



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
Councilmember Rubio R. Gonzalez
Vice Mayor Victor Preciado
Councilmember Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert S. Torres

VISION STATEMENT

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

Monday, August 5, 2019

7:00 PM

Council Chambers

5:30 P.M. City Council Conference Room

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

Savengrith v. City of Pomona, et al.

L.A. County Superior Court, Central District; Case No. BC603920

Jason Abboud v. City of Pomona, et al;

L.A. County Superior Court, Central District; Case No. BC599074

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property: Southwest Corner of Garey Ave. & Seventh St. APNs 8341-013-030
and 8341-016-053 and 056

Negotiating Party: M & A Gabee

Successor Agency's City's Negotiator: Linda Lowry, City Manager

Under Negotiation: Price and Terms

Property:	Veteran's Park Site; APNs 8707-019-902, 903, 906 & 909
Negotiating Party:	Seventh Street Development, Inc.
City's Negotiator:	Linda Lowry, City Manager
Under Negotiation:	Price and Terms

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

Interim City Attorney Sonia Carvalho reported that the City Council had convened into Closed Session at 5:30 p.m. with all members present and that the items listed on the agenda had been announced prior to recessing into Closed Session with no public present.

Ms. Carvalho reported that Items A and B were discussed and direction was provided to staff on both items.

Beyond that there was no reportable action.

7:00 P.M. Council Chambers

CALL TO ORDER

The City Council Meeting was called to order at 7:01 p.m.

ROLL CALL

Present: Mayor Tim Sandoval
Vice Mayor Victor Preciado
Councilmember Rubio Gonzalez
Councilmember Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Councilmember Robert Torres

STAFF PRESENT:

Linda Lowry, City Manager
Sonia Carvalho, Interim City Attorney
Rosalia Butler, City Clerk
Karla Shipman, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Pomona Veteran Pete Garcia led the Pledge of Allegiance.

PRESENTATIONS

- A. A Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming August 6, 2019 as "National Night Out 2019" in the City of Pomona

Police Chief Oliveri, Corporal Rios, Captain Ellis, and Community Service Officers Diaz, Macy and Hernandez were present to accept the proclamation. Corporal Rios spoke on the event.

- B. Certificate of Recognition to Pomona Veteran(s)

The Mayor and Council recognized Howard Hernandez, Jess Gomez, Pete Garcia, Allen Espinoza and Lee Moore.

- C. Certificate in Memory of Anna Soto

The Mayor and Council presented a certificate and framed rendering of Phil and Nell Soto Park to Pat Soto, Patrick Soto and Danielle Soto in memory of Anna Soto

MAYOR/COUNCILMEMBER COMMUNICATIONS

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

All councilmembers attended various City functions including Movies at the Park, Fairplex's opening of its new command center and various clean-up events.

The Council encouraged residents to attend the National Night Out event on Tuesday, August 6, The Art Walk on August 10, upcoming Movies in the Park, upcoming town hall meetings and community clean up events.

The Mayor expressed condolences for the communities of Dayton and El Paso. He also encouraged residents to come to the SGVCOG meeting on Thursday, August 7 in Monrovia to support the Gold Line coming to Pomona.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry requested a special meeting on August 19 with two items to discuss: cannabis update and RHNA (Regional Housing Need Allocation). The council agreed to start the meeting at 6 p.m.

PUBLIC PARTICIPATION

Deborah Clifford spoke on the history of Dr. Thomas Wing, Pomona Business man

Chris Toovey, artist laureate of Pomona spoke on the Arts Colony and upcoming Art Walk

Adriana Mauro spoke about the Spirit Halloween Store opening in the old Rite Aid on Holt

Fernando Cervantes expressed concern about potholes in District 6

Elinor Crescenzi spoke on her continuing work in sustainability and social justice

Dwight Richards, Fairplex, spoke about the upcoming LA County Fair and job opportunities

Shirley Ducre expressed concern about the apartments on West Grove and Union and the trash and parking issues in that area

CONSENT CALENDAR

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve the Consent Calendar except for Items 6, 10, 12, 17, 18 which were voted on in separate motions.

1. Second Reading and Adoption of Ordinance Amending Pomona City Code Section 58-164 to Disallow Temporary Parking at Red Curbs While Loading or Unloading Merchandise or Passengers

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

ORDINANCE NO. 4265

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING SECTION 58-164 OF THE POMONA CITY CODE PERTAINING TO EXCEPTIONS FOR PARKING AND STOPPING AT RED CURB ZONES AND AREAS

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Ordinance No. 4265

2. Approval of the Application for Statewide Park Development and Community Revitalization Program Grant Funds for Washington Park and Hamilton Park

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

RESOLUTION NO. 2019-100

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE APPLICATION FOR STATEWIDE PARK

DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS FOR WASHINGTON PARK

RESOLUTION NO. 2019-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS FOR HAMILTON PARK

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-100 and Resolution No. 2019-101

3. Adopt a Resolution Accepting a Grant Award of \$3,300 from the Los Angeles County Arts Commission for Free Summer Concerts and Amending the FY 2019-20 Miscellaneous Grant Funds Budget by Appropriating the Grant Funds

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-107

A RESOLUTION OF THE CITY OF POMONA, CALIFORNIA, RECEIVING A GRANT OF \$3,300 (215-4190-40380-58687) FROM THE LOS ANGELES COUNTY ARTS COMMISSION FOR FREE SUMMER CONCERTS AND AMENDING THE FY 2019-20 MISCELLANEOUS GRANT FUNDS BUDGET BY APPROPRIATING THE \$3,300 TO 215-4190-XXXXX-58687; and,

- 2) Accept the grant and authorize the City Manager to execute the Grant Agreement on behalf of the City and any documentation needed to accept grant funds.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-107

4. Approve the Purchase of an Asphalt Roller in the Amount Not-To-Exceed \$45,000 from Trinity Equipment Inc.

It is recommended that the City Council approve the purchase of one asphalt roller from Trinity Equipment Inc. in the amount not-to-exceed \$45,000.

**MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER
ONTIVEROS-COLE, CARRIED 7-0, to approve the purchase of an asphalt roller**

5. Approval of Grant of Easement EC1-2018 to Southern California Edison for Electrical Equipment Installation on a Portion of City Property Located Near Village Loop Road and Bear Valley Road, Assessor Parcel Number 8704-004-903, Pomona, CA (Council District 5)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING GRANT OF EASEMENT EC1-2018 TO SOUTHERN CALIFORNIA EDISON OVER A PORTION OF CITY PROPERTY LOCATED NEAR VILLAGE LOOP ROAD AND BEAR VALLEY ROAD, ASSESSOR PARCEL NUMBER 8704-004-903; and

- 2) Authorize the City Manager, or designee, to sign the Grant of Easement to SCE and the SCE Offer to Purchase Grant of Easement, on behalf of the City.

**MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER
ONTIVEROS-COLE, CARRIED 7-0, to approve Resolution No. 2019-104**

6. Approval of Tract Map TM No. 74606 for the Property Located at 1901 S. White Avenue, Pomona, CA, Assessor Parcel Numbers 8344-024-050 and -051, related to the Subdivision of Two Parcels into 110 Single Family Lots and 25 Lettered Lots for the Alicante and Madrone Residential Project (Council District 2)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING TRACT MAP TM 74606 FOR THE PROPERTY LOCATED AT 1901 S. WHITE AVENUE, ASSESSOR PARCEL NUMBERS 8344-024-050 AND -051; and

- 2) Authorize the City Engineer to sign the Tract Map TM 74606 on behalf of the City.

9. Approval of an Agreement to Provide Police Services for the 2019 Los Angeles County Fair by Setting the Rate of Compensation for Such Police Services and Amending the Police Department's FY 2019-2020 Operating Budget by Appropriating an Additional \$37,250

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

RESOLUTION NO. 2019-108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A CONTRACT WITH THE LOS ANGELES COUNTY FAIR ASSOCIATION BY SETTING THE RATE FOR POMONA POLICE SERVICES DURING THE 2019 LOS ANGELES COUNTY FAIR AND AMENDING THE POLICE DEPARTMENT FY 2019-20 OPERATING BUDGET

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-108

10. Establishment of the City of Pomona Poet Laureate Program

It is recommended that the City Council adopt the following resolution establishing the City of Pomona Poet Laureate Program as proposed by the Board of Library Trustees and supported by the Cultural Arts Commission:

RESOLUTION NO. 2019-106 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING THE CITY OF POMONA POET LAUREATE PROGRAM

This Item was pulled for discussion by Mayor Sandoval.

Duane Smith, Board of Library Trustees, spoke of expanding the mission of literary and the importance of this program to recognize the non-visual arts.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, to adopt Resolution No. 2019-106

11. Accepting the Standards and Training for Corrections (STC) Grant in the Amount of \$13,200 and Amending the FY 2019-20 Operating and Revenue Budgets

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA ACCEPTING THE STANDARDS AND TRAINING FOR CORRECTIONS (STC) GRANT AND AMENDING THE FY 2019-20 SPECIAL REVENUE OPERATING AND REVENUE BUDGETS

- 2) Accepting the Standards & Training for Corrections (STC) Grant; and
- 3) Amending the FY 2019-20 Police Departments expenditures and revenues for grant funds to receive and appropriate \$13,200 for the STC grant; and
- 4) Authorizing the City Manager, or designee, to execute any and all agreements on behalf of the City, in substantially the form submitted, subject to review and approval as to form by the City Attorney.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-114

12. Amendment of the FY 2019-20 Capital Improvement Program (CIP) Budget by Appropriating \$875,000 in Available Housing Successor Agency, Low-Moderate Income Housing Funds to the "Year-Round Emergency Shelter," Project No. 428-2590-XXXXX-71044

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

RESOLUTION NO. 2019-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$875,000 IN AVAILABLE HOUSING SUCCESSOR AGENCY, LOW-MODERATE INCOME HOUSING FUNDS (FUND 131) TO THE "YEAR-ROUND EMERGENCY SHELTER," PROJECT NO. 428-2590-XXXXX-71044

This Item was pulled for discussion because speaker cards were submitted.

Linda Lockwood spoke on her concerns about the City taking this money from the County and Pomona becoming the "homeless capital of the country".

Deana Bass ceded her 3 minutes to Linda Lockwood.

Benita DeFrank, Neighborhood Services Director, answered questions from the Council.

**MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO,
CARRIED 7-0 to adopt Resolution No. 2019-109**

13. Second Reading and Adoption of Ordinance Approving a Comprehensive Update to the Downtown Pomona Specific Plan (SPA 6409-2016) and Related Updates to the Pomona Corridors Specific Plan (SPA 12106-2019) and Pomona Zoning Ordinance (Zone 12104-2019)

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

ORDINANCE NO. 4267

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA APPROVING A COMPREHENSIVE UPDATE TO THE DOWNTOWN POMONA SPECIFIC PLAN (SPA 6409-2016) AND RELATED UPDATES TO THE POMONA CORRIDORS SPECIFIC PLAN (SPA 12106-2019) AND POMONA ZONING ORDINANCE (ZONE 12104-2019)

**MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER
ONTIVEROS-COLE, CARRIED 7-0, to adopt Ordinance No. 4267**

14. Second Reading and Adoption of Ordinance Amending Sections of Chapter 62 of the City Code Pertaining to Certain Water Service Fees

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

ORDINANCE NO. 4266

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING CERTAIN SECTIONS OF CHAPTER 62 OF THE POMONA CITY CODE THAT ARE OBSOLETE PERTAINING TO SETTING WATER USER FEES AND SPECIAL ZONE CHARGES

**MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER
ONTIVEROS-COLE, CARRIED 7-0, to adopt Ordinance No. 4266**

15. Approval of an Assignment, Assumption and Consent to Assignment of Purchase and Sale Agreements

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

- 1) Adopt the following resolutions:

RESOLUTION NO. 2019-112

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN ASSIGNMENT, ASSUMPTION AND CONSENT TO ASSIGNMENT OF PURCHASE AND SALE AGREEMENTS FOR THE PROPERTIES LOCATED AT 150-180 E. CENTER STREET (APN'S 8336-026-900 & 903) IN POMONA, CALIFORNIA TO TRIAD VENTURES, INC.

SA RESOLUTION NO. 2019-4

A RESOLUTION OF THE CITY COUNCIL, SITTING AS THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN ASSIGNMENT, ASSUMPTION AND CONSENT TO ASSIGNMENT OF PURCHASE AND SALE AGREEMENTS FOR THE PROPERTY AT 192 E. CENTER STREET AND 353 N. GIBBS STREET (APN'S 8336-026-904 & 905) IN POMONA, CALIFORNIA TO TRIAD VENTURES, INC.

RESOLUTION NO. 2019-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING AN ASSIGNMENT, ASSUMPTION AND CONSENT TO ASSIGNMENT OF PURCHASE AND SALE AGREEMENTS FOR THE PROPERTY COMMONLY KNOWN AS CITY PARKING LOT 2 (APN 8336-021-901) IN POMONA, CALIFORNIA TO TRIAD VENTURES, INC.

2) Authorize the City Manager/Executive Director to execute the Assignment, Assumption and Consent to Assignment of Purchase and Sale Agreements (Assignment Agreement) for the sale of the subject properties, in substantially the form submitted, and any documents required to complete the intended assignment.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-112, SA Resolution No. 2019-4 and Resolution No. 2019-113

16. Amendment of the 2016 State Homeland Security Grant Program (SHSGP) Award by Accepting \$202,869 of Additional Funds, Amending the FY 2019-20 CIP Budget by Appropriating the \$202,869 in 2016 SHSGP Funds into the Capital Improvement Program (CIP) "Police-Dispatch Radio Console Upgrade," Project No. 428-2590-XXXXX-71055, Amending the FY 2019-20 CIP Budget by Unappropriating \$166,775 of FY 2018-19 and \$36,094 of FY 2017-18 SLESA Funds from CIP Project No. 428-2590-XXXXX-71055, Amending the Police Special

Funds Budget by Re-Appropriating a Total of \$202,869 of SLESA Funds from CIP Project and Amending the FY 2017-18 and FY 2018-19 SLESA Expenditure Plans

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE 2016 STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP) AWARD BY ACCEPTING \$202,869 OF ADDITIONAL FUNDS, AMENDING THE FY 2019-20 CIP BUDGET BY APPROPRIATING THE \$202,869 IN 2016 SHSGP FUNDS INTO THE CAPITAL IMPROVEMENT PROGRAM (CIP) "POLICE-DISPATCH RADIO CONSOLE UPGRADE," PROJECT NO. 428-2590-XXXXX-71055, AMENDING THE FY 2019-20 CIP BUDGET BY UNAPPROPRIATING \$166,775 OF FY 2018-19 AND \$36,094 OF FY 2017-18 SLESA FUNDS OUT OF CIP PROJECT NO. 428-2590-XXXXX-71055, RE-APPROPRIATING THOSE SLESA FUNDS TO AMEND THE 2019-20 POLICE SPECIAL FUNDS BUDGET AND AMENDING THE FY 2017-18 FY 2018-19 SLESA EXPENDITURE PLANS

- 2) Amend the 2016 State Homeland Security Grant Program (SHSGP) grant award from \$400,000 to \$602,869, approving an addendum to the original Sub-Recipient Agreement, and authorizing the City Manager, or designee, to execute the Sub-Recipient addendum and reimbursement and related documents on behalf of the City; and
- 3) Accept the \$202,869 of additional grant funds from the 2016 SHSGP; and
- 4) Amend the FY 2019-20 CIP budget by appropriating the \$202,869 in 2016 SHSGP Funds into CIP Project "Police-Dispatch Radio Console Upgrade," Project No. 428-2590-XXXXX-71055; and
- 5) Amend the FY 2019-20 CIP budget by unappropriating \$166,775 of FY 2018-19 SLESA and \$36,094 of FY 2017-18 SLESA funds out of CIP Project No. 428-2590-XXXXX-71055; and
- 6) Amend the FY 2019-20 Police Special Funds Budget by appropriating a total of \$202,869 of unspent/carryover SLESA funds consisting of FY 2017-18 SLESA (281-2090-XXXXX-58764) in the amount of \$36,094 and FY 2018-19 (281-2090-XXXXX-58690) in the amount of \$166,775; and

7) Amend the FY 2017-18 and FY 2018-19 SLESA Expenditure Plans.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-111

17. Acceptance of Two Measure H Grant Awards from Los Angeles County for City Planning and Homeless Program Implementation Totaling \$1,366,754 and Amending the City's 2019-20 Operating Budget by Appropriating the Grant Funds

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF TWO MEASURE H GRANT AWARDS FROM LOS ANGELES COUNTY FOR CITY PLANNING AND HOMELESS PROGRAM IMPLEMENTATION TOTALING \$1,366,754 AND AMENDING THE CITY'S 2019-20 OPERATING BUDGET BY APPROPRIATING THE GRANT FUNDS

- 2) Authorize the City Manager to execute the two grant agreements on behalf of the City and any documentation needed to accept the grant funds.

This Item was pulled for discussion because speaker cards were submitted. Speakers Linda Lockwood and Deana Bass declined to speak again.

Benita DeFrank, Neighborhood Services Director, answered questions from the Council.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY MAYOR SANDOVAL, CARRIED 7-0, to adopt Resolution No. 2019-116

18. Adoption of a Resolution Amending the Bail (Fine) Schedule for Parking and Non-Moving Vehicle Violation Citations Issued in the City of Pomona

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

RESOLUTION NO. 2019-117

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE BAIL (FINE) SCHEDULE FOR PARKING AND NON-MOVING VEHICLE VIOLATIONS OCCURRING IN THE CITY OF POMONA

This Item was pulled by Councilmember Preciado to comment on the item.

MOTION BY COUNCILMEMBER PRECIADO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2019-117

19. Adoption of a Resolution Approving the Annual Report for the Downtown Pomona Property and Business Improvement District (PBID) and Levying the Assessments for Fiscal Year 2019-2020

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

RESOLUTION NO. 2019-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE DOWNTOWN POMONA PROPERTY AND BUSINESS IMPROVEMENT DISTRICT (PBID) ANNUAL REPORT FOR FISCAL YEAR 2019-2020 AND AUTHORIZING THE LEVYING OF THE FY 2019- 2020 ASSESSMENTS

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2019-118

DISCUSSION CALENDAR

Per Mayor Sandoval, Item No. 23 was heard first on the Discussion Calendar

23. Review and Discussion of a Draft Ordinance Pertaining to Sidewalk Vending Regulations

It is recommended that the City Council review the attached Draft Ordinance and Draft Resolution (Attachments 1 & 2) regarding proposed amendments to the City Code Sections pertaining to sidewalk vending, solicit community input on the proposed ordinance and regulations, and provide staff direction on any desired changes to the ordinance or regulations as proposed

Kathy Shin from Best Best & Krieger presented the proposed ordinance and answered questions from the Council.

Alan Contreras was in support of the ordinance and believes issues with it can be resolved

German Garcia was in support and said he was willing to follow all necessary procedures to be a legal sidewalk vendor.

Benjamin Wood was in support and expressed concerns with the ordinance as written.

Luis Suarez was in support and expressed concerns with the cost of the permits.

Larry Egan was in support of sidewalk vendors but with restrictions on the downtown area due to safety concerns.

John Pena was in support of immigrant businesses but the ordinance needs to benefit not just sidewalk vendors but brick and mortar businesses to be fair to everyone. He also expressed concerns about the health regulations.

Jim Sanbrano was in support of the idea of the ordinance but stated the ordinance as written is too restrictive, does not support entrepreneurship, and the costs are prohibitive to low income residents.

Elinor Crescenzi was also in support of the idea of the ordinance but stated there is too much restrictive language and needs to be written in a way that helps the people it is intended to benefit.

Ed Tessier was in support of the ordinance with location restrictions. He also stated that health and safety regulations were very important.

John Mendoza was in support of the ordinance but said the costs are too high and will prevent low income Pomona residents from being able to get the necessary permits.

The following individuals were in support of the ordinance but did not wish to speak or were not present:

Beatriz Rodriguez	Amalia Olivares
Greg Zuniga	Serafin Gomez
Stephanie Munoz	Jazmin Mercado
Minerva Hernandez	Elizabeth Sanabria
Jaime Olivares	

The following individuals submitted a speaker card, were not present when called and did not indicate whether they were in support or opposition of the ordinance:

Juan Bracamentes	Jose Diaz
Noemi Gonzalez	Daniel Agrego
Alma Menchaca	Venita Reynolds
Demetria Espinoza	

There was no action on this item. The consensus of the Council was to have further discussion and community input on this item.

20. Finding of Public Benefit of the Community at Large: Recommended Expenditure and Recap of Funds

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

- 1) Approve the expenditure recommended and make the finding that the community at large will receive a public benefit from the expenditure of funds for the recommended item

A) Amount to be determined in support of the Pomona Catholic High School 21st Annual Casino Night – Requested Amount: \$1,000

B) Amount to be determined to House of Ruth, Inc. for replacement of items lost during burglary – Requested Amount: \$1,500

C) Amount to be determined in support of a community Concert by Cold Duck – Requested Amount: TBD

D) Amount to be determined to Iglesia Rios De Agua Viva for a Baby Blanket Drive for the NICU Department and backpack drive – Requested Amount: \$1,200

E) Amount to be determined to Total Restoration Ministries for Back to School Bash Community Outreach – Requested Amount: \$500

F) Amount to be determined to Camara de Comercio Hispana del Valle de Pomona for “Gran Festival de la Independencia Hispana” – Requested Amount: \$2,000

G) Amount to be determined in support of the Pomona High Cheer Team – Requested Amount: \$2,000

H) Amount to be determined in support of Pomona Steelers for the purchase of equipment, uniforms, and helmets – Requested Amount: \$1,200

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

Hagi Fuentes from Iglesia Rios de Agua Viva spoke on Item D.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, to make a finding of public benefit for items A-H

21. Award of Contract to Best Best & Krieger, LLP for City Attorney Services

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

- 1) Approve the Agreement for Legal Services for City Attorney Services between the City and Best Best & Krieger for City Attorney services on a month to month basis at the rates as proposed in the Agreement; and
- 2) Authorize the Mayor to finalize and execute the agreement.

Ed Tessier expressed his support for Best Best & Krieger

The following speakers were not in support of the contract:

Mike Suarez
John Mendoza
Mario Ramos
Brian Brooks

Sonia Carvalho addressed concerns brought forth by Councilmember Torres.

Mayor Sandoval and Councilmember Lustro made comments in support of the agreement.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-1 (COUNCILMEMBER TORRES OPPOSED), to approve the agreement for Legal Services for City Attorney Services between the City and Best Best & Krieger

22. Discussion Regarding Options Available to the City Related to Inclusionary Housing Policies

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

- 1) Review and discuss the June 24, 2019 memorandum prepared by Best Best & Krieger, LLP, City Attorney; and
- 2) Provide direction to staff.

Benjamin Wood spoke in support of inclusionary housing.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER TORRES, CARRIED 7-0, to continue Item 22.

PUBLIC HEARING

- 24. Public Hearing to Adopt New National Pollutant Discharge Elimination System (NPDES) and Grease Producing Facility Inspection fees and to Amend Relative Sections of the Pomona City Code**

It is recommended that the City Council open the public hearing on adopting new NPDES inspection permit fees and establishing fees for inspecting grease producing facilities, and after receiving comments and testimony, conclude the public hearing and adopt the following resolution:

RESOLUTION NO. 2019-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ADOPTING NEW NPDES INSPECTION FEES AND ESTABLISHING INSPECTION FEES FOR GREASE PRODUCING FACILITIES

It is further recommended that the City Council introduce for first reading the following ordinance:

ORDINANCE NO. 4258

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING SECTIONS OF CHAPTERS 18, 50 AND 62 OF THE POMONA CITY CODE REGARDING TO INSPECTIONS OF GREASE PRODUCING FACILITIES AND PAYMENT OF FEES FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT AND GREASE PRODUCING FACILITY INSPECTIONS AT THE TIME OF APPLICATION FOR ISSUANCE OF A BUSINESS LICENSE

Darron Poulsen, Water Resources Director, gave the staff presentation.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to open the public hearing

MOTION BY COUNCILMEMBER ONTIVEROS-COLE, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to close the public hearing

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 7-0, to approve Resolution No. 2019-115 and introduce at first reading Ordinance No. 4258

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Garcia expressed the need to revisit the park fee that new developers in Pomona must pay when building new units. She believes it needs to be increased to build more parks in the City.

Councilmember Torres asked about palm trees on Garey Ave from Foothill to the 10 Freeway and when they were scheduled to be trimmed.

Councilmember Lustro asked about the shopping cart ordinance and what the staff's progress was with that issue.

ADJOURNMENT

The City Council Meeting was adjourned at 11:45 p.m. on August 5, 2019.

Respectfully submitted,

ATTEST:



ROSALIA A. BUTLER, MMC
City Clerk/Secretary of the Pomona
Housing Authority/Successor Agency to the
to the Redevelopment Agency



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