

# City of Pomona

*505 South Garey Avenue  
Pomona, CA 91766*



## Meeting Minutes - Final

**Monday, February 27, 2017**

**6:45 PM**

**Council Chambers**

**City Council**

**5:30 P.M.**

**CLOSED SESSIONS**

**ROLL CALL**

PRESENT: Mayor Sandoval, Vice Mayor Robledo (arrived at 6:18p.m.), and Councilmembers Gonzalez, Carrizosa, Ontiveros-Cole, Escobar (arrived at 5:38p.m.), and Torres (arrived at 5:47p.m.).

**Public Comment:**

- A. **CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION** (Pursuant to Government Code Section 54956.9 (d)(1))

*Ed Tessier v. City of Pomona*

- B. **CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees  
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: Linda Lowry and Linda Matthews

- C. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Pursuant to Government Code Section 54956.8)

Property:	101 W. Mission Blvd., Mission Promenade I
Negotiating Party:	1) OPTIMAX Irrevocable Trust I and Private Eq. Irrevocable Trust
	II, and 2) Gurbax Bhasin
Successor Agency's	
Negotiator:	Linda Lowry, City Manager/Executive Director
Under Negotiation:	Price and Terms

**6:45 P.M.**

**CALL TO ORDER**

The meeting was called to order at 7:06p.m.

**ROLL CALL**

**Present:** 7 - Mayor Tim Sandoval  
Council Member Rubio Gonzalez  
Council Member Adriana Robledo  
Council Member Cristina Carrizosa  
Council Member Elizabeth Ontiveros-Cole  
Council Member Ginna E. Escobar  
Council Member Robert Torres

**STAFF PRESENT:** Mark Lazzaretto, Development Services Director/Acting City Manager  
Arnold Alvarez-Glasman, City Attorney  
Eva M. Buice, MMC, City Clerk  
Candice Alvarez, CMC, Deputy City Clerk

### **PLEDGE OF ALLEGIANCE**

Councilmember Gonzalez led the Pledge of Allegiance to the Flag.

### **CITY ATTORNEY REPORT ON CLOSED SESSION ITEMS**

City Attorney Alvarez-Glasman stated that the City Council convened into Closed Session at 5:36p.m. and that the items listed on the agenda had been announced prior to recessing into Closed Session and reported the following:

Item A: A briefing was provided and direction was given; however, no final action was taken and there is nothing further to report.

Item B: A briefing was provided and direction was given; however, no final action was taken and there is nothing further to report.

Item C: A briefing was provided and direction was given; however, no final action was taken and there is nothing further to report.

The City Council recessed from Closed Session at 7:00p.m.

### **PRESENTATIONS**

- A.** The City Council approved and Mayor Sandoval presented a Proclamation of the City Council of the City of Pomona proclaiming the week of February 17, 2017 - March 3, 2017 as "Pomona Kindness Project Week" in the City of Pomona.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ROBLEDO, CARRIED 7-0.**

**Aye:** 7 - Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar, and Torres

- B.** Mayor Sandoval presented a Certificate of Recognition to Herbert and Cynthia Wilkins.

**Mayor Sandoval presented a Certificate of Recognition to Herbert and Cynthia Wilkins.**

- C.** The City Council received a presentation from Ciclavia and SGVCOG regarding planning efforts associated with an upcoming open Streets Event to be Held in Pomona and Three Surrounding Communities on April 2018

**Romel Pascual, Esecutive Director of Ciclavia, and Marisa Creter, Assistant Executive Director of the San Gabriel Valley Council of Governments, provided a presentation detailing the Ciclavia**

event.

### **MAYOR/COUNCILMEMBER COMMUNICATIONS**

Councilmember Gonzalez reported on the beautification that was held in the Kennedy Park neighborhood on February 18, 2017, the vigil that was held for Jonah Hwang at Sacred Heart Church on February 24, 2017, and the Science fair that was held at Ganesha High School on February 25, 2017.

Vice Mayor Robledo expressed appreciation to Macedonia Baptist Church for allowing her to participate in black history event; and reported on her attendance at the vigil for Jonah Hwang and at the Responsible Hospitality Institute Social City Leadership Summit February 12-14, 2017 in Austin, Texas.

Councilmember Carrizosa expressed gratitude to the Pomona Unified School District, the Latino/Latina Roundtable, Pomona Habla, and the Pomona Colleges for their assistance on Saturday, February 25, 2017 in supporting the immigrant community and surrounding communities in an event held to offer information regarding immigration and legal advice, noting that more than 250 people attended the event.

Councilmember Torres thanked the community for attending the vigil for Jonah Hwang; and provided an update on his first meeting as a Governing Board Member on the Foothill Transit Board.

Councilmember Ontiveros-Cole reported that she attended the Modern Pentathlon World Cup #1 at the Fairplex on February 23, 2017 and the vigil for Jonah Hwang.

Mayor Sandoval reported on his attendance at the Peace Games at Pomona High School that was held on Saturday, February 25, 2017; and informed that the coffee with the Mayor and Police Chief that was scheduled for February 28, 2017 will be rescheduled to another date.

### **CITY MANAGER COMMUNICATIONS**

Development Services Director Lazzaretto announced a meeting regarding the Downtown Pomona Specific Plan Update which will be held on Thursday, March 9, 2017 from 6:00-8:00p.m. at the Masonic Temple located at 395 S. Thomas Street, Pomona, CA 91766.

**PUBLIC PARTICIPATION**

Jeanette Castillo, Pomona Valley Hospital Medical Center, spoke for Pomona Valley Hospital Medical Center unionized employees and requested that the City Council contact the hospital's CEO and express support for the hospital's employees.

Steve Collins, Pomona, informed that a running group meets every Tuesday at various parks throughout the City and invited the audience to join the group.

Daniel Luevanos, One Legacy/Donate Life, provided a history of One Legacy/Donate Life; announced the Donate Life Run/Walk on April 30, 2017; and informed that the month of April is Donate Awareness Month.

Yesenia Miranda Meza, Pony United Youth Baseball League, invited the audience to the Pony United Youth Baseball League Opening Day celebration at Kennedy Park on March 11, 2017 at 10:00a.m.; and requested \$500 for the opening ceremony and \$500 for the closing ceremony, which will be held on June 10, 2017.

Victor Preciado, Pomona Beautification, announced that Pomona Beautification Day will be on Saturday, May 13, 2017; and encouraged the City Council to submit project requests.

Gustavo Ramirez, Pomona, spoke on the vigil that was held for Jonah Hwang; and expressed gratitude for the Conozca Sus Derechos event that was held on February 9, 2017.

Katie Hudson, Pomona, requested that a slide be added to the Electronic Reader Board announcing Council Meetings; suggested that each Councilmember hold community meetings in their respective districts, and recommended that the City hold community workshops to provide information to the community.

**CONSENT CALENDAR**

**MOTION BY VICE MAYOR ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0 to approve the Consent Calendar with Agenda Item No. 4 being pulled for discussion.**

**Aye:** 7 - Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar, and Torres

1. The City Council adopted a Resolution approving a Purchase and Sale Agreement for the sale of Successor Agency Property at 1510 Murchison Avenue (APN's 8358-035-943 & 944) to Pomona Unified School District for the purchase price of \$355,000

RESOLUTION NO. SA 2017-2

A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT FOR THE SALE OF SUCCESSOR AGENCY PROPERTY AT 1510 MURCHISON AVENUE (APN'S 8358-035-943 & 944) TO POMONA UNIFIED SCHOOL DISTRICT FOR THE PURCHASE PRICE OF \$355,000

**The City Council approved the Consent Calendar.**

2. The City Council adopted a Resolution renewing the General Services Agreement between the City of Pomona and the County of Los Angeles

## RESOLUTION NO. 2017-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE RENEWAL OF THE GENERAL SERVICES AGREEMENT BETWEEN THE CITY OF POMONA AND THE COUNTY OF LOS ANGELES

**The City Council approved the Consent Calendar.**

3. The City Council adopted a Resolution re-appropriating series "AX" Bond Proceeds from "Excess RDA Bond Proceeds Allocation," Project No. 428-2590-xxxxx-71041, to "Downtown Parking Structures," Project No. 441-6725-xxxxx-73368, for construction of a Public Parking Structure on Vehicle Parking District Lot 10

## RESOLUTION NO. 2017-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, RE-APPROPRIATING ADDITIONAL FUNDING TO CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT NO. 441-6725-XXXXX-73368 FOR CONSTRUCTION OF A PUBLIC PARKING STRUCTURE ON VEHICLE PARKING DISTRICT LOT 10

**The City Council approved the Consent Calendar.**

4. The City Council set a Public Hearing on April 3, 2017 to consider an appeal of the Planning Commission's approval of Conditional Use Permit (CUP 5063-2016) to allow the construction of an automobile service station located at 2085 South Towne Avenue in the C-1 (Neighborhood Commercial) zone

**This item was pulled from the Consent Calendar for discussion.**

5. The City Council received and filed the annual audit reports for the Fiscal Year ended June 30, 2016

**The City Council approved the Consent Calendar.**

6. The City Council adopted a Resolution approving a policy for the use of the City's Electronic Reader Board

## RESOLUTION NO. 2017-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A POLICY FOR THE USE OF THE CITY'S ELECTRONIC READER BOARD

**The City Council approved the Consent Calendar.**

7. The City Council adopted a Resolution amending the Capital Improvement Program (CIP) Budget by re-appropriating \$30,000 of Prop C Funds and appropriating \$275,576 of available Prop C, Measure R, and TDA Article 3 Funds to "Traffic Operations - Communication Upgrade," Project No. 245-2590-xxxxx-58382 to enhance pedestrian, bicycle, and vehicular traffic flow along Garey Avenue between Mission Boulevard and County Road and awarded a construction contract in the amount of \$853,670 to Elecnor Belco Electric, Inc. for the funded project

## RESOLUTION NO. 2017-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, amending the Capital Improvement Program (CIP) Budget by RE-appropriating \$30,000 OF PROP C FUNDS AND appropriating \$275,576 of AVAILABLE FUNDS (PROP C - \$69,000, MEASURE R - \$100,000, AND TDA ARTICLE 3 - \$106,576) TO "TRAFFIC OPERATIONS - COMMUNICATION UPGRADE," PROJECT NO. 245-2590-XXXXX-58382

The City Council approved the Consent Calendar.

**ITEM PULLED FROM THE CONSENT CALENDAR FOR DISCUSSION**

4. The City Council set a Public Hearing on April 3, 2017 to consider an appeal of the Planning Commission's approval of Conditional Use Permit (CUP 5063-2016) to allow the construction of an automobile service station located at 2085 South Towne Avenue in the C-1 (Neighborhood Commercial) zone

The following submitted speaker cards in opposition of the project and in support of setting a Public hearing but did not wish to speak:

- Daisy Madrigal
- Ivan Hernandez
- Yajaira Duran
- Abigail Bernal
- Yensy Aguilar
- Claudia Bedolla
- Roberta Perlman

Nora Garcia, Pomona, stated that the community was not informed of the Planning Commission meeting at which the item was discussed; noted that over 100 signatures were collected on a petition in opposition to the project; and expressed concern regarding the potential that the project will be hazardous to neighbors and students.

Arturo Jimenez, Pomona, expressed opposition to the project and support for holding a public hearing.

Evelia Rocha, Padres Unidos de Pomona, expressed opposition to the project; and expressed concern for potential health risks.

Maria Garcia, Padres Unidos de Pomona, thanked Elvia Bernal for informing residents about the project; expressed concern for potential health risks; and requested that the project be cancelled.

Gabriela Cortez, Padres Unidos de Pomona, expressed opposition to the project due to the negative impacts it may have on the children who attend Philadelphia Elementary School.

Jesus Sanchez, Padres Unidos de Pomona, expressed opposition to the project; and urged the City Council to communicate to their Commission appointees that the City's children's health should be a priority; and thanked Elvia Bernal for her leadership.

Elvia Bernal, Pomona, expressed opposition to the project because she is concerned about the accidents it may cause and the potential danger it poses for Philadelphia Elementary School students.

Yassi Kavezade, Sierra Club, expressed opposition to the project and support for holding a Public Hearing; and suggested that the City Council consider starting a community garden or another business in the location.

Bryan Aleman, Pomona, noted the danger of having a gas station near an elementary school.

Farhad Sayari, Applicant, noted that CEQA studies were not required when the Planning Commission held its public hearing; and requested direction as to whether or not studies should be completed prior to the April 3, 2017 Public Hearing.

City Attorney Alvarez-Glasman noted that the City Council is only to decide whether to hold a Public Hearing or uphold the Planning Commission's decision.

Sherrie Olson, expressed support for the project noting that the applicant is willing to mitigate the community's concerns; and informed that some gas stations near schools are a safe zone in which students who are being bullied may find safety and call their parents from the gas station.

Lee Moonan, United Voices of Pomona, expressed support for holding a public hearing; and stated that the agenda title created confusion amongst the residents.

City Attorney Alvarez-Glasman explained that there is a two-step process for Planning Commission appeals.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0 to set a Public Hearing on April 3, 2017 to consider an appeal of the Planning Commission's approval of Conditional Use Permit (CUP 5063-2016) to allow the construction of an automobile service station located at 2085 South Towne Avenue in the C-1 (Neighborhood Commercial) zone.**

The motion carried by the following vote:

**Aye:** 7 - Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar, and Torres

## **DISCUSSION CALENDAR**

8. The City Council approved Findings of Public Benefit to the Community at Large for Recommended Expenditures and recapped final funding amounts for previously approved findings

### **CURRENT REQUESTS:**

- A) Amount to be determined to Decker Elementary School PTA in support of their annual Fun Run and Festival - Requested amount: \$500
- B) Amount to be determined to the Kennedy Austin Foundation in support of their Circle of Love luncheon - Requested amount: \$1,500
- C) Amount to be determined to Pomona Catholic School in support of their 15th Annual Car Show - Requested amount: \$600

**MOTION BY VICE MAYOR ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0.**

The motion carried by the following vote:

**Aye:** 7 - Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar, and Torres



9. The City Council authorized the City Manager to execute an amendment to the current Mitchell Humphrey FMS contract to expand current services of the City financial system and adopted a Resolution amending the Fiscal Year 2016-17 Capital Improvement Program (CIP) Budget by creating a new CIP Project No. 428-2590-XXXXX-71048, "Financial Software Project," and appropriating \$632,675 of available Series "AV" Bond Proceeds

RESOLUTION NO. 2017-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2016-17 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$632,675 IN AV BOND PROCEEDS TO CIP PROJECT NO. 428-2590-XXXXX-71048 FOR THE UPGRADE AND ENHANCEMENT OF THE CITY FINANCIAL SOFTWARE

Finance Director Jones provided a presentation entitled "Financial Software: Top 10 Reasons Pomona is Ready for Modern Day Technology".

Vice Mayor Robledo inquired and Finance Director Jones informed that auditors could not run reports utilizing the City's current software and that it was not in the City's favor.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0 to authorize the City Manager to execute an amendment to the current Mitchell Humphrey FMS contract to expand current services of the City financial system and adopt a Resolution amending the Fiscal Year 2016-17 Capital Improvement Program (CIP) Budget by creating a new CIP Project No. 428-2590-XXXXX-71048, "Financial Software Project," and appropriating \$632,675 of available Series "AV" Bond Proceeds.**

The motion carried by the following vote:

**Aye:** 7 - Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar, and Torres

## **PUBLIC HEARINGS**

10. The City Council conducted a Public Hearing and adopted a Resolution establishing service fees for mandated Stormwater Inspections for Industrial/Commercial Facilities and Certain Construction Projects

RESOLUTION NO. 2017-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING SERVICE FEES FOR INDUSTRIAL/COMMERCIAL AND CONSTRUCTION INSPECTIONS MANDATED BY THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

Acting Public Works Director McWade provided a presentation.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY MAYOR SANDOVAL, CARRIED 7-0 to open the Public Hearing.**

John Mendoza, Pomona, expressed concern regarding water issues; and noted that this is a good opportunity for the community to get involved.

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY VICE MAYOR ROBLEDO, CARRIED 7-0 to close the Public Hearing.**

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY VICE MAYOR ROBLEDO, CARRIED 7-0 to adopt Resolution No. 2017-23.**

**This Public Hearing was approved.**

**Aye:** 7 - Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar, and Torres

- 11.** The City Council conducted a Public Hearing, adopted a Resolution to form a Groundwater Sustainability Agency (GSA) for the Spadra Groundwater Basin, and approved a Memorandum of Agreement to establish a Groundwater Sustainability Agency for the Spadra Groundwater Basin with Walnut Valley Water District (WVWD)

**RESOLUTION NO. 2017-24**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, FORMING A GROUNDWATER SUSTAINABILITY AGENCY (GSA) FOR THE SPADRA GROUNDWATER BASIN

**MOTION BY MAYOR SANDOVAL, SECOND BY VICE MAYOR ROBLEDO, CARRIED 7-0 to open the Public Hearing.**

**MOTION BY VICE MAYOR ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0 to close the Public Hearing.**

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY VICE MAYOR ROBLEDO, CARRIED 7-0 to adopt Resolution No. 2017-24 and approve a Memorandum of Agreement to establish a Groundwater Sustainability Agency for the Spadra Groundwater Basin.**

**This Public Hearing was approved.**

**Aye:** 7 - Sandoval, Gonzalez, Robledo, Carrizosa, Ontiveros-Cole, Escobar, and Torres

**MATTERS INITIATED BY CITY COUNCILMEMBERS**

Vice Mayor Robledo requested that Staff modify the agenda title for requests for public hearings to consider a Planning commission appeal so that it is easier for the public to understand the intention of the item.

Councilmember Carrizosa requested that the painting of fire hydrants be added as a project for Pomona Beautification Day.

Mayor Sandoval also recommended a project to clean up freeway onramps and offramps.

Councilmember Gonzalez stated that he will not tolerate ignorant comments against the Police Department and the City Council.

Councilmember Ontiveros-Cole inquired whether CalTrans can plant bushes in the landscaping of onramps and offramps.

Mayor Sandoval announced the following community meetings: District 1 - March 13, 2017 at Kennedy Park at 7:00p.m.; District 3 - March 15, 2017 at Philadelphia Community Center; and District 5 - March 22, 2017 at either Decker Elementary School or Westmont Community Center; noted that all community meetings will be posted on the City's Facebook Page and on the City's website; and informed that a community cleanup has been scheduled for Saturday, March 18, 2017.

### **ADJOURNMENT**

The meeting adjourned at 8:57p.m.

### **IN MEMORY OF**

Anita Lucero Sanbrano

The next Regular Meeting will be held on Monday, March 6, 2017 at 5:30 p.m. in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. Closed Session items will be discussed at 5:30 p.m. The Open Session will commence at 6:45 p.m.

Respectfully submitted,

ATTEST:

EVA M. BUICE, MMC  
City Clerk/Secretary of the Pomona  
Housing Authority

TIM SANDOVAL  
Mayor/Chair of the Pomona  
Housing Authority