

City of Pomona

505 S. Garey Ave
Pomona, CA 91766

Meeting Minutes

CHARTER REVIEW COMMISSION



*Chair Derek Engdahl
Commission Member John Clifford
Commission Member Efrain Escobedo
Commission Member Edward Jimenez
Commission Member Dean Rudenauer
Commission Member Eunice Russell
Commission Member Ann Tomkins*

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.*

Thursday February 25, 2021

6:00 PM

Teleconference via Zoom

6:00 P.M. Teleconference via Zoom

CALL TO ORDER

Chair Engdahl called the Charter Review Commission Meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Commissioner Tomkins led the Pledge of Allegiance.

ROLL CALL

Present: Chair Derek Engdahl
Commission Member John Clifford
Commission Member Efrain Escobedo
Commission Member Ann Tomkins
Commission Member Eunice Russell

Absent: Commission Member Edward Jimenez
Commission Member Dean Rudenauer

STAFF PRESENT

Linda Matthews, Human Resources/Risk Management Director (Staff Liaison Matthews)
William Priest, Deputy City Attorney
Rosalia Butler, City Clerk
Debbie Wittenbrock, Legal Administrative Assistant
Alison Glynn, City Clerk Office Assistant

PUBLIC COMMENT

City Clerk Butler read the email comments into the record.

****Please see attachment for email comments**

****Live comments were as follows:**

Jacqueline Elizalde, current Vehicle Parking District Commissioner and longtime Pomona resident, spoke in favor of adding a personal code of conduct to the Charter for elected and appointed positions. She made it clear she was not speaking in her capacity as a commissioner, but as a citizen of Pomona.

The following individuals voiced their opposition of adding a primary election proposal to the ballot:

Fabian Pavon, Chair of the Pomona Parks and Recreation Commission, spoke in opposition to the primary election proposal. He shared his experience running as a grassroots candidate and the sacrifices and hard work involved. He said primaries reminded him of a time in Pomona when you rarely saw persons of color as elected officials. He suggested ranked choice voting instead of primary elections and reminded the Commission to keep marginalized communities in mind.

Fatima Santoyo of the Pomona Student Union (PSU) urged the Commission to stop its effort to bring primary elections to Pomona. She mentioned it would make it harder for grassroots candidates and cause them to increase fundraising efforts and put more pressure on the community to donate.

Miranda Sheffield expressed she currently was not in favor of adding a primary election proposal. She indicated Commissioner Clifford had been pushing the effort without having any real data to justify the reasoning for including it. She said she understood the need for a majority in elections and asked why they did not address this after earlier elections. She pointed out the candidate in the 2012 election in her district only won by 300-400 votes. She wondered why the Commission was moving forward with this proposal with no real data or inclusivity and social justice language. She pointed out if the Commission wanted community support then it needed to have more data that actually spoke to the people of Pomona.

Ana Laura Portillo, a longtime resident of Pomona and member of Gente Organizada, asked the Commission to consider what it was asking with a primary election proposal. She said there was a need for grassroots candidates to be able to participate in elections without making it more difficult. She asked the Commission to consider the impact primaries will have on candidates who are not well known and able to raise lots of money. She suggested the Commission do research and conduct surveys within the community to see if the people of Pomona support adding primary elections.

Sydney Lopez, a lifelong resident of Pomona and member of Gente Organizada, urged the Commission to halt its efforts to bring primary elections to Pomona. She pointed out the large working class population in Pomona and said implementing primaries would prevent that population and grassroots candidates from standing a chance. She shared that running for office should be an opportunity afforded to any resident regardless of their socioeconomic status and cautioned the Commission of the impression adding a primary would give other cities.

Caroline Lucas, a member of PSU and Gente Organizada, said a primary election would make fundraising twice as hard for grassroots candidates. She expressed concern the funds used for primary elections would funnel money away from essential community services and urged the Commission not to move forward with the primary election proposal.

Yvette Arenas, longtime resident and member of PSU and Gente Organizada, pointed out that some of her peers were interested in running for office in the future and that a primary election would make it hard for them to pursue these efforts. She cautioned primary elections might cause the division in the City to grow and that Pomona needed to be united as a city to thrive. She spoke in favor of ranked choice voting and asked the Commission to stop its efforts on the primary election proposal.

Samantha Zavala-Angulo of PSU urged the Commission to abandon its efforts to bring back primary elections to Pomona. She shared her story of being raised by a single mom and that some of the struggles she experienced could have easily been fixed with legislation. She shared her aspirations to run for office and help to ensure the community has better living situations than what she experienced. She said that as a working class person primary elections would make it almost impossible to finance that goal. She pointed out that one-third of eligible voters did not vote in the last election and suggested the Commission focus on ensuring voting equity in Pomona rather than a primary. She mentioned the funds used for a primary would be better suited on other services like youth and family programs.

Fernanda Frausto-Bonilla, PSU member and student at UC Berkeley, shared her story of growing up in Pomona. She said the people who brought change to her neighborhood were community-centered and focused on bringing better services to the community. She encouraged the Commission not to continue its efforts to bring primaries to Pomona. She pointed out that primaries have decreased voter turnout and tend to empower only the people who have the resources to run for elected office. She cited an article about the effect primaries have had on voter turnout and racial equity in elections. She mentioned the 30 percent of eligible voters who did not vote in the 2020 election and said by promoting primaries the Commission would be adopting public policy creating disadvantages for

working-class people seeking to run for office. She said Pomona needed candidates that represent its racially diverse communities. She let the Commission know she would provide a link to the resources she cited in the chat box.

Elizabeth Trejo, a longtime resident and active member of the community, urged the Commission to stop its efforts to bring primary elections to Pomona and suggested exploring the option of ranked choice voting. She asked the Commission to explore a participatory budget to create town halls to engage the community and help increase voter turnout. She mentioned the lower turnout of marginalized communities in Pomona and warned if the Commission continued to pursue primaries it would create the impression that these communities were not being considered. She thanked the Commission for exploring voter engagement.

Orlando Arias-Pulido, Chair of the Pomona Youth Commission, voiced his opposition to bringing back primary elections. He mentioned his upbringing in a low-income area of Pomona and said he was disgusted to see this push by the Commission for primary elections. He spoke on earlier efforts by PSU to urge the Commission to consider adding a proposal for a Youth and Family Services Department and how they were informed there were not enough funds. He wondered how they were able to find funds for primary elections but could not find the funds for important programs for the youth of Pomona. He shared his desire to run for City Council in the future and that primary elections would make it harder for him to achieve that goal. He mentioned an article he had read showing primaries were rooted in white supremacy and instituted to prevent the election of persons of color to public office.

Josue Garzia Minjarez, a student at Cal Poly University and PSU member, demanded the Commission stop its efforts to bring back primary elections. He said, as a working class person who grew up in an underserved area of Pomona, he understood the difficulties people of color face in finding elected officials that represent the community. He mentioned the fundraising challenges grassroots candidates face and warned primary elections would discourage them from running.

Jacqueline Elizalde pointed out the apparent lack of community support for the primary election proposal. She referenced the January 23, 2020 Charter Review Commission Meeting Minutes discussion on the primary election proposal and said it appeared the effort to bring back primary elections was driven by a Commissioner's personal point of view rather than public input. She said in the same meeting the Chair had suggested the Commission speak on items important to them and cautioned the focus should have been instead items important to the community. She said it was discouraging to see these items discussed prior to having received any public input. She asked the Commission if they were really considering public input when moving forward with the primary proposal. She mentioned the primaries would limit options for candidates and suppress the freedom to vote. She thanked the Commission for all of its hard work and acknowledged the time and effort it took to sit on such a Commission.

Arleen Alonso, a Mt. San Antonio College student and member of Gente Organizada, mentioned her efforts volunteering for grassroots candidates. She stressed that candidates

should not have to choose between providing money for their campaign and putting food on the table for their family. She asked the Commission to consider who will benefit and who will suffer if primaries are implemented and whether this is something the residents of Pomona even asked for. She pointed out primary elections would make it harder in the future for the youth who aspire to run.

Graciela Conchas, a longtime resident of Pomona and member of Gente Organizada, pointed to studies showing the lack of participation of voters of color in primary elections. She expressed her view that primaries suppress the votes of marginalized people and said there was no data showing they improved governance in the community. She said they should be making it easier for marginalized communities to participate in the election instead of harder and urged the Commission to cease its efforts on the primary election proposal.

Staff Liaison Matthews read a comment from the Q&A by Devon Baker speaking against primary elections. Baker stated the push for primary elections was not coming from the community and said reinstating primaries would not be in the best interest for democracy in Pomona. Baker mentioned an effort to make running harder for grassroots candidates has no place in a time where people are pushing for change to the two-party system. The commenter also suggested the Commission consider ranked choice voting instead of primary elections that only consolidate power into dominant parties.

Chair Engdahl thanked the members of the public for their participation and reminded the Commissioners they could not legally respond to the content of the public comments according to Brown Act rules. He expressed that the Commission would consider the comments. He indicated the Commission could use the Next Steps portion of the agenda to discuss placing something on a future agenda.

Chair Engdahl explained to the public the Charter Review Commission only recommends items to go onto the ballot for approval by the voters and does not set policy.

Commissioner Russell said she thinks the public should look at some of the Commission recordings to see what the Charter Review Commission actually does. She explained that they listened to the voices of all of the people and did their best to act as mediators to decide what goes before the voters. She said she took offense at some of the disrespectful language directed towards the Commission in the public comments. She reminded the public the Commissioners were all volunteers serving for the benefit of the community where they also reside.

Commissioner Clifford responded to a specific comment and Chair Engdahl reminded the Commission of the public comment response rules and suggested bringing it up later in the agenda during Next Steps.

Chair Engdahl asked about the request for documents outlined in the email comments and Staff Liaison Matthews indicated the City was treating it as records request and would reach out to the Commission if needed.

CONSENT AGENDA**1. Approval of Charter Review Meeting Minutes**

It is recommended that the Charter Review Commission approve the following Charter Review Commission Meeting Minutes:

- December 17, 2020 Meeting Minutes
- January 14, 2021 Meeting Minutes

Staff Liaison Matthews outlined a few minor changes requested by Deputy City Attorney Priest on the December 17, 2020 and January 14, 2021 Meeting Minutes.

Commissioner Tomkins proposed a motion, seconded by Commissioner Clifford, to approve the December 17, 2020 and January 14, 2021 Charter Review Commission Meeting Minutes with revisions. Motion carried by a vote of 5-0 (Commissioners Jimenez and Rudenauer absent).

DISCUSSION CALENDAR**2. Campaign Finance Ad Hoc Subcommittee: Receive and Discuss Written Report Regarding Campaign Finance Provisions. (Commissioners Engdahl, Rudenauer, and Tomkins)**

Commissioner Tomkins thanked Commissioner Clifford for his hard work and the City Clerk's Office for pulling all of the campaign statements for review. She gave an overview of the included report with the data gathered from the past campaign statements.

Commissioner Tomkins asked Deputy City Clerk about FPPC (Fair Political Practices Commission) and the enforcement of the default limit.

Deputy City Attorney Priest explained if a City goes with the default limit that the FPPC would be available to do enforcement.

Commissioner Clifford said he was confused because he heard a lot of public comment about the cost of campaigns. He pointed out the last time the Charter was changed, the public voted to impose stricter campaign contribution limits than those set by the State. He explained if they went back to the State limits, it would make it harder for someone to who could not raise funds for a campaign and said he was surprised at the lack of public comment on this issue. He said he was not opposed to stricter rules and asked how close the Subcommittee was to coming up with language.

Commissioner Tomkins explained they were waiting for direction from the full Commission to determine what to do next. She pointed out that existing Charter provisions were included in the report, but explained there was not a provision in the Charter setting campaign contribution limits. She said the Commission could propose

language to for the Charter indicating the City would default to the limits set by the State.

Commissioner Escobedo said he did not have a specific response but wanted to know the community benefit on this issue. He said he was confused about why surplus funds were required to be turned over to the City within 90 days after the election. He asked if it was a liability to the City due to the fact that candidates could sue the City for keeping surplus funds.

Deputy City Attorney Priest said the Commission had previously discussed a possible amendment to Section 1402 to fit it together with the Political Reform Act. He explained that the Act provides that excess funds could be rolled over to a future campaign. He pointed out if those steps were not performed within the 90 days there were other options under the Political Reform Act not available under the Charter provision. He indicated he had expressed some concern in past discussions that the current Charter provision may be too limiting in light of the Political Reform Act.

Commissioner Russell addressed the comments by Commissioner Clifford about the people who wanted to run for office but did not have the same capacity for raising money as other candidates. She asked about the negative impact the change would make regarding the candidates who are not connected to PACs.

Commissioner Tomkins explained that according to the campaign statements they reviewed, there were grass roots candidates who won the election in the past. She pointed out the candidates who raised the most money were not necessarily the victors in past elections. She cautioned limiting the amount of money a grass roots candidate could raise might actually hurt those kinds of candidates.

Chair Engdahl echoed Commissioner Tomkins comments about the current system favoring wealthier candidates. He pointed out it was worth reflecting on the unintended consequences of keeping campaign limits low.

Commissioner Escobedo said he would be curious to hear the recommendations of the Campaign Finance Subcommittee after hearing feedback from the rest of the Commission. He pointed out national trends showing smaller contribution limits and shared his experience with grass roots candidates. He explained most grass roots candidates did not collect big gifts due to lack of access to rich people and capital.

Chair Engdahl said they would love to hear the thoughts of the other Commission members. He said the nice thing about AB-571 is that it is variable and keeps adjusting over time. He pointed out the AB-571 value was roughly the amount the Mayor was allowed to raise now and mentioned he and Commissioner Tomkins discussed limiting the amount for Councilmembers to 50 percent of the AB-571 value. He explained the new limit would be more than Council currently was allowed to raise. He pointed out the City would have to pay for enforcement under that scenario and asked Deputy City Attorney Priest if the City would have to pay, whether it was through the state or an independent attorney.

Deputy City Attorney Priest said the FPPC would reserve its discretion to enforce like it does with any complaint, but if it does choose to enforce it would do so under its own authority. He said there could be some cost benefit in letting the FPPC enforce the default limit. He emphasized that it would be the FPPCs investigative and enforcement discretion to decide to move forward or not.

Commissioner Tomkins said that it did not appear that the City was doing enforcement under the code presently. She mentioned a 2016 complaint about lack of enforcement of some of the Charter provisions, including campaign contributions. She asked City Clerk Butler if there was any enforcement happening within the Office of the City Clerk.

City Clerk Butler said that she had been in contact with the FPPC Enforcement Division during this past election.

Chair Engdahl asked for some input from the other Commissioners on what to do with Section 1401.

Commissioner Escobedo said some adjustment would make sense to the voluntary expenditure limit. He said it depends on the limits whether the section should be deleted.

Commissioner Tomkins said she heard you could provide to have a notation by a candidate's name if they agree to the voluntary expenditure limit for transparency.

Commissioner Escobedo mentioned a separate list of candidates that agreed to adhere to the voluntary expenditure limits.

Deputy City Attorney Priest shared counties all do it a little differently, with some having a list and others using notations to denote which candidates agreed to the voluntary limit. He pointed out that the Supreme Court had made it clear you cannot have monetary incentives to agree to a voluntary expenditure ceiling, but non-monetary incentives were still permissible.

Commissioner Clifford indicated he was agreeable with going with the state rules if the Campaign Finance Subcommittee so desired. He asked the Subcommittee to come up with some language for the others to look at.

Commissioner Russell said that she knew the difficulty of raising money from her own campaign experiences. She indicated she understood the reasoning for going with the state limits because it would be easy to enforce, but said she was ambivalent and wanted to do more research.

Chair Engdahl indicated he and Commissioner Tomkins would look at it and come up with some language and asked the Commission to weigh in on Section 1402 dealing with the surplus campaign funds.

Deputy City Attorney Priest pointed out if they were to eliminate Section 1402 it would default to the City's ordinance and the Political Reform Act. He said he would need to

take a closer look at the local campaign ordinance to see how it fits together with the State law.

Staff Liaison Matthews reminded the Commission the technical cleanup proposal included some of the recommended changes to campaign finance.

Chair Engdahl moved on to Section 1403 and the suggestion to raise the number to \$500 and adding language about disclosure instead of recusal. He asked Deputy City Attorney Priest to elaborate.

Deputy City Attorney Priest explained that recusal rules were generally considered unconstitutional and disclosure rules were easier to defend. He said that the City Attorney's Office would recommend a disclosure rule if the concern was legal enforceability.

Chair Engdahl asked if there were any questions or comments from the Commission and said he would love to hear the opinion of the other Commissioners on the suggestion to raise the limit to \$500.

Commissioner Clifford said the Technical Cleanup Subcommittee had recommended the \$500 limit rather than the \$250 limit.

Commissioners Escobedo and Russell indicated they did not have any problems with the proposed language changes to Section 1403.

Chair Engdahl asked if they wanted to propose language that would put campaign contributions into the Charter and how it would look if they decided to do so.

Commissioner Escobedo said he would not be comfortable with having local races in the same spending category as multi-million dollar races. He explained a reasonable campaign limit ensured grassroots campaigns could raise more money and that outside interests would not be able to interfere with local races. He asked the Subcommittee to consider specifications about how the limits are set. He pointed out if they were set by ordinance it would be easier for adjustment and transparency. He indicated he could support adding it to the Charter if the limits were not too large.

Commissioner Tomkins explained the limits were set a long time ago and there had been changes in case law on campaign finance. She said the intent of the Subcommittee was to ensure it would be enforced in the future.

Commissioner Escobedo said he was not opposed to adjusting campaign limits and suggested setting the limits based on the population of the districts.

Commissioner Russell said she agreed it should be a sliding scale so campaign limits could be adjusted over time. She agreed with Commissioner Escobedo that setting the limits the same as state limits would not be a good fit for the City. She proposed keeping the limits small so that someone could not drop in a whole lot of money and take up a

seat.

Chair Engdahl mentioned statistics from other cities like Pasadena and how it illustrated it was not necessarily the size of the city but the financial resources that define the contribution limits. He said they did not have to put it into the Charter at all and could solve the problem by way of ordinance.

Commissioner Tomkins said there might be a benefit of proposing language and sending it to Council for feedback to help inform the public of the issues involved with campaign finance within the City.

Commissioner Escobedo suggested ensuring the Commission has control over certain things before sending it to Council to account for factors like the socio-economic makeup of the City and the limits they would like to see.

Commissioner Tomkins mentioned the link she included to the campaign law on the FPPC website that stated the purpose and intent to place realistic and enforceable limitations on campaign contributions. She pointed out by not adjusting the limits for inflation and current campaign costs and letting the outdated limits sit on the books for over twenty years, they were not accomplishing what the City Council set out to accomplish years ago. She explained there was value in bringing it to the attention of Council regardless if the Commission acts on it or not.

Chair Engdahl indicated the Subcommittee would most likely have some final language by the next meeting and recessed the meeting for a five-minute break at 6:57 pm.

Chair Engdahl called the meeting back to order at 7:02 pm.

3. Transparency Ad Hoc Subcommittee: Receive and Discuss Written Report Regarding Proposal to Change Deadlines for Posting of Agendas for Brown Act Meetings and Other Suggestions to Enhance Transparency. (Commissioner Engdahl)

Commissioner Engdahl gave an overview of the written report and explained that he and Commissioner Escobedo were trying to determine what issues involving transparency would fall under the Charter and which issues would be better served by ordinance.

He explained he was amending the second recommendation on the report back to the 24-hour posting requirement for special meetings to give bodies the ability to act quickly if necessary. He suggested they might want to include language on what would constitute a special emergency meeting to avoid future transparency issues involving public viewing of the agendas. He asked if it was currently possible for residents to be notified when agendas were posted.

City Clerk Butler shared there was an email list of individuals who would like to be notified when an agenda was posted.

Chair Engdahl shared another recommendation not in the report for the City Manager to do an annual report of all audits and financial transactions undertaken by the City in that fiscal year. He said it would provide more transparency on how money is being used.

Commissioner Escobedo said he would like to hear feedback from the others on how to move forward. He shared the recommendation that would require the City to release a strategic plan to the public that outlines the goals and priorities of each department with respect to community needs. He emphasized this would increase transparency around the intent of the City and its departments so the public could hold the City accountable.

Commissioner Russell said she was concerned other commissions would not be able to get reports in and work done if the requirement for posting of agendas and all related materials was expanded. She also spoke on the effect it would have on City staff who are already pushed to the limits.

Commissioner Clifford suggested limiting urgent or special meetings to one item.

Commissioner Tomkins pointed out special meetings were different from urgent meetings and that she was in favor of the recommendations expanding the agenda requirements. She said it would give the public and commission members more time to review materials. She spoke on some other transparency issues voiced by the community regarding wanting more information and used closed session meetings as an example of lack of transparency. She pointed out there always seemed to be nothing to report from the meetings and the fact the public did not know how to access the material or what information they were entitled to regarding city business.

Chair Engdahl asked Staff Liaison Matthews if transparency could be increased within the context of closed session meetings.

Staff Liaison Matthews pointed out public transparency varied with the content of the closed session meetings.

Deputy City Attorney Priest explained that the Brown Act provided exceptions for disclosing information about anticipated litigation and pointed out the City would not want to disclose too much for tactical legal reasons.

Commissioner Clifford mentioned the Positions Subcommittee discussion about an Inspector General and pointed out the position would cover transparency enforcement.

Commissioner Tomkins spoke on the non-inclusion of contracts in City staff reports and pointed out it made it much harder for the public to know the content of these contracts.

Commissioner Russell asked about the cost impact of the recommendations in the report.

Staff Liaison Matthews said she and City Clerk Butler could look at what the cost impact might be. She said she could not put a specific cost on the ramifications that might be

involved, but pointed out some other cities like Riverside have more budget and staff.

Staff Liaison Matthews explained contracts were not always included in staff reports sometimes as not to delay Council approval.

Chair Engdahl asked if there was a clear distinction between a special meeting or emergency meeting in code or state law.

City Clerk Butler explained special meetings were simply meetings that did not fall on the regularly scheduled date. She said emergency meetings were held when the situation was considered urgent and the process needed to get started right away.

Deputy City Attorney Priest explained these distinctions were set out in the Brown Act. He shared the Brown Act actually included regular meetings, special meetings, emergency meetings and dire emergency meetings with different noticing requirements.

City Clerk Butler pointed out the City of Riverside example used by Chair Engdahl and the differences in staff size between her office and the City Clerk's Office in Riverside. She explained that agendas were often amended several times before being posted. She pointed out the time and staff it took to compile and post the agenda.

Commissioner Clifford asked when an agenda becomes firm to ensure the public is receiving the correct information. City Clerk Butler explained that it becomes firm 72 hours before the meeting.

Commissioner Russell thanked City Clerk Butler for pointing out the process of the agenda and explained that making things more concise would make it more transparent for the public.

4. Verbal Updates from Ad Hoc Subcommittees: Receive and Discuss Verbal Reports, if any, from Ad Hoc Subcommittees.

Commissioner Clifford shared that he and Commissioner Russell were concerned about having enough time to work on language for expanding the role of the Mayor. He asked for some direction from the full Commission on how the Positions Subcommittee should proceed.

After some discussion, it was decided the issue was too complex and could be something to leave for a future group.

Commissioner Tomkins pointed out individual members of subcommittees could bring ideas forward if there were issues such as scheduling meetings.

Commissioner Clifford gave an update on the Subcommittee dealing with the resign-to-run issue. He shared the Subcommittee determined the only way they could do resign-to-run would be to tie it in with the primary election due to the fact that an election could

not be created the day nominations closed. He said the Subcommittee was still working on the issue and would hopefully have something to present at the next meeting.

Commissioner Russell pointed out the unfair nature of the current situation and stressed it was something that needed to be addressed. She mentioned some information shared by a member of the public in the chat and asked if that information could be shared with the Commission.

5. Discuss Timelines and Next Steps, Including Proposals Ready for City Council Feedback and Review of Pending Items from Technical Clean-Up Proposal.

Staff Liaison Matthews read a few earlier comments from the Q&A to include in the record:

An anonymous attendee asked if the Commission had plans to pursue an investigation into Pomona residents' views on primary elections and to share the details if they did.

Miranda Sheffield thanked Commissioner Clifford for his feedback and said she hoped they could come to a meaningful consensus regarding primary elections. She also thanked the other Commissioners for their dedication and time in supporting the City.

Staff Liaison Matthews gave an overview of the included reports and the technical cleanup language.

Commissioner Russell asked if she could send Staff Liaison Matthews some markups on redundancies found in the technical cleanup document rather than taking time to point them out in the meeting. Staff Liaison Matthews indicated she was amenable to that approach and said that she and Deputy City Attorney Priest would review the requested revisions.

She went over the technical cleanup language and some of the items that needed to be addressed by some of the other subcommittees. She indicated the necessity for the various subcommittees to look at the report to determine whether they wanted to work on the language pertaining to their subcommittee or leave it up to the Technical Cleanup Subcommittee.

Commissioner Tomkins asked if the full Commission ever discussed why the changes were taking place and said she felt uncomfortable voting for the changes without knowing the details.

Staff Liaison Matthews indicated a need for it to be placed on the agenda and that the goal of this report was to bring it to the attention of the various subcommittees.

Commissioner Escobedo suggested continuing the discussion to when the item would be placed on a future agenda, for the sake of time.

Staff Liaison Matthews pointed out the items highlighted in gray were items other

subcommittees may need to review.

Commissioner Tomkins asked if they had decided not to make any changes to compensation.

Commissioner Clifford explained he and Commissioner Rudenauer had not been able to meet to discuss compensation. Staff Liaison Matthews stressed that no decisions had been made regarding the compensation language. Commissioner Clifford said they were also waiting to see what other sections were impacted before moving forward.

Chair Engdahl mentioned the suggestion by Commissioner Escobedo to table the discussion to a future meeting and suggested it be placed earlier in the agenda in order to have time for a full discussion.

Staff Liaison Matthews asked what the goals were for the next meeting and gave an update on the Police Commission progress. She shared some of the details of the meeting with Deputy City Attorney Priest and the Police Union. She indicated the Union asked for some clarity in the proposal language and said the Commissions Subcommittee would bring back the requested changes to the full Commission for discussion in a public meeting.

Commissioner Russell asked about the timeframe and Staff Liaison Matthews indicated they would discuss it at the next meeting.

Commissioner Clifford asked if they should discuss the primary election proposal due to the public comments received earlier in the meeting.

Commissioner Russell said she thought they should bring it back for discussion and indicated she wanted to address some of the perceived misconceptions outlined by the public. She wondered why these issues were just now being raised considering the language had been approved by Council and discussed at length in earlier meetings.

Chair Engdahl indicated he was fine with putting it on the agenda for next month.

Commissioner Tomkins said she was fine with putting it on the agenda and pointed out it was useful to hear the narrative from different public groups. She indicated she thought there was a lack of information involved and suspected the members of the public commenting earlier did not go back through and explore past agendas where this item was discussed. She said she was happy to hear more feedback to understand the public perspective on the issue.

Chair Engdahl reminded Staff Liaison Matthews to send the Commission members the documents put in the chat by a member of the public.

Commissioner Russell said she wanted to make sure the public knew the Commission was addressing their concerns. She expressed concern the members of the public who spoke seemed to not have all the information they needed to properly understand what

the Commission was doing regarding the primary election proposal.

Chair Engdahl pointed out the commissioners were free to reach out to the members of the organization who spoke tonight and encouraged the members of the public to reach out to the Commission to discuss their concerns.

Commissioner Tomkins encouraged the members of the public that spoke to provide any information they deemed relevant to the Commission before the next meeting.

After some discussion on items to include in the next meeting, Commissioner Clifford asked if they should schedule a special meeting considering the time constraints.

Commissioner Tomkins asked if discussion about the inspector general was going to be on the next meeting agenda. Commissioner Clifford said he was not sure due to the fact that Commissioners Rudenauer and Jimenez were unavailable at the time. He indicated they had started on some language and that it should not take long once they could get together to work on it.

Commissioner Tomkins mentioned the importance of the inspector general language because of how it tied together with the police commission and ethics language. She mentioned the earlier public comment about a code of conduct and how it was related to enforcement of standards.

Commissioner Clifford pointed to the preamble that stated values and how that could relate to the conduct of commissioners.

Commissioner Russell mentioned they needed to shift the focus to other members of the Commission if the other subcommittee members could not find the time to meet with Commissioner Clifford.

Chair Engdahl again pointed out that individual members could still bring language forward.

Commissioner Tomkins asked if they could discuss what items were going to go to City Council for feedback. She mentioned the term limits and Charter Review Commission language and asked if those should be taken to Council for feedback along with the preamble language.

After some discussion, it was decided to bring the term limits, Charter Review Commission, and preamble proposal language to Council for feedback. Staff Liaison Matthews indicated she would probably be able to get the items onto the March 15, 2021 City Council agenda.

Commissioner Clifford asked if the Commissions Subcommittee had discussed vacancies.

Commissioner Tomkins shared they had not been able to get together to discuss these

items. Commissioner Russell said they may be able to have something by the next regular meeting in March.

Chair Engdahl asked Staff Liaison Matthews to remind the various subcommittees of items they needed to work on.

After some discussion, the Commission decided to add a special meeting in March to allow more time for discussion on certain items.

Commissioner Escobedo shared he had a previous engagement, but would try to move it if he could.

Commissioner Russell proposed a motion, seconded by Commissioner Clifford, to add a special meeting on March 11, 2021 at 6 p.m. Motion carried by a vote of 5-0 (Commissioners Jimenez and Rudenauer absent).

Commissioner Tomkins asked what items would be discussed at the special meeting.

After some discussion, the Commission decided to focus on the primary election proposal and any other proposals that might be ready for the March 11 meeting.

COMMISSION ITEMS

There was nothing to report.

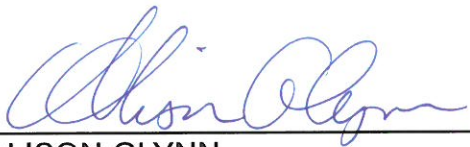
STAFF ITEMS

There was nothing to report.

ADJOURNMENT

A motion was made by Commissioner Clifford, seconded by Commissioner Russell, to adjourn the Charter Review Commission meeting at 9:44 p.m. to the Special Meeting on March 11, 2021 at 6 p.m.

Respectfully submitted,



ALISON GLYNN
Office of the City Clerk/Commission
Secretary to the Pomona Charter
Review Commission

ATTEST:



DEREK ENGDAHL
Chair of the Pomona Charter Review
Commission

ATTACHMENT

EMAILED PUBLIC COMMENTS

Gente Organizada, a Pomona-based nonprofit organization devoted to empowering youth and families, aims to better understand the activity, process, and efforts to bring primary elections to the 2022 ballot in the city of Pomona. We are requesting the release of records pursuant to the California Public Records Act.

Specifically, we request the following records:

- All records regarding the relationship between the Pomona City Council Members, Charter Commission Members, and the Pomona Valley Democratic Club
- Any records and communication between Pomona City Council Members, Charter Commission Members, and representatives of the Pomona Valley Democratic Club
- Any records, communications, or evidence of Pomona residents asking for primary elections to be placed on the ballot (to include full name of individuals, dates, affiliations, and demographic information tracked by the city)
- Any records, communications, or evidence of non-Pomona residents asking for primary elections to be placed on the ballot (to include full name of individuals, affiliations, and demographic information tracked by the city)

Please respond to this request in ten days, either by providing the requested information or providing a written response setting forth the specific legal authority on which you rely in failing to disclose each requested record.

Jesus Sanchez | Founder & Executive Director

Pronouns: he / him / his

Gente Organizada

This generation. Next generation. Organized as one.

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