



# City of Pomona

505 S. Garey Ave  
Pomona, CA 91766

## Meeting Minutes

### City Council / Housing Authority / Successor Agency to the Redevelopment Agency

*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  
Vice Mayor Robert S. Torres*

#### VISION STATEMENT

*Pomona will be recognized as a vibrant, safe, beautiful  
community that is a fun and exciting destination and the home of  
arts and artists, students and scholars, business and industry.*

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Monday, February 5, 2018

7:00 PM

Council Chambers

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5:30 P.M.

#### CLOSED SESSION

#### Public Comment:

#### **A. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION**

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

Hijazi v. City of Pomona

City of Pomona v. Metro Gold Line Foothill Extension Construction Authority

Singleton v. City of Pomona

#### **B. CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Government Code Section 54957.6)

Part Time Unrepresented Employees

Part Time General Employees Unit

Unrepresented Group A and B Employees

Unrepresented Mid-Management Group C-2 Employees

Pomona City Employees' Association, a Chapter of Teamsters Local 1932

Pomona Mid-Management Confidential Employees Association (PMMCEA)

Pomona Police Officers Association (PPOA)

Pomona Police Managers Association (PPMA)

Labor Negotiators: Linda Lowry and Linda Matthews

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**C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code Section 54956.8)

Property: Mission Promenade Commercial Properties 101 W. Mission Blvd.;  
APNs 8341-008-912, 913, 914, 915, 916 and 917

Negotiating Party: Value Add Properties, LLC, John Pena, LLC and MCA Properties  
Successor Agency's Negotiator: Linda Lowry, City Manager

Under Negotiation: Price and Terms

Property: VPD Lots 6 & 7 (APNs 8341-003-901 and 8341-004-902

Vacant VPD Lots (APNs 8341-003-903, 904, 905, 906, 907, 908 and 909);  
the Gist Building (APN 8341-003-902)

Negotiating Party: Maya Cinemas

City's Negotiator: Linda Lowry, City Manager

Under Negotiation: Price and Terms

**CITY ATTORNEY REPORT OUT FROM CLOSED SESSION**

City Attorney Alvarez-Glasman stated that the City Council convened into Closed Session at 5:36 p.m., and that the items listed on the agenda had been announced prior to recessing into Closed Session. He stated that prior to recessing Mr. John Pena had requested to speak, and that he provided a presentation.

City Attorney Alvarez-Glasman reported the following:

All members of the City Council were present.

Item A: The first matter was discussed, direction was provided to the City Attorney; however there was no final action taken, and there was nothing further to report. The other two matters will be discussed following the open portion of the meeting when the City Council recesses back into Closed Session.

Item B: This item was not discussed and will be discussed when the City Council recesses back into Closed Session.

Item C: The first matter regarding Mission Promenade was discussed, direction was provided to staff; however, no final action was taken and there was nothing further to report. The other matter regarding Maya Cinemas will be discussed when the City Council recesses back into Closed Session.

He reported that a motion was made as follows:

**MOTION BY VICE MAYOR TORRES, SECOND BY COUNCILMEMBER ESCOBAR, FAILED BY A LACK OF 4/5THS MAJORITY ROLL CALL VOTE, 5-2-0-0, (COUNCILMEMBERS ROBLEDO, CARRIZOSA, ONTIVEROS-COLE, ESCOBAR, AND VICE MAYOR TORRES IN SUPPORT; MAYOR SANDOVAL AND COUNCILMEMBER GONZALES OPPOSED), to add a review of the Performance Evaluation RFP process as listed under Item No. 8 on the Open Session agenda to the Closed Session agenda, as it had come up after the posting of the agenda and required immediate attention.**

7:00 P.M.

**CALL TO ORDER**

The meeting was called to order.

**ROLL CALL**

Present: 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, City Clerk  
Cecilia Varela, Deputy City Clerk

**POSTING OF COLORS**

The Posting of the Colors was presented by Garey High School JROTC Color Guard.

**PLEDGE OF ALLEGIANCE**

Mayor Sandoval led the Pledge of Allegiance to the Flag.

**PRESENTATIONS**

A. Presentation of Certificates of Recognition

Mayor Sandoval advised that just prior to the meeting he had received a request to postpone the presentation to the meeting of February 26, 2018.

B. Presentation by the House of Ruth Youth Advisory Committee

Sophia Wagner, House of Ruth representative, and members of the House of Ruth Youth Advisory Committee provided a presentation regarding teen dating violence, and requested that the City Council proclaim February 2018 as Teen Dating Violence Awareness Month.

### **MAYOR/COUNCILMEMBER COMMUNICATIONS**

In accordance with AB1234, the Mayor and Councilmembers reported on the following:

Councilmember Carrizosa reported that she had attended the Homeless Count event at Ganesha Park, the Latino Family Symposium, and the NAACP and Latino/Latina Roundtable grand opening.

Councilmember Escobar stated that she, and 11 other elected officials, would be addressing the State Legislature on February 28, 2018, regarding SB623, the "Human Rights to Water Act." She advised that she had attended the BusFed event in Los Angeles, and the Independent Cities Association Conference. She wished Interim Police Chief Oliveri a Happy Birthday.

Vice Mayor Torres advised that he had attended a Neighborhood Watch Meeting in his district, and that the Pomona Police Department and the Department of Fish and Wildlife had made presentations. He reported that he had attended the NAACP Open House in conjunction with the Latino/Latina Round Table, and that met with a group of a hundred senior citizens, which had been arranged by Jill Stark of the Pomona Now Group.

Councilmember Ontiveros-Cole reported that she had attended the Latino/Latina Round Table and NAACP Open House, the State of the City Address, and had visited Councilmember Escobar's dance studio's Eighth Season Kick-off at G Divas.

Councilmember Gonzales stated that he had participated in the Homeless Count event, and had attended the Latino/Latina Round Table and NAACP Open House event, the State of the City Address, the United Pomona Valley M.E.Ch.A. play, the Laura Ingalls Wilder Gingerbread Social, and the PUSD Sarah Ross Science Fair.

Mayor Sandoval noted that there were a number of organizations in the City that he had not included in the State of the City Address; however, they had contributed a great deal to the community. He spoke about the many community volunteers that gave of their time to volunteer to help make the community a better place.

### **CITY MANAGER COMMUNICATIONS**

City Manager Lowry requested that Item No. 6 be removed from the Consent Calendar to the Discussion Calendar due to the large number of speaker cards that had been received.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY MAYOR SANDOVAL, CARRIED 7-0, to move Item No. 6 to the Discussion Calendar.**

### **PUBLIC PARTICIPATION**

Douglas Pierce, Pomona, encouraged everyone to support the American Red Cross, and spoke about the border wall.

Dr. Choi, Pomona, thanked the City Council for their assistance in helping him obtain the permits for the installation of a new parking lot.

Eunice Russell, Pomona, commented on the State of the City Address, and encouraged the City Council to focus on business development.

Kevin Lee, Pomona, expressed concern with the amount of time it took to process plan checks through the Planning Department.

Deborah Clifford, Pomona Valley Historical Society, invited everyone to the Historical Society's Annual Meeting on February 17, 2018, from 5-8 p.m. which also included the retirement dinner for President Mickey Gallivan, after 18 years of service.

Dwight Richards, Fairplex representative, reported on various events coming to the Fairplex including the NHRA Winter Nationals, the U.S. Modern Pentathlon, and the Southern California Vex Robotics Championships.

Amos Young, Pomona, urged the City Council to look at the challenges facing the City, and to provide clear and transparent direction for increasing revenue in order to provide essential city services.

John Mendoza, Pomona, stated that he had attended a workshop at Mt. SAC regarding a proposed bond measure to raise funds for the college, and urged the City Council to host a workshop at City Hall to learn more about the proposal.

Jose Diaz, Pomona, thanked Mayor Torres and Councilmember Escobar for their assistance with landlord issues at the Curran Place Apartments.

Yesinia Meza, Pomona United Youth Baseball representative, requested assistance with the expenses incurred for the new lights at the baseball field. She thanked Mayor Sandoval for his assistance with the landlord dispute at Curran Place Apartments.

Randy Beckendam, Pomona, spoke regarding urban farming and the positive effects on the community.

Lynn Sang advised that grants were available for climate mitigation, with a portion going to establish urban farms.

Elinor Crescenzi, Pomona, urged the City Council to look at new ways to deal with waste management by encouraging composting, urban farming, and zero waste programs.

Arturo Jimenez, Pomona, expressed concern with the amount of trash that collected on the sidewalks and streets in the downtown area.



## **CONSENT CALENDAR**

**MOTION BY COUNCILMEMBER GONZALES, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED BY 7-0, to approve the Consent Calendar except Items No 4 & 5, which were pulled for discussion.**

1. Approval of a Memorandum of Understanding with the Los Angeles County Fire District to Provide Fire Fuel Reduction in the Rio Rancho Trail and Creek Area Through 2023
2. Award a Construction Contract for Bus Shelter Concrete Pads in the Amount of \$69,920 to EBS General Engineering, Inc. for "Transit Improvement Program - Citywide (Phase III)," Project No. 216-2590-XXXXX-68545
3. Approve First Amendment to Extend the Professional Services Contract with RMC for Development of the Water, Sewer and Recycled Water Strategic Plan

John Mendoza inquired as to how individuals from the community could be involved in helping to develop the Strategic Plan.

4. **THIS ITEM WAS PULLED FOR DISCUSSION.**
5. **THIS ITEM WAS PULLED FOR DISCUSSION.**
6. **THIS ITEM WAS MOVED TO THE DISCUSSION CALENDAR.**

## **ITEMS PULLED FOR DISCUSSION**

4. Adopt Resolutions Approving Participation in Four (4) Property Assessed Clean Energy (PACE) Programs

### **RESOLUTION NO. 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS**

### **RESOLUTION NO. 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) OPEN PACE PROGRAMS; AUTHORIZING THE CSCDA TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING RELATED ACTIONS**

**RESOLUTION NO. 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING ASSOCIATE MEMBERSHIP BY THE CITY IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY (CEDA); AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY; AUTHORIZING THE CITY TO JOIN THE FIGTREE PACE PROGRAM; AUTHORIZING THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY TO CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF CORNING; AND AUTHORIZING RELATED ACTIONS**

**RESOLUTION NO. 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE GOLDEN STATE FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS, ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND OTHER IMPROVEMENTS AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO**

**RESOLUTION NO. 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE GOLDEN STATE FINANCE AUTHORITY PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS, ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, AND OTHER IMPROVEMENTS AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO**

Councilmember Carrizosa expressed concern with the City becoming part of a Joint Powers Authority without having voting rights. She inquired and Taylor Riebold with the PACE program informed that State law required that the homeowners initial the contract indicating that it was a contract between them and the contractor, and that the City was not liable for any problems with the contracted work. Further comments were made by Baldwin Park Councilmember Monica Garcia regarding liability concerns.

**MOTION BY COUNCILMEMBER RUBIO, SECOND BY MAYOR SANDOVAL, FAILED BY ROLL CALL VOTE 3-3-0-1 (COUNCILMEMBERS ROBLEDO, ONTIVEROS-COLE, AND VICE MAYOR TORRES OPPOSED, COUNCILMEMBER CARRIZOSA ABSTAIN), to not adopt resolutions approving participation in four (4) Property Assessed Clean Energy (PACE) Programs.**

5. Adopt a Finding of Public Convenience or Necessity (PCN) related to Conditional Use Permit (CUP 8420-2017) to allow the sale of beer and wine (Type 42-On Sale Beer & Wine-Public Premises) in conjunction with a new arcade located at 396 South Thomas Street in the Mixed-Use Central Business District (MU-CBD) in the Downtown Pomona Specific Plan.

**RESOLUTION NO. 2018-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A FINDING OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE SALE OF BEER AND WINE (ABC LICENSE TYPE 42--ON SALE BEER & WINE-PUBLIC PREMISES) IN CONJUNCTION WITH A NEW ARCADE LOCATED AT 396 SOUTH THOMAS STREET**

Development Services Manager Sandnicki provided a brief overview of the Planning Commission decision.

Discussion ensued regarding the number of alcohol licenses in the downtown, high crime rates, businesses vs. vacant buildings, security measures in the downtown, the need to be business friendly, and lack of family oriented business in the area,

**MOTION BY COUNCILMEMBER ROBLEDO, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 4-3-0-0 (COUNCILMEMBERS CARRIZOSA, ONTIVEROS-COLE, AND VICE MAYOR TORRES OPPOSED), to adopt a resolution approving the Finding of Public Convenience or Necessity to allow the sale of beer and wine (ABC License Type 42—On Sale Beer & Wine-Public Premises) in conjunction with a new arcade located at 396 South Thomas Street.**

**DISCUSSION CALENDAR**

6. Request for a Public Hearing on an appeal of the Planning Commission's approval of Conditional Use Permit (CUP 4764-2016) to allow the sale of beer, wine, and liquor (Type 21-Off Sale general) in conjunction with an existing Wal-Mart Neighborhood Market at 778 Arrow Highway in the C-C (Community Shopping Center) zone; Appellant: Councilmember Rubio Gonzalez

The following individuals submitted speaker cards in support of granting a Public Hearing regarding the WalMart CUP; however, they did not wish to speak:

|                 |                   |                 |
|-----------------|-------------------|-----------------|
| Ivan Hernandez  | Melissa Ayala     | Maura Ayala     |
| Brenda Gomez    | Brian Nunez       | Yahara Duran    |
| Mr. Hanor       | Natalie Rodriguez | Albert Estevez  |
| Maria Lagramada | Vidal Capanella   | Michelle Tran   |
| Johanna Lopez   | Enrique Becerra   | M. Flores       |
| Marisol Orasco  | Victor Cortez     | Britney Sotello |
| Brian Ramirez   | Marianna Figueroa | Brenda Duarte   |
| Mikayla         | Cecilia Ojeda     | Jasmin Nunez    |
| Johanna Jimenez | Natalie Castenada | Minverva Andreo |
| Melanie Andreo  | Juliana Pena      | Jesus Sanchez   |

Roberta Perlman, Pomona, expressed concern with the location being adjacent to a school, oversaturation of liquor licenses, nearby sensitive uses, and the methodology used in measuring distances to sensitive uses, and urged the City Council to conduct a public hearing regarding the matter.



Eunice Russell, Pomona, questioned the reasoning behind the request for the appeal, and urged the City Council to support the Planning Commission decision.

Evelia Rocha, Pomona, expressed concern with the number of alcohol licenses in the community, and urged the City Council to conduct a public hearing.

Erica Frausto, Pomona Chamber of Commerce representative, urged the City Council to grant the CUP for the WalMart Market in order to help them be competitive with other super markets, and that WalMart had strict standards for compliance with alcohol sales.

Vernon Price, Pomona, noted the need to bring in tax dollars to the City, and requested that the Planning Commission decision be supported.

Arturo Jimenez, Pomona, stressed the need for the City Council to look at what was good for the community, and that approving another alcohol license was bad policy.

Deandre Valencia, BusFed representative and resident, expressed support for the Planning Commission decision, and noted that WalMart was one of the most responsible sellers of alcohol in the nation.

Ann Henderson, Partnership for Positive Pomona representative, urged the City Council to hold a public hearing regarding the WalMart CUP.

Ann Tomkins, Pomona, stated that the City Council should support the decisions made by the Planning Commission. She noted that residents were encouraged to Shop Pomona; however, denying WalMart an alcohol license was not a business friendly decision.

Lisa Reisner, WalMart Market manager, provided copies of the WalMart Adult Beverage Policy for the City Council. She advised that she had up to ten people per day asking about wine and beer, and the next closest location to purchase alcohol was in Claremont.

Brian Peppercorn, WalMart Market Assistant Manager, stated that when customers ask for alcohol, they have to refer them to other stores, which affects their ability to be competitive.

Paige Gosney, Attorney for WalMart Market, advised that the Planning Commission had done a good job in reviewing all of the information presented to them, and had made a decision based on the fact that the WalMart application had met all of the code requirements.

M. Joyce Bakersmith, Pomona, noted that she had submitted a letter of retraction from the Pomona Optimist Club to the Planning Commission. She stated that she was speaking as a resident, and not a member of any group, and requested that the City Council support the Planning Commission decision. She said that WalMart should be able to sell alcohol just as any other grocery store in the community was allowed to do.

Councilmember Rubio recognized PUSD Superintendent Martinez, Board Members Perlman and Guzman. He advised that the members of the Planning Commission were appointed by the City Council, and were the recommending body; however, the final decision was up to the City Council.

Vice Mayor Torres thanked those on both sides of the issue that had spoken, and he advised that he had not been consulted prior to the filing of the appeal. He noted that it would be good to hold a public hearing in order for members of the community to be heard, and for transparency for the community.

Mayor Sandoval noted that the City Council realized that it was a divisive issue, and that just because they requested a public hearing did not mean they were opposed to the alcohol license, but because it was good for it to be publicly discussed.

**MOTION BY COUNCILMEMBER ESCOBAR, SECOND BY COUNCILMEMBER CARRIZOSA, CARRIED 7-0, to grant the appeal and hold a Public Hearing regarding the Planning Commission's approval of Conditional Use Permit (CUP 4764-2016) to allow the sale of beer, wine, and liquor (Type 21-Off Sale general) in conjunction with an existing Wal-Mart Neighborhood Market at 778 Arrow Highway in the C-C (Community Shopping Center) zone.**

Councilmember Carrizosa requested that the minutes from the Planning Commission meeting be included in the report when it came back to the City Council.

**7. Finding of Public Benefit to the Community at Large: Recommended Expenditures and Recap of Approved Funds**

**CURRENT REQUESTS:**

- A) Amount to be determined to the Pomona High School Red Devils Basketball Booster Club in support of their basketball program - Amount requested: TBD
- B) Amount to be determined to Diamond Ranch High School in support of their athletic program - Amount requested: TBD
- C) Amount to be determined to J.E.T.M.A.C., Inc. in support of MLK Jr. Unity Breakfast - Amount requested TBD
- D) Amount to be determined to Simons Middle School in support of their "SASEE" young female empowerment program - Amount requested: \$350
- E) Amount to be determined to Diamond Ranch High School in support of their music program - Amount requested: TBD
- F) Amount to be determined to Garey High School in support of their music program - Amount requested: TBD
- G) Amount to be determined to Marvin H. Thompson, III (Brand Urself) in support of their Black History Month Celebration - Amount requested: \$500

Marvin Thompson, Pomona, thanked the City Council for their support of the Martin Luther King celebration, and noted that there had been a good turnout. He said the residents had requested that they hold another event in honor of Black History month, and requested that the City Council approve the request to help fund the event.

Vice Mayor Torres inquired and PUSD Superintendent Martinez advised that he was not always aware of the funding requests for school events that came before the City Council. Vice Mayor Torres requested that all requests go through the Superintendent's office prior to being sent to the City Council.

Mayor Sandoval inquired and City Manager Lowry explained the process for placing requests on the Finding of Public Benefit to the Community at Large.

**MOTION BY COUNCILMEMBER CARRIZOSA, SECOND BY VICE MAYOR TORRES, CARRIED 7-0, to approve the Finding of Public Benefit to the Community at Large, Items A-G.**

**8. Provide direction for RFP process for City Attorney Services**

The following individuals submitted speaker cards in support of moving forward with the RFP process for City Attorney Services; however, they did not wish to speak:

Ignacio Gomez  
Katrina Gomez

Eric Trabuco  
Sherry Pope

Judy St. John, Pomona, stated that it was important to maintain the continuity that the current City Attorney's office brings on important matters that are in the works, and would be coming up for decisions in the near future.

Ron Vandermolen, Pomona, stated that the City Council needed to exercise due diligence in every decision they made, and that the RFP process should be used in selecting a City Attorney, whether or not it's the current attorney, or another one. He noted that it would allow further transparency in how the City conducts business.

Amos Young, Pomona, advised that the question was not whether the City Attorney was doing a good job, but about what was protecting the interest of the tax payers.

Ann Tomkins, Pomona, noted that this was an opportunity for the City Council to learn more about legal services and how they are provided. She stated that it was not a performance review of the current City Attorney, but an opportunity to make sure that funds were being spent in the right way.

Arturo Jimenez, Pomona, advised that this was an opportunity to demonstrate accountability and transparency to the citizens, and to look at how every dollar was spent that the City received.

Larry Ortega, Pomona, stated that it was prudent to look at the City Attorney services, and that he believed the City Attorney had exerted undue influence on the City Council in some of the policies that had been adopted. He urged the City Council to issue an RFP for City Attorney services.

Brian Brooks, Protect Our Neighborhoods (NOW) representative, cautioned the City Council about changing attorneys at this time when they were in the middle of the F-Zone issue.

Mario Ramos, Pomona, stated that he was all about transparency and accountability; however, he expressed concern about changing attorneys during the consideration of the F-Zone ordinance.

John Mendoza, Pomona, noted that the City Attorney had worked with many groups and citizens over the years, and had always been transparent with them. He said that he didn't not understand what the City Council hoped to gain out of looking at another attorney.

Mayor Sandoval advised that the request to look at the RFP process was not about the performance of the City Attorney, but that there had not been an evaluation of City Attorney services for 28 years. He said it was about good governance, not about performance.

**MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER GONZALES, to initiate the RFP process for City Attorney services; however, a substitute motion to table the item was passed.**

**SUBSTITUTE MOTION BY VICE MAYOR TORRES, SECOND BY COUNCILMEMBER ESCOBAR, CARRIED 5-2-0-0 (MAYOR TORRES AND COUNCILMEMBER GONZALES OPPOSED), to table the RFP process for City Attorney services until after the City Council had conducted evaluations for the City Manager, the City Attorney, and the City Clerk.**

Councilmember Carrizosa stated that she did not disagree with evaluating the performance of the City Manager, the City Attorney or the City Clerk; however, she wanted to know who was going to formulate the evaluations, and what the City Council's role would be in the process. She asked and City Manager Lowry advised that the City had engaged the services of a consultant last year to assist the City Council with the process. Councilmember Carrizosa expressed concern with initiating the RFP process before the evaluations had been completed. She stated that the City Council needed to establish goals and objectives in order to guide their decision making process.

**9. Staff Request for City Council to Provide Direction Regarding Aesthetics of Gold Line Bridges/Structures**

Public Works Director McWade provided a brief presentation, which included four different designs.

Discussion ensued regarding the various features of each design.

**MOTION BY COUNCILMEMBER GONZALES, SECOND BY COUNCILMEMBER ROBLEDO, CARRIED 7-0, to direct staff to provide the Gold Line with the choice of Alternative #3 for the two bridges/structures in the City.**

**10. Presentation, Discussion, and Direction on California Choice Energy Authority (CCEA) Program as An Alternate Electric Service Option to Southern California Edison**

Water Resources Director Poulsen, and Barbara Boswell from the City of Lancaster, provided a brief presentation regarding the formation of a "Community Choice Aggregation (CCA).

**MOTION BY COUNCILMEMBER GONZALES, SECOND BY MAYOR SANDOVAL, CARRIED 7-0, to direct staff to move forward with the initial feasibility study regarding the CCEA program.**



### **MATTERS INITIATED BY CITY COUNCILMEMBERS**

Mayor Sandoval requested that staff bring back a Code Amendment regarding the height and setback requirements for hedges.

Councilmember Robledo requested that a Study Session be scheduled to discuss the process for evaluations for the City Manager, City Attorney, and City Clerk.

Councilmember Gonzales asked that staff provide the City Council with an update on the status of SB 52. He thanked the Police Department for the work they had done to rescue two minors from sex trafficking in the City.

Councilmember Escobar asked and City Attorney Alvarez-Glasman advised that there was not a formal policy regarding who could place items on the agenda. Discussion ensued regarding past practice that allowed either the Mayor to direct the placement of items on the agenda, or consensus by three Councilmembers to place an item on the agenda.

Councilmember Ontiveros-Cole asked that staff look into the issue of parking in and around the intersection of San Francisco Avenue and Caswell Avenue. She also requested that the "no dumping" sign in the alley between San Francisco Avenue and East Pasadena Street be reattached to the sign post.

Councilmember Carrizosa asked that something be done to expedite the backlog of Planning Department approvals for economic development projects. City Manager Lowry advised that the new Development Services Director had been hired, and would be starting in a week, and that he and staff would be looking at options to help expedite the backlog.

### **RECESSED INTO CLOSED SESSION**

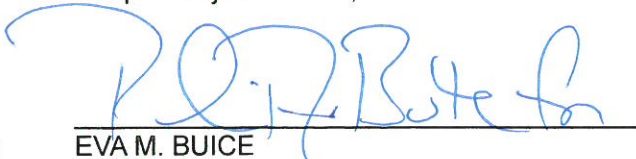
The City Council recessed into Closed Session.

### **ADJOURNMENT**

The City Council meeting was adjourned in memory of Jimmy Otta, Stuart Otta, and Maria Antonia Alvarado (Councilmember Robledo's grandmother.)

The next regular City Council meeting will be held on Monday, February 26, 2018, Closed Session will begin at 5:30 p.m. and the open session shall commence at 7:00 p.m. in the City Council Chambers.

Respectfully submitted,



EVA M. BUICE  
City Clerk/Secretary of the Pomona  
Housing Authority/Successor Agency to the  
Redevelopment Agency

ATTEST:



TIM SANDOVAL  
Mayor/Chair of the Pomona  
Housing Authority/Successor Agency to the  
Redevelopment Agency