



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, October 7, 2019

7:00 PM

Council Chambers

5:30 P.M. City Council Conference Room

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

*One matter regarding exposure to litigation will be discussed (Pursuant to Government
Code Section 54956.9 (d)(2))*

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

Property:	Southwest Corner of Mission Blvd. & Park Avenue APNs 8341-010-914, 915, 916, 917, 918, 919, 920 and 921
Negotiating Party:	Jamboree Housing Corporation
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 except Councilmember Ontiveros-Cole and that the items listed on the agenda had been announced prior to recessing into Closed Session with no public present.

Ms. Carvalho reported there was discussion on all three items on the Closed Session Agenda and there were no reportable actions on any item.

7:00 P.M. Council Chambers

CALL TO ORDER

The City Council Meeting was called to order at 7:02 p.m.

ROLL CALL

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

Absent: Councilmember Elizabeth Ontiveros-Cole

STAFF PRESENT:

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

PLEDGE OF ALLEGIANCE

Pomona Veteran Robert Ratcliff 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 October 2019 as "Dyslexia Awareness Month" in the City of Pomona

Dr. Marianne Cintron accepted the proclamation and spoke on the upcoming event at the dA Center on October 19.

- B. A Proclamation of the City Council of the City of Pomona, County of Los Angeles, State of California, Proclaiming October 23-31, 2019 as "Red Ribbon Week" in the City of Pomona

Corporal Rios and Community Service Officer Hernandez accepted the proclamation.

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

The Mayor and Councilmembers recognized veterans Robert Ratcliff and Arthur Ortega, Jr.

- D. Certificate of Recognition to the Museum of Tolerance in Appreciation of Grants Awarded to Pomona Students to Attend the "Tools for Tolerance" Workshop

Councilmember Garcia spoke on the workshop and thanked those involved in making it happen.

- E. Presentation by City Attorney on Impact Development Fees

City Attorney Sonia Carvalho presented to the Council.

MAYOR/COUNCILMEMBER COMMUNICATIONS

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

All councilmembers attended various City functions including the 88 Cities Economic Summit, Pomona Pride Center grand opening at St. Paul's Episcopal Church, Local Leaders Academy, annual neighborhood get together in Mission Hills Estates, Metro Gold Line press conference contract signing, and Pomona Economic Opportunity Center Gala.

The Council encouraged residents to attend Indigenous People Event at Ganesha Park on October 12, the Second Saturday Art Walk, Pomona 5K/10K, and various upcoming community meetings.

CITY MANAGER COMMUNICATIONS

City Manager Linda Lowry reported the Pomona Transit Bridge project was on track however, the Union Pacific Big Boy train would not be able to stop in Pomona due to schedule conflicts.

PUBLIC PARTICIPATION

Ed Samaniego spoke on concerns with the condition of Philadelphia Park and Tony Cerda Park.

James Curtis spoke on NAMI-National Alliance for Mental Illness and the Pomona chapter.

Endy Farrow and Mattie Johnson spoke on the P.E.A.R.L.S. program (Providing Empowerment & Acceptance through Resources & Love for Single Parents) and what work they do in the Pomona community.

John Clifford spoke on an upcoming library event where the time capsule from 1969 will be discussed. He also reported that the deadline for the poet laureate program will be October 31.

Deborah Clifford spoke on historical events coming up: Halloween tour at Spadra cemetery on October 31, Mourning Tour at Phillips Mansion on October 20, Ebell Mansion event October 19.

Martha Hernandez, Luis Castro, and Andrew Miron from the Pomona Student Union all spoke on the need to reinstate the Youth Commission.

Tammy Roush gave an update on the statistics from the 2019 LA County Fair.

Juan Ruiz expressed concern that the Code Enforcement department was harassing him about his trash cans.

Fabian Pavon expressed condolences for the Phillip Pena family and spoke on the need to improve conditions at City parks, specifically Tony Cerda Park where a light pole fell over.

Erica Frausto with Andy Quinones and Jose Bermudez, Pomona chapter of American Red Cross spoke on the Pomona Prepare Coalition.

Alfonso Viilanueva October 26, spoke on the need for funds for the 10 year commemoration event for re-naming of the Tony Cerda park and spoke on his concerns for the condition of Tony Cerda Park.

Ben Wood spoke about a Pomona Economic Opportunity Center fundraiser where the Sanctuary Movement by P.U.S.H. was recognized.

Valeria Gamboa did not wish to speak but supported Tony Cerda Park improvements.

Reina Buelna and Deanna Hernandez both spoke on concerns for Tony Cerda Park conditions.

Darlene Johnson spoke on the need for neighborhood signs for street sweeping because

the sweeping is ineffective if people do not move their cars.

James Kercheval spoke on concerns with the language of the Accessory Dwelling Unit ordinance.

Mayor Sandoval called Public Works Director Rene Guerrero up to address the concerns about Tony Cerda Park.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to approve the Consent Calendar except for Items 3, 8 which were voted on in separate motions.

1. Approval of City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes

It is recommended that the City Council approve the following City Council/Housing Authority/Successor Agency to the Redevelopment Agency Meeting Minutes:

December 12, 2018 Meeting Minutes
July 29, 2019 Meeting Minutes
September 9, 2019 Meeting Minutes

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to approve the meeting minutes of December 12, 2018, July 29, 2019 and September 9, 2019.

2. Review and Recommend Voting Positions of Resolutions for the 2019 League of California Cities Annual Conference

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

- 1) Approve the voting positions recommended on the proposed resolutions; and
- 2) Instruct the voting delegate to cast votes on resolutions being considered at the 2019 League of California Cities Annual Conference accordingly.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to approve voting positions for upcoming League of California Cities Annual Conference.

3. Establishment of Process Integrity Standards Applicable to Commercial Cannabis Permit Applicants and their Representatives or Lobbyists Working on their Behalf

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

RESOLUTION NO. 2019-159

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, ESTABLISHING PROCESS INTEGRITY STANDARDS APPLICABLE TO COMMERCIAL CANNABIS PERMIT APPLICANTS AND THEIR REPRESENTATIVES LOBBYING OR WORKING ON THEIR BEHALF IN ACCORDANCE WITH SECTION 68-42 OF THE COMMERCIAL CANNABIS BUSINESSES CHAPTER OF THE POMONA CITY CODE

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

Javier Flores spoke on his opposition to cannabis in Pomona.

Eunice Russell asked for clarification on the standards included in the resolution.

Councilmembers discussed the contribution limits listed in the resolution and Councilmember Torres expressed his concern that the limits should match the City Charter for campaign contributions.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 5-1 (COUNCILMEMBER TORRES OPPOSED, COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2019-159.

4. 2013-2021 Housing Element Annual Progress Report for the 2018 Reporting Period (Misc-012689-2019)

It is recommended that the City Council review the 2018 Annual Progress Report (APR) for the 2013-2021 Housing Element and direct staff to submit the report to the California Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR).

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to approve staff to submit Housing Element Annual Progress report to the HCD.

5. Award of Contract to USI Insurance Services to Provide Employee Benefits Insurance Brokerage Services

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

- 1) Approve the award of a three-year contract with two (2), one-year extension options to USI Insurance Services to provide employee benefits insurance brokerage services, at an annual cost of \$35,000 with optional medical insurance procurement services for an additional amount of up to \$15,000;
- 2) Authorize the City Manager to execute a contract with USI Insurance Services for employee benefit insurance brokerage services, and subsequent extensions to the contract, subject to review by the City Attorney; and
- 3) Authorize the City Manager to execute agreements with insurance and benefit providers for benefits obtained through USI Insurance Services and approve payment of premiums in accordance with the approved budget appropriations.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to award contract to USI Insurance Services.

6. Approval of Memorandum of Understanding between the City of Pomona and the Pomona Part-Time General Unit Teamsters Local 1932 and Citywide Salary Schedule

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

RESOLUTION NO. 2019-138 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A TWO (2) YEAR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA PART-TIME GENERAL UNIT TEAMSTERS LOCAL 1932 FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2021

RESOLUTION NO. 2019-142 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE CITYWIDE SALARY SCHEDULE FOR FISCAL YEAR 2019-2020 TO REFLECT GENERAL SALARY INCREASES AND CHANGES TO CERTAIN POSITIONS PREVIOUSLY APPROVED BY THE CITY COUNCIL

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to adopt Resolution No. 2019-138

and Resolution No. 2019-142

7. Amendment of the FY 2018-2019 City's Operating Budget by Appropriating \$72,000 to Pay an Outstanding June 2019 Invoice for the Pomona Operation Porchlight Grant Program

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

RESOLUTION NO. 2019-161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2018-2019 CITY'S OPERATING BUDGET BY APPROPRIATING \$72,000 TO PAY AN OUTSTANDING JUNE 2019 INVOICE FOR THE POMONA OPERATION PORCHLIGHT GRANT PROGRAM

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to adopt Resolution No. 2019-161

8. Amend the 2019-20 Capital Improvement Program (CIP) Budget by Appropriating \$462,000 from the Refuse Fund Balance to the City Lot Remediation Project and Approve an Amendment to the Agreement with EnSafe in the Amount of \$462,000 for the Continuation of the Onsite Soil Vapor Extraction Cleanup

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2019-110

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE 2019-20 CAPITAL IMPROVEMENT PROGRAM BUDGET BY APPROPRIATING \$462,000 OF REFUSE FUND BALANCE TO THE "CITY LOT REMEDIATION," PROJECT NO. 418-2590-XXXXX-71021

- 2) Approve an amendment to the agreement with EnSafe in the amount of \$462,000 for the continuation of the onsite soil vapor extraction cleanup, groundwater analysis and indoor air remediation; and
- 3) Authorize the City Manager to execute any agreements necessary to complete the EnSafe amendment, contingent upon City Attorney review.

This item was pulled for discussion by Councilmember Lustro. Water Resources Director Darron Poulsen answered questions from Councilmember Lustro.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2019-110 and approve amendment to agreement with EnSafe

9. Amendment of the 2019-20 Capital Improvement Program Budget and the "Annual Water Main Replacements", Project No. 595-8125-XXXXX-95022 and the Street Preservation - Local Citywide (FY 18-19)" Project No. 428-2590-XXXXX-68560 and Approve a Construction Contract Change Order with Gentry Brothers Inc. in the Amount of \$236,490 for a Pipeline Replacement and Various Pavement Repairs

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

- 1) Determine that approval of the pipeline and paving project within Mission Boulevard and Meserve Street is exempt from environmental review pursuant to Section 15301 and 15282 of the state's guidelines implementing the California Environmental Quality Act;
- 2) Adopt the following resolution:

RESOLUTION 2019-160

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, AMENDING THE 2019-20 CIP BUDGET BY RE-APPROPRIATING \$132,800 OF WATER FUNDS FROM THE "ANNUAL WATER MAIN REPLACEMENTS", PROJECT NO. 595-8125-XXXXX-95022 AND APPROPRIATING AN ADDITIONAL \$103,690 OF AVAILABLE WATER FUNDS FOR A TOTAL OF \$236,490 TO THE "STREET PRESERVATION LOCAL - CITYWIDE (FY 18-19)", PROJECT NO. 428-2590-XXXXX-68560; and

- 3) Approve the issuance of a construction change order increasing the Gentry Brothers, Inc. construction contract by \$236,490, plus a 15 percent contingency change order capacity on that amount, for the water utility pipeline replacement and pavement repair, bringing the contract total, less any contingency, to \$4,356,834.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GONZALEZ, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT and COUNCILMEMBER PRECIADO NOT AT THE DAIS), to adopt Resolution No. 2019-160 and approve a construction change order increasing the Gentry Brothers, Inc. construction contract.

DISCUSSION CALENDAR

10. Finding of Public Benefit to the Community at Large: Recommended Expenditure(s) and Recap of Funds

It is recommended that the City Council take the following action(s):

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

A) Amount to be determined to Pearls of Service, Inc. in support of Community Workshops – Requested Amount - \$4,500

B) Amount to be determined to Diamond Ranch HS Varsity Football Team in support of their uniforms and equipment purchase – Requested Amount: \$1,000

C) Amount to be determined to Pomona Economic Opportunity Center (PEOC) in support of “The Right to a Home Knows No Borders” Fundraiser Gala – Requested Amount: TBD

D) Amount to be determined to NAMI Pomona Valley in support of their NAMI Walk – Requested Amount – TBD

E) Amount to be determined in support of purchasing lights to decorate the Civic Center during the holiday season – Requested Amount: TBD

F) Amount to be determined in support of the Annual Cultural Festival for City Stage and equipment rentals – Requested Amount – \$2,550

G) Amount to be determined to National Council of Negro Women – Pomona Valley Section for the 2019 Black & White Ball – Requested Amount – \$1,250

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

M. Joyce Bakersmith spoke on Item F and what funds would cover for the event.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to make a finding of public benefit for Items A-G

11. Introduction and First Reading of an Ordinance, Pertaining to Sidewalk Vending and Adoption of a Resolution, Establishing Rules and Regulations for Sidewalk Vending in Accordance with the Draft Ordinance and Senate Bill 946

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

1) Introduce and waive further reading of the following ordinance:

ORDINANCE NO. 4270

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING ARTICLE X OF CHAPTER 30 OF THE POMONA CITY CODE TO CREATE A SIDEWALK VENDING PROGRAM, AND AMENDING SECTION 38-73 RELATING TO VENDING IN PARKS AND FINDING THE SAME EXEMPT FROM CEQA

2) Adopt the following resolution:

RESOLUTION NO. 2019-162

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ESTABLISHING REGULATIONS FOR SIDEWALK VENDING AND FINDING THE SAME EXEMPT FROM CEQA

Mark Gluba, Deputy City Manager, gave the presentation.

Isis Pulido spoke on her concern that this ordinance will hurt her taco truck business.

Ben Wood spoke on the need to include the legislative intent in the ordinance. He also expressed concern for the education process for vendors and had a concern for the insurance requirement.

Cathy Tessier spoke on the concern for safety and security in the downtown area if vendors are allowed. She stated tenants have been lost due to vendors in the downtown area.

Gluba clarified for councilmembers that this ordinance was strictly for sidewalk vendors on the City right-of-way and did not apply to food trucks or food vendors on private property.

Councilmembers discussed distances allowed from driveway entrances. Councilmember Preciado asked what the enforcement plan would be. Councilmember Garcia asked for a report in 6-12 months to see how this ordinance is working. Mayor Sandoval inquired about helping entrepreneurship through Finding of Public Benefit.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to introduce on first reading Ordinance No. 4270 with the restriction of 5 feet from driveway openings added and to adopt Resolution No. 2019-162.

12. Adoption of a Resolution Opting for the City of Pomona to be Included in a Prospective 2020 Revenue Measure to Fund Critical Fire Protection and Emergency Services should the Consolidated Fire Protection District of Los Angeles County and

the Los Angeles County Board of Supervisors Decide to Pursue Such a Measure

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

- 1) Adopt the following resolution:

RESOLUTON NO. 2019-163

A RESOLUTON OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, OPTING FOR THE CITY OF POMONA TO BE INCLUDED IN A PROSPECTIVE 2020 REVENUE MEASURE TO FUND CRITICAL FIRE PROTECTION AND EMERGENCY SERVICES SHOULD THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY AND THE LOS ANGELES COUNTY BOARD OF SUPERVISORS DECIDE TO PURSUE SUCH A MEASURE.

- 2) Authorize the City Manager to issue a written notice and executed copy of the proposed resolution to the Fire District indicating that the City of Pomona has determined to allow voters to decide on this important funding measure and therefore authorizes the Fire District to include the City of Pomona within a 2020 ballot measure to provide critical funding for fire protection and emergency medical services.

Fire Chief of Staff Robinson gave a presentation on the proposed ballot measure.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 5-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT AND COUNCILMEMBER TORRES NOT AT THE DAIS), to adopt Resolution No. 2019-163.

PUBLIC HEARING

13. Consideration of a Resolution Approving Conduit Financing for HealthRIGHT 360 Project under Requirement of the Tax and Equity Fiscal Responsibility Act (TEFRA)

It is recommended that the City Council conduct a public hearing under the requirements of the Tax and Equity Responsibility Act (TEFRA) and the Internal Revenue Code of 1986 to receive testimony and comments and, upon concluding the hearing, adopt the following resolution:

RESOLUTION NO. 2019-157

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA APPROVING THE ISSUANCE OF REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT

NOT TO EXCEED \$65,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF FACILITIES FOR HEALTHRIGHT 360 AND CERTAIN OTHER MATTERS RELATING HERETO

Andrew Mowbray, Finance Director, gave the presentation.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to open the Public Hearing.

MOTION BY COUNCILMEMBER GARCIA, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to close the Public Hearing.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2019-157.

14. Approval of a Purchase and Sale Agreement Between The City of Pomona and Seventh Street Development, Inc. for the Conveyance of Certain Real Property Commonly Known as Veteran's Park (Assessor Parcel No's. 8707-019-903, 906 & 909), pursuant to Government Code Section 37420 et seq

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

RESOLUTION NO. 2019-158

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF POMONA AND SEVENTH STREET DEVELOPMENT, INC. FOR CONVEYANCE OF CERTAIN REAL PROPERTY COMMONLY KNOWN AS VETERAN'S PARK (ASSESSORS PARCEL NO. 8707-019-903, 906, & 909) TO SEVENTH STREET DEVELOPMENT, INC. PURSUANT TO GOVERNMENT CODE SECTION 37420 ET SEQ

Kirk Pelser, Deputy City Manager, and Mike Osoff, Community Services Director, gave the presentation about the condition of Veterans Park and other City park improvements that could be funded from the net sale of the park.

MOTION BY COUNCILMEMBER TORRES, SECOND BY COUNCILMEMBER GARCIA, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to open the Public Hearing.

Don Martens from Clean and Green Pomona opposed the sale as it is currently written and said the money from the sale should be used to buy more park space.

Damiana Aldana from Clean and Green Pomona was opposed to losing park space and Pomona needs to add more parks.

Edward Samaniego spoke on the need for more significant upgrades at Tony Cerda Park then was indicated in the presentation. He said the legacy of Tony Cerda needed to be protected.

Daniel Enz from Norma Torres' office did not wish to speak but supported the sale of Veterans Park.

MOTION BY COUNCILMEMBER PRECIADO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 6-0 (COUNCILMEMBER ONTIVEROS-COLE ABSENT), to close the Public Hearing.

Discussion took place among Councilmembers about what the net sale proceeds could be used for in addition to what was mentioned in the presentation. The City Attorney advised councilmembers that their discussion was becoming too specific and could be a violation of the Brown Act.

MOTION BY COUNCILMEMBER PRECIADO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 5-1 (COUNCILMEMBER TORRES OPPOSED, COUNCILMEMBER ONTIVEROS-COLE ABSENT), to adopt Resolution No. 2019-158 with added language that would set aside the net sale proceeds into a special revenue fund for park improvements only.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Torres had questions about a vacant lot on Garey and Arrow and an illegal marijuana dispensary and the property next to the Dollar Tree on LaVerne.

Councilmember Garcia thanked parks staff involved with the field trip to the Museum of Tolerance. She spoke on an upcoming clean up and mural painting at Philadelphia Park.

Councilmember Preciado asked for information about the process of applying for business licenses.

Mayor Sandoval spoke on the HDTV show Extreme Makeover filming in Pomona. He also thanked those that attended the Metro Gold Line Press Conference. He thanked staff for the summer concert series.

ADJOURNMENT

The City Council Meeting was adjourned at 11:39 p.m. on October 7, 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