



City of Pomona

505 South Garey Avenue
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, April 24, 2017

7:00 PM

Fairplex Conference Center
601 West McKinley Avenue
Pomona, CA 91768

Joint Study Session of the City Council and the Los Angeles County Fair Association

CALL TO ORDER

7:00 P.M.

The Joint Study Session was called to order at 7:00 p.m.

ROLL CALL

Present: 7 – Cristina Carrizosa (Arrived at 7:02 p.m.)
Ginna E. Escobar (Arrived at 7:40 p.m.)
Rubio Gonzalez
Elizabeth Ontiveros-Cole
Adriana Robledo
Tim Sandoval
Robert Torres

Los Angeles County Fairplex Board:

Present: 9 - Vice Chair Cid Pinedo
Director Ronald Bolding
Director Linda Bosserman-Piatt
Director William Fox
Director Heidi Hanson
Director John Landherr
Director Christina Loza
Director Stephen Morgan
Director John Solomon.

Absent: 1 - Chair J Michael Ortiz

City Staff Present:

Linda Lowry, City Manager,
Andrew Jared, Assistant City Attorney
Eva M. Buice, MMC, City Clerk
Mark Lazzaretto, Development Services Director

Fairplex Staff Present:

Miguel Santana, President/CEO
Michelle DeMott, Vice President, Branding / Knowledge Management
Michael Sedar, Vice President, Finance
Dwight Richards, Vice President, Operations
Dale Coleman, Vice President, Growth & Development

PLEDGE OF ALLEGIANCE

Mayor Tim Sandoval led the Pledge of Allegiance to the Flag.

CITY MANAGER COMMUNICATIONS

City Manager Lowry suggested Public Participation be moved to after the Staff Presentation.

PUBLIC PARTICIPATION

The City Council and the Los Angeles Fairplex Board of Directors concurred to move Public Participation until after Staff Presentations.

STUDY SESSION

1. Discuss the historical and current regulations in the F-zone land use section of the Pomona Zoning Ordinance and provide Staff with direction on how to proceed with follow-up processing and/or action in relation to the F-zone land use regulations

Miguel Santana introduced himself as the new President and Chief Executive Office for the Fairplex. He noted he began his position with the Fairplex in January 2017 and felt fortunate to have the opportunity to have a conversation with City and Community.

Mr. Santana stated there were several things the Fairplex Board of Directors asked him to accomplish during his first year, one of which was to develop a Strategic Planning Process which it is anticipated to have a Strategic Plan document laying out the framework for a set of initiatives by January of 2018. Once completed, this will be presented to the Pomona City Council, Los Angeles County Board of Supervisors, Los Angeles Fairplex Board of Directors and the Los Angeles County Fair Association.

He reviewed the goals and principles behind the Strategic Plan were to align with the Fairplex Mission while filling community needs and benefits; strengthen neighborhoods; maintain financial strength and sustainability and provide local and regional economic development; promote commerce and entrepreneurship; build reserves for capital and community reinvestment and good paying jobs.

Mr. Santana reviewed the timeline of the strategic topics; the participants involved in this process and discussed the importance of community involvement and input. He noted that they had already completed two sessions with more than 100 participants and all information is available online at www.fairplex.com/ceo/strategic-planning

He reported that on Friday, April 21, 2017 the Fairplex launched their Neighborhood Response System by distributing over 400 magnets with contact information for community calls and concerns that is available 24/7. He stated with this program the CEO will be notified and the resident will receive a letter, they will aggregate all of the types of calls that are being received and these will be disclosed on the website. The goal is to reduce the number of calls over time.

Mr. Santana discussed the Resolution of Issues over the last three months including a moratorium on rave events at the Fairplex that was adopted in January of 2017; discussion of the MOU between the Fairplex and the City regarding net profits from food and beverage sales at the Sheraton; and the settlement of a class action lawsuit regarding occupancy tax reimbursement for the Fairplex RV Park residents. He noted it has been the direction of the Board of Directors to start a new chapter at the Fairplex and all of the activities over the last three months had been to strengthen the relationship between the Fair, the City and the residents.

Mark Lazzaretto, Development Services Director, presented a PowerPoint presentation which outlined the history of key events at the Fairplex from the first Los Angeles County Fair being held in Pomona in 1922 through the opening of the Trade and Conference Center in 2012.

He reviewed the History of Land Use Regulations adopted in 1970 by Ordinance 2450 which allowed 13 land use types without permits, the uses were closely related to Fair uses such as livestock events and craft shows; an Outdoor PA system was allowed from 9:00 A.M. to 9:00 P.M. and other uses required a Conditional Use Permit to ensure the findings for use would not push the Fairplex property to non-fair activities. The History of Land Use Regulations was revisited in 2004 and adopted by Ordinance 4012 wherein the addition of the intent of the F-Zone, the notion of a year-round events center; a list of allowed land uses and buildings that could be continued, expanded or altered without discretionary permits was added along with an added list of uses that could be allowed with a CUP as well as the Outdoor PA system hours being extended from 9:00 A.M. to 10:00 P.M.

Mr. Lazzaretto noted that the staff report summarized the concerns of the residents that had been voiced at various public meetings over the past two years and explained that a Repeal of Ordinance 4012 would take the zoning back to the 1970 Ordinance provisions and any improvements that had been made or activities that began after 2004 would have to be "grandfathered" in as a legal non-conforming status.

Development Services Director Lazzaretto commented on the Electronic Dance Music (EDM) Concerts that took place in 2015, and reported on the Los Angeles County Board of Supervisors Ordinance that was enacted in 2016 in response to drug related deaths at the EDM events.

He noted that in the past the Fairplex wanted the flexibility to be able to react to current market conditions for their land uses, i.e. horse racing, soccer, farm to table; and currently the Fairplex was in the process of undergoing a Strategic Planning Process with a Vision 2025 designed to achieve the vision of a community-based, international destination, offering entertainment, education, recreation, innovation and urban agriculture with dining and retail opportunities.

A review of the revenues from the Fairplex to the City noted the majority of the revenue is from sales tax, TOT, utility user tax and business license tax.

Mr. Lazzaretto noted the City could make changes to the land use regulations that mitigate nuisance activities; require discretionary permits for future changes to the physical property; and participation in the Los Angeles County threat assessment team to ensure events with over 10,000 spectators are held as safely as possible. He further noted that the City cannot regulate the content of events and activities, i.e. specifically disallow EDM events but allow other types of music; and they cannot cause changes to buildings and activities that have been previously approved, i.e. disallow events at the Trade and Conference Center.

It was staff's recommendation to form an ad hoc committee of City Council and staff to attend strategic planning process meetings with the Fairplex; ultimately recommend to the full City Council changes to the F-Zone that will mitigate nuisance activities while allowing Fairplex to operate in a fiscally-sustainable manner; and negotiate a letter of agreement with the Fairplex to state how the Fairplex will voluntarily operate until the strategic planning process has concluded and new land use regulations can be enacted.

PUBLIC PARTICIPATION

Reggie Mundeikis, Pomona spoke regarding the need for the Fairplex to follow the same rules as others when it comes to completing studies, she felt the Fairplex should have to follow the same rules as others and complete an EIR, traffic study and parking study. She noted once these studies were conducted they will clarify the needs of the Fairplex with the goal of being a good neighbor.

Clive Houston-Brown, Vice President of the University of LaVerne, noted there are strong ties to Pomona and they have a longstanding partnership with the fairplex and fair grounds, the child and development center, the hotel houses students for them, and they use the facilities for conferences. He reported that as a University they are occasionally impacted by the noise, but no different than any other entities and the benefits to the community were numerous. He stated there have been occasional missteps but every organization has to be able to learn. He noted it was important to measure the response to the particular issues rather than a whole change to the F-Zone. With new leadership at both the City of Pomona and the Fairplex, they can have a strong partnership and he encouraged dialogue and continued partnership with both entities.

Judith St. John, Pomona, spoke in favor of working on a new F-Zone for 2017. She reported she heard of some of the plans for the future, the Vision 2025 statement, and it sounded to her like the fairgrounds is hoping to have retail and housing which makes it necessary for an EIR to be done along with traffic studies, and the noise ordinance needs to be followed without variances. She spoke on the different raves, noting the City needs to take back oversight of the Fairplex as it seems they are hearing about year round events which are necessary to keep the county fair going, and she questioned why the Fairplex was so determined to have year round events, although this would be good news for the City to increase revenues.

Reyna Garcia Ramos, Pomona, stated the City of Pomona needs to have a neighborhood response system of their own; need to start discussing the impact of the Fairplex on the city, what about a parking tax, fair tax, or beverage tax? She noted the residents have consistently been saying they need to be put first all the time. When there are discussions regarding the Fairplex, if you as a Council Member feel you cannot be unbiased you need to recuse yourself from the discussions with the Fairplex. She stated the Fairplex and its Executives have allowed and encouraged many of these different events and they have violated the F-Zone requirements.

Efren Herrera, stated the city has no idea what takes place or what the problems are near the Fairplex; noted there was too much traffic and noise. He suggested a neutral party perform an audit of the salaries, bonuses, etc as all the money from the Fairplex seems to be disappearing and the City Council should find out what is going on.

Mario Ramos, thanked the Fairplex Board members for attending the meeting. Stated the revenues need to be reviewed, an audit should be conducted from the time period before the Fair went from non-profit to profit, prior to the hotel and convention center being added. He noted that diversity was important; the Fairplex needs more transparency and the EIR has to be addressed. He stated that Mr. Santana talked

about all the good things the Fairplex was doing, but not the environment; he felt the agriculture was a thing of the past. During an event a call center should be developed and if there are problems, it should be the Pomona Police Department to shut down the event. He also noted if there was an adhoc committee the City Council members should include Mayor Sandoval and Council Members Carrizosa and Torres.

Joe Silva, noted there was a presentation earlier about the Strategic Plan for the Fairplex; stated that was not the original point of the fair, it was about education and agriculture. Questioned why the County was not present at tonight's meeting since they are the Board that controls the Fairplex.

Brian Barn, stated he has been a participant at the fair grounds for more than 40 years, and a local person knows what the impacts of the fair are; he has always enjoyed the facility because it means jobs. He noted there is a unique opportunity to cut a great deal with the California horse racing as well offering services for education by incorporating Western University and having an equine hospital at the Fairplex.

Eric Sanchez, expressed his appreciation for both the Fairplex Board and the City Council to come together because of a problem; there are numerous people who are concerned about how things will be going forward. He noted in the past there was more educational opportunities, i.e. the dA Center used to have a relationship with the Fairplex, but no longer does. He stated that the LA Times reported that executives were receiving bonuses when the equipment was failing and felt this was inappropriate.

John Mendoza, stated he was in full support of the Pomona City Council re-evaluating the F-Zone, although he thought this meeting was going to be a day-long event, not just a few hours in the evening. The residents wanted change which is why they elected new people in to office. There has been a lot of controversy about the horse racing with the Fairplex cheating individuals out of their wages, he saw the problem as accountability of the jobs.

David McElwain, reflected on how much his life has intersected with the fair and how much the fair has evolved; noted that his children went to the Fairplex Child Development Center and when looking back at the history of the fair there was no indication that the Los Angeles County Fair would give rise to one of the best Child Development Centers in the state. He stated that he lives in LaVerne and does hear the drag races, but many people don't understand that the NHRA was founded in Pomona as a safe place for young people to race. The Fairplex is a lot more than simply an annual fair. He does share concerns of some of the local residents but he feels much more can be offered to the community.

Beth Brooks, stated she lives closer than anyone to the fair and she felt we should leave the running of the fair to those that know how to run a fair and everyone should be a good neighbor to the fair and choose to have an outlook of how can I help you rather than how can you help me.

Kristie Kerchavel, distributed a letter to the City Council and Fairplex Board.

MAYOR/COUNCILMEMBER/FAIRPLEX BOARD MEMBER COMMUNICATIONS

Fairplex Board Director Loza stated she lived close to Oak Knoll and all of her children have attended the Child Development Center. She noted her primary reason for being involved with the fair was because she was interested in investing back to the community in which she lived and she was grateful for her position on the Board and working with Miguel Santana.

Fairplex Board Director Morgan commented that he has been involved with the Fairplex his entire life and it was a privilege to be on the search committee that brought Mr. Santana to the Fairplex as he is known for his problem solving and collaborative skills. He expressed his appreciation to the residents for sharing their concerns and thoughts on how to make the fair a better organization. He hopes this is a new chapter for the Fairplex and he hopes to continue to work with everyone.

Council Member Torres thanked the community for coming out. Noted he was very familiar with the history of the fair and appreciated the presentation by City Staff. He had some concerns with some of the proposed plans by the Fairplex. Having a Neighborhood Response System is a step in the right direction, he is not fully confident in this process as it is taking away from his leadership role. As a Council Member it is my job to listen to my residents and address issues, if he is not notified he cannot do his job and he wants the residents to call me as their City Council

Member. He requested to be cc'd on every letter that is sent out to a resident. He spoke about the history of SB721 and how the bill was passed. Council Member Torres did not have a full understanding of the environmental impacts of the events at the Fairplex and it is important to have the data and research on traffic, particle pollution and noise levels, especially with the potential for the Olympics to come to Los Angeles. When studies were done for noise the bass was not measured. He stated he was supportive of staff's recommendation to form an ad hoc committee made up of himself, Mayor Sandoval and Council Member Carrizosa. Mr. Torres suggested going back to allowing events that are only fair related until such time as a new ordinance can be adopted.

Council Member Carrizosa stated she would be happy to sit on an ad hoc committee. She inquired as to the qualifications, terms, etc. of the Fairplex Board Members. There were concerns heard from the residents today, but it is also necessary to hear from the Fairplex. In order for Fairplex to thrive and be sustainable they need to have more than the yearly operations of the fair.

Mayor Sandoval inquired if there were any other Council Members interested in serving on an ad hoc committee.

Council Member Robledo noted that three Council Members is appropriate for an ad hoc committee, adding a fourth would be a quorum of the City Council.

Council Member Gonzalez stated he would not mind being an alternate.

Vice Mayor Escobar inquired and received clarification of how the study session was noticed. She asked if the ad hoc committee could take an in depth look into the issue of alcohol sales and the use of cannabis. She noted there were a lot of complaints about the noise and the non-compatible fair uses but explained the public needs to realize that this entity doesn't act like any other entity of its size and as such they operate in a grandiose size. In regards to the penalties, she would like to know if they are or are not assessed and what are the impacts of penalties on current events. She wondered why there was no Los Angeles County representation at the meeting, but commented there were strong ties with some individuals and the Los Angeles County Board of Supervisors. She noted she was sad to hear the races are no longer at the Fairplex and asked the ad hoc committee to see what the city does or does not make on parking fees.

Mayor Sandoval agreed they needed to form an ad hoc committee to review the F-Zone with Council Members Carrizosa, Torres and himself as the members with Council Member Gonzalez serving as an alternate.

Assistant City Attorney Jared spoke on whether to move forward as Brown Act or Non-Brown Act body; noted being a Brown Act body would require noticing and the public would be allowed to attend.

The Council members discussed the need for an alternate and whether the meetings should be opened or closed to the public and the possibility having opened meetings with public participation could prolong the process. It was unanimously agreed that the ad hoc committee would be limited to the Mayor and two Council Members without a need for an alternate and the meetings would not be opened to the public.

Council Member Torres questioned about the second section of staff's recommendation which was to negotiate a letter of agreement; asked if that was an alternative and if a letter in writing would be sufficient.

Development Services Director Lazzaretto stated that was the intent; to have a discussion about how they are going to operate and if they decide they are not going to agree then Council would come back and make a quick change to the ordinance if needed.

ADJOURNMENT

The Joint Study Session of the City Council and Fairplex Board was adjourned at 8:50 P.M.

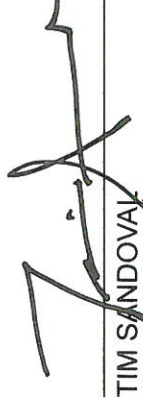
The next Regular Meeting will be held on Monday, May 1, 2017 at 5:30 p.m. in the City Council Chambers, 505 S. Garey Avenue, Pomona, California. Closed Session items will be discussed at 5:30 p.m. The Open Session will commence at 6:45 p.m.

Respectfully submitted,



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

ATTEST:



TIM SANDOVAL
Mayor/Chair of the Pomona
Housing Authority

