

MINUTES OF THE ADJOURNED 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, JULY 22, 2019, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Pro Tem/Vice Chair Raft called the meeting to order at 7:00 p.m.

II. INVOCATION

Pastor Josh Matlock, Bethany Baptist Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

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

IV. ROLL CALL

Present: Mayor Pro Tem/Vice Chair Raft; Council Members/Directors Ruh, Martinez, 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: Mayor/Chair Dutrey (excused)

V. PRESENTATIONS

A. **Community Activities Commission (CAC) Presentation of the 2019 Home Beautification Awards**

Community Activities Commissioner Laurie Milhiser advised that the CAC has continued to sponsor the *Home Beautification Awards* program over the past 24 years to recognize Montclair residents who demonstrate community pride by attractively maintaining their homes. She noted the CAC judged fourteen homes and selected several winners, who should be proud of the work they have done to maintain their homes. She thanked all residents who help make Montclair a beautiful community in which to live.

A brief PowerPoint presentation showcased photos of the finalists' residences. The **Trujillo** Family, 10103 Vernon Avenue, was praised for its beautiful drought-tolerant landscaping, and the **Chavez** Family, 5640 Hawthorne Street, was commended for its gorgeous traditional front yard. Both families were presented with framed *Home of the Year Award* certificates and **Target** gift cards.

Mayor Pro Tem Raft congratulated the winners and thanked all residents who have contributed to the beautification of Montclair. She thanked the CAC for organizing and facilitating the program.

VI. PUBLIC COMMENT

A. **Mr. Jose Gastelum**, 9836 Fremont Ave, stated that the residents of Fremont Avenue requested permit parking along the street in front of their homes in 2018. He noted he is currently having an unpleasant experience with the owner of a van that has been intentionally stationing their vehicle in front of his home. **Mr. Gastelum** presented the City Council with a petition to install Permit Parking on the west side section of the 9700 & 9800 block of Fremont Ave, which is signed by several of his neighbors.

Mayor Pro Tem Raft thanked **Mr. Gastelum** for bringing forth his concerns and advised staff would be preparing this item for Public Works Committee review.

- B. **Mr. Arturo Padilla**, 4732 Kingsley Street, noted several members of the Montclair community were honored at a 2019 Summer Barbeque & Open House Event hosted by **Assembly Member Freddie Rodriguez** of the 52nd Assembly District. Among those recognized from Montclair were **Ms. Patty Pennington** (Woman of the Year); **San Antonio Bakery**, 10252 Central Avenue (Business of the Year); and **Mr. Manuel Haro** (Veteran of the Year). He noted **Los Portales Mexican Grill**, 12542 Central Avenue, Chino, was recognized as Business of the Year for the City of Chino, adding the restaurant also has a location in Montclair. He thanked all those who participated and congratulated the honorees.

Mayor Pro Tem Raft thanked **Mr. Padilla** for bringing the honorees to the Council's attention.

Councilmember Ruh suggested honorees be invited to be recognized at a future Council Meeting.

VI. PUBLIC HEARINGS

- A. **Consider Adoption of Resolution No. 19-3246 Establishing a Five-Year Schedule of Maximum Monthly Rate Caps for Refuse and Sewer Program Services in Compliance with Proposition 218**

Mayor Pro Tem Raft declared it the time and place set for public hearing to consider adoption of Resolution No. 19-3246 establishing a five-year schedule of maximum monthly rate caps for refuse and sewer program services in compliance with Proposition 218 and invited comments from the public.

City Clerk Phillips asked that all written protests be brought forward at this time.

Mr. Bruce Culp, 9016 Sycamore Avenue, welcomed Councilmember Martinez back and stated his wish that the senior discount program remain in place with the implementation of this program.

Councilmember Ruh concurred with **Mr. Culp**, adding that the City is comprised of many senior residents with fixed incomes. He stated his belief that that the senior discount program is the least that the City can do to ensure that the seniors are not strained financially. He stated that he believes **Burrtec** needs to account for the rate increase with an improvement in service levels while comparing the service provided in Upland in contrast to Montclair, making note of bulky items left on the streets.

City Manager Starr stated that Montclair's contract with **Burrtec** is in fact superior to Upland's, noting Montclair's program efficiently removes close to 45 tons of bulky items on a monthly basis and the streets are monitored and reported for pick-up by Public Works and Code Enforcement staff, **Burrtec's** own drivers, and Montclair residents. Pick-ups typically occur within hours of being reported. He added the most recently approved contract increased the number of yearly bulky item pick-ups for residents.

Finance Director Parker noted that Staff's recommendation is to continue the Senior Discount Program for Fiscal Year 2019-20, but the report advises of the option for the City Council to direct phasing out of the program due to the depletion of the fund set up to support the program.

Councilmember Johnson agreed that the Senior Discount Program should not be phased out. She commended **Burrtec**, stating she has been very pleased with their service.

City Clerk Phillips stated the City received eight valid written protests against the rate increase, which is not sufficient to constitute a majority protest.

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

Finance Director Parker noted that without a majority protest, the City Council may consider adoption of Resolution No. 19-3246.

Moved by Council Member Johnson, seconded by Mayor Pro Tem Raft, and carried 3 to 1 that the City Council adopt Resolution No. 19-3246 establishing a five-year schedule of maximum monthly rate caps for refuse and sewer program services in compliance with Proposition 218.

Resolution No. 19-3246 was adopted 3-1 by the following vote:

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

VIII. CONSENT CALENDAR

Moved by Council Member 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. Special City Council Meeting of May 30, 2019

The City Council approved the minutes of the May 30, 2019 special meeting.

2. Adjourned City Council Meeting of July 1, 2019

The City Council approved the minutes of the July 1, 2019 adjourned meeting.

3. Regular Joint City Council/Successor Agency Board/MHC Board/MHA Commission/MCF Board Meeting of July 1, 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 July 1, 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 June 30, 2019.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated July 15, 2019, totaling \$6,541,559.14; and the Payroll Documentation dated June 23, 2019, amounting to \$723,291.73 gross, with \$498,013.87 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 June 30, 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 06.01.19-06.30.19 in the amounts of \$11,741.06 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 June 30, 2019.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 06.01.19-06.30.19 in the amount of \$71,338.27.

7. Receiving and Filing of MHA Treasurer's Report

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending June 30, 2019.

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 06.01.19-06.30.19 in the amount of \$0.00.

C. Agreements

1. Approval of *Agreement No. 19-58* with Ontario-Montclair School District to Support the Montclair After-School Summer Expanded Learning Program

The City Council approved *Agreement No. 19-58* with Ontario-Montclair School District to support the Montclair After-School Summer Expanded Learning Program.

2. Approval of *Agreement No. 19-59* with Hope Through Housing Foundation to Accept Funds to Provide an After-School Program at San Antonio Vista Apartments Community Center

The City Council approved *Agreement No. 19-59* with Hope Through Housing Foundation to Accept funds to provide an after-school program at San Antonio Vista Apartments Community.

3. Approval of *Agreement No. 19-64* with Kaiser Foundation Hospitals, Ontario, to Accept a Grant Award to Improve Social Determinants of Health Through Montclair Promotoras (Community Health Workers)

Authorizing City Manager Edward C. Starr to Sign *Agreement No. 19-64* with Kaiser Foundation Hospitals, Ontario

The City Council took the following actions:

- (a) Approved *Agreement No. 19-64* with Kaiser Foundation Hospitals, Ontario, to accept a grant award to improve social determinants of health through Montclair Promotoras (community health workers).
- (b) Authorized City Manager Edward C. Starr to sign *Agreement No. 19-64* with Kaiser Foundation Hospitals, Ontario.

4. Approval of *Agreement No. 19-65* with Kaiser Foundation Hospitals, Ontario, to Accept a Grant Award for the Montclair to College Program

Authorizing the Appropriation of Funds Awarded for the Montclair to College Program

Authorizing Executive Director Edward C. Starr to Sign *Agreement No. 19-65* with Kaiser Foundation Hospitals, Ontario

The Montclair Community Foundation Board of Directors took the following actions:

- (a) Approved *Agreement No. 19-65* with Kaiser Foundation

Hospitals, Ontario, to accept a grant award for the Montclair to College Program.

- (b) Authorized the appropriation of funds awarded for the Montclair to College Program.
- (c) Authorized Executive Director Edward C. Starr to sign *Agreement No. 19-65* with Kaiser Foundation Hospitals, Ontario.

5. Approval of *Agreement No. 19-67* with H&H Elevator Services for Elevator Service and Maintenance at the Montclair Police Facility

The City Council approved *Agreement No. 19-67* with H&H Elevator Services for elevator service and maintenance at the Montclair Police Facility.

6. Approval of *Agreement No. 19-68* Temporarily Extending *Agreement No. 18-32* with West Coast Arborists for Tree Maintenance Services

The City Council approved *Agreement No. 19-68* temporarily extending *Agreement No. 18-32* with West Coast Arborists for tree maintenance services.

7. Approval of *Agreement No. 19-69* with Civic Publications, Inc., to Provide Public Education and Community Outreach Services

The City Council approved *Agreement No. 19-69* with Civic Publications, Inc., to provide public education and community outreach services.

D. Resolutions

1. Adoption of Resolution No. 19-3244 Related to the Collection of Sewer Standby Assessment Fees for Vacant Properties

The City Council adopted Resolution No. 19-3244 related to the collection of sewer standby assessment fees for vacant properties.

2. Adoption of Resolution No. 19-3245 to Approve a List of Projects to be Funded by Senate Bill 1 from the State of California Road Repair and Accountability Act of 2017

The City Council adopted Resolution No. 19-3245 to approve a list of projects to be funded by Senate Bill 1 from the State of California Road Repair and Accountability Act of 2017.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. COMMUNICATIONS

A. City Department Reports

1. Police Department — National Night Out & Report of Firework Calls for Service

Executive Director of Public Safety/Police Chief Avels reminded everyone of ***National Night Out***, an annual community-building campaign promoting police-community partnerships and neighborhood comradery to make the neighborhood safer and a more caring place to live. The event will be hosted at **Alma Hofman Park** on Tuesday, August 6, from 7:00 p.m. to 10:00 p.m. Local emergency personnel will be on-site to engage the community, including a car seat technician for child seat inspections, and the event will also feature an exhibit of emergency vehicles and equipment, free photo booth,

extension of the Splash Pad operating hours until 8:00 p.m., and face painting for the kids. A screening of **Disney's *Incredibles 2 (2018)*** will begin at 8:00 p.m. The **La Bufadora** food truck will be selling tacos at the event. **The Red Cross** will also be hosting a blood drive at the Montclair Senior Center which will start at 3:00 p.m. and conclude at 9:00 p.m.

Mayor Pro Tem Raft asked Police Chief Avels for a report on firework calls for service on the 4th of July.

Chief Avels discussed the difficulties in regulating illegal fireworks including tactics used by offenders to avoid being caught, incidents occurring close by but in other cities, and the inability or unwillingness of those reporting to identify offenders. He noted that in comparison with other cities, the illegal firework incidence in Montclair is lower, adding the number of calls for service rose from last year, but one firework can result in several different calls in the area. He displayed a heat map showing the concentration of calls for service, noting that most of the calls this year were from the east side of the City north of Orchard Street. Additional personnel were deployed, but were limited by a cost benefit analysis noting fines for illegal firework are difficult to issue and therefore do not generate the revenue to support increased patrols. He concluded that until fireworks are banned completely in the surrounding cities, they will not go away and law enforcement continues to research better ways to address the issue.

Council Member Ruh pointed out the **Claremont Colleges** held a fireworks show, which may have been mistakenly identified by residents as fireworks being set off illegally in Montclair.

Council Member Johnson encouraged the Police Department to continue being diligent with firework enforcement, noting there is a great risk to property damage for nearby homeowners.

Council Member Johnson also commented that she appreciated the way that reserve officers interacted with and engaged young children at the recent Concert & Movie Series events.

2. **Human Services Department — Upcoming Summer Programs & Events**

Director of Human Services Richter made the following announcements:

- The ***Summer Youth Basketball League*** ended its 2019 season with a day of championship games. The league had 20 teams and 200 players in 1st - 8th grades with games played on Monday, Wednesday, and Friday evenings. Registration for the next season is scheduled for Saturday, September 14, from 8:00 a.m. to 1:00 p.m. at the Youth Center. Thank you to our volunteers and employees for making it a fun summer for our kids.
- The ***Coed Youth Volleyball League*** is a new sports league that will be starting in the fall for 5th - 8th grade students. The Fall League registration is \$30 and will be open August 5th - 30th at the Recreation Center front desk. Games begin in October and volunteer coaches are needed for all divisions.
- The ***2019 Summer Concert and Movie Series*** continues tomorrow night at **Alma Hofman Park** with a showing of the movie ***Marry Poppins Returns*** at 8:00 p.m. along with free children's craft activities, the **Sweet N' Snowie** truck selling snow cones, and the Splash Pad will be open until the movie begins. Mark your calendars to also join us next Tuesday for a concert by the band **Mariachi Toro**. The **La Bufadora** taco truck will be there along with the **Sweet N' Snowie** truck.

B. City Attorney

City Attorney Robbins requested the City Council meet in closed session concerning the following:

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

City Attorney Robbins requested the City Council meet in closed session concerning the following real property negotiations:

Properties: 5092 Moreno Street, Montclair
(APN 1008-163-17-0000)

Negotiating Parties: City of Montclair and Hargett Janet M. Trust

City Negotiator: Edward C. Starr, City Manager

Under Negotiation: Recommendations Regarding
Acquisition/Purchase Price

City Attorney Robbins noted the City Council would no longer need to meet in closed session regarding the following item:

2. Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr

C. City Manager/Executive Director

City Manager/Executive Director Starr welcomed Council Member/Director Martinez back.

D. Mayor/Chair — No comments (absent)

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

Mayor Pro Tem Raft stated she had no comments or reports.

1. Council Member Johnson made the following remarks:
 - (a) She complimented the **La Bufadora** food truck at recent Concert & Movie Series events and encouraged everyone to try the tacos, noting it is a relatively new Montclair business.
 - (b) She noted staff is working on a disaster preparedness pamphlet for residents, noting she hopes they will be ready to hand out at **National Night Out**.
2. Council Member/Director Ruh commented as follows:
 - (a) He noted he attended the Open House and Barbecue event hosted by **Assembly Member Rodriguez**.
 - (b) He noted the earthquake that occurred on the Fourth of July, while not felt by many in the area, terrified his dogs. He urged residents to check on their animals during earthquakes.
 - (c) He commemorated the 50th anniversary of the moon landing.
3. Council Member/Director Martinez commented as follows:
 - (a) She thanked everyone for their well wishes, flowers, and cards while she has been out ill.
 - (b) She stated she is very interested in seeing the Disaster Preparedness pamphlet, noting she called Council Member Johnson immediately after the earthquake hit on July 4th, and stated she hopes it will be ready to hand out during National Night Out.

F. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of July 1, 2019

The City Council received and filed the minutes of the Personnel Committee meeting of July 1, 2019, for informational purposes.

XI. CLOSED SESSION

At 8:10 p.m., the City Council went into closed session to discuss real property negotiations.

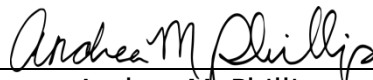
XII. CLOSED SESSION ANNOUNCEMENTS

At 8:25 p.m., the City Council returned from closed session. Mayor Pro Tem Raft announced that the City Council met in closed session related to real property negotiations; information was received and direction given to staff; and no further announcements would be made at this time.

XIII. ADJOURNMENT

At 8:25 p.m., Mayor Pro Tem/Vice Chair Raft adjourned the City Council, 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