



City of Pomona

505 S. Garey Ave
Pomona, CA 91766

Regular Meeting Minutes

City Council / Housing Authority / Successor Agency to the Redevelopment Agency

Mayor Tim Sandoval
Councilmember Rubio R. Gonzalez
Councilmember Victor Preciado
Vice Mayor 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, October 5, 2020

7:00 PM

Teleconference via Zoom

5:30 P.M. via Zoom, closed to the public

CLOSED SESSION

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

Property: 501 East Mission Blvd. Block
(APN's: 8335-014-907, 8335-014-910, 8335-014-915,
8335-014-916, 8335-014-919, 8335-014-920, 8335-014-921)

Negotiating Party: National Community Renaissance - CORE

City's Negotiator: James Makshanoff, City Manager

Under Negotiation: Price and terms

7:00 P.M. Teleconference via Zoom, closed to the public

CALL TO ORDER

Mayor Sandoval called the City Council Meeting to order at 7:00 p.m.

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Sonia Carvalho reported that the closed session agenda matter of real property negotiations was discussed and there was no reportable action on this item.

PLEDGE OF ALLEGIANCE

Councilmember Ontiveros-Cole led the Pledge of Allegiance.

ROLL CALL

Present via Zoom: Mayor Tim Sandoval
Councilmember Victor Preciado
Vice Mayor Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert Torres

Not Present per May 23, 2020 City Council Resolution of Censure:

Councilmember Rubio Gonzalez

STAFF PRESENT via Zoom

Sonia Carvalho, City Attorney
Rosalia Butler, City Clerk
John DePolis, IT Director
Mark Gluba, Deputy City Manager
Linda Matthews, Human Resources Director
Rene Guerrero, Public Works Director
Andrew Mowbray, Finance Director
Anita Gutierrez, Development Services Director
Benita DeFrank, Neighborhood Services Director
Chris Diggs, Water Resources Director
Mike Ellis, Police Chief
Jim Robinson, Assistant Fire Chief
Beverly Johnson, Housing Services Manager
Arnold Dichosa, City Engineer

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Preciado reminded everyone to fill out his or her Census form as it is ending. He thanked everyone that volunteered at the Kennedy Park clean up.

Councilmember Garcia wished all teachers a Happy World Teacher Appreciation Day. She advised that on Saturday, October 17 Pomona Valley Hospital and Fairplex would be

hosting a free drive through flu shot clinic.

Councilmember Ontiveros-Cole thanked all that came out to volunteer at the Urban Mission for a food and clothing drive. She thanked all the pastors involved at the church.

Councilmember Lustro spoke about an upcoming tour he will be taking of the parks and facilities to look for some potential opportunities for public art in District 5. He spoke about the importance of flu shots and advised that Pomona Catholic High School will be having a free drive through flu shot clinic on October 9 sponsored by LA Care and Blue Shield of California.

Councilmember Torres thanked all community organizations that were helping with events like food drives and free flu shots. He encouraged everyone to continue to wear masks and advised that through private donation he had masks that he could provide to anyone in Pomona. He also advised that election ballots had been mailed out.

CITY MANAGER COMMUNICATIONS

Deputy City Manager Mark Gluba reported that staff have requested that Item 4 be removed from the agenda tonight for consideration on the next council meeting agenda. Additional funding had been made available for the program and that staff wanted to appropriate all the funding at the same time.

PUBLIC PARTICIPATION

Public Participation-In response to the global COVID 19 pandemic and in accordance with California Governor's Executive Order N 25 20 regarding the Brown Act and guidance from the California Department of Public Health on gatherings, please note that comments for Public Participation or for a specific item on the agenda were accepted by email and also were accepted live during the meeting via the chat feature on Zoom or voice. Comments received electronically via email were read into the record by the city clerk.

Email comments were as follows:

From Julie Mestas:

“Dear City Clerk and City Council, I'm writing tonight regarding the Vagrant situation that we have and the expense to Property Owners. We have a property in the downtown area that was broken into through the wrought iron in an alley. I could not understand how they did it, then low and behold I get a Nixel regarding thefts in Laverne and San Dimas. There were 3 people that were caught 1 man and 2 women! The 2 women were from Pomona!!! In Claremont an article came out and a percentage of the Vagrants committing crimes in the Claremont area are coming from Pomona!!! Our police are doing a great job with the limited staff they have!!! We need to fund More Police not defund them!!! I know we are living in crazy times more reason we Need more Police. It's costly for the property owners and costly to Our

City as well. WE NEED MORE POLICE IN OUR CITY. Thank you, Julie M., Newton Realty”

From Ron Burcker:

“I have recently needed a repair to my sewer line lateral and was told that city ordinance Section 62-399-G requires the property owner to repair the lateral beyond the property line regardless of the cause of damage. In a time where 57 percent of Americans cannot afford a one thousand dollar surprise expense, this ordinance creates a hardship for the homeowners of Pomona. In other cities throughout California, the municipality is responsible for street maintenance and repair, including the sewer laterals up to residential property lines. I would like to propose a change to this ordinance and the maintenance responsibility of the sewer lateral pipelines. The line of ownership should be transferred from property owner to municipality at property line, not at the sewer line main. This could potentially save the community thousands of dollars that could be reinvested into our local businesses by using the city's expertise in construction project pricing. Can we consider an improvement to this ordinance for the benefit of all residents and businesses in the city of Pomona? Thank you for taking my question.”

Live comments were as follows:

Chris Chung spoke about his concern with a proposal at 728 E Mission for a cannabis retail store and stated his complaint about the lack of proper notice from the applicant and the false signed affidavits from the applicant. He stated that city staff went ahead with a public meeting despite the fact that there was not proper notification.

Darrell Kruse spoke about how Pomona cannabis businesses were treated in the past under a different mayor and council versus other cities in California.

Jocelyn Brambila spoke about street sweeping tickets and complained about this unfair policy while many residents are still working from home. She stated she has tried to contact Councilmember Torres and the Mayor with no reply. She feels that the policy unfairly targets low income, multiple family households.

Damian Galvan, teacher and head soccer coach at Ganesha High School, spoke about the accomplishments of the boys' soccer team and girl's basketball team from last school year. He spoke about a fundraiser to pay for CIF championship rings. COVID-19 hit at the end of the soccer season last year and they were not able to fundraise for the rings or other post-season celebrations.

Mayor Sandoval advised Mr. Galvan that this item could be added to the Finding of Public Benefit item for the next council meeting.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER GARCIA , SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to approve the entire consent calendar except for Item 4 which was pulled from the agenda in a separate motion.

1. 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 21, 2020

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to approve the meeting minutes for September 21, 2020.

2. Approval of a Traffic Signal Synchronization Program (TSSP) Agreement and Statement of Construction Services with the County of Los Angeles and Appropriating a Total of \$120,000 from the County of Los Angeles for TSSP Project-Valley Boulevard/Holt Avenue, Project No. 428-2590-XXXX-76026

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-140 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM (TSSP) AGREEMENT AND STATEMENT OF CONSTRUCTION SERVICES WITH THE COUNTY OF LOS ANGELES FOR "TSSP PROJECT - VALLEY BOULEVARD/HOLD AVENUE," PROJECT NO. 428-2590-XXXXX-76026 AND AMENDING THE FY 2020-21 CIP BUDGET BY APPROPRIATING A \$120,000 REIMBURSEMENT FROM THE COUNTY OF LOS ANGELES

- 2) Authorize the City Manager and/or designee to take all necessary actions needed by the County of Los Angeles to execute the related agreements and related project funding documentation on behalf of the City for "TSSP Project - Valley Boulevard/Holt Avenue," Project No. 428-2590-XXXXX-76026.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to adopt Resolution No. 2020-140 and authorize the city manager to execute related agreements.

3. Approve California Choice Energy Authority entering into a Long-Term Resources Adequacy Agreement with Calpine Energy Solutions, L.P. on behalf of Pomona Choice Energy

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

- 1) Approve California Choice Energy Authority entering into a Long-Term Resource Adequacy Agreement with Calpine Energy Services, L.P. (Calpine) on behalf of Pomona Choice Energy; and
- 2) Authorize the City Manager, or designee, to sign the Master Power Purchase and Sale Agreement Confirmation Letter.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to approve California Choice Energy Authority Entering into a Long Term resources Adequacy Agreement with Calpine Energy Solutions, L.P. on behalf of Pomona Choice Energy.

4. Receive Up to \$353,000 in Elderly Nutrition Grant Funding From County of Los Angeles Workforce Development, Aging and Community Services (WDACS) and Amend the FY 2020-21 Operating Budget by Increasing Revenue Estimates and Appropriating \$173,886

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2020-141 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, RECEIVING UP TO \$353,000 FROM THE COUNTY OF LOS ANGELES WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES (WDACS) FOR THE ELDERLY NUTRITION PROGRAM AND AMENDING THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING \$173,886 TO 226-4190-XXXXX-58695 IN ADDITIONAL GRANT FUNDS

- 2) Authorize the City Manager, or his designee, to execute an amendment to the agreement with the County of Los Angeles to receive up to \$353,000 in grant funding and any subsequent amendments hereto, following City Attorney approval.

This item was pulled by Deputy City Manager Gluba as requested by staff.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to pull this item for the next city council meeting.

5. Award of Agreement for Crane Services to Macadee Electrical Construction

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

- 1) Award a three-year agreement with two, one-year renewal options with Macadee Electrical Construction to provide crane services in an amount not-to-exceed \$110,000 annually, for an aggregate amount not-to-exceed \$330,000; and
- 2) Authorize the City Manager or designee, to execute the agreement and any subsequent amendments.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to award agreement for Crane Services to Macadee Electrical Construction for a three-year agreement with two, one year renewal options and authorize the city manager to execute the agreement.

6. Approve a New 2020-2025 Master Consultant List for Professional Services Beginning November 1, 2020

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

- 1) Approve the new Master Consultant List, comprised of 56 professional and technical consultant firms, for use in procuring professional services for any project within the City's Adopted Capital Improvement Program (CIP) in which services shall not exceed the maximum amount allowed by California Public Contracts Code Sec. 22032(b) per specialty category, per project within the specialty category, as set forth in the Master Consultant List; and
- 2) Authorize the City Manager to enter into five-year Consultant Retainer Agreements for Professional Consultant Services with the recommended consulting firms on behalf of the City.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to approve the New 2020-2025 Master Consultant List for Professional Services beginning November 1, 2020.

7. Approve an Agreement with Meila Homes for Water Connection Fees

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

- 1) Approve an agreement with Meila Homes; and
- 2) Authorize the City Manager, or designee, to sign the agreement.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to approve an agreement with Meila Homes for Water Connection Fees.

8. Letter of Support to Safe Clean Water Program Regional Funding for Washington Park Stormwater Infiltration Project Submittal

It is recommended that the City Council authorize the submittal of a letter of support to the Safe Clean Water Program Regional Funding for Washington Park Stormwater Infiltration Project submittal.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE authorize Letter of Support to Safe Clean Water Program Regional Funding for Washington Park Stormwater Infiltration Project Submittal.

DISCUSSION

9. Finding of Public Benefit to the Community at Large-Recommended Expenditure(s) and Recap of Expended 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 for Council to donate from their discretionary funds for emergency relief for those affected by COVID-19 Pandemic – Requested Amount: TBD
 - b. Amount to be determined to Pomona Public Works Department for installing a plaque in District 5 – Requested Amount: TBD.
 - c. Amount to be determined in support of the Christmas on Columbia holiday lights display – Requested Amount: \$3,672.
- 2) Receive and file the recap of final amounts for previously approved projects/activities.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to make a finding of public benefit for Items A-C.

PUBLIC HEARING

10. Public Hearing Amending the Consolidated Plan, the Fiscal Year (FY) 2020-2021 Annual Action Plan and the FY 2020-2021 City Operating Budget by Increasing Revenue Estimates and Appropriations for CARES ACT (COVID-19) Funding for Community Development Block Grant (CDBG-CV3) Funds

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

- 1) Conduct a public hearing to receive public comment on the proposed appropriation of CARES Act (COVID-19) CDBG-CV3 (Round 3) funding; and
- 2) Adopt the following resolution approving substantial amendments to the Consolidated Plan, Fiscal Year (FY) 2020-2021 Annual Action Plan and the FY 2020-2021 City Operating Budget:

RESOLUTION NO. 2020-121 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE CONSOLIDATED PLAN, THE FISCAL YEAR (FY) 2020-2021 ANNUAL ACTION PLAN AND THE FY 2020-2021 CITY OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS FOR CARES ACT (COVID-19) FUNDING FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV3) FUNDS

- 3) Approve funding recommendations for CDBG-CV3 Funds.

Benita DeFrank, Neighborhood Services Director, gave an overview of this item.

Mayor Sandoval opened the Public Hearing and with no speakers for this item, the Mayor closed the Public Hearing.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER GONZALEZ NOT PRESENT DUE TO CENSURE), to adopt Resolution No. 2020-121.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Torres requested information about markings on Canfield Street. He also spoke about the alley of Willard Ave needing to be cleaned up and requested that letters be mailed out to the residents and property owners around the area asking for help. Deputy City Manager Gluba said he would have code enforcement check into the alley issue. Councilmember Torres also asked that the speed hump issue come back to a future meeting.

Councilmember Lustro requested an update from the City Attorney on the billboard issue before the end of the year.

Councilmember Ontiveros-Cole spoke about concerns for loitering and other illegal activities on Holt Avenue. She asked Chief Ellis for help in this matter.

Councilmember Garcia thanked the Code Enforcement Department for their hard work in the City.

Councilmember Preciado spoke about concerns with on and off ramps, not being cleaned up and requested an update on that. He also requested an update from Chief Ellis regarding fatal shootings that took place recently in district 4.

Mayor Sandoval also spoke about the on ramp/off ramp issue and several councilmembers joined in relaying their efforts to work with Assemblymember Rodriguez's office and CalTrans to address the cleaning of the on ramps and off ramps in Pomona. The Mayor also wanted to remind everyone to be safe and avoid large gatherings to protect those in our community, many of whom are essential workers.

ADJOURNMENT

The City Council meeting was adjourned at 7:52 p.m. on Monday, October 19, 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