

May 20, 1985

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF POMONA  
AND OF THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY OF SAID CITY  
HELD MAY 20, 1985, AT 8:00 P.M., IN THE COUNCIL CHAMBERS OF THE CITY  
HALL, 505 SOUTH GAREY AVENUE, POMONA, CALIFORNIA.

1  
INVOCATION

The invocation was given by the Rev. Dr. Clay Ford, Bethel Baptist Church.

- - - - -

2  
ROLL CALL

Roll Call:

Present: Councilmen: Gaulding, Smith, Nymeyer, (Vice-Mayor) Weigand

Staff: City Administrator Lampman,  
City Attorney Sampson, City Clerk Herr,  
Director of Community Development Sorensen,  
Director of Public Works Minamide.

Absent: Councilmen: (Mayor) Selby, in Sacramento on City business.

- - - - -

Vice-Mayor Weigand presided over the meeting in the absence of Mayor Selby.

- - - - -

3  
MINUTES  
5/6/85

Moved by Councilman Smith, seconded by Councilman Nymeyer, that the Minutes of the Regular Meeting held May 6, 1985, be approved as written.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

4  
MINUTES  
5/9/85

Moved by Councilman Nymeyer, seconded by Councilman Smith, that the Minutes of the Adjourned Regular Meeting held May 9, 1985, be approved as written.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

5  
MINUTES  
5/13/85

Moved by Councilman Nymeyer, seconded by Councilman Smith, that the Minutes of the Adjourned Regular Meeting held May 13, 1985, be approved as written.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

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157

Moved by Councilman Smith, seconded by Councilman Nymeyer, that the proclamation of May 19-25, 1985, as "Public Works Week", be approved.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

6  
PROCLAMAT'N  
("Public  
Works")

APPROVED  
1.4

The City Clerk announced that this was the time and place fixed for hearing on Planning Commission Resolution No. 6143, recommending approval of a change of zone from R-1-7200 to F-"S" at the Los Angeles County Fairgrounds, White Avenue south of Arrow Highway; Los Angeles County Fair Association, applicant.

Officials of the Fair Association and residents of the area spoke in favor of the change of zone and the plans for a recreational vehicle park on this 9.5 acre parcel. A petition in support of the zone change which had been signed by eighty-one residents of the recreational vehicle park on the fair grounds was filed with the City Clerk.

Several residents of the area spoke in opposition to the application citing the noise, odors and dust which now emanate from the fair grounds, as reasons for which the zone change should be denied. Thomas Mullen, 775 Laredo Avenue presented a petition signed by forty-three residents who were opposed to the rezone.

It was explained that the application was merely for a change of zone and did not determine the usage of this parcel, that the "S" zone would require additional hearing by the Planning Commission and the granting of a Conditional Use Permit (CUP) for any usage.

Moved by Councilman Nymeyer, seconded by Councilman Smith, that the hearing be terminated.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

A RESOLUTION APPROVING PLANNING COMMISSION RESOLUTION NO. 6143.

Moved by Councilman Nymeyer, seconded by Councilman Smith, that the resolution be approved, adopted, and numbered 85-109, and that the City Attorney be instructed to prepare the ordinance necessary for the zone change.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

7  
PC #6143  
ZONE LA COUNTY  
FAIR GROUNDS  
(LA County Fair  
Assoc.)

RESOLUTION  
APPROVING  
PC #6143

APPROVED  
6.22

8  
PC #6134  
ZONE 3642  
N GAREY  
(Pac Scene  
Properties)

The City Clerk announced that this was the time and place fixed for hearing on Planning Commission Resolution No. 6134, recommending denial of a change of zone from C-4 and P to A-P at 3642 North Garey Avenue; Pacific Scene Properties, applicant.

Council was in receipt of a communication from the applicant, requesting that the hearing be continued to June 3.

CONT'D TO  
6/3/85  
6.22

Moved by Councilman Gaulding, seconded by Councilman Nymeyer, that the hearing be continued to Monday, June 3, 1985, at 8:00 p.m., in the Council Chambers.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

9  
VACATION  
PTN ELEANOR  
2ND/3RD  
V-193  
(City)  
PC #6123

The City Clerk announced that this was the time and place fixed for hearing on vacation of a portion of Eleanor Street, between Second and Third Streets, as shown on Map No. V-193; City initiated.

Council was in receipt of Planning Commission Resolution No. 6123, recommending approval of the vacation.

There was no one present who spoke either for or against the vacation.

Moved by Councilman Smith, seconded by Councilman Gaulding, that the hearing be terminated.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

RESOLUTION  
ORDERING  
VACATION

A RESOLUTION ORDERING VACATION OF A PORTION OF ELEANOR STREET, BETWEEN SECOND AND THIRD STREETS, AS SHOWN ON MAP NO. V-193. (Planning Commission Resolution No. 6123, City initiated)

Moved by Councilman Smith, seconded by Councilman Nymeyer, that the resolution be approved, adopted, and numbered 85-110.

APPROVED  
10.2

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

10  
VACATION  
PTN ALLEY  
EIGHTH  
V-194  
(Blackwell)  
PC #6124

The City Clerk announced that this was the time and place fixed for hearing on vacation of a portion of an alley eleven feet wide, from the southerly line of Eighth Street to 120+ feet southerly, as shown on Map No. V-194; Orman Blackwell, applicant.

Council was in receipt of Planning Commission Resolution No. 6124, recommending approval of the vacation.

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There was no one present who spoke either for or against the vacation.

VACATION  
PTN ALLEY  
EIGHTH  
V-194  
(Blackwell)

Moved by Councilman Smith, seconded by Councilman Nymeyer, that the hearing be terminated.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

A RESOLUTION ORDERING VACATION OF A PORTION OF AN ALLEY ELEVEN FEET WIDE FROM THE SOUTHERLY LINE OF EIGHTH STREET TO 120+ FEET SOUTHERLY, AS SHOWN ON MAP NO. V-194. (Planning Commission Resolution No. 6124, Orman Blackwell, applicant)

RESOLUTION  
ORDERING  
VACATION

Moved by Councilman Gaulding, seconded by Councilman Nymeyer, that the resolution be approved, adopted, and numbered 85-111.

APPROVED  
10.2

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

The City Clerk announced that this was the time and place fixed for hearing on determination of whether the public interest and necessity require the acquisition of real property generally located at Second Street to Mission Boulevard, Towne Avenue to Eleanor Street (Downtown Pomona Redevelopment Project Area II; Phase II)

11  
ACQUISITION  
PRPTY DOWNTOWN  
II RDV PROJ  
AREA, PHASE II

The City Attorney advised that this hearing was for determination of the public interest and necessity for acquisition of the property; and the prices offered for the properties in question were not a part of this hearing.

Beverly Vcelak, co-owner of Parcel 70, 794 East Fourth Street, protested damages due to lost rent. She also stated that the offered price was not fair; however, the City Attorney ruled that this was not part of the hearing.

Ernest Havlicek, co-owner of Parcel 64, 725 East Mission Boulevard, stated that he left town on May 9 and did not receive his notice; however he requested permission to speak.

Moved by Councilman Gaulding, seconded by Councilman Smith, that the requirement for Mr. Havlicek to write a letter be waived, and that he be allowed to speak.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

Mr. Havlicek then protested the proposed property acquisition.

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ACQUISITION PROPERTY DOWNTOWN II RDV PROJ AREA, PHASE II

Allen Reims, Attorney representing Arthur J. and Phyllis M. Long, owners of Parcel 26, 740 East Second Street, requested continuation of the hearing, as the Agency was not following the guidelines.

Robert Sheinbein, representing Howard and Tamara Green and E.W.A.P., Inc., owners of Parcel 65, at 735 East Mission Boulevard, protested that the owners had been listed incorrectly on the notice, and requested that the Council look into the matter of how these proceedings have been conducted.

The City Attorney recommended that action should be taken tonight, and the allegations which have been made be settled in the courts.

Moved by Councilman Gaulding, seconded by Councilman Smith, that the hearing be terminated.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

RDV RESOL ACQUISITION PROPTY (Downtown II Rdv Proj Area, Phase II)

A RESOLUTION OF THE REDEVELOPMENT AGENCY FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF REAL PROPERTY GENERALLY LOCATED AT SECOND STREET TO MISSION BOULEVARD, TOWNE AVENUE TO ELEANOR STREET. (Downtown Redevelopment Project Area II, Phase II)

Moved by Councilman Gaulding, seconded by Councilman Nymeyer, that the resolution be approved, adopted, and numbered 85-112.

APPROVED 6.23

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

12 BIENNIAL HRG RDV AGCY REVIEW EVALUATE RDV PLNS EACH PROJ AREA/ 1983-84 ANNUAL REPORT

The City Clerk announced that this was the time and place fixed for the biennial hearing of the Redevelopment Agency to review and evaluate the progress of the Redevelopment Plans of each project area, and present the Redevelopment Agency's 1983-84 Annual Report.

Moved by Councilman Gaulding, seconded by Councilman Smith, that the hearing be terminated.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

RDV RESOL APV 1983-84 AGCY ANNUAL REPORT

A RESOLUTION OF THE REDEVELOPMENT AGENCY APPROVING THE 1983-84 REDEVELOPMENT AGENCY'S ANNUAL REPORT AND AUTHORIZING SUBMITTAL TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

Moved by Councilman Gaulding, seconded by Councilman Smith, that the resolution be approved, adopted, and numbered 85-113.

APPROVED 6.23

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

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161

AN ORDINANCE AMENDING SECTION 12-6, 12-7, AND 12-11 OF ORDINANCE NO. 1673, ALSO KNOWN AS THE CODE. (Regarding solid wastes)

13  
ORDINANCE  
SOLID  
WASTES

Moved by Councilman Smith, seconded by Councilman Gaulding, that the ordinance be placed upon first reading.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

1ST RDG  
5.8, .13

- Carried -

AN ORDINANCE AMENDING ORDINANCE NO. 3231, AS AMENDED BY ORDINANCE NOS. 3238, 3247, 3253 AND 3260, FIXING SALARIES FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES, BY ADDING THE JOB CLASSIFICATION OF "INSPECTION SERVICES SUPERVISOR".

14  
ORDINANCE  
SALARIES  
MGMT/CONF  
(Inspect'n  
Svcs Supvsr)

Moved by Councilman Nymeyer that the matter be held over until the Management Study is completed.

The motion died for lack of a second.

- - - - -

Moved by Councilman Smith, seconded by Councilman Gaulding, that the ordinance be placed upon first reading.

1ST RDG  
2.5

Ayes: Gaulding, Smith, Weigand.

Noes: Nymeyer.

- Carried -

Council was in receipt of documents relating to the contract for hot asphalt-rubber chip sealing on various streets, Project No. 08-440.

15  
HOT ASPHALT  
RUBBER CHIP  
SEAL #08-440

A RESOLUTION AWARDED THE CONTRACT TO FONTANA PAVING, INC. (For lowest bid of \$151,828)

15a  
RESOLUTION  
AWD CONTR  
(Fontana  
Paving)  
6.18

Moved by Councilman Nymeyer, seconded by Councilman Gaulding, that the resolution be approved, adopted, and numbered 85-114.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

A RESOLUTION AUTHORIZING AN AGREEMENT WITH W.R.G. CO., INC. (For testing and inspection services, at a cost not to exceed \$6,000)

15b  
RESOLUTION  
TESTING AND  
INSPECTION  
SVCS (W.R.G.  
Co., Inc.)

Moved by Councilman Nymeyer, seconded by Councilman Gaulding, that the resolution be approved, adopted, and numbered 85-115.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

APPROVED  
6.18

- Carried -

16  
RDV RESOL  
PROVIDE 100%  
FUNDING CONST  
ON/OFF RAMPS  
RT 10/71  
& MOU  
UNIVERSITY  
CORP CNTR  
DEV  
(Caltrans)  
6.23, 10.5

A RESOLUTION OF THE REDEVELOPMENT AGENCY PROVIDING FOR 100% LOCALLY FUNDED PROJECT FOR CONSTRUCTION OF ON AND OFF RAMPS ON THE ROUTE 10/ROUTE 71 BRANCH CONNECTOR AS PART OF THE UNIVERSITY CORPORATE CENTER DEVELOPMENT, AND AUTHORIZE A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION.

Moved by Councilman Gaulding, seconded by Councilman Nymeyer, that the resolution be approved, adopted, and numbered 85-116.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

17  
RESOLUTION  
ROBERTI-Z'B.  
GRANT APPLIC  
(Parks)

A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS UNDER THE ROBERTI-Z'BERG URBAN OPEN-SPACE AND RECREATION PROGRAM. (For the Palomares Park Renovation Project)

Moved by Councilman Smith, seconded by Councilman Gaulding, that the resolution be approved, adopted, and numbered 85-117.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

APPROVED  
6.14, 4.14

- Carried -

18  
APPT:  
PROJ AREA  
COMMITTEE  
(PAC) SVCS  
SW POM RDV  
PROJ

Council was in receipt of a communication from the Director of Community Development, recommending appointment of a Project Area Committee (PAC) for services in the amendment to the Southwest Pomona Redevelopment Project.

Moved by Councilman Nymeyer, seconded by Councilman Gaulding, that the appointment of a Project Area Committee (PAC) for services in the Southwest Pomona Redevelopment Project, be approved as set forth in the recommendation of the Director of Community Development, dated May 20, 1985.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

APPROVED  
2.2, 6.23

- Carried -

19  
AUTHORIZE  
SEEK BIDS  
STREET  
SWEEPER  
REPLACEM

Council was in receipt of a request for authorization to seek bids for street sweeper replacements.

Moved by Councilman Nymeyer, seconded by Councilman Smith, that the staff be authorized to seek bids for street sweeper replacements as set forth in the recommendation of the Director of Public Works, dated May 20, 1985.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

APPROVED  
3.18

- Carried -

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163

The Council was in receipt of a communication from the Community Development Director, dated May 20, 1985, regarding relocation of the structure at 300 West Seventh Street.

After considerable discussion, it was moved by Councilman Smith, seconded by Councilman Gaulding, that the Council authorize the staff to expend Community Development Block Grant (CDBG) funds not to exceed \$35,000 for relocation and storage of the building at 300 West Seventh Street, and to clear and compact the vacated parcel, as set forth in Mr. Sorensen's memorandum of May 20.

Ayes: Gaulding, Smith, Weigand.  
Abstentions: Nymeyer.

20  
AUTH CDBG  
FUNDS RELOCATE  
STORE  
STRUCTURE  
300 W 7TH

APPROVED  
6.23, 4.14

- Carried -

Moved by Councilman Gaulding, seconded by Councilman Nymeyer, that all items on the Consent Agenda be acted upon as recommended except Items (b) and (c):

A RESOLUTION AUTHORIZING AN AGREEMENT WITH KAY'S OPERATED EQUIPMENT, INC. (Lease agreement for use of the Water Department's roadway property located at 1394 East Ninth Street, Well No. 15 site, to help facilitate access to their property)

Approved, adopted, and numbered 85-118.

21  
CONSENT:

(a)  
RESOLUTION  
LEASE AGRM  
WTR DEPT PRPTY  
1394 E 9TH  
(Kay's)  
8.19

Recommendations on proposed legislation:

1. Letter in opposition to Senate Bill 952. (Employee organization access to the workplace)
2. Letter in opposition to Senate Bill 693. (Charter City consolidation of elections)
3. Letter in support of Assembly Bill 948. (Prohibits electioneering, etc., within 300 feet of a polling place)

Approved, as set forth in the recommendations of the Management Services Director, dated May 16 and 17, 1985, and the Mayor authorized to write letters in opposition/support.

(b)  
LETTERS OPPOSE  
SB952, SB693,  
LTR SUPPORT  
AB948

APPROVED  
1.18

Council was in receipt of the Boards/Commissions Minutes:

1. Planning Commission, April 24, 1985.
2. Vehicle Parking Districts, April 4, 1985.
3. Vehicle Parking Districts, April 12, 1985.
4. Vehicle Parking Districts, April 24, 1985.

(c)  
MINUTES  
(PC, VPD's)

Vote:  
Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -



May 20, 1985

22  
MOBILE HOME  
PRK STATUS  
REPORT  
(City  
Administr)

ITEM (b): The Council was in receipt of a mobile home park status report from the City Administrator, dated May 15, 1985, noting that up to this point there was not a final agreement between the owners and tenants, although there had been an agreement that within ninety days the group would hold another meeting.

Moved by Councilman Gaulding, seconded by Councilman Nymeyer, that the communication be received and filed.

REC/FILED  
6.12

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

23  
TRSF FUNDS  
PERSNL  
IN-SVC TRNG  
COMPUTER  
TRAINING

ITEM (c): Council was in receipt of a request for transfer of funds in the amount of \$2,000 from the Contingency account to Personnel's "In-Service Training" account for continued computer training.

Moved by Councilman Smith, seconded by Councilman Gaulding, that the request for transfer of funds in the amount of \$2,000, be approved, as set forth in the communication of the Assistant to the City Administrator, dated May 15, 1985.

APPROVED  
4.11, .13

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

24  
CANCEL  
5/28  
COUNCIL  
MTG

Council was in receipt of a recommendation from the City Administrator regarding cancellation of the May 28, 1985 Council meeting.

Moved by Councilman Smith, seconded by Councilman Gaulding, that the May 28, 1985 City Council meeting be cancelled, as set forth in the communication of the City Administrator, dated May 15, 1985.

APPROVED  
2.3

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

RULES  
WAIVED

Moved by Councilman Gaulding, seconded by Councilman Smith, that the Rules of Procedure be waived in order that unscheduled business might be transacted.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

May 20, 1985

165

A RESOLUTION DECLARING MAY 27, 1985, AS A DAY OF REMEMBRANCE FOR PERSONS WITH DISEASE.

Moved by Councilman Gaulding, seconded by Councilman Smith, that the resolution be approved, adopted, and numbered 85-119, with the word, "etc." being inserted following Cerebral Palsy in paragraph No. 3.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

25  
RESOLUTION  
DECLARE 5/27  
REMBER PERSONS  
w/DISEASE

APPROVED  
5.1

Moved by Councilman Nymeyer, seconded by Councilman Gaulding, that the Rules of Procedure be waived in order that unscheduled business might be transacted.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

WAIVE  
RULES

Moved by Councilman Nymeyer, seconded by Councilman Gaulding, that the Council direct staff and authorize the Executive Director or the Deputy Executive Director to sign a loan agreement between the Redevelopment Agency and Gayle Post, owner of 281 South Thomas Street, for a loan of \$70,000; Agency to dispense the monies to the subcontractors.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

26  
AUTH LOAN  
AGRM w/RDV  
AGCY &  
GAYLE POST  
281 S THOMAS  
DOWNTOWN I

APPROVED  
6.23.1

Moved by Councilman Nymeyer, seconded by Councilman Smith, that the Rules of Procedure be waived in order that unscheduled business might be transacted.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

WAIVE  
RULES

Moved by Councilman Nymeyer, seconded by Councilman Gaulding, that the Mayor be authorized to send a letter to Supervisor Schabarum, as previously sent to the City Administrator, opposing the use of Bonelli Park property for commercial sales purposes and residential development.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

27  
AUTH LTR  
SCHABARUM  
OPPOSE USE  
BONELLI PRK  
COMMERC SALES  
RESIDENT DEV

APPROVED  
1.18, 6.14

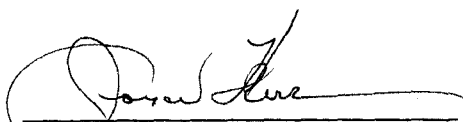
28  
ADJOURNMENT  
TO 5/21/85


Moved by Councilman Nymeyer, seconded by Councilman Gaulding, that the meeting be adjourned to Tuesday, May 21, 1985, at 4:00 p.m., in the Council Chambers for budget review.

Ayes: Gaulding, Smith, Nymeyer, Weigand.

- Carried -

It was 11:50 p.m.

  
\_\_\_\_\_  
City Clerk and Secretary of  
the Redevelopment Agency

  
\_\_\_\_\_  
Mayor and Chairman of  
the Redevelopment Agency