



# 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 John Nolte  
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.*

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Monday, December 21, 2020

7:00 PM

Teleconference via Zoom

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#### **CLOSED SESSION**

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

#### **A) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

(Pursuant to Government Code Section 54956.9(d)(4))

One (1) matter regarding potential exposure to litigation will be discussed.

#### **B) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Pursuant to Government Code Section 54957(b)(1))

City Attorney  
City Clerk  
City Manager

**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 matters of anticipated litigation and employee evaluations were discussed and there was no reportable action on this item.

## **PLEDGE OF ALLEGIANCE**

Councilmember Preciado led the Pledge of Allegiance.

## **ROLL CALL**

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

## **STAFF PRESENT via Zoom**

Sonia Carvalho, City Attorney  
Rosalia Butler, City Clerk  
James Makshanoff, City Manager  
John DePolis, IT Director  
Mark Gluba, Deputy City Manager  
Kirk Pelser, 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  
Beverly Johnson, Housing Services Manager  
Donyielle Holley, Housing Programs Manager  
Chris Diggs, Water Resources Director  
Julie Carver, Environmental Compliance Supervisor  
Mike Ellis, Police Chief  
Arnold Dichosa, City Engineer  
Ed Segura, Purchasing Manager

## **PRESENTATIONS**

Presentation on “2020 San Gabriel Valley Energy Champion Awards to the City of Pomona” by the San Gabriel Valley Council of Governments.

Alexander Fung, San Gabriel Valley Council of Governments, gave the presentation.

## **MAYOR/COUNCILMEMBER COMMUNICATIONS**

Councilmember Nolte reported that he was in the process of interviewing commissioners to fill vacancies for District 1.

Councilmember Preciado thanked everyone that helped with the Christmas Parade and all that continue to help with humanitarian efforts including food and toy drives.

Councilmember Garcia echoed her colleague’s sentiments regarding the non-profit organizations and their willingness to help all year despite COVID restrictions. She wished everyone a safe and happy holiday season.

Councilmember Ontiveros-Cole thanked all the organizations helping bring joy for Christmas to the children in the City. She offered condolences to the family of the motorcyclist that lost his life in a hit and run accident on Garey and Pearl. She has asked staff for a safety study regarding this corner. She urged everyone to stay safe as the COVID cases in the City are rising.

Councilmember Lustro thanked City staff for all their hard work and devotion. He urged community members to keep their gatherings as small as possible for the holidays.

Councilmember Torres advised that there is still time for families to sign up to receive toys. He reported that he had the opportunity to be an elector for the president and vice president-elect and wanted the community to know he will be holding the Biden administration accountable as there are many issues that need to be addressed. He asked everyone to stay safe and do his or her part to stop the spread of COVID.

Mayor Sandoval acknowledged his colleagues for helping the community in so many ways during these challenging times. He gave kudos to the fire department for saving a young woman’s life during a recent house fire and expressed thanks to LA County Fire for all their work with recent fires in Ganesha Hills. He spoke about an upcoming Kwanza event organized by Chara Swodeck that will take place virtually on December 27. The mayor thanked City staff for their hard work. He reminded community members and businesses the importance of following the County orders regarding COVID.

All councilmembers expressed Merry Christmas and Happy Holidays wishes to the community.

## **CITY MANAGER COMMUNICATIONS**

The City Manager had nothing to report.

## **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.*

**\*\*PLEASE SEE ATTACHMENT FOR SIX EMAIL COMMENTS READ DURING PUBLIC PARTICIPATION.**

### **Live comments were as follows:**

Elinor Crescenzi spoke about a previous meeting's public comments regarding homeless causing property damage and wanted to remind the public that this is a compassionate city and the city's response to the homeless should be with compassion and there should be cooperation with the non-profit groups that are trying to help. The approach to homeless should not come from a regulatory outreach but more of a compassionate outreach.

Larry Ortega wanted to thank the council members for their work in the community. He shared that he does not think city staff and the city attorney know enough about the negative effects of 5G technology and the city really needs to evaluate how technology can be used to better impact the community.

Natalie Chaidez, Pomona Vision 2020, thanked those who attended the community meeting to give their input on quality of life issues and she will continue to provide updates throughout the process.

Michelle expressed her disappointment in hearing all the negative comments regarding the homeless at the December 7 council meeting. She said the comments were insensitive and de-humanizing to individuals that are already marginalized. She stated she, other groups regularly reach out to and provide services to the homeless, and she does not see city council reaching out in this same way. She would like to see the council reach out with compassion and empathy to listen to what the homeless community needs.

Al Villanueva spoke about his support to rename Hamilton Park after Dr. Henry Ramirez. He also spoke about his support of a police oversight commission.

Ron Cobas called in but the connection failed. The Mayor advised that he submit his comments through email for the record.

## **CONSENT CALENDAR**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to approve the entire consent calendar except for Items 2, 7, 8 and 13 which were voted on in separate motions.**

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:

November 16, 2020 Meeting Minutes

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to approve the meeting minutes of November 16, 2020.**

2. Adopt the Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan for Policies, Programs, Services, and Activities, and for City Facilities and Parks

It is recommended that the City Council adopt the Americans with Disabilities (ADA) Self-Evaluation and Transition Plan for Policies, Programs, Services, and Activities (Volume 1), and for City Facilities (Volume 2).

Councilmember Nolte pulled this item for a question regarding the timeline for this item. Public Works Director Rene Guerrero spoke about the process for adopting this policy.

**MOTION BY COUNCILMEMBER NOLTE, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt the Americans with Disabilities (ADA) Self-Evaluation and Transition Plan for Policies, Programs, Services, and Activities (Volume 1), and for City Facilities (Volume 2).**

3. Approval of an Amendment to the Consolidated Plan, the Fiscal Year (FY) 2020-2021 Annual Action Plan and the FY 2020-2021 City Operating Budget to Appropriate Community Development Block Grant (CDBG) Funds, CDBG Program Income Funds, HOME Investment Partnerships Program (HOME) Funds, HOME Program Income Funds and Emergency Solutions Grant (ESG) Funds

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

**RESOLUTION NO. 2020-144 - 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 TO APPROPRIATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, CDBG PROGRAM INCOME**

**FUNDS, HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS,  
HOME PROGRAM INCOME FUNDS AND EMERGENCY SOLUTIONS GRANT  
(ESG) FUNDS**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO,  
CARRIED 7-0, to adopt Resolution No. 2020-144.**

4. Approval of Tract Map TM No. 74732 for the Property Located at 636 E. Grand Avenue, Pomona, CA, Assessor Parcel Number 8333-024-033, Related to the Subdivision and Development of a Six-Unit Residential Condominium Project (Council District 3)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2020-171 - A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF POMONA, CALIFORNIA, APPROVING TRACT MAP TM NO.  
74732, FOR THE PROPERTY LOCATED AT 636 E. GRAND AVENUE,  
POMONA, CA, ASSESSOR PARCEL NUMBER 8333-024-033**

- 2) Authorize the City Engineer to sign the Tract Map TM 74732 on behalf of the City.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO,  
CARRIED 7-0, to adopt Resolution No. 2020-171.**

5. Approval to Submit Grant Applications to the State Water Resources Control Board to Fund the Underground Storage Tank (UST) Project

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

- 1) Approve the submittal of grant applications to the State Water Resources Control Board in an effort to fund "Underground Storage Tanks - Work and Removal Plans," Project No. 428-2590-XXXXX-71061; and
- 2) Authorize the City Manager and/or his designee to execute the appropriate documentation requested for the submittal of the applications.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO,  
CARRIED 7-0, to approve submittal of grant applications to the State Water  
Resources Control Board in an effort to fund "Underground Storage Tanks - Work  
and Removal Plans.**

6. Acceptance of \$300,000 of State Department of Resources, Recycling, and Recovery (CalRecycle) Funds for Citywide Illegal Dumping Abatement and Appropriation of \$100,000 of These Funds in FY 2020-21

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2020-183 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$300,000 IN GRANT FUNDING FROM THE STATE OF CALIFORNIA DEPARTMENT OF RESOURCES, RECYCLING, AND RECOVERY (CALRECYCLE) FOR USE IN ILLEGAL DUMPING ABATEMENT AND AMENDING THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING \$100,000 OF THE GRANT**

- 2) Authorize the City Manager to execute all agreements and any other documentation requested for acceptance of the award, distribution of funding and operation of subsequent agreements, subject to approval as to form by the City Attorney.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to adopt Resolution No. 2020-183.**

7. Receive and File the City of Pomona Annual Report on Development Impact Fees for Fiscal Year Ended June 30, 2020

It is recommended that the City Council receive and file the City of Pomona Annual Report on Development Impact Fees as of June 30, 2020.

This item was pulled by Mayor Sandoval to ask questions.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to receive and file the City of Pomona Annual Report on Development Impact Fees for Fiscal Year Ended June 30, 2020.**

8. Approval of the Recognized Obligation Payment Schedule (ROPS 21-22) for the Period of July 1, 2021 through June 30, 2022, Approving the Administrative Budget for the Same Period, and Authorizing the Transmittal of the ROPS and Administrative Budget to the Oversight Board for Approval

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

**SA RESOLUTION NO. 2020-03 - A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 21-22) FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022, APPROVING THE ADMINISTRATIVE BUDGET FOR THE SAME PERIOD, AND AUTHORIZING THE TRANSMITTAL OF THE ROPS AND ADMINISTRATIVE BUDGET TO THE OVERSIGHT BOARD FOR APPROVAL**

Mayor Sandoval pulled for this item in order to get an update on staff about this item.

Deputy City Manager Kirk Pelser provided an overview on this item as it is a yearly routine for this process to occur.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to adopt SA Resolution No. 2020-03.**

9. Authorization of the Acceptance of \$973,333 in Measure H, Coordinated Entry System (CES) for Individuals and Youth Funds for Operation of City of Pomona Year-Round Shelter Crisis Beds Program, and Amending the Agreement of Volunteers of America Los Angeles by Awarding \$924,319 to Operate the Crisis Housing Program at the Hope for Home Homeless Services Center as Site Operator

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2020-145 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$973,333 IN MEASURE H, COORDINATED ENTRY SYSTEM (CES) FOR INDIVIDUALS AND YOUTH FUNDS FOR OPERATION OF CITY OF POMONA YEAR-ROUND SHELTER CRISIS BEDS PROGRAM, AND AMENDING THE AGREEMENT WITH VOLUNTEERS OF AMERICA LOS ANGELES BY AWARDED \$924,319 TO OPERATE THE CRISIS HOUSING PROGRAM AT THE HOPE FOR HOME HOMELESS SERVICES CENTER AS SITE OPERATOR**

- 2) Authorize the City Manager to execute all agreements and any other documentation requested for acceptance of the award, distribution of the funding and operation of the Hope for Home Crisis Housing Program, subject to approval as to form by the City Attorney.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to adopt Resolution No. 2020-145.**



10. Accepting a FEMA Grant for the Purpose of Updating the City's Local Hazard Mitigation Plan and Amending the Fiscal Year 2020-21 Budget to Appropriate the Grant Match Funds

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

**RESOLUTION NO. 2020-185 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT IN THE AMOUNT OF \$56,250 FOR THE PURPOSE OF UPDATING THE CITY'S LOCAL NATURAL HAZARD MITIGATION PLAN AND AMENDING THE FISCAL YEAR 2020-21 BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING THE GRANT MATCH OF \$18,750 TO MISCELLANEOUS GRANT FUNDS FOR A TOTAL PROJECT COST OF \$75,000 FOR THE NATURAL HAZARD MITIGATION PLAN UPDATE**

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to adopt Resolution No. 2020-185.**

11. Authorizing the Acceptance of \$862,512 in Grant Funds for Operation of a Bridge Housing Program at the Hope for Home Homeless Services Center

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2020-184 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$862,512 IN GRANT FUNDS FOR OPERATION OF A BRIDGE HOUSING PROGRAM AT THE HOPE FOR HOME SERVICE CENTER; AMEND THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING \$254,178 AND AMENDING THE AGREEMENT WITH VOLUNTEERS OF AMERICA LOS ANGELES BY AWARDED \$810,761 TO OPERATE THE BRIDGE HOUSING PROGRAM AS THE HOPE FOR HOME SERVICES CENTER SITE OPERATOR**

- 2) Authorize the City Manager to execute all agreements and any other documentation requested for acceptance of the award, distribution of the funding and operation of the Hope for Home Bridge Housing Program, subject to approval as to form by the City Attorney.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to adopt Resolution No. 2020-184.**

12. Extension of Citywide Landscaping and Park Amenity Maintenance Contract with MCE Corporation

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

- 1) Approve a two-month extension of the current agreement with MCE Corporation in an amount not-to-exceed \$229,938 for Citywide landscape and park amenity maintenance and additional related services; and
- 2) Authorize the City Manager to execute the extension to the contract on behalf of the City, subject to review by the City Attorney.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to approve extension of contract with MCE Corporation.**

13. Approve Entering into a Long-Term Renewable Energy Agreement with Manzana Wind LLC on behalf of Pomona Choice Energy

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

- 1) Approve entering into a Long-Term Renewable Energy Agreement with Manzana Wind LLC (Manzana) on behalf of Pomona Choice Energy; and
- 2) Authorize the City Manager, or his designee, to execute a Power Purchase Agreement in a form substantially.

This item was pulled by Councilmember Ontiveros-Cole to express her opposition on this item.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 5-2 (COUNCILMEMBERS ONTIVEROS-COLE AND TORRES OPPOSED), to approve entering into a Long-Term Renewable Energy Agreement with Manzana Wind LLC on behalf of Pomona Choice Energy.**

14. Authorize City of Pomona to be a Public Medical Point of Dispensing (MPOD) Site for the County of Los Angeles

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

- 1) Authorize the use of City facilities as a Medical Point of Dispensing (MPOD) Site for the County of Los Angeles; and
- 2) Authorize the City Manager to determine appropriate facilities, enter into memoranda of understanding with the County of Los Angeles, and take other necessary actions to implement MPOD sites as needed.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to authorize City of Pomona to be a Public Medical Point of Dispensing (MPOD) Site for the County of Los Angeles.**

**DISCUSSION**

15. 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 to provide emergency relief for those affected by COVID-19 Pandemic – Requested Amount: TBD
  - B) Amount to be determined to Pomona Police Officers' Association for their Thanksgiving Turkey Giveaway – Requested Amount: TBD
  - C) Amount to be determined in support of City Council Toy/Food Drives – Requested Amount: TBD
- 2) Receive and file the recap of final amounts for previously approved projects/activities.

**MOTION BY COUNCILMEMBER ONTIVEROS-COLE, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to make a finding of public benefit for items A-C.**

16. Approval of an Amendment to the Agreement with Fairplex Regarding Processing of a Specific Plan Application and Interim Use of Property.

It is recommended that the City Council approve the amendment and authorize the Mayor to execute on behalf of City.

Development Services Director Anita Gutierrez gave a brief overview on this item and showed the changes that were made to the agreement.

**\*\*PLEASE SEE ATTACHMENT FOR SIX EMAIL COMMENTS READ REGARDING ITEM 16.**

Councilmembers made comments regarding this item and many thanked Fairplex staff for their efforts during the pandemic.

Miguel Santana, Fairplex CEO, spoke about how Fairplex has faced financial challenges this year and how they have provided tremendous support to the community during COVID-19. This amendment provides an extension that is necessary given the circumstances.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, approve an amendment to the Agreement with Fairplex Regarding Processing of a Specific Plan Application and Interim Use of Property with the clarifications discussed regarding section 7E.**

17. Discussion on an Update of the Current Suspension and Future Implementation of Speed Humps within the City of Pomona

It is recommended that the City Council receive and discuss the presentation on speed humps and provide staff direction on the future implementation of speed humps within the City of Pomona.

Public Works Director Rene Guerrero gave the staff presentation.

Councilmembers asked questions about funding sources, durability of speed humps versus speed cushions, cost of roundabouts, whether residents and councilmembers can pay for speed humps, how would council prioritize where speed humps are placed, and what the process would be once the moratorium is lifted.

The Mayor called for a sub-committee to further discuss this issue and work with the Public Works Director. Councilmembers Garcia, Lustro and Ontiveros-Cole volunteered to be on this sub-committee and report back at a future meeting.

The Mayor also requested that a speaker regarding this item who was not able to speak earlier now be allowed to speak.

D. Guerena spoke about her sister that was killed in a car crash and the importance of traffic calming measures. She said these types of measures target the people that do not care about driving safely and it is the council's and the city's responsibility to mitigate the risk of driving in the city.

**This item was for discussion only. No action was taken by the Council.**

### **MATTERS INITIATED BY CITY COUNCILMEMBERS**

Councilmember Torres asked that the issue of establishing a police commission remain a priority for the council.

Councilmember Garcia thanked all of the essential workers that work throughout the holiday season.

Councilmember Preciado asked again that a meeting for the goals and priorities for the council be scheduled.

Mayor Sandoval reported that the issue of eviction moratorium would be at the next council meeting. He spoke about other cities providing Hero Pay for grocery workers and said that this consideration would also be coming to a council meeting in January. He asked to bring forward a consideration for the council that when looking at the development impact fees that the public arts funds have an allocation for youth development and training in art.

All Councilmembers gave holiday wishes to the community and staff.

### **ADJOURNMENT**

The City Council meeting was adjourned at 9:39 p.m. on Monday, December 21, 2020.

Respectfully submitted,

ATTEST:

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

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

## **DECEMBER 21, 2020 REGULAR CITY COUNCIL MEETING**

### **PUBLIC COMMENTS**

#### **PUBLIC COMMENT**

**JUDITH ST. JOHN** – I would like to take this opportunity to express my appreciation to all of you for the work you do to represent our City. And I would especially like to thank the District 6 Councilmember Robert Torres for some of the great things he has done specifically for District 6. The expenditure of District 6 funds for infrastructure was well-spent. The paving of Towne Avenue from Foothill to Arrow Highway was a major accomplishment. Also important was the expenditure to make District 6 curbs ADA compliant. For all of his time on the City Council, I have found Councilmember Robert Torres to be transparent and honest in his dealings. Again, I send my thanks to all of you.

**MIKE SUAREZ** – It is time for Pomona's Mayor and City Council to stop ignoring the fact that Pomona's Police Department can't Police Itself. In just the recent past Pomona's finest have been mired in court room drama concerning Christen Aguilar's unjust beating at the Pomona Fair. Not only did the Aguilar family sue and settle for thousands of dollars, but the city paid out thousands of dollars in lawyers and court fees because Pomona Police Department's Internal Affairs lied to the Aguilar Family and the FBI. This is public tax dollars going to defend corrupt cops. This situation may not have spiraled out of control if a strong Police Review board was in place that had the power to Subpoena witnesses, evidence and the officers themselves. Please do not ignore the Public's demand for a Police Review Board.

**PAIGE BRUYN** – My name is Paige Bruyn and I am a resident of Pomona. In June of 2018 the local paper featured an article that the City was planning to budget for carpet cleaning at the library, which, according to the press, was "long overdue". That same year, your risk manager authorized over \$2M in general liability payouts, of which \$666,000 were police payouts to claimants. Pomona is already in the Local and National spotlight, portrayed as a violent police force that does not promote across race or across gender. On January 6, 2020, I spoke about the role of the City's Risk Manager, and how payouts are not decreasing. From 2014 to present the General Liability Claim payouts have averaged in excess of \$2M per year. For the future's sake, please redirect the culture of the Police department and set standards of service. Enact the PPMA MOU from July 1<sup>st</sup>, 2019. For revenue's sake, please fix the problem with your Risk Management practices. Since over 90% of claims against the police are abuse related, you need to reeducate and not tap into other department's funds. For goodness sake, stand against the fact that PPD PAC made donations to two council campaigns of nearly \$10k each, for advertisements and mailers. There are resources, such as the National Association of Civilian Oversight of Law Enforcement (NACOLE). Last October each of you received a copy of their guidelines. Thank you.

**BRIAN BROOKS** – My name is Brian C. Brooks and I am a resident of the Mountain Meadows community in the City of Pomona, Sixth District. City Councilman of the Sixth District Robert Torres has performed his duties in admiral and effective ways. I wish to

recognize his efforts in coordinating and fostering cooperation with the citizens of his District, the City of Pomona, and various developers and others for the direct benefit and improvement of the northern part of our city.

Robert Torres was directly responsible for creating cooperation between City Staff, Real Estate Developers, and the community of Mountain Meadows. In past times the various parties would work individually and often at cross purposes with each other. Under Mr. Torres' leadership, consideration of each parties' interests and concerns has minimized the conflicts through transparent communications and maximized the benefits to all concerned. In simpler terms, he eliminated a great deal of unnecessary time and effort.

Mr. Torres was also instrumental in allowing the homeowners of north Pomona to have a voice in issues created by the Fairplex Administration that directly affect our lifestyle, public safety, and property values. These continuing issues can best be resolved by keeping the lines of communication open for the benefit of all concerned. The previous representative failed to properly represent many owners and in some cases, to even hear our complaints. The continuing issues related to the Fairplex development require ongoing negotiations and a cooperative approach to avoid destroying or diminishing Pomona property values.

Mr. Torres has also improved the appearance of the north Pomona area with the Towne street improvements and continuing Real Estate developments.

If the Covid 19 restrictions allowed me to make a three minute statement in person, I would conclude with "THREE CHEERS FOR ROBERT TORRES!"

**EDWARD SAMANIEGO** – I submitted an application on March 10, 2020 to rename Hamilton Park to Dr. Henry Ramirez Park. He and his family are Pomona natives who have contributed greatly to the community. He was the Chair for the Mexican American Committee during the Nixon Administration and is an author of two books, including *A Chicano in the White House*. His sister Rosanna Ramirez is a nun and served at Sacred Heart as a counselor. His other sister was a nurse, his brother a teacher at Arroyo for over 20 years, and his other brother Chalo Ramirez was a Chicano activist in Pomona. That area is mostly Hispanic and I want a name to represent the community that has been living there all these years. I have over 300 signatures on my petition and plan to get more. No one has gotten in touch with me regarding meetings or anything else. I would like to know the status of my application.

**FRANCISCO SUAREZ** – The Charter Commission is a commission enacted by the Pomona City Charter and is a public hearing. A coalition of concerned citizens P.O.S.T. (Police Oversight Starts Today) have attended each commission meeting from the inception of the current session and have followed these meetings. We are requesting that the City, Mayor and City Council assist the Charter committee in placing the Police Commission on the ballot and prevent further bloodshed to the community members.

**DISCUSSION CALENDAR ITEM NO. 16 (Approval of an Amendment to the Agreement with Fairplex Regarding Processing of a Specific Plan Application and Interim Use of Property)**

**JUDITH ST. JOHN** – Please notice that the First Amendment has a serious flaw. In the Recitals Part A, number 3, it says that Section 7 is deleted “in its entirety” but does not replace a, b, c, d, e, and f of Section 7. The First Amendment needs to make clear what is retained and what is changed from the original Agreement. I request that the vote on the item be postponed to give the Mayor and Councilmembers more time to study the changes. Perhaps the Council will want to make additional changes. Since parking revenue is diminished because of Covid, could there be a per car charge drive-thru events? Or a portion of the ticket prices to go to the City for drive-in/drive thru events? Should the Amendment make clear what the role of the community will be in preparing the Specific Plan? At what intervals will the community participate? How much time is anticipated for each step of the process? What has been accomplished so far?

**MARIA ELENA GARCIA** – Please consider the residents of Pomona and allow them the time needed by the community that surrounds the Fairplex to properly give input on these changes. Keep in mind the community spent over 3 years coming to terms on the original agreement. Thus, “we strongly urge the city council to continue working with the community and Councilman Torres regarding the future of the Fairplex. There are still a lot of issues that have not been fully addressed.”

**SUSAN SANTEE** – As I remember, it took at least three years, and countless city council meetings to achieve the document now in place. While I am sympathetic to the circumstances that are prompting this revision, I feel that more time is needed so that all parties concerned have meaningful input in the decision. This should not be rushed as there are ongoing concerns with the Fairplex that are not being addressed. At this time, I urge the City Council to postpone any decision regarding Agenda Item 16 in order to allow Council member Torres to continue working with the community, City Council, and Fairplex to come to an equitable solution.

**REYNA GARCIA RAMOS** – On item 16 of tonight agenda, there is concern by many of those of us that worked for the past 3 years to help bring mitigation funds from the Fairplex to a reality for District 6 and for the City of Pomona. It is interesting to see how much everyone is now interested in these funds, and yet did not support the voices of the community when we began this process, but now want the credit for making this happen. The Fairplex always does what is best for its business model. The surrounding community was not informed when it was decided to convert the Sheraton Fairplex Hotel to house medically quarantined individuals, or maybe the city council and mayor at the time decided it was not important to inform the surrounding community that this was going to happen until it was a done deal. Today as we see the ugliness of COVID cases in the City of Pomona alone, I wonder what the action plan is to help bring relief to the city, and if any of our own city residents were allowed to use the Sheraton Fairplex Hotel facilities when they needed to be quarantined (see LA Times report below on number of COVID-19 cases in Pomona today California coronavirus cases: Tracking the outbreak).



As I read the proposed changes entitled: FIRST AMENDMENT AGREEMENT REGARDING INTERIM USE OF FAIRPLEX, there is much confusion and significant changes outside of the time extension. What happened to Section 7e of the original agreement? In the Amendment section 3b gives the impression that the original 7e section of the agreement are no more if approved as written.

Clearly, more time is needed by the stakeholders in surrounding community to the Fairplex to give input on these changes. Thus, I strongly urge the city council to continue working with the community and Councilman Torres regarding the future of the Fairplex. There are still many issues that have not been fully addressed.

What is the rush to pass this without input from community and the approval of the City Council? We need a meeting that calls for community input to consider an acceptable amendment?

**LISA GOMEZ** – The City Council NOW more than ever needs to be diligent regarding all matters that pertain to the Fairplex Fzone. When is the community going to be involved? Not the Friends of the Fairplex or their Board Members, but actual residents that are affected by the noise and traffic that still exist. Why isn't this issue resolved? The City Council needs to make sure the agreement remains as is.

**MIGUEL GARCIA RAMOS** – More time is needed by the community that surrounds the Fairplex to properly give input on these changes. Keep in mind the community spent over 3 years coming to terms on the original agreement. Thus, I strongly urge the city council to continue working with the community and Councilman Torres regarding the future of the Fairplex. There are still a lot of issues that have not been fully addressed.