



# City of Pomona

505 S. Garey Ave  
Pomona, CA 91766

## Meeting Minutes

### Citizens Oversight Committee

*Chair Committee Member Dean Rudenauer  
Committee Member Mickey Gallivan  
Committee Member Rafael Sandoval  
Committee Member Leticia Casillas Sanchez  
Committee Member Guillermo Gonzalez  
Committee Member Barry Lawrence  
Committee Member Debra Watkins*

#### **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, October 26, 2020

6:30 PM

Via Teleconference

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#### **CALL TO ORDER**

The Citizens Oversight Committee Meeting was called to order at 6:40 p.m. by Finance Director, Andrew Mowbray as the Chair of the Citizens Oversight Committee, Dean Rudenauer, was not present. A motion was made by Committee Member Mickey Gallivan to make Committee Member Guillermo Gonzalez a Provisional Chair until the new Chair is elected. Motion is seconded by Finance Director Mowbray.

#### **Roll Call:**

Committee Member Barry Lawrence – Yes  
Committee Member Rafael Sandoval – Yes  
Committee Member Leticia Casillas Sanchez – Yes  
Committee Member Mickey Gallivan – Here  
Committee Member Guillermo Gonzalez – Yes  
Committee Member Debra Watkins – Here

To be consistent, the “Here” votes were all “Yes” votes for Guillermo Gonzalez?

All Committee Members in favor.

#### **PLEDGE OF ALLEGIANCE**

Committee Member Mickey Gallivan led the Pledge of Allegiance.

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**ROLL CALL**

Present:     *Committee Member Mickey Gallivan*  
                  *Committee Member Rafael Sandoval*  
                  *Committee Member Leticia Casillas Sanchez*  
                  *Committee Member Guillermo Gonzalez*  
                  *Committee Member Barry Lawrence*  
                  *Committee Member Debra Watkins*

Absent:       *Chair Committee Member Dean Rudenauer*

**STAFF PRESENT:**

Andrew Mowbray, Finance Director  
Shar Perez, Revenue Operations Manager  
Joan Kingston, Budget Officer  
Brenda Karim, Senior Accounting Technician

**PUBLIC COMMENT**

There was no public comment.

**COMMITTEE MEMBER COMMUNICATION**

1. Introduction to New Committee Members

Newly appointed committee members were introduced:

- Rafael Sandoval-District 2
- Debra Watkins-District 6

2. Chair and Vice Chair Nominations

Committee Member Leticia Casillas Sanchez makes a motion to nominate Guillermo Gonzalez for Chair of the Citizens Oversight Committee. Motion is seconded by Committee Member Barry Lawrence.

A motion is made by Committee Member Guillermo Gonzalez to nominate Mickey Gallivan as Vice Chair of the Citizens Oversight Committee. The motion is seconded by Committee Member Barry Lawrence.

Vote for Chair – Guillermo Gonzalez:

All members present in favor.

Vote for Vice Chair – Mickey Gallivan

All members present in favor.

### 3. Police Department Metrics Discussion

Chair Gonzalez requested that Director Mowbray give the new members a background regarding this item.

Revenue Operations Manager, Shar Perez stated that changes were made to the by-laws with suggestions from the Committee and staff that the meetings be aligned with the reports produced regarding budget items so that the Committee is better informed at each meeting. Last meeting, one of the focus items was non-profit businesses and how they affect revenues that come in. Today's topic relates to a discussion regarding monitoring the activity or staffing levels of the Police Department. This discussion can give us better understanding of what information can be brought to the Committee.

Vice Chair Gallivan stated that she would like to: keep track of the overtime, how many vacant positions there are, and Police response time.

Any items should fall within the purview of the PG tax Chair Gonzalez stated so that it would be in accordance with the bylaws of the committee.

Vice Chair Gallivan suggested that the Committee monitor the situation and give recommendations if needed to the Council.

Director Mowbray related that the Committee should refer to what items get the PG tax money. The Committee can discuss metrics per the general fund, but specifically monitoring overtime for the Police Department may not be consistent with the bylaws.

As a committee, we need to make the best use of the money we have stated Vice Chair Gallivan.

Committee Member Lawrence stated that if the Police use overtime instead of hiring, the City doesn't have the responsibility for their healthcare, pension, etc. and may save money.

A question was asked by Committee Member Sandoval regarding what percentage of Measure PG is going to the Police Department.

Chair Gonzalez stated that the way PG funds work, they go into the General Fund and the council decides how they are allocated to different departments. It is not specifically earmarked for the Police Department. As a committee, we would need to be able to demonstrate a nexus between PG Funds and that specific funding to the Police Department. He related that we do not want to overstep our authority per the bylaws.

Revenue Operations Manager Perez related that the Police Department Metrics discussion was brought up by the previous chair and past discussions. If there is another subject the Committee would like to discuss, we can delve into something else.

Vice Chair Gallivan stated that at the last meeting it was stated that the HOST program was terminated. What was the HOST Program?

The HOST program is the Homeless Outreach Street Team stated Director Mowbray. This program was listed in the adopted Budget. Once it was determined that they were no longer getting funding, it was taken out. It should be noted that there are other Homeless programs in the City through the Police Department and Public Works.

Committee Member Casillas Sanchez related that the Committee had raised the discussion about the Police Department as a result of the increase they received last year.

Chair Gonzalez stated he does not believe it is necessary to amend the bylaws again for looking into the overtime discussion as Council would have to approve it.

As the Committee has spent time updating the bylaws (meeting times were increased (originally 2 times a year to 4 times a year), Director Mowbray recommended that the Committee remain with the newly adopted bylaws.

Chair Gonzalez asked the new members if they would be amenable to continuing with this process at least for the next several meetings. At that time we could revisit the bylaws if needed. Chair Gonzalez requested that this item be set aside.

## **STAFF COMMUNICATION**

### **1. TUT Update: FY 2019-20 through FY 2020-21**

This TUT Update will be a regular part of this agenda. The budget for Fiscal Year 2019-2020 was \$12,070,000. Finance Director Mowbray stated that due to COVID-19, it was estimated that the City may only bring in about \$10.9 Million, however, the City actually received \$11,254,835.00. This is due to on-line sales, as well as a mixture of the tax base and the building and construction industry. As the economy is threatened, this tax revenue still does well.

Director Mowbray related that there are a lot of deferral programs being offered to businesses due to COVID-19, which means that the Sales Tax does not have to be paid right now. However, most of the businesses in the City have not deferred their sales tax in 2020. In Fiscal Year 2021-2022, they may also have an opportunity to defer their sales tax if they wish. The one month of data collected for actuals is \$1,109,000. Director Mowbray stated that if we receive that every month, the City would be well over \$11 million by the end of the Fiscal Year 2020-2021.

Chair Gonzalez requested to know if there were any members of the public who wanted to speak at this time on this topic.

No one requested to speak at this time.

## 2. Sales Tax Update

Referring to the "City of Pomona Sales Tax Update" chart, restaurants and hotels have been decreasing in revenue due to COVID-19. Revenue Manager Perez stated that the majority of revenue we are receiving is from the County and State Pools (includes online sales), along with building and construction.

Under the "Pomona Top 15 "Business Types," Vice Chair Gallivan requested to know what Confidential refers to regarding the Discount Department Stores.

Revenue Manager Perez indicated that Individual sales tax dollar amounts are confidential. As the City does not have many Discount Department Stores, if the numbers were released, one would know which store this figure came from.

Chair Gonzalez inquired about Instacart. If someone buys something in the City from a Trader Joes or Sprouts (which are in neighboring cities), does the City of Pomona get the tax revenue for that purchase?

Legislation was passed last year so that all online sales were to be taxed at the delivery address stated Revenue Manager Perez.

Committee Member Watkins requested to know how the City tracks the income from realtors and if there is a system in place to ensure that all out-of-town Realtors obtain a business license.

Revenue Manager Perez responded that Realtors fall under the Business License tax, not the Sales Tax. The sales tax for properties are included in the property tax. To help ensure that all businesses in the City have a business license, the City does have a consultant that searches for new businesses, and Code Enforcement officers.

## 3. Fiscal Year 2020-21 First Quarter Preview of Figures

The Fiscal Year 2020-21 First Quarter Preview of Figures report is scheduled to go to City Council on November 16, 2020. The figures presented are subject to change.

Director Mowbray stated that the City's adopted budget had a \$5.9M deficit. However, in September we received COVID-19 relief funds (CARES act) which went into the General Fund and makes up a large portion of the amended \$2.15M. The Development Services Master Consultant Agreement also had an increase in revenue of \$244,000 with an increase in appropriations. The 1<sup>st</sup> quarter Proposed Amendments are still being evaluated. By looking at this report, the Adjusted Total column shows that the deficit has reduced to \$4,381,160. The last column shows where the City was on

September 30, 2020. The City has brought in \$12M in revenue overall and has expended about \$22.7M.

The second chart is a Revenue Comparison. The column on the left is for FY 2019-20. The amended budget is around 11%. Director Mowbray mentioned that this is consistent with what the City usually receives this time of year.

The third chart is FY 2020-21 Expenditure by Category. As of the date of this meeting, 19% has been expended. Personnel is the biggest part of the General Fund budget. It has a total of 17% being expended, which normally is closer to 25%. This change is in regards to the Pension Obligation Bond savings that is anticipated. Controllable expenses are at 12%. Required Expenses are the fire contract. Allocation Utilities and Recovered Costs are allocated amounts. Capital money that hasn't been spent to date is listed, and transfers to other funds.

Committee Member Lawrence requested to know if the \$62.9M for personnel was for the entire City of Pomona staff.

Director Mowbray indicated that this is the entire General Fund staffing budget, including hourly and overtime. Individuals paid out of housing funds, from the gas tax, from water and sewer funds are not reflected in this number.

The next chart is FY 2020-21 Expenditure by Department. This is a preview. In February we will have more year-end estimates. At this time, some savings are anticipated as the City is trending 6% less.

Committee Member Lawrence requested to know if the City has looked into replacing the Police and Fire Departments with the Sheriff's Department and the County of Los Angeles Fire.

Director Mowbray related that the fire contract has been with the County of Los Angeles since 1994. The City has previously looked into the Sheriff's Department to replace the Police Department.

Vice Chair Gallivan stated that the City had looked at it, but it may have costed more to have the Sheriff's Department. She believes that the Fire contract with the County costs more than when the City had its own Fire Department.

Committee Member Watkins requested to see a better breakdown of the categories regarding the First Quarter Preview of Figures.

The Proposed Budget is online at this time. It is broken down by divisions and the various line items stated Director Mowbray. This will not have Period 3 data, however, our Adopted Budget will be coming out this week and it will be posted on line as well.

Committee Member Lawrence requested to know what "All Neighborhood Services" includes.

Director Mowbray stated that the Neighborhood Services division is: Recreation Services (recreation facilities, after school programs, pools, sports programs), Community Services Division (parks), housing, and the homeless shelter.

Chair Gonzalez requested to know if the Pension Obligation Bond has to be approved and voted on by Council.

On July 6, 2020, the City Council approved the Pension Obligation Bond.

The initial intent of passing Measure PG was to address some of the pension obligations. Thus, Chair Gonzalez related that since council has passed a bond that essentially does the same thing, it gives us flexibility in light of COVID-19 with the PG funds. This should give the Committee's recommendations to Council a little more impact as the Committee would not be dealing with a deficit.

Director Mowbray related that with the anticipated Pension Bond obligation savings, we should not have a deficit, however, there could be economic impacts.

Chair Gonzalez stated that prudence dictates that we act somewhat responsibly as we really do not know what is going to happen with the economy during COVID-19 and the lockdowns, etc.

Committee Member Sandoval wanted to know what the \$477,000 for Neighborhood Services was spent on as the Parks and Recreation Departments have been closed for the past months.

Director Mowbray stated that he could bring that item to the next meeting. That department does not less services at the moment as they are not fully operational.

Chair Gonzalez requested to know how much of the allocation is for salaries.

Staffing makes up \$2.3M of that \$3.8M of the budget. This figure includes hourly personnel also that would normally be working at recreation centers, as well as other full-time staff that works on other Housing items stated Director Mowbray.

#### 4. Budget Schedule Fiscal Year 2021-2022

This chart is a preview of our budget schedule. On December 8, 2020, our department budget staff will start meeting to go over the budget process. We collect salary allocations to start formulating salaries. This information is updated and modified until the final budget is authorized. The budget kickoff is the first item regarding the 2021-2022 budget brought to council in January. March 15 is the tentative date for the mid-year budget. Once the preliminary budgets are formed, we will have departmental meetings. The goal is to get the Proposed Budget to the Council for the first council meeting in May. On June 7, 2021, there will be a City Council Public Hearing for the

Budget Adoption. The Operating Budget Preparation Calendar gives you a look into the budget process.

Chair Gonzalez queried if the guiding principles are the same every year.

Director Mowbray stated that the guiding principles are fairly similar each year. They are tied to the Fiscal Sustainability Policy and Fund Balance policy.

Chair Gonzalez requested to know if the City has tried town hall meetings with the public throughout the budget process so that they could give input. Santa Monica is one city that does do this. He stated that the budget is basically a political document and it is important to get feedback from the citizens so that it can reflect what the community at large wants. Chair Gonzalez related that it would be beneficial to give all residents the sense that staff is listening.

Director Mowbray stated that he will definitely look into the possibility of town hall meetings with the public.

Vice Chair Gallivan suggested that March would be a good time to start those meetings and to have City Staff involved.

Chair Gonzalez stated that a good time to involve the public would be at the Budget Kickoff with Council. If the public knows what criteria the City is looking at, they may be less cynical in June when the Budget is finalized, especially if they had quarterly meetings.

It was noted for the Committee that the Guiding Principles for the year are in the Proposed Budget document on the City's website. It is under the tab "Other Information."

## **CONSENT**

### **1. Approval of Meeting Minutes for August 20, 2020 and August 31, 2020**

Motion was made by Vice Chair Gallivan to adopt the August 20, 2020 Citizens Oversight Committee Meeting Minutes as written.

Chair Gonzalez suggested to approve both the August 20, 2020, and the August 31, 2020 meeting minutes together.

No objections.

Voice vote if no opposition? All Committee Members agreed.

All members present in Favor.



Opposed: None

**ADJOURNMENT**

Committee Member Watkins made a Motion to adjourn the meeting. Chair Gonzalez seconded the motion. The next Citizens Oversight Committee meeting is set for February 18, 2021 at 6:30 p.m. via Zoom.

Respectfully submitted,

ATTEST:

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BRENDA KARIM  
Secretary of the Pomona  
Citizens Oversight Committee

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GUILLERMO GONZALEZ  
Chair of the Pomona  
Citizens Oversight Committee