



# 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.*

---

Monday, August 2, 2021

7:00 PM

Teleconference via Zoom

---

#### **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, 7 and 10, and the Adjacent Vacant Lots in  
Downtown Pomona (APN's: 8241-001-902; 8341-004-902;  
8341-003-901; 8341-003-902; 8341-003-903; 8341-003-904;  
8341-003-905; 8341-003-906; 8341-003-907; 8341-003-908;  
8341-003-909)

Negotiating Party: The Pomona Development Group, LLC

City's Negotiator: James Makshanoff, City Manager

Under Negotiation: Price and terms

#### **B) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - EXPOSURE TO LITIGATION**

(Pursuant to Government Code Section 54956.9 (d)(2))

One (1) Case

## **C) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - INITIATION OF LITIGATION**

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

Two Cases:

- 1) Nuisance Action Re: Illegal Dispensary at 2380 N. Garey
- 2) Enforcement of Palm Lakes Operating Agreement

## **D) 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. and shared that this meeting was being held in honor of Marie Macias, former city clerk for City of Pomona, who passed away last week.

### **CITY ATTORNEY REPORT OUT FROM CLOSED SESSION**

City Attorney Sonia Carvalho stated there was no reportable action from the several closed session items.

### **PLEDGE OF ALLEGIANCE**

Councilmember Lustro 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  
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  
Geoffrey Starns, Supervising Planner  
Ata Khan, Planning Manager  
Vinny Tam, Senior Planner  
Alina Barron, Planner  
Benita DeFrank, Neighborhood Services Director  
Mike Osoff, Community Services Manager  
Adrian Valdez, Recreation Supervisor  
Aren Yeh, Management Analyst  
Arnold Dichosa, City Engineer  
Julie Carver, Environmental Programs Supervisor  
Shandy Dittman, Senior Management Analyst  
Paul Alexander, Dispatch and Jail Manager  
Alison Glynn, Deputy City Clerk

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

## **PRESENTATIONS**

\*Presentation of a Certificate of Recognition to the Pomona Host Lions Club in Honor of their 100th Anniversary

Vice Mayor Lustro presented the certificate to President Jackie Allen who said a few words accepting the certificate.

\*Presentation by Southern California Edison on the City's Circuit Reliability

Marissa Castro-Salvati and Travis Parks gave the presentation for SCE.

### **MAYOR/COUNCILMEMBER COMMUNICATIONS**

All councilmembers offered condolences and gave their thoughts of Marie Macias. She was remembered as a kind person with a great laugh, as a calm, beautiful spirit, as a strong woman who supported other women knowing their importance in positions of power, as a very knowledgeable, helpful person and as a paragon of professionalism who cared deeply about her job and responsibilities to the community.

Councilmember Ontiveros-Cole emphasized the importance of getting the COVID vaccine and reported that she has been working at vaccination clinics.

Councilmember Garcia also urged people to get vaccinated and support the health care workers. She reported a resource fair by Pomona Connect would be held August 7. On Monday, August 9, there will be housing assistance at City Hall. She reported that every Wednesday is story time at the Library. She thanked all the library foundations for their support.

Vice Mayor Lustro spoke about an upcoming community meeting regarding landscape maintenance for Phillips Ranch residents on August 14.

Councilmember Preciado reported the last Movie at the Park would be at Ralph Welch Park. There will be a gathering at Powers Park to celebrate the Little Free Libraries.

Councilmember Torres reminded everyone about the backpack giveaway event this weekend at Palomares Park. He urged everyone to get the COVID vaccine.

Councilmember Nolte shared a personal story about the importance of getting the COVID vaccine and the regrets that people have that have gotten sick and it's too late to get the vaccine. He reported that there are Aztec dance lessons put on by the Latino Roundtable that will now be held at Cesar Chavez Park.

Mayor Sandoval also shared a personal story about the need to get vaccinated and not just think about ourselves but the people around us. He encouraged people to share information about the resources available in the community. He thanked the police department for an amazing presentation for an idea for a bike park in Pomona.

### **CITY MANAGER COMMUNICATIONS**

City Manager James Makshanoff reported that community development was awarded a \$40,000 grant for historic preservation. He reported that the Measure A grant agreement was finally signed so that the City can get started on the park master plan. He requested

that Consent Item 9 be pulled from the agenda tonight. Staff will bring this item back on September 20.

## **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 (6) EMAIL COMMENTS READ DURING PUBLIC PARTICIPATION.**

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

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.

Gloria Almanza gave updates from the Cultural Arts Commission Citizens Advisory Committee. She also spoke about her concern for city events being funded by nonprofit organizations like Day One Pomona and stated she does not agree with their messaging.

Domonic Moran, project coordinator for tobacco prevention for Day One Pomona, spoke about the organization's history of providing public health education to the community. A coalition of Clean Air Pomona and Day One have been working for years on educating the community about the harms of second hand smoke. He encouraged the council to adopt smoke free multi-unit housing policies that other cities have done to the benefit of their residents. He reported that a survey of residents highly supported policies that would ban smoking in multi-unit housing.

Eva Thiel-Maiz from Hilda Solis' office gave a statement about Supervisor Solis' strong encouragement to get the COVID vaccination as the cases and hospitalizations rise. She also gave updates on recently passed legislation from the Board of Supervisors. She thanked the council for their Pomona Connect project that has provided so many resources.

Virginia Madrigal spoke on her concerns for the police department not being adequately staffed and the budget not being designated to support the police department. She urged the council to hire more police officers to make the community safer.

Dee Dee Manzanares Ybarra stated that she does not think it is appropriate for commissioners to be smoking during Zoom meetings.

## **CONSENT CALENDAR**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the entire consent calendar except for Item 5, which was voted on in a separate motion and Item 9, which was pulled.**

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:

July 19, 2021 Meeting Minutes

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the meeting minutes of July 19, 2021.**

2. Second Reading and Adoption of Ordinance Amending Sections of Chapter 62 of the City Code Regarding Compliance with SB 1383 Regulations

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

**ORDINANCE NO. 4304 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CA, AMENDING SECTIONS OF CHAPTER 62, ARTICLE VI, DIVISIONS 1, 3, AND 4 OF THE CITY CODE REGARDING COMPLIANCE WITH SB 1383 REGULATIONS**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Ordinance No. 4304.**

3. Second Reading and Adoption of an Ordinance Pertaining to Accessory Dwelling Unit and Junior Accessory Dwelling Unit Regulations in order to Maintain Compliance with State Law

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

**ORDINANCE NO. 4307 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING CODE AMENDMENT (CODE 14672-2020) AMENDING SECTION .5809-26 (ACCESSORY DWELLING UNITS) OF THE CITY OF POMONA ZONING ORDINANCE PERTAINING TO ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT REGULATIONS**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Ordinance No. 4307.**

4. Second Reading of an Ordinance Amending the Pomona Municipal Code Relating to Regulating the Registration and Maintenance of Abandoned, Vacant or Distressed Properties and Providing Enforcement and Monitoring of Those Properties

It is recommended that the City adopt the following ordinance:

**ORDINANCE NO. 4308 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING ARTICLE XII OF CHAPTER 18 OF THE POMONA MUNICIPAL CODE REGULATING THE REGISTRATION AND MAINTENANCE OF ABANDONED, VACANT OR DISTRESSED PROPERTIES AND PROVIDING ENFORCEMENT AND MONITORING OF THOSE PROPERTIES**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Ordinance No. 4308.**

5. Second Reading of Ordinance Amending the Pomona Municipal Code Relating to the Adoption of New and Revised Development Impact Fees

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

**ORDINANCE NO. 4309 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING AND RESTATING CHAPTER 70 OF ARTICLE III OF THE POMONA MUNICIPAL CODE RELATING TO DEVELOPMENT IMPACT FEE ADMINISTRATION**

**This item was pulled for a separate vote by Councilmember Torres. Councilmember Nolte made a comment that he was in support of the fees but not the phase in approach.**

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GARCIA, CARRIED 4-3 (COUNCILMEMBERS NOLTE, ONTIVEROS-COLE AND TORRES IN OPPOSTION), to adopt Ordinance No. 4309.**

6. Adoption of a Resolution Approving the Annual Report for the Downtown Pomona Property and Business Improvement District (PBID) and Levying the Assessments for FY 2021-22

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

**RESOLUTION NO. 2021-105 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE DOWNTOWN POMONA PROPERTY AND BUSINESS IMPORVEMENT DISTRICT (PBID) ANNUAL REPORT FOR FISCAL YEAR 2021-22 AND AUTHORIZING THE LEVYING OF THE FY 2021-22 ASSESSMENTS**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-105.**

7. Adoption of a Resolution Accepting the Standards and Training for Corrections (STC) Grant and Amending the FY 2021-22 Operating Budget

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

**RESOLUTION NO. 2021-97 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STANDARDS AND TRAINING FOR CORRECTIONS (STC) GRANT IN THE AMOUNT OF \$13,500 AND AMENDING THE FY 2021-22 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS IN THE SAME AMOUNT**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-97.**

8. Award of Contract to Centralsquare Technologies, LLC for a Software Upgrade Purchase to Current Computer Aided Dispatch (CAD) Software and Records Management System (RMS)

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

- 1) Award a five-year agreement to provide software upgrades to the current CAD and RMS system in an amount of \$222,678 annually, for an aggregate amount not to exceed \$1,102,256; and
- 2) Authorize the City Manager or designee, to execute the agreement and any subsequent amendments.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to award a five-year agreement to Centralsquare Technologies, LLC provide software upgrades to the current CAD and RMS system in an amount of \$222,678 annually, for an aggregate amount not to exceed \$1,102,256**

9. Award of Agreement to Grand Central Recycling, Inc. for Residential Recycling Processing Services

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

- 1) Award a three-year agreement with two optional, one-year extensions to Grand Central Recycling, Inc. for residential recycling processing services, and;
- 2) Authorize the City Manager to execute the contract on behalf of the City, and any



associated amendments, subject by review by the City Attorney.

**This item was pulled from the agenda by the City Manager to return on the September 20 council meeting.**

10. Amending the FY 2021-22 Operating Budget to Increase Revenue Estimates and Appropriate Community Development Block Grant (CDBG) and Cares Act (CDBG-CV) Funds

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

**RESOLUTION NO. 2021-103 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2021- 2022 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CDBG) AND CARES ACT (CDBG-CV) FUNDS**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-103.**

11. Adopt a Resolution Amending the FY 2021-22 Measure W Fund and the Watershed Management Program Operating Budget

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

**RESOLUTION NO. 2021-100 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2021-22 ADOPTED BUDGET BY APPROPRIATING \$368,605 OF MEASURE W FUNDS FROM AVAILABLE RESERVES AND TRANSFERING FUNDS TO THE WATER OPERATIONS ENTERPRISE FUND WATERSHED MANAGEMENT PROGRAM BY REVISING REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$368,605**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-100.**

12. Adoption of a Resolution Accepting the State of California Alcoholic Beverage Control Grant and Amending the FY 2021-22 Operating Budget

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE STATE OF**

**CALIFORNIA ALCOHOLIC BEVERAGE CONTROL (ABC) GRANT IN THE  
AMOUNT OF \$97,130 AND AMENDING THE FY 2021-22 OPERATING  
BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATIONS  
BY THE SAME AMOUNT**

- 2) Authorize the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER  
ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-92.**

13. Adoption of Resolution Amending the Deferred Compensation Plan to Add Section 402(I) Feature, Restructuring of Deferred Compensation Plan Committee, and Extending Agreement with Mass Mutual for Deferred Compensation Plan Administration

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

**RESOLUTION NO. 2021-99 - A RESOLUTION OF THE COUNCIL OF THE CITY  
OF POMONA, CALIFORNIA, APPROVING THE AMENDED CITY OF POMONA  
457 DEFERRED COMPENSATION PLAN DOCUMENT TO ADD INTERNAL  
REVENUE CODE SECTION 402(I) FEATURE, RESTRUCTURING THE  
DEFERRED COMPENSATION COMMITTEE, AND EXTENDING THE CURRENT  
ADMINISTRATIVE SERVICES AGREEMENT WITH MASS MUTUAL BY ONE  
YEAR**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER  
ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-99.**

14. Adopt a Resolution Authorizing the City of Pomona to Submit an Application for Outdoor Equity Grants Program Grant Funds through the California Department of Parks and Recreation

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

**RESOLUTION NO. 2021-102 - A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF POMONA, CALIFORNIA, APPROVING THE APPLICATION FOR  
OUTDOOR EQUITY GRANTS PROGRAM GRANT FUNDS**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER  
ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-102.**

15. Adoption of a Resolution Accepting 20 New Chromebooks and 12 New Wi-Fi Hotspots Provided by the California State Library and Southern California Library

Cooperative as Part of the Cares Act Bridging the Digital Divide Project

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

**RESOLUTION NO. 2021-104 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE ACCEPTANCE OF 20 NEW CHROMEBOOKS AND 12 NEW WIFI HOTSPOTS**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-104.**

16. Execute an Agreement with the County of Los Angeles Revolving Loan Fund

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

Authorize the City Manager to execute a loan agreement on behalf of the City with the County of Los Angeles to fund energy efficient equipment replacements.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to execute a loan agreement on behalf of the City with the County of Los Angeles to fund energy efficient equipment replacements.**

17. Consideration of a Single Historic Landmark Designation Request (SHISTORIC 13289-2020) for the Property Located at 841 South Main Street.

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

**RESOLUTION NO. 2021-101 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A SINGLE HISTORIC LANDMARK DESIGNATION REQUEST (SHISTORIC 13289-2020) TO DESIGNATE NON-RESIDENTIAL PROPERTY LOCATED AT 841 SOUTH MAIN STREET**

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-101.**

18. Adopt a Resolution to Receive Up to \$160,000 in Additional Elderly Nutrition Grant Funding From The County of Los Angeles Workforce Development, Aging and Community Services (WDACS) and Amend the FY 2021-22 Operating Budget by Appropriating \$160,000 in Revenue and Expenditures and Approve First Amendment to Sole Source Agreement with Better 4 You Meals to Increase Not-To-Exceed Amount to \$300,000

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-106 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA TO RECEIVE UP TO AN ADDITIONAL \$160,000 FROM THE COUNTY OF LOS ANGELES WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES (WDACS) FOR THE ELDERLY NUTRITION PROGRAM AND AMENDING THE FY 2021-22 OPERATING BUDGET BY INCREASING REVENUE ESTIMATES AND APPROPRIATING \$160,000**

- 2) Authorize the City Manager, or his designee, to execute any amendments to the agreement with the County of Los Angeles to receive up to \$160,000 in additional reimbursement grant funding, following City Attorney approval;
- 3) Approve the First Amendment to the sole source agreement with Better 4 You Meals to increase the not-to-exceed the amount to \$300,000; and
- 4) Authorize the City Manager or his designee to execute the amendment with Better 4 You Meals, following approval by the City Attorney.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-106; authorize the City Manager, or his designee, to execute any amendments to the agreement with the County of Los Angeles to receive up to \$160,000 in additional reimbursement grant funding, following City Attorney approval; approve the First Amendment to the sole source agreement with Better 4 You Meals to increase the not-to-exceed the amount to \$300,000; and authorize the City Manager or his designee to execute the amendment with Better 4 You Meals, following approval by the City Attorney.**

### **DISCUSSION**

19. 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 Historical Society of Pomona in support of installation of a new alarm system at the Philips Mansion – Requested Amount: \$3,000
  - B) Amount to be determined to BMT Community Development Center in support of

Project Perfect Pair back-to-school shoe drive for Pomona youths – Requested Amount: TBD

- 2) Receive and file the recap of final amounts for previously approved projects/activities.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to make a finding of public benefit for Items A and B.**

20. Introduction and Adoption of an Urgency Ordinance for the Purpose of Establishing an Overlay District and Discretionary Entitlement Mechanism to Review Housing Development Projects Eligible for Relief from being required to Process a Change of Zone under Senate Bill 330 (the Housing Crisis Act of 2019)

It is recommended that the City Council introduce, waive further, give reading and adopt the following urgency ordinance:

**URGENCY ORDINANCE NO. 4306 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADDING SECTION .460 TO THE CITY OF POMONA ZONING ORDINANCE FOR THE PURPOSES OF ESTABLISHING THE SENATE BILL 330 OVERLAY DISTRICT, ADDING SECTION .585 TO THE CITY OF POMONA ZONING ORDINANCE FOR THE PURPOSES OF ESTABLISHING ADMINISTRATIVE PROCEDURES FOR A DEVELOPMENT PLAN REVIEW, AND AMENDING SECTION .441 OF THE POMONA ZONING ORDINANCE FOR THE PURPOSES OF ELIMINATING CONFLICTS WITH THE “S” SUPPLEMENTAL USE OVERLAY DISTRICT**

Vinny Tam, Senior Planner, gave the staff presentation.

Vice Mayor Lustro thanked the staff for coming up with this solution to maintain local control of zoning.

Councilmember Garcia also thanked the planning staff for doing all the heavy lifting.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to introduce and adopt Urgency Ordinance No. 4306.**

### **PUBLIC HEARING**

21. Approve and Adopt an Amendment to the Five-Year Permanent Local Housing Allocation (PLHA) Plan and Authorize Submittal to the State Department of Housing and Community Development

It is recommended that the Council take the following actions:

- 1) Conduct a public hearing to receive public comments on the Amendment to the Five-Year Permanent Local Housing Allocation (PLHA) Plan; and,
- 2) Adopt the following resolution:

**RESOLUTION NO. 2021-94 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AND ADOPTING THE AMENDED FIVE-YEAR PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PLAN AND AUTHORIZING SUBMITTAL TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

Benita DeFrank, Neighborhood Services Director, gave the staff presentation.

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

Councilmember Garcia thanked the Benita and her staff for all their work.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 7-0, to adopt Resolution No. 2021-94**

22. Public Hearing Regarding the Levy of Fiscal Year 2021-22 Assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District

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

- 1) Conduct a Public Hearing regarding the levy of assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District for FY 2021-22; and
- 2) After receiving public comments and testimony, conclude the Public Hearing and adopt the following resolution:

**RESOLUTION NO. 2021-95 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONFIRMING THE ASSESSMENT DISTRICT DIAGRAM, ZONE BOUNDARIES, AND THE LEVY OF FISCAL YEAR 2021-22 ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING**

Rene Guerrero, Public Works Director, 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 GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-95.**

23. Consideration of a Resolution to Adopt a Development Impact Fee Update Study by Willdan Financial Services and Establish Certain Development Fees

It is recommended that the City Council open the public hearing and after receiving testimony and public comment, close the public hearing and adopt the following resolution:

**RESOLUTION 2021-89 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA ADOPTING A DEVELOPMENT IMPACT FEE UPDATE STUDY BY WILLDAN FINANCIAL SERVICES, THE FINDINGS CONTAINED THEREIN AND ESTABLISHING CERTAIN DEVELOPMENT FEES**

Anita Gutierrez, Development Services Director, 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 GARCIA, SECOND BY COUNCILMEMBER NOLTE, CARRIED 5-2 (COUNCILMEMBERS ONTIVEROS-COLE AND TORRES IN OPPOSITION), to adopt Resolution No. 2021-89.**

**MATTERS INITIATED BY CITY COUNCILMEMBERS**

Councilmember Preciado thanked the staff for their work on this heavy agenda.

Councilmember Ontiveros-Cole thanked Chief Ellis for addressing her concern on modified exhausts.

Councilmember Garcia thanked the city manager for agreeing to join her delivering meals to community members in Pomona. She asked about a smoke free policy as suggested by Day One Pomona and when would that come before the council.

**ADJOURNMENT**

The City Council Meeting was adjourned at 8:56 p.m. in memory of Marie Macias, former City Clerk for the City of Pomona.

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



**AUGUST 2, 2021 REGULAR CITY COUNCIL MEETING**  
**PUBLIC COMMENTS**

**PUBLIC PARTICIPATION**

**EMILY VICTOR** – Dear Honorable Mayor and esteemed Councilmembers, My name is Emily Victor and I am a lifelong Pomona resident, a recent graduate of Garey High School, as well as an active member of the Clean Air Pomona Coalition. I am providing public comment today because I want to inform the council about the issue of drifting secondhand smoke in multi-unit housing here in the City of Pomona. As a member of the Clean Air Pomona Coalition, I have learned that having smoke-free multi-unit housing in my city is important because it prevents the chances of exposing residents to the harms of secondhand and thirdhand smoking. Additionally, a smoke-free multi-unit housing policy would hinder the amount of influence smoking has on people, such as young adults, teenagers, and children, which would mean that people would be less tempted to be a user themselves. I am proud to say that I do not smoke because I want to stay healthy and preserve the well-being of those around me. I want people to be safe *and* feel safe, as well as have a healthy future which is why I believe Pomona should consider adopting a comprehensive ordinance in order to protect both current and future residents.

**JILL DEMOTT** – Good evening Honorable Major and City Council. My comment tonight is to address an ongoing frustration with the zoom style City Council meetings. It is very distracting to have pictures or names replacing live feed of council members. Once or twice during a meeting is understandable, but District 6, Councilman Torres, is in & out of the live feed over a dozen times each meeting. The viewing audience is unaware if all of the presentations, public comments, Council member comments and questions, and attorney guidance is being heard prior to casting a vote. Please consider staying on camera for the entire meeting or maybe the council meets in the cities council chamber and films there as a group without the in person audience!

**VINCENT CARPIO** – Mayor Sandoval, Council Person Victor Preciado, Reference Commisioner Fabian Pavon, aka, Little Sicko From PTown (LilSickofrmPtown) Youtube titled "This is how we do it in PTown", by Commissioner Fabian Pavon. Mayor Sandoval, Greetings and salutations. I continue to be puzzled by this request. Help me understand your rationale and hesitancy. I understand you were first made aware of this obnoxious site around March 2021, if so, you have yet to respond to this disgusting sexual youtube video. I've made numerous requests for your comments ...still No response from you nor Victor Perciado, Why?? Why no response? I hereby request comments from the entire Pomona City Council. Is this imagery of a Pomona Commissioner acceptable or is it deplorable? Is the Pomona City Council not composed of a Public educator working with children, are there fathers and husbands, do you have shame? Is this failer to condemn this video and this commissioners' video an endorsement to rape, human trafficking, use of the "N" word? Is this a hypocritical response? As Nora put it last month, is this a C.V...., cowards vote? I dare all of you to share this video "This is how we do it in PTown" with your wives and

daughters and get their opinion. Is this what to expect from persons representing the image and voice of Pomona?

**LISA GOMEZ** – Mayor Sandoval, Councilman Torres and Councilmembers,  
There is a serious problem with traffic congestion in the Yorba, Hacienda and South Laverne areas. We as residents have been putting up with this unbearable situation for the last more or less 5 months at all hours of the day & night. The amount of commercial transporting trucks with trailers & Carvana flatbed vehicles has increased ten-fold and our residential roads remain unpaved and too narrow for commercial transporting vehicles. I've witnessed twice (once on McKinley & Fairplex and the other incident on White Ave. & Second St. in LaVerne) transport vehicles parked in center/turn lanes awaiting a Carvana flatbed to load one last vehicle on their trailer. In traffic and stopping traffic!! This is reckless and outright dangerous for us residents! Also, Arrow Highway is just as dangerous, two deaths and another seriously injured in less than two weeks. Now the commercial vehicles are using Artesia to Berkeley to get to White Ave. Again, reckless and dangerous! How is this permitted in a residential area? Clearly our infrastructure is not suited for these types of vehicles nor the volume. Hopefully the residents of District 6 who are affected will remember this next ELECTION!

**MAGALY VALDEZ** – Good evening Honorable Mayor Sandoval and Council Members. My name is Magaly Valdez and I am a multi-unit housing resident of District 2. I am a part of the Clean Air Pomona Coalition and I wanted to bring my issue to your attention. Unfortunately, my family and I have been exposed to constant secondhand smoke exposure at the apartment complex where we currently live. I have brought this issue to my neighbors who are smoking in hopes that they would stop but the issue persists. I have also brought the issue up to my landlord since our lease states that there's no smoking allowed, however, they have done nothing to enforce it. This issue has been very stressful for me as a mother, especially seeing my children exposed to both cigarette and marijuana smoke. I am also aware of the harm secondhand smoke can cause such as asthma and other respiratory issues and I fear for the health and safety of my family and myself. I personally would like to see a smoke-free multi-unit housing policy come into fruition in Pomona, not only for me and my family, but for other families who are also experiencing this issue. Thank you for your time.

**JUDY ST. JOHN** – Dear Mayor and City Council,  
The operation of Carvana at the fairgrounds Gate 9 is causing problems even though it is operating at a level far below what Carvana anticipates in the future. The heavy car-hauling trucks are causing wear and tear on our streets, including streets that have recently been paved! They are a traffic hazard, as residents have reported being cut off at intersections by trucks turning in front of them. Carvana is a business that belongs in an industrial area of Pomona, not in an area surrounded by residential neighborhoods. Why has the City Council allowed Carvana to operate without a use permit? Gate 9 has only been used in the past to allow cars to come in one at a time for attendees of events. Hauling multiple cars in by transport is a new use. Reconditioning the cars on site is also a new use.