



# 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  
Councilmember Mayor Nora Garcia  
Councilmember Elizabeth Ontiveros-Cole  
Vice Mayor 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, June 7, 2021

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 REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code Section 54956.8)

Property: City/VPD Lots 6 and 7, the "Gist" Building and the Adjacent Vacant Lot  
in Downtown Pomona (APN's: 8341-004-902; 8341-003-901;  
8341-003-902; 8341-003-909; 8341-003-908; 8341-003-907;  
8341-003-906; 8341-003-905; 8341-003-904; 8341-003-903;  
8341-003-902)

Negotiating Party: Maya Cinemas North America, Inc.

City's Negotiator: James Makshanoff, City Manager

Under Negotiation: Price and terms

**B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Pursuant to Government Code Section 54956.9 (d)(1))

*Gente Organizada, Mario M. Suarez v. Pomona Police Department, Michael Ellis, in  
his official capacity as Chief of Police, the City of Pomona*

Los Angeles Superior Court Case No. 20STCV28895

**C) CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION**

(Pursuant to Government Code Section 54956.9 (d)(1))

Richard Martinez v. City of Pomona; WCAB Case Nos. ADJ12638072

**D) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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

One matter will be discussed regarding possible litigation to be initiated related to insurance recovery for property damage to the City stable.

**E) LIABILITY CLAIM**

(Pursuant to Government Code Section 54956.95)

Claimant: Jin Shim, Jung Shim and Farmers Insurance Exchange

Claim Against: City of Pomona

**F) CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees  
Part Time General Employees Unit  
Unrepresented Group A and B Employees  
Unrepresented Mid-Management Group C-2 Employees  
Pomona City Employees' Association, a Chapter of Teamsters Local 1932  
Pomona Mid-Management Confidential Employees Association (PMMCEA)  
Pomona Police Officers Association (PPOA)  
Pomona Police Managers Association (PPMA)

Labor Negotiators: James Makshanoff and Linda Matthews

**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 several closed session matters were discussed but their discussions were not completed so council will reconvene after the open session.

**PLEDGE OF ALLEGIANCE**

Councilmember Ontiveros-Cole led the Pledge of Allegiance.

## **ROLL CALL**

Present via Zoom: Mayor Tim Sandoval  
Councilmember John Nolte  
Councilmember Victor Preciado  
Councilmember Nora Garcia  
Councilmember Elizabeth Ontiveros-Cole  
Vice Mayor 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  
Mike Ellis, Police Chief  
Linda Matthews, Human Resources Director  
Rene Guerrero, Public Works Director  
Andrew Mowbray, Finance Director  
Anita Gutierrez, Development Services Director  
Benita DeFrank, Neighborhood Services Director  
George Montano, Housing Authority Manager  
Chris Diggs, Water Resources Director  
Arnold Dichosa, City Engineer  
Shar Perez, Revenue Operations Manager  
Joan Kingston, Budget Officer

Hilda Estrada, contracted by the City, provided translation services via Zoom.

## **PRESENTATIONS**

\*Proclamation Declaring June 19, 2021 as a Celebration of Juneteenth National Freedom Day

Dr. Trudy Coleman accepted the proclamation.

\*Presentation by Los Angeles County Assessor Jeff Prang on the Programs that the Assessor's Office provides to the Community

Assessor Jeff Prang gave the presentation.

\*Presentation on an Update on the San Gabriel Valley Regional Housing Trust's Accomplishments

Claremont Mayor Pro Tem Jed Leano gave the presentation.

### **MAYOR/COUNCILMEMBER COMMUNICATIONS**

Councilmember Torres announced an event at Palomares Park to give out resources and supplies for those still affected by COVID-19.

Councilmember Nolte attended a barbeque put on by Just Us 4 Youth at MLK Park on May 27<sup>th</sup>. He also attended an online town hall put on by Gente Organizada about the criminalization of black and brown youth. He encouraged the community to attend the Juneteenth event coming up.

Councilmember Preciado announced that Day One Pomona and the community services department are sponsoring Movies at the Park at various city parks. He encouraged everyone to fill out the survey regarding the housing element. He spoke about the second Saturday Art Walk coming up and encouraged everyone to attend. He recognized that June is Pride month.

Councilmember Garcia wished all a happy Pride month. She encouraged everyone to get vaccinated at any of a number of events in the City that are offering vaccinations so that we can get back to normal and make it stick. She thanked Supervisor Hilda Solis for hosting a Bystander Intervention to Stop Asian Hate workshop. She thanked the Kennedy Austin Foundation for hosting the Million Mothers March at Ganesha Park which she attended. She thanked Mark Gluba for a tour of the renovated library which is set to re-open on June 15. She thanked the Pomona Optimist Club for inviting her to their student of the month celebration celebrating students from Washington Elementary. She attended a statewide meeting on renter protections. She thanked the African American Advisory Alliance for their memorial events during May. She thanked all that attended the town hall regarding the intake center at the Fairplex. She congratulated all the high school graduates. She spoke about her graduating Youth Commissioner and encouraged youth to apply for the vacancies on the commission.

Councilmember Ontiveros-Cole encouraged all to get their COVID vaccinations. She attended the American Legion military memorial at Pomona Cemetery. She spoke about a Pomona 16 year old that was killed in his abusive home and spoke on the need for more protections in our community.

Vice Mayor Lustro thanked the police department and Sanders Towing for hosting a Cat Scratch event to etch catalytic converters to discourage theft. He thanked public works for addressing an irrigation issue in District 5.

Mayor Sandoval reported on expanded opportunities to help the minors at the Fairplex. He said you can find information on the Fairplex website about volunteer and donation opportunities. He spoke about an effort to organize barbers and hairstylists to provide free haircuts. He also spoke, as Councilmember Ontiveros-Cole did, about the tragic death of George Almaraz and encouraged the community to proactively report situations of child abuse. He offered condolences to George's siblings.

### **CITY MANAGER COMMUNICATIONS**

City Manager James Makshanoff reminded the public that fireworks are illegal in the City and the fine is \$1000. He advised the library will have a soft opening on June 15. He reported that Washington and Ganesha Park pools are open. He reported that there are free vaccination events every Friday at Western University.

The Mayor asked that the Chief provide and update at the next meeting about the strategies to handle illegal fireworks.

### **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 EIGHT (8) EMAIL COMMENTS READ DURING PUBLIC PARTICIPATION.**

**Live comments were as follows:**

Andrea Moreno gave updates from Supervisor Solis' office.

Darrell Kruse spoke about his concern with the process on how cannabis businesses were now being allowed in the City and his frustration with how cannabis has been viewed and handled in the city in the past specifically in regards to medical cannabis.

Moses Castillo urged the council to support the no confidence issue surrounding District Attorney Gascon.

### **CONSENT CALENDAR**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to approve the entire consent calendar except for Items 2 and 11 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:

April 5, 2021 Meeting Minutes  
April 26, 2021 Meeting Minutes  
May 3, 2021 Meeting Minutes  
May 6, 2021 Meeting Minutes  
May 10, 2021 Meeting Minutes  
May 12, 2021 Meeting Minutes  
May 17, 2021 Meeting Minutes

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to approve City Council Meeting Minutes of April 5, 2021, April 26, 2021, May 3, 2021, May 6, 2021, May 10, 2021, May 12, 2021 and May 17, 2021.**

2. Award of Contract to Professional Credit Services for Citywide Collection Agency Services

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

- 1) Approve the award of a one (1) year contract with an option to renew for four (4) additional years, in one (1) year increments, not to exceed five (5) years to Professional Credit Services to provide Citywide Collection Agency Services.
- 2) Authorize the City Manager to execute the contract and any subsequent changes orders on behalf of the City.

This item was pulled for discussion by Councilmember Garcia.

Finance Director Andrew Mowbray answered questions from Councilmember Garcia.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY MAYOR SANDOVAL, CARRIED 7-0 to award contract to Professional Credit Services for Citywide Collection Agency Services.**

3. Amendment of the FY 2020-21 Capital Improvement Program (CIP) Budget by Appropriating \$48,000 to "Pomona Library Facility Improvements," Project No. 428-2590-XXXXX-74120

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-63 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2020-21 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY RECEIVING, INCREASING REVENUE ESTIMATES AND APPROPRIATING \$48,000 OF UNRESTRICTED DONATED FUNDS FROM THE POMONA PUBLIC LIBRARY FOUNDATION (PPLF) TO "POMONA LIBRARY FACILITY IMPROVEMENTS," PROJECT NO. 428-2590-XXXXX-74120**

- 2) Update the project description for "Pomona Library Facility Improvements," Project No. 428-2590-XXXXX-74120 to read as follows: The proposed Pomona Library facility improvements consist of: redesign of the entrance, exit and circulation area (construction and installation), flooring replacement painting and other facility improvements, as funds allow. The Pomona Public Library Foundation (PPLF) applied for and received a California State Library Construction Grant for library improvements. *In 2020, the City issued an RFP for the design and construction contracts with additive alternatives, to be completed if funding is available. In addition to these construction activities, eligible expenditures from the State Grant Funds include other general Library improvements such as technology upgrades, patron/staff furniture and other public facing improvements that benefit the patron experience, subject to approval by the PPLF. All funding for this project is to be donated from the Pomona Public Library Foundation (PPLF) to the City of Pomona. As the fiscal agent for the grant, the PPLF will be responsible for documenting all eligible expenses for administration of the State Grant.*

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-63.**

4. Award of Contract to Corporate Ewaste Solutions for Collection and Disposal of Electronic Waste

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

- 1) Award a contract to Corporate Ewaste Solutions for collection and disposal of electronic waste for a term of three (3) years, and;
- 2) Authorize the City Manager, or designee, to approve the agreement, purchase orders, and any amendments thereto, on behalf of the City.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to award a contract to Corporate Ewaste Solutions for Collection and Disposal of Electronic Waste.**

5. Adopt a Resolution Authorizing the City of Pomona Housing Authority to Accept the U.S. Department of Housing and Urban Development Foster Youth Initiative Tenant Protection Voucher Program Grant Award and to Receive Funding Totaling \$75,499

It is recommended that the City Council, sitting as the Governing Board of the City of Pomona Housing Authority, take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-59 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY, APPROVING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOSTER YOUTH INITIATIVE (FYI) TENANT PROTECTION VOUCHER (TPV) PROGRAM GRANT AWARD AND TO RECEIVE FUNDING TOTALING \$75,499 AND AMENDING THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS IN THE SAME AMOUNT**

- 2) Authorize the Executive Director of the Housing Authority or his designee to execute the contracts and other documentation requested for acceptance and implementation of the grant award, subject to approval as to form by the City Attorney.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-59.**

6. Acceptance and Appropriation of \$200,000 in State Strategic Growth Council, Transformative Climate Communities (TCC) Program Grant Funds to Develop Strategies to Reduce Carbon Emissions, Improve Air Quality, and Build Resiliency in the Face of a Changing Climate, with a Focus on Low-Income and Disadvantaged Communities

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-61 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$200,000 IN PLANNING GRANT FUNDS FROM THE TRANSFORMATIVE CLIMATE COMMUNITIES (TCC) PROGRAM AND STATE OF CALIFORNIA STRATEGIC GROWTH COUNCIL TO COMMENCE COLLABORATIVE PLANNING ACTIVITIES IN PREPARATION FOR SEEKING FUTURE TCC**



**IMPLEMENTATION FUNDING AND AMEND THE FY 2020-21 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING \$10,000**

- 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 subsequent agreements, subject to approval as to form by the City Attorney.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-61.**

7. Approval of Parcel Map PM No. 82710 for the Property Located at 1349 S. San Antonio Avenue, Pomona, CA, Assessor Parcel Number 8333-030-005, Related to the Subdivision and Development of a Residential Project Consisting of One Detached Single-Family Residence with Attached Garage and an Accessory Dwelling Unit (Council District 3)

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING PARCEL MAP PM NO. 82710 FOR THE PROPERTY LOCATED AT 1349 S. SAN ANTONIO AVENUE, ASSESSOR PARCEL NUMBER 8333-030-005**

- 2) Authorize the City Engineer to sign the Parcel Map PM 82710 on behalf of the City.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-65.**

8. Adopt a Resolution Amending the FY 2020-21 Operating Budget by Appropriating \$865,245 from Residential Refuse Enterprise Fund Reserves to Pay for an Increase in Dumping Fees

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

**RESOLUTION NO. 2021-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2020-21 OPERATING BUDGET BY APPROPRIATING \$865,245 FROM RESIDENTIAL REFUSE ENTERPRISE FUND RESERVES**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-66.**

9. Approving the Fiscal Year 2021-22 Submittal Projects Lists for the Road Repair and Accountability Act of 2017 (RMRA/SB1)

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

**RESOLUTION NO. 2021-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE CITY'S STREET PROJECTS LISTS, WITH CORRESPONDING CAPITAL IMPROVEMENT PROGRAM (CIP) AND PUBLIC WORKS OPERATIONAL PROJECTS LIST PLAN, TO THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) TO BE ELIGIBLE FOR FISCAL YEAR 2021-22 RMRA/SB-1 FUNDING**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-67.**

10. Award of Contract to AdminSure, Inc. for Third Party Liability Claims Administration Services

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

- 1) Approve the award of contract to AdminSure, Inc. to provide third party liability claims administration services for an initial three-year term with two, one-year extension options at a cost of \$99,000 for the first year, with yearly 3% increases and the option to assign the management of litigation claims to AdminSure at a cost of \$100 per litigated claim per month; and
- 2) Authorize the City Manager to execute a contract with AdminSure and any extensions thereto, subject to review by the City Attorney.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to award a contract to AdminSure, Inc. for Third Party Liability Claims Administration Services.**

11. Termination of Disposition and Development Agreement with Maya Cinemas North America, Inc.

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

**RESOLUTION NO. 2021-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO TERMINATE THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH MAYA CINEMAS NORTH AMERICA, INC.**

This item was pulled for discussion by Mayor Sandoval at the request of Councilmember Torres who requested staff provide background on this item.

Kirk Pelser, Deputy City Manager, provided the background on this item.

**MOTION BY COUNCILMEMBER NOLTE, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-68.**

**DISCUSSION**

12. 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 support Food Distribution Events at Palomares Park – Requested Amount: TBD
- 2) Receive and file the recap of final amounts for previously approved projects/activities.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to make a finding of public benefit for item A.**

13. Proposed City Charter Amendments Being Considered by the Charter Review Commission Regarding Realignment of District Elections; Filling of Council Vacancies; Commissions Procedures; Adding an Ethics Commission; and Other Various Updates

It is recommended that the City Council review and provide feedback regarding amendments to the City Charter being considered for placement on the ballot in November 2022 by the Charter Review Commission regarding:

- 1) Realigning the years of District Elections so that elections for Districts 1, 2, and 3 and the Mayor will coincide with Presidential elections and Districts 4, 5, and 6 will coincide with Gubernatorial elections; and
- 2) General updates to entire City Charter, including changes to Council vacancy and commission procedures, adding an Ethics Commission, and various updates and clarifications.

Charter Review Commission Chair Derek Engdahl gave the presentation on this item.

**Live comments were as follows:**

Vince Carpio expressed that he does not support any changes to the charter as presented by the commission.

Eunice Russell spoke as a resident and not as a Charter Review Commissioner. She stated that she does not support realigning the districts.

Donna Otero spoke against the realigning of districts.

Ann Tomkins clarified the realigning district issue as she worked on the elections subcommittee for the Charter Review Commission. She stated it wasn't about certain districts not showing up to vote.

Dee Dee Ybarra spoke against the realigning of districts. She did support an Ethics Commission.

The Mayor clarified to the public that the council can give opinions on this but the Charter Review Commission is independent in the items they are choosing to put to the voters and the Council does not vote on what the voters will see.

Councilmembers made comments.

This was a discussion item only so there was so action taken.

**PUBLIC HEARING**

14. Public Hearing to Consider Adoption of Fees Related to the Inclusionary Housing Program

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

- 1) Conduct a Public Hearing to receive testimony and comments regarding the proposed new fees related to the Inclusionary Housing Program; and
- 2) Adopt the following resolution:

**RESOLUTION NO. 2021-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING INCLUSIONARY HOUSING IN-LIEU FEES PURSUANT TO SECTION 74-357 OF THE POMONA CITY CODE**

Kirk Pelser, Deputy City Manager, gave the staff presentation.

The Mayor opened the Public Hearing and with no speakers on this item, the Mayor closed the Public Hearing.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 5-2 (COUNCILMEMBERS ONTIVEROS-COLE AND TORRES IN OPPOSITION), to adopt Resolution No. 2021-55.**

15. Adoption of Resolutions Approving the Fiscal Year 2021-2022 City of Pomona Operating Budget, Housing Authority Budget, Five Year Capital Improvement Program Budget, Establishing the Fiscal Year 2021-22 GANN Appropriations Limit, Acceptance of Funds/Grants, and Personnel Related Actions

It is recommended that the City Council and the City Council sitting as the Commission of the Housing Authority conduct the public hearing and after receiving comments and testimony adopt respectively the following resolutions:

**RESOLUTION NO. 2021-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING THE CITY'S OPERATING BUDGET FOR FISCAL YEAR 2021-2022**

**RESOLUTION NO. 2021-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE COMMISSION OF THE HOUSING AUTHORITY OF THE CITY OF POMONA, ADOPTING THE FISCAL YEAR 2021-2022 HOUSING AUTHORITY BUDGET**

**RESOLUTION NO. 2021-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE FISCAL YEAR 2021-22 TO FISCAL YEAR 2025-26 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM AND ADOPTING A CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2021-22**

**RESOLUTION NO. 2021-72 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING THE GANN APPROPRIATIONS LIMIT OF THE CITY OF POMONA PURSUANT TO ARTICLE XIII OF THE STATE CONSTITUTION FOR FISCAL YEAR 2021-2022**

**RESOLUTION NO. 2021-73 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$1M IN PROPOSITION 64 PUBLIC HEALTH & SAFETY GRANT FUNDS FROM THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) TO INCREASE THE CAPACITY TO IMPROVE THE CITY'S PUBLIC HEALTH AND SAFETY, ACCESS TO YOUTH EDUCATION, AND MITIGATION OF ENVIRONMENTAL IMPACTS**

**RESOLUTION NO. 2021-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF \$45.37M OF THE AMERICAN RESCUE PLAN FUNDS FROM THE UNITED STATES FEDERAL GOVERNMENT DEPARTMENT OF TREASURY**

**RESOLUTION NO. 2021-75 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING THE CITY OF POMONA'S SALARY SCHEDULE FOR FISCAL YEAR 2021-22 TO MEET THE CALIFORNIA CODE OF REGULATIONS TITLE 2, SECTIONS 570.5 AND 571**

**RESOLUTION NO. 2021-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX B OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA MID-MANAGEMENT/CONFIDENTIAL EMPLOYEES' ASSOCIATION BY ADDING PRINCIPAL ENGINEER LEVEL CLASSIFICATIONS TO THE ENGINEERING SERIES, MODIFYING THE HUMAN RESOURCES ASSISTANT SERIES, AND DELETING THE CLASSIFICATION OF SUPERVISING WATER RESOURCES ENGINEER**

**RESOLUTION NO. 2021-77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX A OF THE COMPENSATION PLAN FOR EXECUTIVE MANAGEMENT GROUP A AND B EMPLOYEES BY DELETING THE CLASSIFICATION OF WATER RESOURCES MANAGER**

**RESOLUTION NO. 2021-78 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING APPENDIX A OF THE COMPENSATION PLAN FOR MID-MANAGEMENT LIBRARY GROUP C-2 EMPLOYEES BY ADDING THE CLASSIFICATION OF LIBRARY SUPERVISOR (60%)**

Andrew Mowbray, Finance Director, gave the staff presentation.

The Mayor opened the Public Hearing and with no speakers on this item, the Mayor closed the Public Hearing.

Councilmembers made comments and asked questions.

**MOTION BY COUNCILMEMBER NOLTE, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-69, 2021-70, 2021-71, 2021-72, 2021-73, 2021-74, 2021-75, 2021-76, 2021-77, and 2021-78.**

**MATTERS INITIATED BY CITY COUNCILMEMBERS**

Councilmember Preciado requested an update on the parks master plan. Public Works Director Rene Guerrero gave an update.

Councilmember Garcia asked about maintenance and upkeep of park restrooms. Public Works Director Guerrero addressed these issues.

**ADJOURNMENT**

The City Council meeting was adjourned back to Closed Session at 10:14 p.m.

**CITY ATTORNEY REPORT OUT FROM CLOSED SESSION**

All members of the Council except for Councilmember Torres reconvened back into Closed Session which ended at 11:00 p.m. City Manager Makshanoff, City Attorney Carvalho and Human Resources Director Linda Matthews were also present in the session. There was no reportable action.

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

**JUNE 7, 2021 REGULAR CITY COUNCIL MEETING**  
**PUBLIC COMMENTS**

**PUBLIC PARTICIPATION**

**ANGELA BRUNSON** – Dear Pomona Mayor Sandoval and City Council Members, These views are my own and do not represent any other organization. I am a resident of the San Gabriel Valley where I volunteer at Lorbeer Middle School. I received a Community Service Award from the Pomona Unified School District for my volunteer efforts in April 2019. I have been a Deputy District Attorney since 1997. Therefore, I believe my words and my actions demonstrate my dedication and concern for the public safety of our community. As such, I urge you to consider joining the seventeen other cities who have passed a vote of no confidence in District Attorney George Gascon. His directives are making our county unsafe. DA Gascon has prohibited charges from being filed for crimes including trespass, loitering for prostitution, and resisting arrest, among others. He has called crime victims “uneducated” and told them to shut up. He values criminals over victims and more importantly, he is sending a message to the criminals that crime can be committed without fear of any consequences or punishment. This makes our community unsafe for us and our children.

**DARLENE JOHNSON** – There was an ordinance meant to help restaurants dealing with occupancy restrictions due to the ongoing pandemic example, if a restaurant wants to utilize its parking lot for outdoor dining, it can do so.

“At a meeting in June 2021, the Pomona City Council unanimously approved a motion to allow food trucks to operate on private property, such as a restaurant parking lot or in front of a business, with the property owner’s permission”

1. Does this include the side walk Pomona 775 E. Foothill? Or the food truck on Towne above Arrow? I have been to these stands and no one is using social distancing protocol, and I have witnessed countless patrons using utensils without any handwashing precautions. Most customers are not wearing mask or it’s not being enforced. No handwashing in between money exchange.

2. I believe City said this would be a six month program that was to the end of 2020? Has this changed?

3. Who is responsible for regulating the truck?

4. There’s also “string lighting” is this safe?

Roaming sidewalk vendors may not operate in residential zones between the hours of 8:00 pm & 8:00 a.m. daily. I think trucks need to shut down the same time.

**DEANNA HUPP** – Dear Mayor and Members of the Pomona City Council:

I have been attending church in Pomona for over 50 years. Recently I was asked to help with landscaping improvements at my church. I was shocked to find so many needles and condoms hidden in the shrubbery. I was then informed that the custodians spend at least an hour per day cleaning the perimeter of the property due to the litter, feces, needles, and condoms left there by the homeless. I was then notified by a parishioner that she drives around the church when she is out at night and often calls the Pomona Police asking them to enforce our “No Trespassing” authorization. This is just not



acceptable. Church finances are tough, especially during this time of Covid. It is important that you give the Police Chief the support and resources he needs to keep the homeless population from continuing to damage the property of others. I would appreciate your prompt attention to this matter.

**BETH BROOKS** – Dear Mayor and Members of the Pomona City Council:

I would like to believe that the members of the Pomona City Council will do your due diligence in selecting residents to sit on the newly-formed Police Commission. This is a very important commission and it is imperative that individuals be selected carefully. This is not the time to pay back for political favors. I am aware that there are people who are reluctant to apply because they are not personally affiliated with someone on the Council. The residents of Pomona are counting on you do what is best for Pomona by putting your political aspirations aside and doing what is best for the city.

**MARILYN RICHARDS** – Dear Mayor and Members of the Pomona City Council:

I am disappointed that the Council decided to go ahead with the formation of a Police Commission. Your lack of support for the members of the Pomona Police Department is disheartening and unacceptable. It is time that more is expected from the residents of Pomona. Currently, there are no consequences for bad behavior. The Council does not seem to want to protect the law-abiding citizens. Pomona police officers do not control the behavior of people, the individuals do. If people do not want to be arrested, then they should not be breaking the law.

**CHRIS FAULL** – Dear Mayor and Members of the Pomona City Council:

I have not been in favor of the City creating a Police Commission, as I feel that our Chief and Command Staff are capable of taking care of issues that arise in the Department. I have been trying to find a logical reason why a resident who has been affected personally by someone who has been incarcerated should be in a position to oversee the Police Department. There should be punishment for bad behavior. Continuing to berate officers is not in the best interest of the residents of Pomona. If people would obey the law, we would not be having this conversation. It is obvious no one on a bicycle follows the rules I learned as a child. Have they changed? Pedestrians cross the street where convenient for them with no respect to the traffic. Red lights and stop signs are now mere suggestions for drivers. The members of the Pomona Police Department deserve and have earned our respect. It is time you acknowledge this.

**DENNIS QUERIO** – Dear Mayor and Members of the Pomona City Council:

I reside in District 6. I live off an alley and my neighbors and I face this alley and drive it on a daily basis. I have been trying to talk to Robert Torres about the condition of this alley, but he has failed to respond to the several messages I have left for him at City Hall. I find it interesting that Mr. Torres and his neighbors are enjoying a freshly paved street. Where do I go from here?

**NORMA CALVIN** – Dear Mayor and Members of the Pomona City Council:

I recently invested \$100 for a locking mailbox. I live on a cul-de-sac in west Pomona and all of us on the street have had our mailboxes tampered with or broken and our mail has been stolen. Instead of investing over \$150,000 for an unnecessary Police Commission,

this money should have been invested in hiring more police officers. It is obvious this is politics over protection, and our protection is more important to Pomona residents.