

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL, SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS, MONTCLAIR HOUSING AUTHORITY COMMISSION, AND MONTCLAIR COMMUNITY FOUNDATION BOARD HELD ON MONDAY, MAY 6, 2019, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

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I. CALL TO ORDER

Mayor/Chair Dutrey called the meeting to order at 7:00 p.m.

II. INVOCATION

Council Member/Director Ruh gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Ruh led those assembled in the Pledge.

IV. ROLL CALL

Present: Mayor/Chair Dutrey; Mayor Pro Tem/Vice Chair Raft; Council Members/Directors Ruh and Johnson

City Manager/Executive Director Starr; Director of Administrative Services and Human Resources Hamilton; City Planner/Planning Manager Diaz; Assistant Director of Housing/Planning Manager Caldwell; Finance Director Parker; Public Works Director/City Engineer Castillo; City Attorney Robbins; City Clerk Phillips

Absent: Council Member/Director Martinez (excused)

V. PRESENTATIONS

A. **Vernon Middle School Student Presentation on Crosswalk Safety**

**Ms. Judy Westbrook**, teacher at **Vernon Middle School**, thanked the City Council for providing her 8th grade students with the opportunity to make this presentation.

The students discussed potential actions the City could take to improve safety at crosswalks near schools to avoid tragedies such as the one that occurred on September 6, 2018, in which a **Vernon Middle School** student was killed while crossing the street in a marked crosswalk in front of the school. The students identified several options including hiring crossing guards for all schools, installing more *School Zone* signs, and adding flashing pedestrian crosswalk lights at each school intersection.

Mayor Dutrey thanked the students for their presentation and stated the incident that occurred last year was very tragic and will not be forgotten. He advised the City is currently exploring measures to improve safety on San Bernardino Street.

Council Member Ruh stated grant monies for such improvements could be available through the *Safe Routes to School* grant program and the City could have improved chances if it partners with the schools on the applications.

City Manager Starr noted the City annually applies for the grant and staff is aware of school pedestrian safety issues; however, the City is restricted by state and federal guidelines contained in the Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD requires a warrant study that justifies the hiring of crossing guards, and the warrant that was recently completed did not result in those findings. He advised the flashing lights are also not allowed by the MUTCD at certain locations including the location of the recent accident. He noted one option the City is exploring is to install flashing lights on the stop signs around schools.

Council Member Johnson commended the students for their presentation and encouraged them to continue to use their voices to advocate for what they believe in.

Mayor Pro Tem Raft stated she is frustrated that the City is limited in solutions due to state and federal laws, and stated the crosswalk safety issue is often discussed in Public Works Committee meetings.

Administrative Analyst Colunga advised the City received a grant through **Southern California Association of Governments (SCAG)** for its *Active Transportation Plan* and for developing a *Safe Routes to School* plan. She advised there would be a community meeting on September 12 for **Vernon Middle School** and encouraged the students' participation at that meeting.

Mayor Dutrey commended the students on their research and assured them staff is working on solutions and should have something to present the Council soon.

**VI. PUBLIC HEARINGS — None**

**VII. PUBLIC COMMENT**

- A. Mr. Bruce Culp**, resident, stated his admiration for the students for their research and presentation, noting the issue of sidewalk safety is important to him as a resident and he is glad to hear the City is exploring safety measures.

**VIII. CONSENT CALENDAR**

Mayor Pro Tem Raft requested that Item B-1, and Council Member Johnson requested Item C-2 be removed from the consent calendar for discussion.

Moved by Council Member/Director Ruh, seconded by Council Member/Director Johnson, and carried unanimously 4-0 that the City Council approve the Consent Calendar as presented:

**A. Approval of Minutes**

- 1. Regular Joint City Council/Successor Agency Board/MHC Board/MHA Commission/MCF Board Meeting of April 15, 2019**

The City Council, Successor Agency Board of Directors, Montclair Housing Corporation Board of Directors, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board of Directors approved the minutes of the April 15, 2019 regular joint meeting.

**B. Administrative Reports**

- 2. Approval of Parcel Merger No. 2019-2 for Two Parcels Generally Located on Northwest Corner of Mission Boulevard at Kadota Avenue**

The City Council approved Parcel Merger No. 2019-2 for two parcels generally located on the northwest corner of Mission Boulevard at Kadota Avenue.

- 3. Receiving and Filing Status Report on Emergency Contracting Procedures Related to the Installation of a Storm Drain Inlet at the Community Center Gymnasium**

**Declaring a Termination of the Emergency Action Authorized Under Resolution No. 19-3231**

**Approval of the Filing of a Notice of Completion for the Emergency Repairs with the San Bernardino County Recorder's Office**

The City Council took the following actions:

- (a) Received and filed a status report on emergency contracting procedures related to the installation of a storm drain inlet at the Community Center Gymnasium.

- (b) Declared a termination to the Emergency Action authorized under Resolution No. 19-3231.
- (c) Approved the filing of a Notice of Completion for the emergency repairs with the San Bernardino County Recorder's Office.

**4. Approval of City Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated May 6, 2019, totaling \$1,443,025.87; and the Payroll Documentation dated April 14, 2019, amounting to \$618,102.47 gross, with \$435,664.07 net being the total cash disbursement.

**C. Agreements**

**1. Approval of Agreement No. 19-30 with the West End Fire and Emergency Response Commission Authorizing the Purchase of a 1991 Chevrolet 3500 Heavy Duty 1-Ton Pickup Truck with Utility Box, and the Transfer of Said Vehicle to the Montclair Fire Department**

The City Council approved *Agreement No. 19-30* with the West End Fire and Emergency Response Commission authorizing the purchase of a 1991 Chevrolet 3500 Heavy Duty 1-Ton Pickup Truck with Utility Box, and the transfer of said vehicle to the Montclair Fire Department.

**3. Approval of Agreement No. 19-32, Amendment No. 1 to Agreement No. 18-34 with the San Bernardino County Department of Aging and Adult Services to Provide Additional Funding to Support the Senior Citizen Transportation Program**

The City Council approved *Agreement No. 19-32, Amendment No. 1 to Agreement No. 18-34* with the San Bernardino County Department of Aging and Adult Services to provide additional funding to support the Senior Citizen Transportation Program.

**4. Approval of Agreement No. 19-33 with Tabitha Davies for the Donation of Retired Police Canine Cu' Bocan**

The City Council approved *Agreement No. 19-33* with Tabitha Davies for the Donation of Retired Police Canine Cu' Bocan.

**5. Approval of Agreement No. 19-34 with KaBOOM!, Inc., for a Playground Build Project at MacArthur Park**

**Authorizing the City's Required Community Partner Contribution of \$8,500 Plus Site Preparation Expenses of \$2,000**

**Acceptance of New Playground Equipment for MacArthur Park**

The City Council took the following actions:

- (a) Approved *Agreement No. 19-34* with KaBOOM!, Inc., for a playground build project at MacArthur Park.
- (b) Authorized the City's required community partner contribution of \$8,500 plus site preparation expenses of \$2,000.
- (c) Accepted new playground equipment for MacArthur Park.

**D. Resolutions**

**1. Adoption of Resolution No. 19-3235 Establishing Local Guidelines for Implementing the California Environmental Quality Act (CEQA) Pursuant to Public Resources Code Section 21000 et seq.**

The City Council adopted Resolution No. 19-3235 establishing local guidelines for implementing CEQA pursuant to Public Resources Code Section 21000 *et seq.*

## IX. PULLED CONSENT CALENDAR ITEMS

### B. Administrative Reports

#### 1. **Authorizing a \$50,000 Appropriation from the Contingency Reserve Fund for Costs Related to the Montclair Transcenter Shelter Repair Project**

##### **Authorizing Staff to Advertise for Bid Proposals for the Montclair Transcenter Shelter Repair Project**

##### **Approval of the Plans and Specifications for the Montclair Transcenter Shelter Repair Project**

Mayor Pro Tem Raft asked why the City was paying for the repairs if Foothill Transit's bus was responsible for destroying the shelter structure.

City Manager Starr clarified that the City will be filing a claim with Foothill Transit to cover the repairs. He noted the City felt it was necessary to make the repairs in order to accelerate the process to seek reimbursement.

Moved by Mayor Pro Tem Raft, seconded by Council Member Ruh, and carried 4-0 that the City Council take the following actions in relation to the Montclair Transcenter Shelter Repair Project:

- (a) Authorize a \$50,000 appropriation from the Contingency Reserve Fund for costs related to the Project.
- (b) Authorize staff to advertise for bid proposals for the Project.
- (c) Approve the Plans and Specifications for the Project.

### C. Agreements

#### 2. **Approval of Agreement No. 19-31 with the San Bernardino County Office of Homeless Services to Accept an Award for the Homeless Emergency Aid Program**

Council Member Johnson asked for clarification on how homeless services would be provided under this program.

City Manager Starr indicated the program would be developed more fully with the funds.

Code Enforcement Supervisor Fondario described how Code Enforcement staff, along with nonprofits and community based organizations like **Set Free Ministries**, seek out homeless and transport them to where they can receive needed services and programs.

Administrative Analyst Colunga noted the program will also serve students in the **Ontario-Montclair School District** and their families who are at-risk for becoming homeless.

Council Member Ruh expressed his desire to see long term solutions that help the homeless within the community without transporting them to other cities.

Code Enforcement Supervisor Fondario noted **Set Free Ministries** has a work-home program and a transitional home program that have been successful within the community, and emphasized the program's efforts to stay in contact with facilities outside of Montclair that are serving the City's homeless so that if the programs are not working for any of the recipients, staff can transition them to other programs.

Mayor Pro Tem Raft commended Code Enforcement for their extraordinary efforts to ensure these people are taken care of.

Mayor Dutrey asked if the funding would be used for staff.

Administrative Analyst Colunga noted the funding would cover stipends for volunteers and supplies for the program.

Council Member Johnson stated she is encouraged that the City already has some great practices in place and is excited to see the program expanded.

Moved by Council Member Johnson, seconded by Mayor Pro Tem Raft, and carried 4-0 that the City Council approve *Agreement No. 19-31* with the San Bernardino County Office of Homeless Services to accept an award for the Homeless Emergency Aid Program

**X. BUSINESS ITEMS — None**

**XI. RESPONSE — None**

**XII. COMMUNICATIONS**

**A. City Department Reports**

**1. Police Department**

Executive Director of Public Safety/Police Chief Avels gave the following reports:

- He reminded the City Council of the upcoming Chamber-hosted event, the *Montclair Police Officers' and Employees' Appreciation and Recognition Luncheon*, which will take place on Wednesday, May 15, 2019.
- He gave a status update on the newly acquired ladder truck that is currently being refurbished, showing images of the progress and modifications being made to the vehicle, noting it should be in service by September of this year. He also showed the newly purchased vehicle that was modified and equipped for use by the Fire Department's command staff, which should be in service by the end of the month.

**B. City Attorney**

City Attorney Robbins requested the City Council meet in closed session to discuss the following matters:

**1. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations**

Property: Undeveloped 2.18-acre site near Central Avenue and Richton Street (APN 1007-393-04-0000)

Zoning Designation: North Montclair Downtown Specific Plan — Station and Town Center Districts

Negotiating Parties: City of Montclair and Pennell Holding Company, LLC

City Negotiator: Edward C. Starr, City Manager

Under Negotiation: Recommendations Regarding Acquisition /Purchase Price

**2. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations**

Property: 8752 Monte Vista Avenue (APN 1007-722-07-0000)

Negotiating Parties: City of Montclair and Vulcan Materials

City Negotiator: Edward C. Starr, City Manager

Under Negotiation: Recommendations Regarding Acquisition /Purchase Price

3. **Pending Litigation Pursuant to GC §54956.9(d)(1)**

*Hernandez v. Montclair*

C. **City Manager/Executive Director** — No comments.

D. **Mayor/Chair**

1. **Announcement of Vacancies on Planning Commission (2) and Community Activities Commission (1)**

Mayor Dutrey announced that there are two vacancies on the Planning Commission and one vacancy on the Community Activities Commission (CAC). He advised the application period is open until May 14, 2019 at 5:30 p.m. and that applications are available here in the Council Chambers or at City Hall. He noted more details are available on the City's website and Facebook page.

2. **Montclair High School Commencement Ceremony on May 22, 2019**

Mayor Dutrey stated he would be out of town during the commencement ceremony and asked if any Council Members would like to volunteer to present the City's proclamation to the graduating class at the ceremony.

Mayor Pro Tem Raft stated she would be happy to present the proclamation and will attend whether or not she presents. Council Member Ruh stated he would also try to attend.

3. Mayor Dutrey commented as follows:

- (a) He attended the annual conference of the **Southern California Association of Governments** to represent Montclair.
- (b) Two weeks ago, he and Council Members Johnson and Martinez attended the *City-County Conference* with staff.
- (c) He noted he was unable to attend the following events: *Easter Eggstravaganza, Montclair to College Graduation, Volunteer Recognition Dinner, and Community Day of Prayer Luncheon.*
- (d) He noted he would not be able to attend the May 20 meeting due to his attendance at the **International Conference of Shopping Centers (ICSC)** for his employer.
- (e) He stated he and City Manager Starr met with representatives from the City of Claremont to discuss the Gold Line, and will likely be meeting again in June.
- (f) He commended the Montclair Fire Department for its participation in helping put out the large recycling center fire that occurred in the City of Ontario last week.

E. **City Council/Successor Agency Board/MHC Board/MHA Board/MCF Board**

Mayor Pro Tem/Vice Chair Raft made the following comments:

1. She stated she attended the City's *Montclair to College* graduation ceremony and was amazed at how many students are graduating from the program this year, noting it seems to get bigger and better each year.
2. She had a wonderful time at the *Volunteer Recognition Dinner* last week and was proud to honor the volunteers who donate countless hours to the City.

Council Member/Director Johnson stated she has heard many community members express their desire to see the City do something in honor of Council Member Emeritus Leonard Paulitz, and noted she would discuss options with staff.

Council Member/Director Ruh made the following comments:

1. He stated he will not be able to attend ICSC this year due to work conflicts.
2. He noted his attendance at the *Easter Eggstravaganza* event and thanked the Kiwanis Club of Ontario and Montclair for providing breakfast and the Easter Bunny for taking pictures with all the children.
3. He noted while he was in Sacramento last week meeting with legislators for work, he was asked about the Gold Line and was able to restate the City's support to get the Gold Line from Claremont to Montclair.
4. He discussed his support of AB 213, which would return Vehicle License Fees that were redirected to the state back to cities.
5. He attended a fundraising event for **Habitat for Humanity**.

**F. Committee Meeting Minutes**

**1. Minutes of Real Estate Committee Meeting of October 15, 2018**

The City Council received and filed the minutes of the Real Estate Committee meeting of October 15, 2018, for informational purposes.

**2. Minutes of Code Enforcement/Public Safety Committee Meeting of October 15, 2018**

The City Council received and filed the minutes of the Code Enforcement/Public Safety Committee meeting of October 15, 2018, for informational purposes.

**3. Minutes of Personnel Committee Meeting of April 15, 2019**

The City Council received and filed the minutes of the Personnel Committee meeting of April 15, 2019, for informational purposes.

**XIII. CLOSED SESSION**

Council Member/Director Ruh left the meeting at 8:11 p.m.

At 8:11 p.m., the City Council went into closed session to discuss real property negotiations and pending litigation.

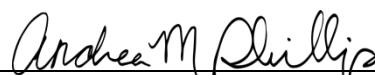
**XIV. CLOSED SESSION ANNOUNCEMENTS**

At 8:30 p.m., Mayor Dutrey announced that the City Council met in closed session regarding real property negotiations and pending litigation; information was received on all matters and direction was given to staff related to real property negotiations; and no further announcements would be made at this time.

**XV. ADJOURNMENT**

At 8:30 p.m., Mayor/Chair Dutrey adjourned the City Council, the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board.

Submitted for City Council/Successor Agency Board/Montclair Housing Corporation Board/Montclair Housing Authority Commission/Montclair Community Foundation Board approval,



Andrea M. Phillips  
City Clerk