



City of Pomona

505 S. Garey Ave
Pomona, CA 91766

Regular Meeting Minutes

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

*Mayor Tim Sandoval
Councilmember John Nolte
Councilmember Victor Preciado
Councilmember Mayor Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
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.*

Monday, October 18, 2021

7:00 PM

Teleconference via Zoom

CLOSED SESSION

5:30 P.M. Teleconference via Zoom, closed to the public

A) CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION

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

Chad Jensen and Michael Neaderbaomer v. City of Pomona
L.A. County Superior Court; Case No. 20STCV17625

Edil Vazquez and Steve Congalton v. City of Pomona
L.A. County Superior Court; Case No. 20STCV15371

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: James Makshanoff and Linda Matthews

7:00 P.M. Teleconference via Zoom, closed to the public

CALL TO ORDER

Mayor Sandoval called the City Council Meeting to order at 7:00 p.m.

CITY ATTORNEY REPORT OUT FROM CLOSED SESSION

City Attorney Sonia Carvalho stated there was no reportable action from closed session.

PLEDGE OF ALLEGIANCE

Councilmember Garcia led the Pledge of Allegiance.

ROLL CALL

Present via Zoom: Mayor Tim Sandoval
Councilmember John Nolte
Councilmember Victor Preciado
Councilmember Nora Garcia
Councilmember Elizabeth Ontiveros-Cole
Councilmember Steve Lustro
Vice Mayor Robert Torres

STAFF PRESENT via Zoom

Sonia Carvalho, City Attorney
Rosalia Butler, City Clerk
James Makshanoff, City Manager
John DePolis, IT Director
Kirk Pelser, Deputy City Manager
Mark Gluba, Deputy City Manager
Mike Ellis, Police Chief
Linda Matthews, Human Resources Director
Rene Guerrero, Public Works Director
Andrew Mowbray, Finance Director
Anita Gutierrez, Development Services Director
Chris Diggs, Water Resources Director
George Montano, Housing Authority Manager
Maria Siacunco, Housing Grants Supervisor
Arnold Dichosa, City Engineer
Ed Segura, Purchasing Manager
Geoffrey Starns, Supervising Planner

Hilda Estrada, contracted by the City, provided translation services via Zoom.

PRESENTATIONS

*Proclamation Proclaiming October 23-31, 2021 Red Ribbon Week

The Mayor read the Proclamation.

*Presentation of Certificates of Recognition to the Charter Review Commission

Charter Review Commissioners accepted the certificates of recognition. Commissioner Engdahl, Commissioner Russell and Commissioner Clifford spoke on their service.

MAYOR/COUNCILMEMBER COMMUNICATIONS*

**Matters Initiated by Council has been combined into this section of the agenda and will no longer appear preceding adjournment.*

Councilmember Preciado reported 460 registered runners for the 5K last Saturday. He thanked the city employees, all of the volunteers, the participants and the donors. He believes that over \$10,000 was raised which all will go to youth programs in the City. He expressed concern about a recent shooting outside a Pomona school and a youth organization reporting to him that since COVID started, 14 youth they provided services to have been killed. He said that we need to do better as a City to be safe and be compassionate.

Councilmember Lustro attended a Pizza with the Police event. He also attended a Watch Commander meeting at Ralph Welch Park which had a small turnout but this was one of the first attempts at in person meetings again.

Councilmember Ontiveros-Cole attended the Annual Pilgrimage Congregational Rummage Sale. She encouraged everyone to get the flu shot. She thanked the police department for all of their work that goes unrecognized. She encouraged more communication with our youth to help them feel connected, especially as they are getting back to school.

Councilmember Garcia requested staff to look into illegal dumping and homeless encampments in alleys in her district. She encouraged residents to attend several upcoming events at the Pomona Library: Story time every Wednesday, De Colores on October 23, and a special Dia de los Muertes event coming up on October 27. She also expressed concern about what we are doing for our youth and families. She encouraged more people to speak up and attend council meetings or school board meetings because it cannot continue to be the same people voicing their concerns.

Mayor Sandoval attended that 5K and thanked all that participated. He reported that the unaccompanied minor's intake site at the Fairplex will be closing on November 19 and over 8000 children were connected with a family member or sponsor. He thanked all in the community that donated their time or goods to the center. He asked for a future

presentation from Benita DeFrank and Mike Osoff about what is currently being done for the youth and where the gaps are. He also asked for an update on Carvana.

CITY MANAGER COMMUNICATIONS

City Manager James Makshanoff shared that Community Services will be giving a presentation at the November 15, 2021 Council Meeting regarding youth services. The Haunted House at Palomares Park is back on October 29th and October 30th. He also reported that the Human Resources Risk Management Department is working on updating the Hazard Mitigation Plan to include two areas of climate change and pandemics. He encouraged residents to complete a survey on the City's website regarding these topics.

PUBLIC PARTICIPATION

Public Participation - In response to the global COVID-19 pandemic and in accordance with City Council Resolution No.2021-137 adopted October 4, 2021 regarding the Brown Act and California State Assembly Bill 361 extending the rules regarding virtual meetings and guidance from the California Department of Public Health on gatherings, please note that comments for Public Participation or for a specific item on the agenda were accepted by email and also were accepted live during the meeting via the chat feature on Zoom or voice. Comments received electronically via email were read into the record by the City Clerk.

**** PLEASE SEE ATTACHMENT FOR TWO (2) EMAIL COMMENTS READ DURING PUBLIC PARTICIPATION.**

Live comments were as follows:

Natalie Chaidez spoke about the Pomona Vision 2030 community project that is working to improve quality of life in Pomona and the need for residents to join the conversation on how to best help all that live in the City.

Kendall Graves, mentor with Just Us 4 Youth, announced the next Community Listening Circle event at Palomares Park on October 30. These events are held to be able to hear directly from the neighborhoods on the changes that need to happen. He also announced that there will be Listening Circle Events this week for youth in response to the shooting last week.

Donna Otero spoke about the need for everyone to be better informed. She also spoke about what she believes are broken promises regarding the homeless issue. She stated that for a while, the streets were clean but it has gone back to a major problem with the homeless and many do not feel safe.

Stephanie De Vore spoke about the Indigenous Day Celebration and thanked Vice Mayor Torres and Councilmember Ontiveros-Cole for attending this great event. She did report

that she received several complaints about the cleanliness of the restrooms and hoped this would not be an issue next year.

Darrell Kruse spoke about his concern with the process on how cannabis businesses were now being allowed in the City and his frustration with how cannabis has been viewed and handled in the city in the past specifically in regards to medical cannabis.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to approve the entire consent calendar except for Items 3 and 11, which were voted on in separate motions.

1. Approval of Memorandum of Understanding (MOU) Between the City of Pomona and the Los Angeles County Metropolitan Transportation Authority (MTA) Establishing a Proposition C Capital Reserve Fund

It is recommended that the City Council approve the Memorandum of Understanding (MOU) with the Los Angeles Metropolitan Transportation Authority (MTA) establishing a Proposition C Capital Reserve Fund for the "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to approve the Memorandum of Understanding (MOU) with the Los Angeles Metropolitan Transportation Authority (MTA) establishing a Proposition C Capital Reserve Fund for the "Major Street Rehabilitation - 2015 Metro Call," Project No. 428-2590-XXXXX-67918.

2. Approval of Parcel Map PM No 82844 for the Property Located at 1325 W. Grand Avenue, Pomona, CA, Assessor Parcel Number 8349-026-036, Related to the Subdivision and Development of a 3-Unit Residential Condominium Project (Council District 2)

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

- 1) Adopt the following resolution:

RESOLUTION NO. 2021-153 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING PARCEL MAP PM NO. 82844 FOR THE PROPERTY LOCATED AT 1325 W. GRAND AVENUE, ASSESSOR PARCEL NUMBER 8349-026-036

- 2) Authorize the City Engineer to sign the Parcel Map PM No. 82844 on behalf of the City.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-153.

3. Adoption of a Resolution Accepting the Final Report of the Charter Review Commission 2020 and the Commission's Request to Place the Proposed Amendments on the Ballot for the November 8, 2022 General Municipal Election

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

RESOLUTION NO. 2021-98 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, ACCEPTING THE FINAL REPORT OF CHARTER REVIEW COMMISSION 2020 AND THE COMMISSION'S REQUEST TO PLACE THE PROPOSED AMENDMENTS ON THE BALLOT FOR THE NOVEMBER 8, 2022 GENERAL MUNICIPAL ELECTION

This item was pulled for speaker comments.

**** PLEASE SEE ATTACHMENT FOR ONE (1) EMAIL COMMENT READ REGARDING ITEM 3.**

Live Comment was as follows:

Mike Suarez spoke about the need for the police oversight commission proposed for the ballot to have subpoena power.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-98.

4. Amending the FY 2021-22 Operating Budget to Increase Revenue Estimates and Appropriations in the CalHome Program Funds

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

RESOLUTION NO. 2021-131 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FISCAL YEAR 2021-22 OPERATING BUDGET TO INCREASE REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$720,000 IN THE CALHOME PROGRAM FUND

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-131.

5. Approval of the Pomona Housing Authority's Moving to Work Supplement to the Annual PHA Plan and Authorization to Submit to the U.S. Department of Housing and Urban Development

It is recommended that the City Council, sitting as the Governing Board of the City of Pomona Housing Authority, take the following actions:

- 1) Adopt the following resolution:

RESOLUTION NO. 2021-138 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY (PHA), APPROVING THE PHA'S MOVING TO WORK (MTW) SUPPLEMENT TO THE ANNUAL PHA PLAN AND TO RECEIVE AUTHORIZATION TO SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FINAL REVIEW AND APPROVAL

- 2) Authorize the Executive Director of the Housing Authority or his designee, to execute the MTW Certifications of Compliance and authorizing the submission of the PHA's MTW Supplement to the Annual PHA Plan to HUD.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-138.

6. Approve Award of a Procurement Agreement to Miracle Recreation Equipment Company for the Purchase of Hamilton Park Playground Equipment in an Amount Not-to-Exceed \$291,137

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

- 1) Approve award of a procurement agreement with Miracle Recreation Equipment Company for the purchase of new playground equipment for "Hamilton Park Renovation," Project No. 428-2590-XXXXX-71070 through a California Multiple Award Schedule cooperative agreement (contract number 4-17-78-0006B) for an amount not-to-exceed \$291,137; and
- 2) Authorize the City Manager, or designee, to execute the agreement and any extensions thereto, on behalf of the City.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to approve award of a procurement agreement with Miracle Recreation Equipment Company for the purchase of new playground equipment for "Hamilton Park Renovation," Project No. 428-2590-XXXXX-71070 through a California Multiple Award Schedule cooperative agreement (contract number 4-17-78-0006B) for an amount not-to-exceed \$291,137.

7. Adopt a Resolution Authorizing a Purchase and Sales Agreement with the Mark A Warren Trust for the Acquisition of Multifamily Housing Property Located at 1172 E. Pasadena Street, Using Emergency Solutions Grant CARES Act Coronavirus Funds, in the Amount of \$1,250,000

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

RESOLUTION NO. 2021-149 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AUTHORIZING A PURCHASE AND SALES AGREEMENT WITH THE MARK A WARREN TRUST FOR THE ACQUISITION OF MULTIFAMILY HOUSING PROPERTY LOCATED AT 1172 E. PASADENA STREET, POMONA (APN 8323-016-016), USING EMERGENCY SOLUTIONS GRANT CARES ACT CORONAVIRUS (ESG-CV) FUNDS, FOR THE PURCHASE PRICE OF \$1,250,000 (193-1791-66201-71076), FOR TEMPORARY EMERGENCY SHELTER

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-149.

8. 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:

October 4, 2021 Meeting Minutes

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to approve the meeting minutes of October 4, 2021.

9. Adoption of Resolution Approving Memorandum of Understanding Between the City of Pomona and the Pomona City Employees' Chapter of the Teamsters Local 1932 from October 1, 2021 Through September 30, 2023

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

RESOLUTION NO. 2021-140 - 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 CITY EMPLOYEES' CHAPTER OF THE TEAMSTERS LOCAL 1932 FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2023.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-140.

10. Adoption of Resolution Approving Memorandum of Understanding between the City of Pomona and the Pomona Mid-Management/Confidential Employees' Association from October 1, 2021 through September 30, 2023

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

RESOLUTION NO. 2021-141 - 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 MID-MANAGEMENT/CONFIDENTIAL EMPLOYEES' ASSOCIATION FROM OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2023

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-141.

11. Adoption of Resolutions Approving Two Year Memorandum of Understanding for the Part Time General Unit Represented by Teamsters Local 1932 and Amending Compensation Plan for Part time Management/Confidential Employees

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

RESOLUTION NO. 2021-143 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, 2021 THROUGH SEPTEMBER 30, 2023.

RESOLUTION NO. 2021-145 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE PART-TIME MANAGEMENT/CONFIDENTIAL COMPENSATION PLAN.

This item was pulled by staff.

Human Resources Director Linda Matthews explained that a document was inadvertently left out of the agenda packet on this item but staff do recommend approving this item.

MOTION BY COUNCILMEMBER NOLTE, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-143 and Resolution No. 2021-145

12. Adoption of Resolution Approving Memorandum of Understanding between the City of Pomona and the Pomona Police Managers' Association from July 1, 2021 through August 31, 2023

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

RESOLUTION NO. 2021-142 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING A TWENTY-SIX MONTH MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMONA AND THE POMONA POLICE MANAGERS' ASSOCIATION, INC. FROM JULY 1, 2021 THROUGH AUGUST 31, 2023

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER GARCIA, CARRIED 7-0, to adopt Resolution No. 2021-142.

DISCUSSION

13. Finding of Public Benefit to the Community at Large-Recommended Expenditure(s) and Recap of Expended Funds

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

- 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(s); and
 - A) Amount to be determined to Latino & Latina Roundtable of San Gabriel and Pomona Valley in support of Fall/Winter Danza Azteca Classes – Requested Amount: \$4,960
- 2) Receive and file the recap of final amounts for previously approved projects/activities.

City Clerk Rosalia Butler advised the council that Item A was mistakenly put on this agenda and there are no current requests for finding of public benefit.

MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER ONTIVEROS-COLE, CARRIED 7-0, to approve Discussion Item 13.

14. Designation of the Pomona Civic Center as a Local Historic District

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

RESOLUTION NO. 2021-139 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, DESIGNATING THE AREA GENERALLY LOCATED BETWEEN GAREY AVENUE, 8TH STREET, PARK AVENUE, AND

**MISSION BOULEVARD, KNOWN AS THE POMONA CIVIC CENTER, AS A
LOCAL HISTORIC DISTRICT**

Historic Preservation Supervisor Geoffrey Starns gave the staff presentation.

**** PLEASE SEE ATTACHMENT FOR TWO (2) EMAIL COMMENTS READ REGARDING
ITEM 14.**

Live comments were as follows:

Mickey Gallivan thanked the council for bringing this forward and thanked Geoffrey Starns for his work on this. She spoke about how beautiful the civic center is and always has been as asset to the city.

William Crisafi also spoke in support of this item.

Councilmembers asked questions and made comments regarding this item.

**MOTION BY COUNCILMEMBER LUSTRO, SECOND BY COUNCILMEMBER
ONTIVEROS-COLE, CARRIED 7-0, to adopt Resolution No. 2021-139.**

15. Authorize the City of Pomona to Become a Member of the CSCDA Community Improvement Authority (The "CSCDA Authority"); Approval of Issuance of Revenue Bonds by the CSCDA Authority; and Approval of a Public Benefit Agreement for the Acquisition of Property by the Authority for Conversion to Low and Moderate Income Housing

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

- 1) Adopt the following resolution:

**RESOLUTION NO. 2021-150 – A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF POMONA, CALIFORNIA, AUTHORIZING THE CITY TO
BECOME A MEMBER OF THE CSCDA COMMUNITY IMPROVEMENT
AUTHORITY (THE "CSCDA AUTHORITY"); APPROVAL OF THE ISSUANCE
OF REVENUE BONDS BY THE CSCDA AUTHORITY; AND APPROVAL OF A
PUBLIC BENEFIT AGREEMENT FOR THE ACQUISITION OF PROPERTY BY
THE AUTHORITY FOR CONVERSION TO LOW AND MODERATE INCOME
HOUSING**

- 2) Authorize the City Manager to execute any and all documents to effectuate the City's membership in the CSCDA Authority;
- 3) Approve the terms of a Public Benefit Agreement with the CSCDA Authority, for the acquisition of an existing apartment project located at 777 East 3rd Street,

Pomona (777 Project), California (472 units)

- 4) Authorize the City Manager to approve minor, non-material modifications to the Public Benefit Agreement that are consistent with the purpose and intent of the CSCDA Authority's Low and Moderate Income/Workforce Housing Rental Program; and
- 5) Authorize the City Manager to execute the Public Benefit Agreement and related documents and take any actions that may be required to implement the CSCDA Authority's low and moderate-income rental housing program.

Deputy City Manager Kirk Pelser gave the staff presentation.

Councilmembers asked questions and made comments regarding this item.

MOTION BY MAYOR SANDOVAL, SECOND BY COUNCILMEMBER PRECIADO, CARRIED 7-0, to adopt Resolution No. 2021-150; authorize the City Manager to execute any and all documents to effectuate the City's membership in the CSCDA Authority; approve the terms of a Public Benefit Agreement with the CSCDA Authority, for the acquisition of an existing apartment project located at 777 East 3rd Street, Pomona (777 Project), California (472 units); authorize the City Manager to approve minor, non-material modifications to the Public Benefit Agreement that are consistent with the purpose and intent of the CSCDA Authority's Low and Moderate Income/Workforce Housing Rental Program; and authorize the City Manager to execute the Public Benefit Agreement and related documents and take any actions that may be required to implement the CSCDA Authority's low and moderate income rental housing program.

16. Adoption of Resolutions Amending Compensation Plans for Executive Group A and B Employees and Mid-Management Library Group C-2 Employees and Citywide Salary Schedule

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

RESOLUTION NO. 2021-146 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR EXECUTIVE GROUP A AND B EMPLOYEES

RESOLUTION NO. 2021-144 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE COMPENSATION PLAN FOR MID-MANAGEMENT LIBRARY GROUP C-2 EMPLOYEES

RESOLUTION NO. 2021-147 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE CITY OF POMONA'S SALARY SCHEDULE FOR FISCAL YEAR 2021-22 TO MEET THE CALIFORNIA CODE OF REGULATIONS TITLE 2, SECTIONS 570.5 AND 571 TO REFLECT NEW SALARY RATES APPROVED AS A RESULT OF 2021 LABOR NEGOTIATIONS


Human Resources Director Linda Matthews gave the staff presentation.

MOTION BY COUNCILMEMBER NOLTE, SECOND BY COUNCILMEMBER LUSTRO, CARRIED 6-1 (COUNCILMEMBER PRECIADO OPPOSED), to adopt Resolution No. 2021-146, Resolution No. 2021-144, and Resolution No. 2021-147.

ADJOURNMENT


The City Council Meeting adjourned in memory of Pauline P. Escajeda at 9:07 p.m.

Respectfully submitted,



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

ATTEST:



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

OCTOBER 18, 2021 REGULAR CITY COUNCIL MEETING
PUBLIC COMMENTS

PUBLIC PARTICIPATION

GLORIA TELLEZ
ABRAHAM TELLEZ
DALLANA TELLEZ
ARIANA TELLEZ

I've written emails to staff and the Mayor notifying you that the City's ADU procedures don't comply with state law as a result of a condition of approval required by Public Works on my garage conversion asking for a 1970s deed and fee to process for "Subdivision Map Act Compliance". I've explained that in Nollan v. CA Coastal, the Supreme Court ruled there must be "essential nexus" between a condition and a project. Subdivision having occurred in the 1970's has nothing to do with my garage conversion. The garage was constructed in 2000 along with an addition and nothing like this was requested at that time. Also, we're not requesting subdivision as part of the project. Staff deemed the application complete in July 2021, which is more than 60 days, so a permit must be issued per state law. We've notified your staff that HCD has been informed of the City's violation. Our last resort is legal action. Your staff's lack of knowledge and the city's process have caused delay to the construction of an ADU. If you would like to reach out to me, start checking your emails.

DEE DEE MANZANARES YBARRA – Good Evening Mayor, Council and Staff:
My name is Dee Dee Manzanares Ybarra, Tribal Chair of Rumsen Am:a Tur:ataj Ohlone and as many of you know I also have many generational ties to Pomona and the surrounding area. First, I would like to thank Vice Mayor Torres and Councilmember Cole for your support of our 4th annual Indigenous Peoples Day at the Kizh Village of Toibingna and the city Commissioners who took time to attend our event. It was greatly appreciated. I would also like to remind Mayor Sandoval and the Council that on October 16, 2017, the city approved a proclamation changing the second Monday in October from Columbus Day to Indigenous Peoples Day. I quote from the Proclamation:

“BE IT FURTHER RESOLVED that the City of Pomona shall continue its efforts to promote the prosperity and well being of the Pomona American Indian, Alaska native, and Indigenous community; And

BE IT FURTHER RESOLVED that Indigenous Peoples' Day shall be used to reflect upon the ongoing struggles of Indigenous People on this land, and to celebrate the thriving culture and value that Indigenous Peoples add to our city; And

BE IT FURTHER RESOLVED that the City of Pomona encourages other businesses, organizations, and public institutions to recognize Indigenous People's Day.

Mayor Sandoval, I have observed for the past two years that you or the city page have not even mentioned Indigenous Peoples Day. There have been no words of support, congratulations, nothing but silence. I've seen you offer well wishes to other groups on their days and on national holidays but nothing for Native Americans. Can you explain

that to me? Was the proclamation just a joke? In the minutes of October 15, 2018, you thanked us for organizing the Indigenous Peoples Day event and gave credit to then Vice Mayor Gonzalez for initiating the name change and were proud that Pomona was ahead of the rest of the region. What happened? One more thing, I was so embarrassed by the filthy condition of the park when we arrived for set up. We did several walk throughs and notified Parks and Rec about the restrooms and dirty gazebos. We took their word that everything would be cleaned and ready for our event. We tried to clean as best we could, but it was so disgusting for people to have to use the restrooms or eat off the dirty tables. Despite some people calling us savages, we are not and since it's our only holiday we should have been treated with more respect. Maybe next year Pomona Beautiful will go clean before our event.

CONSENT CALENDAR ITEM NO. 3 (Adoption of a Resolution Accepting the Final Report of the Charter Review Commission 2020 and the Commission's Request to Place the Proposed Amendments on the Ballot for the November 8, 2022 General Municipal Election)

JAMES SANBRANO – The proposed Ballot Measure for a police commission is not compliant with CA Gov Code §34458.5 which states a proposed amendment to a city charter "SHALL include in the ballot description an enumeration of new city powers as a result of adoption" of the proposal. Here the ballot measure does not include the POWER OF SUBPOENA" which is in the text of the amendment §802(d). This is a major substantive component of the proposal as it has been an issue of high controversy in the city. This is a major conflict between the amendment and the ballot and is misleading the electors in violation of Election Code §9203 and §9256, Martinez v. Superior Court (2006) (LA Charter) 142 CA 4th 1245. People should know what they are voting for - why hide it on the ballot?

DISCUSSION ITEM NO. 14 (Designation of the Pomona Civic Center as a Local Historic District)

DEBRA MARTIN – Dear Honorable Mayor and Council members, please support the Historic Commission recommendation for the designation of the Civic Center historic district. Thank you for respecting the history of our city, and one of the finest mid-century architects of all time Welton Becket. Thank you for your consideration.

VENITA REYNOLDS – This letter is in support of The Civic Plaza receiving Historic Location Designation. We have the honor of having the largest public work project created by the highly revered Mid-Century Architect Welton Beckett. We are the envy of many Historical Societies in surrounding cities, who appreciate the timeless beauty, symmetry, and Historical value of what we have here in Pomona, more than we do it seems. The Historical designation would protect the value, and original design of what we have for generations to come. Pomona has only benefitted from having many of our neighborhoods listed and protected by it's listing on The Historic Registrars. It has preserved the history, charm, and value of it's many vintage neighborhoods, and homes. My hope is that the Council will have the common sense, wisdom and foresight to protect the jewel of a City Plaza that we have, because once it's gone, it's gone forever.