torres and Mayor Sandoval discussed their concerns regarding issuing a timeframe to the Planning Commission to make a recommendation to the City Council regarding the Fairgrounds District Code Amendment.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0, to request that a letter be sent to the Planning Commission requesting them to make a decision on the Ordinance within forty days from September 17, 2018 to be brought back to the City Council.

12. Review and Recommended Voting Positions for Resolutions for the 2018 League of California Cities Annual Conference

John Mirsch, Vice-Mayor of the City of Beverly Hills, requested support from the City Council on Resolution No. 1 listed on the Staff report.

Mayor Sandoval inquired about affordable housing for vulnerable members. Mr. Mirsch stated that affordable housing should be handled at a regional level with funding coming from the State.

Hank Fung expressed that he opposed Staff's recommendation and requested that the City Council abstain from voting for Resolution No. 1 as listed on the Staff report.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 4-1-2-0 (Councilmember Ontiveros-Cole Opposed and Councilmembers Carrizosa and Torres Abstained).

DISCUSSION CALENDAR

17. Finding of Public Benefit to the Community at Large: Recommended Expenditures

CURRENT REQUESTS:

- A) Amount to be determined to the Pomona Breakfast Optimist Club for additional support of their "Come Dressed in Your Favorite Era" fundraiser - Requested amount: TBD
- B) \$43.32 to install Little Free Library in District Four Neighborhood
- C) Amount to be determined to Mothers Helping Others in support of Holiday Extravaganza - Requested amount: \$700
- D) Amount to be determined to the California Panthers Youth Football & Cheer in support of programming - Requested amount: \$2,000
- E) Amount to be determined to Sacred Heart Church in support of Annual Fundraiser - Requested amount: TBD
- F) Amount to be determined to Diamond Ranch High School to support their Panther Football program - Requested amount: TBD

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 6-0-1-0 (VICE-MAYOR GONZALEZ WAS ABSENT), to Approve the Finding of Public Benefit to the Community at Large as Listed on the Agenda.

18. Adopt a Resolution of the Board of Directors of the Successor Agency to the Redevelopment Agency of the City of Pomona Approving the Form of a Preliminary Official Statement in Connection with the Successor Agency's 2018 Tax Allocation Refunding Bonds, Series BI (Federally Taxable), and Authorizing Certain Other Actions in Connection Therewith

RESOLUTION NO. SA 2018-11

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF POMONA APPROVING THE FORM OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE SUCCESSOR AGENCY'S 2018 TAX ALLOCATION REFUNDING BONDS, SERIES BI (FEDERALLY TAXABLE), AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

Finance Director Onyx Jones provided a brief presentation to the City Council and introduced Michael Bush of Urban Futures.

Michael Bush provided a detailed presentation to the City Council.

MOTION BY VICE-MAYOR GONZALEZ, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to Adopt Resolution No. SA 2018- Approving the Form of a Preliminary Official Statement in Connection with the Successor Agency's 2018 Tax Allocation Refunding Bonds, Series BI (Federally Taxable), and Authorizing Certain Other Actions in Connection Therewith.

- 18 A.** Receive and File the Impact Analysis Report Prepared Pursuant to Section 9212 of the California Elections Code on the Possible Effects of the Proposed Initiative to Create "Safe Access Cannabis" (SAC), "Industrial Cannabis" (IC) Overlay Zones, Allow Delivery of Cannabis in the City, and Impose a \$5.00 per square foot Assessment on Commercial Cannabis Businesses, and Consider Whether to Adopt the Proposed Ordinance, or Direct Staff to Prepare said Ordinance for Placement on the Ballot of the Next Available Election

Deputy City Manager Kirk Pelser provided a brief presentation to the City Council and summarized the prior action taken by the City Council.

Mayor Sandoval commented that the report was helpful and he was glad the City Council requested the Impact Analysis Report.

MOTION BY MAYOR SANDOVAL, SECOND BY VICE-MAYOR GONZALEZ, CARRIED, 6-0-0-1 (COUNCILMEMBER ESCOBAR ABSTAINED), to Receive and File the Impact Analysis Report Prepared Pursuant to Section 9212 of the California Elections Code on the Possible Effects of the Proposed Initiative to Create "Safe Access Cannabis" (SAC), "Industrial Cannabis" (IC) Overlay Zones, Allow Delivery of Cannabis in the City, and Impose a \$5.00 per square foot Assessment on Commercial Cannabis Businesses, and Consider Whether to Adopt the Proposed Ordinance, or Direct Staff to Prepare said Ordinance for Placement on the Ballot of the Next Available Election.

- 18 B.** Consideration of Draft Ordinance Regulating Commercial Cannabis Businesses and Further Council Direction on Finalizing the Draft Ordinance and Related Policies

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE POMONA CITY CODE BY ADDING CHAPTER 74, "COMMERCIAL CANNABIS ACTIVITY," TO THE POMONA CITY CODE; AND AMENDING POMONA ZONING ORDINANCE NO. 1673 BY ADDING SECTION .58015, "CONDITIONAL USE PERMIT AND DEVELOPMENT AGREEMENT REQUIRED FOR COMMERCIAL CANNABIS ACTIVITY," TO ALLOW CLASSIFICATIONS OF COMMERCIAL CANNABIS ACTIVITY [IN ZONES] [OR IN PORTIONS OF ZONES] [OR TO ESTABLISH A SPECIAL OVERLAY ZONE] AND REPEAL PROVISIONS INCONSISTENT OR IN CONFLICT WITH THIS ORDINANCE

City Attorney Arnold Alvarez Glasman informed that Deputy City Attorney Norma Copado would provide a presentation to the City Council on this item.

Deputy City Attorney Norma Copado informed that the presentation would focus on discussion taking place from June to July that encompassed previous action from the City Council.

Assistant City Attorney Andrew Jared discussed that maps which were Attachments 3 to 9 in the Staff report.

The City Council discussed the distance between future cannabis businesses and sensitive use sites:

All City Councilmembers were in agreement that the distance between cannabis businesses, schools and daycare centers should be 1000 ft.

Councilmembers Gonzalez, Carrizosa, Ontiveros-Cole, Escobar, Torres, and Mayor Sandoval agreed to a 1000 ft. distance from recreation centers. Councilmember Robledo opted for 600 ft. distance.

Councilmembers Gonzalez, Robledo, Ontiveros-Cole, Escobar, and Torres agreed with a 600 ft. distance from Youth Centers. Councilmember Carrizosa and Mayor Sandoval agreed on a 1000 ft. distance from youth centers.

Councilmembers Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Torres, and Mayor Sandoval were in agreement with a 600 ft. distance from Substance Abuse Centers. Councilmember Escobar opted for a 300 ft. minimum distance.

Regarding the homeless shelters Councilmember Gonzalez felt that if it was not mandated by the State there should not be a minimum distance set. Councilmembers Robledo, Ontiveros-Cole, Escobar, Torres, and Mayor Sandoval agreed with a 600 ft. minimum distance, and Councilmember Carrizosa opted for a 1000 ft. minimum distance from any homeless shelters.

Councilmembers Gonzalez and Escobar agreed that there should not be a minimum distance set from Social Service Offices unless required by the state. Councilmembers Robledo, Ontiveros-Cole, Torres, and Mayor Sandoval agreed on a 600 ft. distance, and Councilmember Carrizosa preferred a 1000 ft. minimum distance.

Councilmembers Gonzalez, Robledo, Ontiveros-Cole, Escobar and Mayor Sandoval were all in agreement that there should not be a minimum distance set for churches. Councilmembers Carrizosa and Torres preferred a 600 ft. minimum distance.

All Councilmembers were in agreement that there should be a 1000 ft. minimum distance from retail cannabis business A and retail cannabis business B.

Jonatan Cvetko, Angeles Emeralds, commented that he would be speaking on behalf of the following speakers representing Angeles Emeralds for the sake of time:

Kevin Eugene Kelly Jr.
Jeimi Teresa Herrera
Michael A. Peterson
Mikael Long
Katherine Gonzalez
Jason Renteria
Alex Renteria
Fredy Gonzalez
Kevin Ramirez

Mr. Cvetko stated they support the Cannabis Ordinance. He thanked the City Council for taking a responsible approach. He requested that the City Council allow a license for temporary events which would allow permits in the future for temporary events.

Mark Ramos, stated that the Ordinance is a great start and suggested adding a licensing and permitting process that can be revoked or denied if any business violates labor laws.

Adam Hijazi spoke on concerns establishing cannabis regulation in the City.

Damian Martin expressed his approval of the ordinance presented.

Amos Young did not wish to speak and did not indicate whether he was in support or opposition of the item.

Kevin Ramirez thanked Mayor Sandoval for looking into this item and considering the cannabis ordinance.

Mayor Sandoval initiated the conversation regarding a merit based and lottery system where they businesses will not be selected by the City Council.

Councilmembers Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, and Mayor Sandoval were all in agreement with requesting the merit based system and lottery system to be included in the ordinance.

Councilmember Escobar expressed her concerns with the lottery component and disagreed, but she agreed on the merit based system.

Councilmember Torres stated he appreciated the comments on the lottery system but was not in agreement. He expressed that the City Council should have a say which businesses come into the City; he agreed with the merit based system.

Mayor Sandoval proposed to continue the discussion regarding the Cannabis Ordinance to a Special Meeting on Monday, September 17, 2018.

The City Council discussed the distance requirements from the sensitive uses and requested to continue this item to the September 17, 2018, Regular City Council meeting.

PUBLIC HEARINGS

19. Public Hearing to Receive Comments on the Fiscal Year (FY) 2017-2018 Consolidated Annual Performance and Evaluation Report (CAPER) for Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) Funds

MOTION BY COUNCILMEMBER CARRIZOSA, COUNCILMEBER ROBLEDO, (COUNCILMEMBER ESCOBAR WAS ABSENT) CARRIED 6-0-1-0, to Open the Public Hearing.

There were no public speakers present.

MOTION BY COUNCILMEBER ONTIVEROS-COLE, SECOND BY COUNCILMEMBER CARRIZOSA, (COUNCILMEMBER ESCOBAR WAS ABSENT) CARRIED 6-0-1-0, to Close the Public Hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER TORRES, (COUNCILMEMBER ESCOBAR WAS ABSENT) CARRIED 6-0-1-0, to Receive Comments on the Fiscal Year (FY) 2017-2018 Consolidated Annual Performance and Evaluation Report (CAPER) for Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), and Emergency Solutions Grant (ESG) Funds

20. Introduction and First Reading of an Ordinance Adopting a Change of Zone (ZONE 6154-2016) and approvals of first reading of a change of zone from R-1-6,000, Single-family residential district to R-1-E Overlay, Single-family residential overlay district for the 0.45 acre site located at 1538 South Towne Avenue (APN 8328-007-006) and approval of a Conditional Use Permit (CUP 9774-2018) for the project which includes the proposed construction of two detached single-family structures, construction of a six car garage as well as associated site improvements.

ORDINANCE NO. 4251

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CHANGE OF ZONE (ZONE-6154-2016) TO REZONE ONE PARCEL WITH AN R-1-6,000 (SINGLE-FAMILY RESIDENTIAL DISTRICT) ZONING DESIGNATION TO R-1-E OVERLAY (SINGLE-FAMILY RESIDENTIAL OVERLAY DISTRICT) ZONING DESIGNATION FOR A PROPERTY LOCATED AT 1538 SOUTH TOWNE AVENUE, ASSESSOR'S PARCEL NUMBER 8328-007-006

RESOLUTION NO. 2018-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP-9774-2018) TO ALLOW FOR THE CONSTRUCTION OF TWO DETACHED SINGLE-FAMILY STRUCTURES, CONSTRUCTION OF A SIX CAR GARAGE AS WELL AS ASSOCIATED SITE

Senior Planner Vinny Tam gave a presentation to the City Council regarding the upgrades the Council requested to the project.

Charles Dee Yu, representing applicant, spoke on the changes made to the development and expressed the applicant's desire to have the project approved.

The City Council thanked the applicant for the changes they made to the development and remarked that the Planning Department's and applicant's efforts were appreciated.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, to Open the Public Hearing.

There were no public speakers present.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEBER CARRIZOSA, CARRIED 7-0, to Close the Public Hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to Introduction and First Reading of an Ordinance Adopting a Change of Zone (ZONE 6154-2016) and approvals of first reading of a change of zone from R-1-6,000, Single-family residential district to R-1-E Overlay, Single-family residential overlay district for the 0.45 acre site located at 1538 South Towne Avenue (APN 8328-007-006) and approval of a Conditional Use Permit (CUP 9774-2018) for the project which includes the proposed construction of two detached single-family structures, construction of a six car garage as well as associated site improvements and adoption A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP-9774-2018) TO ALLOW FOR THE CONSTRUCTION OF TWO DETACHED SINGLE-FAMILY STRUCTURES, CONSTRUCTION OF A SIX CAR GARAGE AS WELL AS ASSOCIATED SITE IMPROVEMENTS ON A PROPERTY LOCATED AT 1538 SOUTH TOWNE AVENUE, ASSESSOR'S PARCEL NUMBER 8328-007-006

21. Conduct a Public Hearing and Adopt a Resolution Modifying the Downtown Pomona Property and Business Improvement District Management District Plan

RESOLUTION NO. 2018-131

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,
MODIFYING THE DOWNTOWN POMONA PROPERTY AND BUSINESS
IMPROVEMENT DISTRICT**

Deputy City Manager Kirk Pelsler gave a brief presentation to the City Council.

Rhonda Bellville was not present to speak and did not indicate whether she was in favor or opposed the item.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED, 7-0, to Open the Public Hearing.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to Close the Public Hearing.

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to Conduct a Public Hearing and Adopt Resolution No. 2018-131 Modifying the Downtown Pomona Property and Business Improvement District Management District Plan.

22. An appeal of the Planning Commission action on a Conditional Use Permit to allow for the construction of a new 47,199 square foot industrial warehouse and office uses for a property located within the M-1(Light Industrial) district within the East Mission Boulevard Workplace Expansion Zone of the Pomona Corridors Specific Plan, at 650-690 S. Reservoir Street. The request also includes a revocation of Conditional Use Permit (CUP 05-035) (issued but not previously exercised) to construct a 17,362 square foot industrial building at 750 S. Reservoir St. (parking shared with subject property).

RESOLUTION NO. 2018-132

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT (CUP 7814-2017) TO ALLOW THE
CONSTRUCTION OF A NEW 47,199 SQUARE FOOT STRUCTURE AND ASSOCIATED
ON-SITE IMPROVEMENTS FOR A PROPERTY LOCATED AT 650, 680, 690 S.
RESERVOIR STREET IN THE M-1 LIGHT INDUSTRIAL DISTRICT.**

RESOLUTION NO. 2018- 133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE REVOCATION OF CONDITIONAL USE PERMIT 05-035 (PC RESOLUTION NO. 05-092) THAT HAS NOT BEEN EXERCISED TO CONSTRUCT A NEW 17,362 SQUARE FOOT INDUSTRIAL BUILDING AT AN EXISTING INDUSTRIAL FACILITY WITHIN THE M-1 (LIGHT INDUSTRIAL) ZONE ON PROPERTY LOCATED AT 750 SOUTH RESERVOIR STREET.

Senior Planner Vincent Tam provided a presentation to the City Council.

Nora Garcia commented that she had submitted extended comments to the City Clerk for the City Council and expressed her concern regarding the industrial zone and the type of business that could potentially come to the location.

The City Council spoke on the efforts of the applicant meeting the requirements and economic development that the project will bring to the City.

MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to Open the Public Hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to Close the Public Hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2018-?? approving a Conditional Use Permit to allow for the construction of a new 47,199 square foot industrial warehouse and office uses for a property located within the M-1(Light Industrial) district within the East Mission Boulevard Workplace Expansion Zone of the Pomona Corridors Specific Plan, at 650-690 S. Reservoir Street. Approving Resolution No. 2018- approving a revocation of Conditional Use Permit (CUP 05-035) (issued but not previously exercised) to construct a 17,362 square foot industrial building at 750 S. Reservoir St. (parking shared with subject property).

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Robledo requested an update and review of the truck routes in the City.

Mayor Sandoval stated he was in support of Councilmember Robledo's request.

Councilmember Ontiveros-Cole stated her concerns regarding street racing on Towne Avenue.

Councilmember Escobar requested an update on the weekly report about the Work Force Opportunity Act in helping people obtain vocational training; she also requested statement on decorum for the election.

Councilmember Torres requested lifting the moratorium on speed bumps, revisiting the policy, and stated he agreed with Councilmember Ontiveros-Cole's concerns on street racing.

Councilmember Carrizosa expressed her support for Councilmembers Torres and Ontiveros-Cole's request.

Mayor Sandoval requested guidance as to what the City Council could do to promote the City's tax measures coming up at the 2018 General Municipal Election.

ADJOURNMENT

The City Council was adjourned on Tuesday, September 11, 2018 at 12:22 a.m.

In Memory of

*Robert Acosta
&
Rob DeChaine*

Respectfully submitted,



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

ATTEST:



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