



City of Pomona

505 S. Garey Ave
Pomona, CA 91766

Meeting Minutes

City Council

Mayor Tim Sandoval
Council Member Rubio R. Gonzalez
Council Member Adriana M. Robledo
Council Member Cristina Carrizosa
Council Member Elizabeth Ontiveros-Cole
Council Member Ginna E. Escobar
Council Member 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, May 15, 2017

7:00 PM

Council Chambers

5:30 P.M.

CLOSED SESSIONS

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 LEGAL COUNSEL - POTENTIAL LITIGATION

Two matters regarding possible litigation to be initiated will be discussed (Pursuant to Government Code Section 54956.9 (d)(4))

C. 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

CITY ATTORNEY REPORT OUT ON CLOSED SESSION DISCUSSIONS

Assistant City Attorney Jared stated that the City Council convened into Closed Session at 5:35 p.m. and that the items listed on the agenda had been announced prior to recessing into Closed Session and reported the following:

Vice Mayor Escobar arrived at 5:45 p.m.

Councilmember Robledo arrived at 6:02 p.m.

Item A-: Item was discussed, direction was provided, there was no further action taken, and there was nothing further to report.

Item B: These two items were presented to the City Council, there was no final action taken, and nothing further to report.

Item C: This item was discussed, direction was provided, there was no further action taken, and this item will be coming back to the Study Session on Monday, May 22, 2017.

7:00 P.M.

CALL TO ORDER

The City Council meeting was called to order at 7:00 PM.

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: Linda Lowry, City Manager
Arnold Alvarez-Glasman, City Attorney
Eva M. Buice, MMC, City Clerk
Genoveva Rocha, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Mayor Sandoval lead the Pledge of Allegiance to the Flag.

PRESENTATIONS

- A. City Council approved and Councilmember Robledo and Mayor Sandoval presented to Elmer Vidaña and Victor Preciado a Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, proclaiming the month of May, 2017 as "National Physical Fitness and Sports Month, 2017"

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Ontiveros-Cole stated she attended the Pomona Concert Band 70th Anniversary; she spoke on Pomona Beautification Day and the alleys that were cleaned in her district.

Councilmember Robledo expressed her appreciation for We Run Pomona for their efforts in keeping an active lifestyle and providing opportunities to the youth; she spoke on Pomona Beautification Day, she informed she and Vice Mayor Escobar were at Contract City's Conference in Indian Wells where she attended a session titled Financial Forecasting and Pensions, Avoiding Disaster Faster; Councilmember Robledo expressed that the problems Pomona is facing are not unique and that the session was also discussed statewide; she thanked the organizations involved with making Beautification Day possible.

Councilmember Torres stated he attended the 70th Anniversary of the Pomona Concert Band; he spoke on his participation in Pomona Beautification Day he thanked his Commissioners that participated and thanked City Staff for their work.

Councilmember Carrizosa expressed she was unable to participate in Pomona Beautification but participated in other activities; she informed she had attended a meeting at the Renacimiento Community Center regarding the services that Tri-City offers the community; she also spoke on her attendance at the Pomona Concert Band's 70th Anniversary and encouraged the community to see the band.

Councilmember Gonzalez informed he had also participated in Beautification Day and led painting projects at Arroyo Elementary school and landscaping at Chavez Park; he reported on his participation at the SCAG conference in Palm Desert, Pomona Catholic Car Show, and he was unable to attend We Run Pomona because he had a Neighborhood Watch meeting.

Vice Mayor Escobar extended her condolences to the family of former Councilmember Ken West; she acknowledged Councilmember Cole in honor of National Nurses week; she wished the Latino mother's & fathers a Happy Mother's Day; she informed that she and Councilmember Robledo had attended the Contract Cities Conference at Indian Wells and were happy to see that many of the attendees had good things to say about Pomona; Vice Mayor Escobar gave an update on the Water Fellowship she is attending in Fresno where she will be learning about how the Central Valley utilizes their water resources; she also acknowledged that it was National Police Week and expressed her gratitude towards police officers; she informed We Run Pomona that she would be happy to participate in a run in District 5.

Mayor Sandoval informed that he participated with the Total Restoration Ministry and stated they hosted an event that helps women that have encountered challenges in their lives; he informed he attended Reading Under the Stars at Philadelphia; he thanked the police department for their Cops 4 Kids program and informed that today was the graduation for those children participating in the program; he announced that the Fremont and Garey High School students from Bright Prospect would be announcing the colleges where they will be attending college in the Fall; he spoke on Pomona Beautification Day and thanked the organizations that helped make it possible, he informed that his group focused on cleaning up Holt Avenue; he also spoke at the Strategic Planning meeting the Council attended on May 6, 2017, where they discussed how they could provide a great quality of life for all the residents.

Councilmember Carrizosa commented that Coffee with a Cop was hosted at Tom's and that it was well attended.

CITY MANAGER COMMUNICATIONS

City Manager Lowry informed the City Council that there were a few items she wanted to bring to their attention.

Public Works Director Meg McWade informed that there was a new and improved CIP Quarterly Report on the website that will be updated on a regular basis; she also provided a brief demonstration on how to access the information on the City's website.

City Manager Lowry informed that IT Director John DePolis would give a brief presentation on how to access the City's new application called Pomona Go.

IT Director John DePolis informed the City Council and residents that they could download Pomona Go from the Google or Apple store; he informed they could access City services to make reports or requests.

Mayor Sandoval expressed that the application was an excellent way of moving forward and inquired if there was a way to notify residents of a general time frame that requests would be completed.

IT Director John DePolis informed that it does give an estimated time of completion.

Councilmember Torres inquired, and IT Director DePolis informed that information for each district is being collected and will be provided at a later date in a report.

Councilmember Escobar informed that reports could also be made anonymously.

City Manager Lowry informed that she had placed an item on the dais for Council to consider adding to the Consent Calendar as Item 18A; she explained that this information had been received at the Contract Cities Conference and it came up after the posting of the agenda; she informed that the League was requesting that the City oppose AB1250, which would make it difficult for local governments to contract out services if needed, she stated that the Council could choose to have Staff send a letter in opposition of AB1250 at the request of the League of California Cities or not to send a letter; she opined that the decision to contract out services should be a City decision and not a State decision as difficult as it is to make that decision it should be made at a local level and not with restraints from the State.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 7-0, to add the item to the Consent Calendar as Item 18A.

PUBLIC PARTICIPATION

Douglas C. Pierce, Pomona, spoke on the property at 234 N. Mountain View.

Mayor Sandoval thanked Mr. Pierce for the polished rocks that he gave the Councilmembers at the previous meeting.

Christopher Kim spoke on medical marijuana, and he spoke on how marijuana became illegal; he also spoke on the benefits of medical marijuana.

Deborah A. Clifford, Pomona, spoke on the proposal to change the National Register for Lincoln Park and stated many residents were unhappy; she spoke on the proposed ADA changes for Lincoln Park and expressed her disagreement with the additional improvements but was in agreement with the ADA changes. She requested that the Council reconsider the additional proposed changes.

John Clifford, Pomona, reiterated Mrs. Clifford's comments and stated there was a concern in the community regarding proposed changes to Lincoln Park; the residents are in agreement with the ADA changes but do not feel the additional proposed changes are necessary.

Randy Bekendam, Amy's Farm, spoke on Nigerian goats for milk and provided a handout on the goats to the City Council.

Phil Ripa, Pomona, spoke on the condition of the green commons areas near his home and was concerned with the height of the weeds and overall uncleanliness of the area; he also spoke on the assessment district tax paid to maintain the Phillips Ranch area and the rise in the cost of living.

Vice Mayor Escobar informed that she was in favor of paying more but would be hosting a community assessment meeting to inform the community.

Marian Lynn Higgins, Pomona, spoke on her concerns regarding the additional proposed changes to Lincoln Park and expressed her disagreement with the bulb-outs.

James Gallivan, Pomona, stated he was speaking for himself although he is a Historic Preservation Commissioner; he discussed issues between the commission and the City regarding rules and discrepancies regarding meetings.

Mickey Gallivan, Pomona, spoke on Lincoln Park and stated she supports the ADA, ramps, but felt it was wasteful to make modifications to streets and felt the money could be best used to make the restrooms accessible.

Dawn Van Allen, Pomona, expressed her dismay with some of the City Staff and felt that the money that the City was proposing to make additional changes to Lincoln Park could be used for other parks in the City.

Fred Van Allen, Pomona, commented on Pomona Beautification Day, spoke on the sex trafficking forum hosted by Supervisor Hilda-Solis; he spoke on Lincoln Park and informed there was not an issue with speed and he did not feel the street modifications were necessary.

Arturo Jimenez, Pomona, spoke on the AB1250 and commented that he was not in agreement with items being added to the agenda and made a formal request on what the proper process to add items to the agenda; he also spoke on the speed bumps being proposed at Lincoln Park and felt they were unnecessary.

Daniel McIntire, Pomona, spoke on Lincoln Park and requested that the changes be minimal; he stated that the residents were not in support of the bulb-outs

Laurette Lavine, Pomona, spoke on Pomona Beautification day and suggested that this be held more than once a year; she also expressed concern for the proposed changes at Lincoln Park and stated she was in favor of the park being ADA compliant but was not in favor of the additional proposed changes.

John Mendoza, Pomona, thanked councilmember Ontiveros-Cole for cleaning the alley on Beautification Day; she spoke on the San Gabriel Valley Economic Partnership meeting; he also stated he was in favor of adding items to the agenda at the last hour.

Mayor Sandoval requested a motion to move Item No. 21 before the Consent Agenda.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to move Item No. 21 before the Consent Agenda.

Due to Councilmember Ontiveros-Cole owning real-estate within 500 feet of the location regarding the Public Hearing she recused herself left the dais at 8:54 p.m. for Item No. 21.

21. Public Hearing - Appeal of the Planning Commission's Approval Decision on Conditional Use Permit (CUP 5063-2016) to allow for the construction of a six pump gasoline service station and a 2,701 square foot convenience store located at 2085 S. Towne Avenue in the C-1 (Neighborhood Stores & Services Commercial) zone. (Council District 3).

RESOLUTION NO. 2017-67A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DENYING CONDITIONAL USE PERMIT (CUP 5063-2016) TO ALLOW THE CONSTRUCTION OF A NEW GASOLINE SERVICE STATION WITH CONVENIENCE STORE IN THE C-1 (NEIGHBORHOOD STORES) ZONE LOCATED AT 2085 SOUTH TOWNE AVENUE

Henry J. Heady, Heady Design and Associates, stated that they are in support of the Planning Commission's approval of the project; he informed they were present to answer any questions regarding their intent to increase economic development in Pomona. He stated there were over one-hundred conditions required of his client, Fred Sayari, that were met through the approval process with the Planning Commission. He informed he had previously met with Councilmembers Carrizosa, Gonzalez and Mayor Sandoval; he commented that on April 3, 2017, it was agreed that a traffic study would be conducted and that it needed to be completed Tuesday, Wednesday and Thursday during regular traffic days. He informed that they were unable to complete it until May 9th, 10th, and 11th and that they had the traffic study available with them for review; he explained that they were not requesting an ABC license for this location.

Mayor Sandoval read into the record the names of those that opposed the service station but did not wish to speak:

Yensi Aguilar
Abigail Bernal
Lee Moonan
Cygni Raygoza
Sebastian Ugalde
Shandin Raygoza

Mayor Sandoval asked the public if there was anyone in the audience that was in support of the gas station that wished to speak and at this time, no members of the public came forward.

The following speakers spoke in opposition to the service station and cited environmental impacts, traffic congestion, pedestrian safety, and public health as their reasons for opposition; several speakers expressed concern for the students that attend Philadelphia Elementary School as the school is nearby.

Gabriela Sweningsen
Zion Sweningsen
Bryan Aleman
Jesus Sanchez
Evelia Rocha
Elvia Bernal
Erin Runions
Nora Garcia
Arturo Jimenez

Henry J. Heady, stated he would like to acknowledge that thirty years ago the environment was put under a microscope because air quality was unhealthy but that it has evolved; he informed that the Air Quality Management District vetted the project with stringent air quality acts; he informed that the mailings sent out to the community were in Spanish and English; the property is zoned for a service station and that he would like to give back to the community; he stated that the traffic study conducted showed that traffic would not increase in the area; he also reiterated that they were not requesting to sell alcohol at this location.

Councilmember Carrizosa stated that they had heard from the proponent and the community, the people that live, walk and take their children to the neighboring school. Planning Department and Commission respond based on land issues, and they did their part, but they possibly did not take into consideration the human safety of the hundreds of children that attend Garey High School and Philadelphia Elementary School, she stated these are the people that concern her; she stated that when it was approved she began hearing from the residents and she decided to speak with the Planning Commissioners, who expressed they were overwhelmed because they were new to the commission, they failed to visit the site in the morning to see how impacted the traffic is in the area; she informed that there are children who frequent the community center at the park and children that practice sports; she informed that there have been thirty-five (35) reported accidents and that there are many that go unreported; she commented that she does not have any concerns with the developer but that the safety of the children is more important than anything else.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, to deny the CUP.

Councilmember Carrizosa addressed comments that were made regarding the availability of gas stations in south Pomona and informed that there were eleven (11) gas stations within a two-mile radius and that not having this location would not deny a service to the community.

Councilmember Torres commended the applicant for conducting the Environmental Impact Report and traffic study; he stated that it is important to set a standard set for businesses that want to

come into the City; he requested that Staff look into how to engage the applicant for a project in another area of the City; he informed that residents would like to see more developments like the service station in District 6; he expressed that he values the community when they voice their opinion; he expressed that he is grateful that the applicant followed the process and would welcome the business in another part of the City where it will not create tension but he informed he would have to vote in favor of the community.

Councilmember Robledo stated that Councilmember Torres is right, the applicant has gone above and beyond with 102 conditions; the Council is trying to remain business friendly, but when the community expresses concern it is difficult because they place a value on the overall wellbeing of the community. She expressed that the Council has the benefit of being able to reach out to the city manager or city staff, and she encouraged commissioners if they are unaware, to reach out to individuals to get the information; she expressed that living so close to a school herself she could understand the Council's concern for the children; she commented that she wants to make sure they are fair to individuals that want to invest in the community.

Councilmember Escobar expressed that she agreed with what her colleagues had to say; she stated the Council is business friendly; she informed that the community expressed their opinion, reached out to the Council and that there is an outpour of people when the situation is bad, she stated that many of her clients live in that area and she has seen the pedestrian traffic in the area as well; she commented that she is not against the gas station, but she is against putting it at that intersection, which happens to be one of the most dangerous intersections; she also stated that it concerned her that the applicant kept postponing the studies; she suggested that Staff reach out to the applicant and inquire if there is another area of interest in the City.

Mayor Sandoval inquired and Development Services Manager Brad Johnson informed that opposition towards the project had not been expressed until the Planning Commission approved the project and that if there had been this much opposition when the project was before the Planning Commission, the project would have gone a different route but that they did not hear from the neighbors or the Pomona Unified School District during the process; he spoke on the City's General Plan and stated that it is very specific in the existing zoning language that gas stations are permitted in that district, he informed there was previously a gas station on the corner of Philadelphia and Towne; he stated a strong argument can be made that a more residential friendly project or a less intense traffic generating project is more appropriate, but the City has also hired a consultant to look at the existing zoning and have it be consistent with the City's General Plan; he informed that typically service stations are in higher volume street intersections.

Mayor Sandoval stated that the City has to think of the interest of the people that live in the neighborhood and in this instance think of the children at the elementary school, he said as any changes are made to the zoning or land use to consider the needs of the community; most gas stations were near mobile home parks or apartments in the areas that he drove around.

Mayor Sandoval inquired, and Development Services Manager Brad Johnson stated there is no violation of the size requirements.

Councilmember Carrizosa inquired, and Development Services Manager Brad Johnson informed that the City's Public Hearing notice would have specifically listed the project as a gas station that is sent to tenants and property owners.

Councilmember Carrizosa commented that many years ago when there had been a gas station at that corner, the child population in the area was lower, there was not a community center at the park, and the area has changed in the past thirty years.

Mayor Sandoval commented that when a process that is laid out and it is followed, it has to be respected, but that does not preclude us from making difficult decisions, he stated that as a Council they have to be clear what they do not want to see as it related to land use and zoning.

Councilmember Torres inquired, and City Attorney Alvarez Glassman informed that it would be best to deal with the resolution and if there is a request from Council that it be handled separately.

Mayor Sandoval noted there was a motion on the floor to recommend denial of the project.

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 6-0-1-0 to close the public hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 6-0-1-0, to close the public hearing.

MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR ESCOBAR, CARRIED 6-0-1-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to deny the Conditional Use Permit (CUP 5063-2016) to allow the construction of a new gasoline service station with convenience store in the C-1 (Neighborhood Stores) Zone located at 2085 South Towne Avenue.

Aye:	6	Sandoval, Gonzalez, Robledo, Carrizosa, Escobar, and Torres
Absent:	1	Ontiveros Cole

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to move Item No. 19 from the Discussion Calendar to be heard after Item No. 21.

Council Member Ontiveros-Cole returned to the dais at 10:02 p.m.

19. Discussion regarding a Tobacco Retail License Ordinance for the City of Pomona

Development Services Director Mark Lazzaretto gave a brief presentation on the item and requested direction from the City Council on whether to bring back a Retail Licensing Ordinance at a future meeting; it would provide a licensing program for all tobacco retailers in the City from a grocery store to gas stations. There will be a fee that is part of the licensing process, and that would allow staff to go several times a year and investigate that tobacco product is not being sold in a manner where they are predominantly promoting to minors or breaking any new laws.

Alisha C. Lopez, Tobacco Control and Prevention Director at Day One, informed she was part of a youth purchase survey where they found that one in five retailers were willing to sell tobacco products to the youth. She stated it is an alarming rate; she informed that many cities have adopted a Tobacco Retail License (TRL) and have seen their tobacco use rates drop; she stated the TRL would be an effective tool for curbing tobacco sales to minors.

Primo Castro, American Cancer Society Cancer Action Network, stated he is in strong support of this Ordinance policy and that they advocate against any tobacco use and second-hand smoke; he reminded the Council that the Pomona voters were in strong support of a tobacco tax. Pomona voters are asking to control second-hand smoke, and requesting the Council to move forward with the TRL and requesting that the Council also include menthol and no tobacco sales in pharmacies; he informed that addiction begins with menthol products.

Marleni Munguia, Day One Pomona Youth Advocate, was not present to speak but was in support of the Tobacco Retail License Ordinance.

Natalie C. Monforte, Mount San Antonio College, she was a participant in the Youth Purchase Survey Spring of 2015. She informed a few of the retailers were willing to sell her tobacco products; she thanked the Council for considering the TRL Ordinance and stated it would protect the youth from addiction to tobacco products by making the products harder to sell. She spoke of the easy access to cigarillos and how their inexpensive cost, flashy colors, and different flavors made them appealing to the youth.

Adriana Pinedo, Pomona, was not present to speak but was in support of the Ordinance.

Ivan Hernandez, Day One Youth Advocate, stated he was in support of the Ordinance but did not wish to speak

Brenda Gomez, Day One Youth Advocate, did not wish to speak but stated she was in support of the Ordinance.

Maribel Briseno, NCADD and P3, did not wish to speak but stated she was in support of the Ordinance.

Alfredo Camacho-Gonzalez, Pomona, informed that cigarettes are easily accessible to the youth and that has not changed since he was a teenager; he stated he is aware that young people are a priority for tobacco companies because they are trying to replace the people that are dying. Many of the youth start smoking before it is legal for them to smoke; he urged the Council to bring back the Ordinance for the Tobacco Retail License.

Councilmember Robledo stated she is aware some retailers sell to the youth, but she wanted to take a moment to commend those that are doing their due diligence; she spoke of a retailer that would not sell her cigarettes that were for her adult cousin. She reminded that the City had just proclaimed May as National Physical Fitness Month and taking proactive measures to make sure the community is healthy was a great start.

Councilmember Torres expressed his appreciation for the speakers that spoke on this item; he explained that when he purchases tobacco products, he is carded every time and that many businesses are doing a solid job. He expressed concern that the licensing fee would ultimately be inherited by the consumer. He opined that he does like the idea that this will ensure businesses are going through the right process of checking identification. He also communicated that it should be the businesses that decide whether they choose to sell tobacco products and that permit fees are not the most effective tobacco control policy.

Vice Mayor Escobar thanked the speakers from Day One who came to speak on the item; she expressed a tax or permit fee does not create a deterrence it makes the retailer pay more to sell tobacco; she commented that there need to be more stings with tobacco retailers just as ABC does with alcohol. She requested a follow up on the reactions or comments from local retailers.

Councilmember Robledo noted the item is to bring back a sample Ordinance, and it gives plenty of time for Staff to bring back information.

Councilmember Gonzalez stated he is strongly opposed to the sale of alcohol or tobacco to minors but likes that the cigarillos are being targeted. It would create less litter at Kennedy Park, and he stated they are predominately used to smoke marijuana; he stated he fully supports bringing this item back.

Councilmember Ontiveros-Cole stated she was a former smoker and she is now strongly against tobacco products for anyone. She would like to know the impact of the tax; she stated she is not in favor of e-cigarettes as well and she is in favor of bringing this item back.

Mayor Sandoval informed that Day One had conducted research and some of the work they did showed that there was some business that sold to the youth and it is important that those businesses are held accountable.

Councilmember Carrizosa informed that she would like to include in the Ordinance regarding the artwork that specifically invites the youth to use pipes that are not specifically for tobacco.

Mayor Sandoval inquired, and Development Services Director Mark Lazaretto informed that there are City Codes regarding signage that specifies retailers cannot use more than 25% of the storefront be covered with any signs. It is enforced, but it would have to be equally enforced at a dance studio, etc. He stated Staff would look too see if those types of bans can be enacted, specifically on alcohol advertising in the front of stores. He informed that for alcohol CUP approved within the last ten years does have these rules.

City Manager Lowry informed she wanted to make a statement to clarify for the public what the Council would be considering in this Ordinance. She stated the Ordinance would implement rules for how tobacco products are sold in the City. It would also implement a fee so that Staff can inspect whether retailers are following the rules; she clarified that it is not a tax and will not generate money for the City. It will pay for the service to establish whether the rules are being followed; it is an attempt to secure the safety of the community by having health regulations followed and the rules the Council wants. She expressed the signage issue is very important, and that could be discussed on another agenda because it is important that the Council directs Staff on how they want the signage issue approached. She stated it would impact many businesses and would need consensus from Council.

CONSENT CALENDAR

Approval of the Consent Agenda

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0, to approve the Consent Calendar with Item Nos. 2, 13, 17, 18A being pulled for discussion.

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

1. Approve draft minutes of the regular meetings of March 6, 2017 and March 20, 2017

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

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

2. Adopt a Resolution amending the Fiscal Year 2016-17 Capital Improvement Program (CIP) Budget and award a Construction Contract in the amount of \$1,124,520 to C. S. Legacy Construction, Inc. for Park Improvements to six park projects included in the CIP Budget for Fiscal Year 2016-17

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2016-17 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

This item was pulled for discussion.

3. Adopt a Resolution Authorizing the Submittal of a Grant Application for \$1,500,000 to the California Natural Resources Agency - Urban Greening Grant Program for the Phil and Nell Soto Park Project at 1225 N. Park Avenue

RESOLUTION NO. 2017-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA AUTHORIZING SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS IN THE AMOUNT OF \$1,500,000 TO THE CALIFORNIA NATURAL RESOURCES AGENCY URBAN GREENING GRANT PROGRAM CONSTRUCTION OF PHIL AND NELL SOTO PARK.

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

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

4. Adoption of a Resolution Approving Lot Merger LM 13-2016 of Lots 23, 24 and 25, Block "C" of the Santee Tract, Recorded in Book 12, Page 67 of Miscellaneous Records, County of Los Angeles, Assessor Parcel Numbers 8326-008-003 and -022, Good Fruits, LLC Located at 1054 E. Second Street, Pomona, CA (Council District 3)

RESOLUTION NO. 2017-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING LOT MERGER LM 13-2016 OF LOTS 23, 24 AND 25, BLOCK "C" OF THE SANTEE TRACT, RECORDED IN BOOK 12, PAGE 67 OF MISCELLANEOUS RECORDS, COUNTY OF LOS ANGELES, ASSESSOR PARCEL NUMBERS 8326-008-003 AND -022, GOOD FRUITS, LLC LOCATED AT 1054 E. SECOND STREET, POMONA, CA

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

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

5. Award of Purchase in the Amount of \$113,617 to National Auto Fleet Group for One Compressed Natural Gas (CNG) Medium-Duty Dump Truck for the Public Works Public Services Division

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

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

6. Approval of Amendment No. 8 Conduent Technology Services and adding a one year Extension of the Contract to June 30, 2018

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

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

7. Second reading and adoption of an ordinance amending the City of Pomona Zoning Ordinance to include a water efficiency landscape ordinance, and update the development standards for citywide landscaping requirements for all zoning districts, in compliance with State requirements promulgated by Governor's Executive Order B-29-15

ORDINANCE NO. 4232

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING CODE AMENDMENT (CODE 6026-2016) TO AMEND SECTION .503-J ("LANDSCAPING/IRRIGATION"), SECTION .280 ("R-2 LOW DENSITY MULTIPLE-FAMILY ZONE", SECTION .290 ("R-3 MEDIUM DENSITY MULTI-FAMILY ZONE"), SECTION .300 ("R-4 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL ZONE") FOR THE CITY OF POMONA ZONING ORDINANCE (PZO), IN COMPLIANCE WITH STATEWIDE WATER EFFICIENT LANDSCAPE REQUIREMENTS PROMULGATED BY GOVERNOR'S EXECUTIVE ORDER B-29-15

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

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

8. Award of Contract to Barr and Clark, Inc. for Lead Inspector and Risk Assessor Services for the City's Various Housing Programs

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

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

9. Award of Contract for Laboratory Testing of Water Samples to Eurofins Eaton Analytical, Inc. ("Eurofins") for a Term of One-Year, with a One-Year Extension Option, as a Cooperative Procurement of Services Based on the Recent Contract Awarded to Eurofins by Contra Costa Water District

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

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

10. Public Hearing--Refunding of 2006 Lease Revenue Bonds Series AU and AV and partial refunding of Series 2006AR Pension Obligation Refunding Bonds

RESOLUTION NO. 2017-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A GROUND LEASE, LEASE AGREEMENT, INDENTURE, CONTINUING DISCLOSURE CERTIFICATE, ESCROW AGREEMENTS AND BOND PURCHASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF POMONA PUBLIC FINANCING AUTHORITY 2017 LEASE REVENUE REFUNDING BONDS, SERIES BF (FEDERALLY TAXABLE), APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$52,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

MOVE THIS ITEM TO THE PUBLIC HEARING SECTION OF THE AGENDA AS ITEM NO. 22

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

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

11. Introduction and First Reading of an Ordinance Amending Sections 50-339 and 50-345 of the Pomona City Code Pertaining to Business License Application Processing Fees and Section 2-924 to Update the Index of City Fees and Service Charges

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING 50-337(b) AND 50-345 OF THE POMONA CITY CODE PERTAINING TO APPLICATION PROCESSING FEES FOR NEW BUSINESS LICENSE APPLICATIONS AND BUSINESS LICENSE RENEWALS AND UPDATING THE INDEX OF CITY FEES AND SERVICE CHARGES SET FORTH IN POMONA CITY CODE SECTION 2-924(a)

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

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

12. Approve an Amendment to the Construction Contract with General Pump Company in the Amount of \$350,000

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

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

13. Request for Public Hearing on the Planning Commission's Denial of Conditional Use Permit (CUP 4607-2016) for a proposed fourteen-unit residential development at 1198-1236 S. San Antonio Ave., and Tentative Tract Map No. 74367 (TTM 4947-2016) which proposes to subdivide two lots totaling approximately 46,550 square feet for residential detached condominium purposes, in the R-2-S (Low Density Multiple Family with Supplemental Overlay) zone. Applicant/Appellant, Shahram Tork (Council District: 3)

This item was pulled for discussion.

14. Award of Construction Contract to All American Asphalt, in the amount of \$194,364, for Large Pavement Repairs of Water Utility Asphalt Cuts

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

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

15. Adopt a Resolution Amending the FY 2016-17 Capital Improvement Program (CIP) Budget by 1) Closing Completed Water Projects, Re-appropriating \$637,311 in Series "AY" Bond Proceeds, 2) Appropriating \$16,949 of available Series "AY" Bond Proceeds, and 3) Un-appropriating \$7,373 in remaining Water Fund

RESOLUTION NO. 2017-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE FY 2016-17 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY 1) CLOSING COMPLETED WATER PROJECTS, RE-APPROPRIATING \$637,311 IN SERIES "AY" BOND PROCEEDS, 2) APPROPRIATING \$16,949 OF AVAILABLE SERIES "AY" BOND PROCEEDS, AND 3) UN-APPROPRIATING \$7,373 IN REMAINING WATER FUND

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

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

16. City Council consideration of Single Historic Landmark Designation request (SHISTORIC 7146-2017) for the Pomona Park Armory property located at 600 South Park Avenue; State of California, Owner/Applicant (District 1)

RESOLUTION NO. 2017-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A SINGLE HISTORIC LANDMARK DESIGNATION REQUEST (SHISTORIC 7146-2017) FOR THE PROPERTY LOCATED AT 600 SOUTH PARK AVENUE (POMONA ARMORY)

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

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

17. Approval of an agreement with Jucchou Corp for the lease and management of Palm Lake Golf Course

This item was pulled for discussion.

18. Adopt a Resolution approving a Memorandum of Understanding between the City of Pomona and the Pomona Police Managers' Association, Inc. (PPMA) for Fiscal Year 2016-17.

RESOLUTION NO. 2017-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING, RATIFYING, AND ORDERING IMPLEMENTATION OF A ONE (1) YEAR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE MANAGERS' ASSOCIATION

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

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

18A. Legislative Advocacy Staff Recommendations -Opposition of Assembly Bill 1250

This item was pulled for discussion

ITEMS PULLED FOR DISCUSSION

2. Adopt a Resolution amending the Fiscal Year 2016-17 Capital Improvement Program (CIP) Budget and award a Construction Contract in the amount of \$1,124,520 to C. S. Legacy Construction, Inc. for Park Improvements to six park projects included in the CIP Budget for Fiscal Year 2016-17

RESOLUTION NO. 2017-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2016-17 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

Mayor Sandoval read into the record that a speaker card was submitted by Larry A. Head who opposed the award of the construction contract.

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

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

13. Request for Public Hearing on the Planning Commission's Denial of Conditional Use Permit (CUP 4607-2016) for a proposed fourteen-unit residential development at 1198-1236 S. San Antonio Ave., and Tentative Tract Map No. 74367 (TTM 4947-2016) which proposes to subdivide two lots totaling approximately 46,550 square feet for residential detached condominium purposes, in the R-2-S (Low Density Multiple Family with Supplemental Overlay) zone. Applicant/Appellant, Shahram Tork (Council District: 3)

Elinor Crescenzi, Pomona, spoke regarding her concerns with the development and expressed her dismay with city staff and the information provided on the project.

Rishi Kumar, Pomona, spoke on the development and expressed his concern with the project which he felt did not satisfy the requirements for the zoning code; he stated that he is not opposed to the project but that the developer needed to work with the surrounding community.

John Paul Fleming Burkman, Pomona, stated he was opposed to the development, he informed that his property is on the east boundary of the development and was concerned with the density of the project and the height; he informed there was a community presence at the Planning Commission and they expressed their opposition to the project; he requested that the Council look into the shade study and allow the public hearing to take place but he reiterated that he opposed the project.

Erin Runions, Pomona, was not present to speak but opposed the project.

Hank Fung, Pomona, stated he was in support of the project because the City was in need of housing, and that the project met the zoning requirements, market-rate housing, he stated that the Planning Commission could not come to a consensus and that it was incumbent for the City Council to hold the public hearing..

Marianne Golbakhsh, Developer, stated the project met every single requirement of the City and that it was consistent with other developments in the area. She informed the Council that the Planning Commission did not reject the project but resulted in an even vote; she spoke on several changes she had made to the project and stated that the shade analysis reported there would be shade a few hours a day, two to three months out of the year. She commented that she would appreciate the chance to have a public hearing and that she had a petition that was signed by one-hundred residents, people living in the neighborhood that support the project.

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

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

17. Approval of an agreement with Jucchou Corp for the lease and management of Palm Lake Golf Course

Bob Velker - Business Manager for Celso Palafox Enterprises, informed he was aware there were only a few respondents to the RFP and requested that the City Council reopen the bid process; he spoke on Mr. Palafox's work throughout the City. He noted he learned of the RFP through word of mouth and would like to submit a proposal; he stated he is not on the list of vendors.

Jeffrey Hirose stated he had been a golf instructor for over fourteen years, he informed that he had submitted a proposal and is looking forward to operating the golf course.

Mayor Sandoval requested clarification because the item on the agenda was to approve the agreement with Jucchou but that there were other speakers present that wanted to submit a proposal.

City Manager Lowry informed that if the Council did not wish to pursue the contract the offer could be rejected and the project rebid to allow the same and other applicants to participate in the RFP process.

Finance Director Onyx Jones confirmed that City Manager Lowry was correct in her statement and that the project could be rebid to allow other applicants to submit a proposal; she informed Development Services Director Mark Lazzaretto could provide more information which vendors were contacted and the postings that were done; she advised it was more than what was required for this type of bid and stated it was not like a public works process that has a formal process.

Councilmember Robledo expressed that she did not disregard the efforts of Jucchou Corp and Mr. Hirose, but because the golf course has had many maintenance issues throughout the years, she agreed with Councilmember Gonzalez in rejecting this agreement to ensure that the necessary components are included.

Councilmember Torres expressed his agreement with his colleagues and requested that the RFP process be opened again for this project.

Councilmember Carrizosa communicated to the potential applicants that she would like to see in their proposals the different ways that the students can be benefited, and what programs will be available for students to participate. She requested that the proposals include a timeline and specifics of the profits the City will receive.

Councilmember Ontiveros-Cole expressed her agreement with Councilmember Carrizosa; she also requested information on whether the golf course would be cost effective for the children of the community.

Mayor Sandoval directed Staff to re-open the RFP process, set a deadline and depending on how much latitude the City has, have the applicants consider using local hires, such as the San Gabriel Valley Conservation Corp, to help clean up the site.

MOTION BY COUNCILMEMBER GONZALEZ, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to deny the approval of an agreement to Jucchou Corp for the lease and management of Palm Lake Golf course in order to allow for the City to receive more bids for this project.

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

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to extend the meeting past 11:00 PM.

18A. Legislative Advocacy Staff Recommendations -Opposition of Assembly Bill 1250

Arturo Jimenez, Pomona, stated he was unaware he would be speaking on this item since it was not on the agenda, but he stayed to speak on it because of the respect for the process. He expressed that it is very important, and adding it to the agenda at the meeting does not leave room for public input; he stated the community in Pomona cares and has a vision for itself.

Mayor Sandoval commented that he believed this item had been discussed the past week.

City Manager Lowry informed that there was an email received from the League of California Cities midweek. On Friday, at the Contract Cities Conference, it was addressed again. The League of California Cities and California Contract Cities requested opposing this. She commented that it came up after the posting of the agenda and she did not believe that the City's Staff disrespects the process. She stated that adding items to the agenda has been a normal process of this City Council and it has been fairly consistent. She advised that if the Council would like to discontinue that process, then Staff would follow that direction.

Councilmember Robledo informed that this item had been discussed at the conference and that the bill is moving rather quickly. The concern for urgency from both organizations is because of

how quickly it is moving, and that the City needs to show opposition for the bill. She commented that it is not just an issue for Pomona and that many other cities were contacted as well she thanked Mr. Jimenez for pointing out that the appropriate parties be involved when items like this come up.

Councilmember Torres commented that he appreciated Mr. Jimenez bringing this topic up. He confirmed that this was not an attempt to rush through items but that bills move rather quickly and it was important that legislation is tracked and that it was important that the City Council take positions on state laws that will impact the City. He stated it was best for the Council to take a vote before the legislature. He expressed that this was not an attempt to outsource jobs but to maintain the ability to have a choice to outsource.

Councilmember Gonzalez commented that he trusts the League of California Cities and agrees with his colleagues; he expressed that he did not want to tie the hands of the City Manager or the Human Resources Director. He stated that if this item were in some way malevolent to the community, then he would not support it.

Councilmember Carrizosa stated she inquired about the issue after reading about it online; she commented that Mr. Jimenez made a good point and informed there had previously been a legislative committee that has been inactive for many years. She stated that this should be discussed at a future meeting to reconsider the committee.

Deputy City Manager Gluba reiterated Councilmember Torres' comments and stated the legislation moves quickly; he informed the bill had been shot down in committee last week and rumored to be re-discussed this past Thursday.

Councilmember Torres requested that the same letter be sent to the legislators so that they are aware of the City's stance.

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

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

DISCUSSION CALENDAR

19. Discussion regarding a Tobacco Retail License Ordinance for the City of Pomona

This item was heard prior to the Consent Calendar..

19A. Finding of Public Benefit to the Community at Large for Recommended Expenditures and Recap of Approved Funds

CURRENT REQUESTS:

- A) Amount to be determined to St. Madeleine Catholic Church in support of their Annual Fiesta Fundraiser (coverage for use of mobile stage and street banners) - Requested amount: \$2,080.00
- B) Amount to be determined to the Pomona Police Department Crime Prevention Unit in support of their Annual Camp Out - Requested amount: TBD

- C) Amount to be determined to the Pomona Concert Band in support of programming - Requested amount: TBD
- D) \$3,000.00 in support of District 3 Holiday Toy Drive
- E) Amount to be determined to cover rental fees of Washington Park Community Center 200 admission tickets to Washington Community Swimming Pool in support of Senator Connie Leyva, Assembly member Freddie Rodriguez, and Pomona's Promise Promoters' Community Health Fair - Requested amount: TBD
- F) Amount to be determined to purchase two tables for the Annual Mayor's Prayer Breakfast - Requested amount: \$760.00

Art Delgadillo, Pomona, was not present to speak but stated his support for Item No 19A, the St. Madeleine Catholic Church request.

Christopher Kim, commented that he would like to donate some funds to some of the items listed.

City Manager Lowry explained that information could be given to Mr. Kim regarding the non-profits and that his donations could be made directly to the organizations to simplify the process.

Councilmember Carrizosa mentioned that Item 19E is an event that takes place every year with the Senator and the funds will be provided by District 3.

Councilmember Torres inquired, and Councilmember Carrizosa clarified that the legislators were not requesting funding and that she wanted to contribute funds because it is a benefit to the constituents in the area and that it was not uncommon.

Councilmember Torres inquired, and Deputy City Manager Mark Gluba explained that Community Services sometimes provide an estimate when it is available for the costs. He pointed out that there is a recap of former amounts and explained there is a thirty day period where the Council can decide if they wish to contribute to the requests and that a summary is provided to the Council of where contributions were made.

City Manager Linda Lowry informed that they had not determined the cost yet for Item 19E and that is why the amount requested was to be determined.

Councilmember Gonzalez stated he would be donating to items 19A and 19B.

City Manager Lowry explained that by making the Finding of Public Benefit, the Council is saying they believe the health fair is a community benefit event it is not a political or campaigning event she also added that when the requests come through they do not always have the amount requested.

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

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

PUBLIC HEARINGS

20. Request to Continue Public Hearing to June 5, 2017 for an appeal of Conditional Use Permit (CUP 11 002) to legalize the conversion of a group care facility to an eleven unit rooming house located at 804 William Street in the R-2 (Low Density Multiple Family Residential) zoning district

MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY VICE MAYOR ESCOBAR, CARRIED 7-0 to open the Public Hearing for purposes for continuing it to the June 5, 2017 regular City Council meeting.

Aye: 6 Sandoval, Robledo, Carrizosa, Ontiveros Cole, Escobar, and Torres

Abstain: 1 Gonzalez

21. Public Hearing - Appeal of the Planning Commission's Approval Decision on Conditional Use Permit (CUP 5063-2016) to allow for the construction of a six pump gasoline service station and a 2,701 square foot convenience store located at 2085 S. Towne Avenue in the C-1 (Neighborhood Stores & Services Commercial) zone. (Council District 3).

RESOLUTION NO. 2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DENYING CONDITIONAL USE PERMIT (CUP 5063-2016) to allow the CONSTRUCTION OF A NEW GASOLINE SERVICE STATION WITH CONVENIENCE STORE IN THE C-1 (NEIGHBORHOOD STORES) zone located at 2085 SOUTH TOWNE AVENUE

This item was heard before the Consent Calendar.

22. Public Hearing Refunding of 2006 Lease Revenue Bonds Series AU and AV and partial refunding of Series 2006AR Pension Obligation Refunding Bonds

RESOLUTION NO. 2017-67

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A GROUND LEASE, LEASE AGREEMENT, INDENTURE, CONTINUING DISCLOSURE CERTIFICATE, ESCROW AGREEMENTS AND BOND PURCHASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF POMONA PUBLIC FINANCING AUTHORITY 2017 LEASE REVENUE REFUNDING BONDS, SERIES BF (FEDERALLY TAXABLE), APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$52,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RESLATED ACTIONS

Finance Director Onyx Jones and John Solarczyk of Ziegler gave a brief presentation on this item; Finance Director Jones explained the current debt schedule and informed that it increases annually. She stated her concern for the next ten years with the increasing amount was the General Funds ability to pay the increased amount with the other increased costs; she informed

that with the bond refunded it can create two-million dollar savings for the fiscal year 2018 by having the bond refunded promptly.

John Solarczyk stated that Staff would be completing the bond refunding before the end of June 2017 and this would allow the City to skip the July 1, 2017, payment and create the two-million dollar savings for the budget next year; a report would be brought back to Council to show the savings for next year.

Councilmember Robledo thanked Staff and spoke on a seminar that discussed fiscal responsibility in regards to pensions; they discussed where cities envision themselves in the future and how they will get there; she expressed gratitude that Staff is thinking of the future and developing a plan to lower debt payment to remain physically stable.

Councilmember Carrizosa inquired, and Finance Director Onyx Jones informed that the original bond was a pension bond and had to be taxable when it is refunded as a lease bond it also has to be taxable. She explained that the AV bond was refunded as taxable, and the AU Bond had a small amount and the full amount will be refunded as taxable; she also explained that they received good rates for the water bonds.

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

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

MOTION BY VICE MAYOR ESCOBAR, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 7-0, to approve the refunding of 2006 Lease Revenue Bonds Series AU and AV and partial refunding of Series 2006 AR Pension Obligation Refunding Bonds.

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

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Torres informed that he would be traveling to Sacramento to discuss important issues and he would report back.

Mayor Sandoval reminded that he would be joining We Run Pomona and invited the community to join.

Councilmember Carrizosa requested an update on the Boys and Girls Club.

Councilmember Ontiveros-Cole informed that on Wednesday, May 17, 2017, Garey High Class of 1967 would be issuing scholarships to students continuing their education; she also informed that on Sunday, May 21, 2017, the Glass House would be hosting the scholarship pageant; she also informed of a showcase art at the Metro.

Mayor Sandoval informed that the Bright Prospect students from Ganesha High would be announcing their college decisions school of choice on Tuesday, May 16, 2017. On Wednesday, May 17, 2017 the Bright Prospect students from Diamond Ranch would be announcing their school of choice and on Thursday, May 18, 2017 Palomares Academy students would be announcing their schools of choice.

ADJOURNMENT

The City Council meeting was adjourned at 11:40 PM.

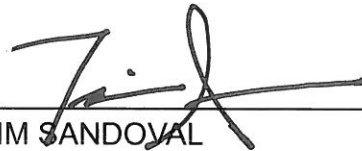
The next Special Study Session will be on Monday, May 22, 2017 in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. Closed Session items will be discussed at 6:00 p.m. The Open Session will commence at 7:00 p.m.

Respectfully submitted,



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

ATTEST:



TIM SANDOVAL
Mayor/Chair of the Pomona
Housing Authority