

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, JUNE 17, 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

Minister Jimmy Crowell, Calvary Montclair, 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; Finance Director Parker; Public Works Director/City Engineer Castillo; City Planner/Planning Manager Diaz; Assistant Director of Housing/Planning Manager Caldwell; City Attorney Robbins; City Clerk Phillips

Absent: Council Member/Director Martinez (excused)

V. PRESENTATIONS — None

VI. PUBLIC HEARINGS

A. **Second Reading and Adoption of Ordinance No. 19-985 Adding Section 6.16.025 to the Montclair Municipal Code Establishing and Mandating a Commercial and Organic Waste Recycling Program and Amending Specific Sections of Chapters 1.12 and 6.16 Related to Penalties and Refuse Collection and Disposal in the City of Montclair**

Mayor Dutrey declared it the time and place set for public hearing to consider Ordinance No. 19-985 and invited comments from the audience.

**Mr. Bruce Culp**, 9016 Sycamore Avenue, Montclair, stated his wish that the senior discount program remain in place with the implementation of this program.

City Manager Starr indicated the program applies to businesses and apartment complexes with five or more units, so there would be no senior discount component. He further advised that pursuant to the Ordinance, **Burrtec** would work with residents of affected complexes to educate and provide resources to remain in compliance.

There being no one else in the audience wishing to speak, Mayor Dutrey closed the public hearing and returned the matter to the City Council for its consideration.

Moved by Council Member Johnson and seconded by Mayor Pro Tem Raft that Ordinance No. 19-985, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING SECTIONS WITHIN CHAPTERS 6.02 (DEFINITIONS) AND 6.16 (REFUSE COLLECTION AND DISPOSAL) OF THE MONTCLAIR MUNICIPAL CODE; ADDING SECTION 6.16.025 ESTABLISHING A MANDATORY COMMERCIAL RECYCLING AND ORGANIC WASTE RECYCLING/DIVERSION PROGRAM; AND AMENDING SECTION 1.12.010 (PENALTIES)" be read by number and title only, further reading be waived, and this be declared its second reading; and that the City Council adopt Ordinance No. 19-985.

The City Council unanimously waived the reading of the Ordinance.

Ordinance No. 19-985 was adopted by the following vote:

AYES: Johnson, Ruh, Raft, Dutrey  
NOES: None  
ABSTAIN: None  
ABSENT: Martinez

## VII. PUBLIC COMMENT

- A. **Dr. James Lally, Lally Medical Group**, 5050 San Bernardino Street, Montclair, announced that his medical clinic recently passed a federal inspection and is almost qualified to become a Veterans' Affairs Clinic, which will make it eligible for federal grants and funding to provide services for veterans. He stated he is happy the City is considering implementing regulations to legalize cannabis and requested the City Council give further consideration to only allowing one medical cannabis license to be issued in the City so that it can be "done right."
- B. **Mr. Bruce Culp**, 9016 Sycamore Avenue, Montclair, stated he attended the budget workshop held earlier this evening and commended the City Manager and Finance Director for helping the City maintain stability. He urged the City to consider all revenue options including the cannabis legalization, regulation, and taxation, which will not only provide funding for law enforcement, but also create safe access to recreational cannabis for the community.
- C. **Ms. Jennifer Shaw, Southern California Edison**, 7851 Redwood Avenue, Fontana, shared information about SCE's new Wildfire Mitigation Plan that was just approved and is now being implemented.

## VIII. CONSENT CALENDAR

Council Member Johnson requested item C-1 be removed from the consent calendar.

Council Member/Director Ruh requested Items D-3 and D-4 be removed from the consent calendar for a separate vote.

Moved by Mayor Pro Tem/Vice Chair Raft, seconded by Council Member/Director Johnson, and carried unanimously 4-0 that the City Council approve the remainder of 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 June 3, 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 June 3, 2019 regular joint meeting.

### B. Administrative Reports

#### 1. **Receiving and Filing of City Treasurer's Report**

The City Council received and filed the City Treasurer's Report for the month ending May 31, 2019.

#### 2. **Approval of City Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated June 17, 2019, totaling \$1,347,564.29; and the Payroll Documentation dated May 26, 2019, amounting to \$622,171.24 gross, with \$440,935.28 net being the total cash disbursement.

3. **Receiving and Filing of Successor Agency Treasurer's Report**  
The City Council acting as successor to the Redevelopment Agency Board received and filed the Successor to the Redevelopment Agency Treasurer's Report for the month ending May 31, 2019.
4. **Approval of Successor Agency Warrant Register**  
The City Council acting as successor to the Redevelopment Agency Board approved the Successor to the Redevelopment Agency Warrant Register dated 05.01.19–05.31.19 in the amounts of \$14,910.57 for the Combined Operating Fund and \$0.00 for the Redevelopment Obligation Retirement Funds.
5. **Receiving and Filing of MHC Treasurer's Report**  
The MHC Board received and filed the MHC Treasurer's Report for the month ending April 30, 2019.
6. **Approval of MHC Warrant Register**  
The MHC Board approved the MHC Warrant Register dated 05.01.19–05.31.19 in the amount of \$53,528.82.
7. **Receiving and Filing of MHA Treasurer's Report**  
The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending May 31, 2019.
8. **Approval of MHA Warrant Register**  
The MHA Commissioners approved the MHA Warrant Register dated 05.01.19–05.31.19 in the amount of \$0.00.
9. **Authorization of In-Kind Matching Funds to the Southern California Association of Governments in Support of the Montclair Safe Routes to School and Active Transportation Planning Grants**  
The City Council authorized the provision of in-kind matching funds to SCAG in support of the Montclair Safe Routes to School and Active Transportation Planning Grants.
10. **Authorizing the Use of \$6,500 in State Asset Forfeiture Funds to Host the 2019 National Night Out Event**  
The City Council authorized the use of \$6,500 in State Asset Forfeiture Funds to host the 2019 National Night Out event.
11. **Authorizing a \$1,080 Appropriation from the Prop 30/AB 109 Fund to Pay the Annual Usage Fee for Five Electronic StakeOut Tracker Systems**  
The City Council Authorized a \$1,080 appropriation from the Prop 30/AB 109 Fund to pay the annual usage fee for five electronic StakeOut tracker systems.
12. **Approval of the Purchase of a One-Year Subscription to Foundation Directory Online to Improve the Montclair Community Foundation's Ability to Receive Grants**  
The Montclair Community Foundation Board of Directors approved the purchase of a one-year subscription to Foundation Directory Online to improve the Montclair Community Foundation's ability to receive grants.

### C. Agreements

2. **Approval of *Agreement No. 19–52* with ServiceMaster 360 Premier Cleaning to Provide Custodial Services at the Family Resource Center**

The City Council approved *Agreement No. 19-52* with ServiceMaster 360 Premier Cleaning to provide custodial services at the Family Resource Center.

#### D. Resolutions

1. **Adoption of Resolution No. 19-3241 Authorizing Approval of the Change in Population in San Bernardino County During 2018 for the Purpose of Calculating the Gann Spending Limit for Fiscal Year 2019-20**

The City Council adopted Resolution No. 19-3241 authorizing approval of the change in population in San Bernardino County during 2018 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2019-20.

2. **Adoption of Resolution No. 19-3242 Establishing an Appropriations Limit for Fiscal Year 2019-20 Pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code**

The City Council adopted Resolution No. 19-3242 establishing an appropriations limit for Fiscal Year 2019-20 pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code.

### IX. PULLED CONSENT CALENDAR ITEMS

#### C. Agreements

1. **Approval of Agreement No. 19-48 with the Montclair Chamber of Commerce to Provide Services to Strengthen and Enhance Local Economic Development Activities**

Council Member Johnson recused herself from voting on this item due to a potential conflict of interest, noting she works as a volunteer for the Chamber.

Council Member Ruh stated he would like the Chamber to provide an annual report to the Council on its use of funds provided by the City through this agreement.

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft, and carried 3-0 with recusal of Council Member Johnson, that the City Council approve Agreement No. 19-48 with the Montclair Chamber of Commerce to provide services to strengthen and enhance local economic development activities.

#### D. Resolutions

3. **Adoption of Resolution No. 19-3243 Adopting the City of Montclair Fiscal Year 2019-20 Annual Budget**

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft and carried 4-0 that the City Council adopt Resolution No. 19-3243 adopting the City of Montclair Fiscal Year 2019-20 Annual Budget.

4. **Adoption of Resolution No. 19-01 Adopting the Fiscal Year 2019-20 Budget for the Montclair Housing Corporation**

Moved by Director Ruh, seconded by Vice Chair Raft, and carried 4-0 that the Montclair Housing Corporation Board of Directors adopt Resolution No. 19-01 adopting the Fiscal Year 2019-20 Budget for the Montclair Housing Corporation.

X. **BUSINESS ITEMS** — None

XI. **RESPONSE** — None

## XII. COUNCIL WORKSHOP

### A. Presentation of Proposed Streetscape Plan for Portions of Arrow Highway and Fremont Avenue Within the North Montclair Downtown Specific Plan

Moved by Council Member Ruh, seconded by Council Member Johnson, and carried 4-0 that this item be continued to an adjourned meeting of the City Council on Monday, July 1, 2019, at 5:45 p.m. in the City Council Chambers.

## XIII. COMMUNICATIONS

### A. City Department Reports

#### 1. Public Works Department — Central Avenue Rehabilitation Phase 1 Project Update (Impacts and Notice to Businesses Along Central Avenue)

Public Works Director/City Engineer Castillo advised staff has been getting the word out about this project via the City's website, information booths at City events, and fact sheets available at City facilities. He noted construction around the Costco area should be completed before the holiday season begins to reduce traffic impacts.

#### 2. Human Services Department — Summer Programs & Events

Director of Human Services Richter made the following announcements:

- The **2019 Summer Concert and Movie Series** begins tomorrow night at **Alma Hofman Park** with the band **Suave**, and continues throughout the summer on Tuesday nights, alternating between concert and movie nights. Concerts start at 7:00 p.m. and movies start at 8:00 p.m. The evenings will include free children's activities, refreshments for sale, and the Splash Pad will remain open until 8:00 p.m.
- The **Summer Youth Basketball League** started games last week. The league has 20 teams, with games played Monday, Wednesday, and Friday evenings. Championship games will be played on Saturday, July 20, beginning at 6:30 p.m.

#### 3. City Clerk's Office

- **Announcement of Planning Commission Panel Recommendations to Fill Two Vacancies on the Planning Commission**

City Clerk Phillips announced that **Mrs. Ginger Eaton** and **Mr. Jaso Sanchez** were recommended for appointment to the Planning Commission for four-year terms ending June 30, 2023.

- **Announcement of Community Activities Commission Panel Recommendation to Fill a Vacancy on the Community Activities Commission**

City Clerk Phillips announced that **Mr. Richard Escalante** was recommended for appointment to the Community Activities Commission for a three-year term ending June 30, 2022.

B. City Attorney — No comments.

C. City Manager/Executive Director — No comments.

**D. Mayor/Chair**

**1. Consider Making Appointments to Fill Two (2) Vacancies on the Planning Commission for New Terms Ending June 30, 2023**

Mayor Dutrey nominated **Mrs. Eaton** and **Mr. Sanchez** for appointment based on recommendations from the Planning Commission Panel. Council Member Johnson seconded the motion, and the appointments of **Mrs. Eaton** and **Mr. Sanchez** to the Planning Commission were confirmed unanimously 4-0.

**2. Consider Making Appointments to Fill Two (2) Vacancies on the Planning Commission for New Terms Ending June 30, 2023**

Mayor Dutrey nominated **Mr. Sanchez** for appointment based on the recommendation from the Community Activities Commission Panel. Council Member Ruh seconded the motion, and the appointment of **Mr. Sanchez** to the Community Activities Commission was confirmed unanimously 4-0.

Mayor Dutrey commented as follows:

1. He announced that he was recently appointed Chair of the **Omnitrans** Board of Directors, and was also appointed by the **San Bernardino County Transportation Authority (SBCTA)** Board to serve as its subregional appointee to the Transportation Committee of the **Southern California Association of Governments (SCAG)**.

2. He asked Executive Director of Public Safety/Police Chief Avels to provide a report on the Police Department's efforts to address illegal fireworks in the City amid recent resident complaints.

Chief Avels stated the Department has deployed its mobile electronic sign board notifying the community that fireworks are illegal, and a notice has also been mailed out in recent residential billings.

City Manager Starr indicated the notice was also included in the Human Services Department Activity Brochure that was recently mailed out.

Mayor Dutrey requested the information be released on the City's social media pages.

3. He noted a recent newspaper article reported a homicide occurred in Montclair, when in fact the location of the homicide was outside the City's boundaries. He stated he has already notified the editor to correct the error.

4. He reported he spoke with Council Member Martinez and that she sends her love and appreciation for everyone's concern.

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

Mayor Pro Tem/Vice Chair Raft stated she hoped all the men in the audience had a great Father's day.

Council Member/Director Johnson encouraged everyone, young and old, to attend the concerts and movies in the park this summer.

**F. Committee Meeting Minutes**

**1. Minutes of Personnel Committee Meeting of June 3, 2019**

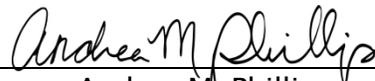
The City Council received and filed the minutes of the Personnel Committee meeting of June 3, 2019, for informational purposes.

**XIV. ADJOURNMENT**

At 7:36 p.m., Chair Dutrey adjourned the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board.

At 7:36 p.m., Mayor Dutrey adjourned the City Council to Monday, July 1, 2019, at 5:45 p.m. in the City Council Chambers for a Council workshop presentation of a proposed streetscape plan for portions of Arrow Highway and Fremont Avenue within the North Montclair Downtown Specific Plan.

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



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Andrea M. Phillips  
City Clerk