

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, APRIL 6, 2020, AT 7:00 P.M. CONDUCTED REMOTELY PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDERS SUSPENDING CERTAIN ASPECTS OF THE BROWN ACT DURING THE COVID-19 STATE OF EMERGENCY AND MANDATING STAY-AT-HOME SAFETY PROTOCOLS

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I. CALL TO ORDER

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

II. INVOCATION

**Pastor Joe McTarsney, Calvary Montclair**, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Johnson led meeting participants in the Pledge.

IV. ROLL CALL

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

City Manager/Executive Director Starr; Director of Administrative Services and Human Resources Hamilton; Finance Manager Kulbeck; Public Works Director/City Engineer Castillo; Community Development Director Diaz; Deputy Director of Community and Economic Development Caldwell; Human Services Director Richter; City Attorney Robbins; City Clerk Phillips

V. PRESENTATIONS

A. **San Bernardino County COVID-19 Update by Fourth District Supervisor and Chair of the Board of Supervisors Curt Hagman**

**Supervisor Hagman** reported there have unfortunately been 13 deaths related to COVID-19 in San Bernardino County, and that the County is updating its dashboard in real time to see updates on the number of infections and deaths. He noted the current County Health Department's recommendation to wear a facial covering may become an order in the coming days. He advised the **Arrowhead Regional Medical Center** is opening a drive-through COVID-19 testing clinic starting on Thursday, April 9<sup>th</sup>, and those who wish to be tested need to be exhibiting symptoms and must call 855-422-8029 to make an appointment. He noted the **Board of Supervisors** is holding online live-streamed meetings. He provided an information hotline for those who need information on COVID-19 resources in the County: 909-387-3911.

B. **2020 Census Update by U.S. Census Bureau Local Partner Renay Mehta**

**Ms. Mehta** reported the City of Montclair so far has a 43.5 percent response rate to the Census, compared with 41.5 percent of the state response. She advised those who did not complete the online census questionnaire will be receiving a paper form between April 8<sup>th</sup>-15<sup>th</sup>.

C. **Proclamation Declaring April 2020 as Child Abuse Prevention Month in the City of Montclair**

Mayor Dutrey declared April 2020 as Child Abuse Prevention Month in the City of Montclair, and stated the proclamation will be mailed to the **Children's Network**.

**Ms. Hillary Steenson-Ray**, Community & Event Coordinator, **San**

**Bernardino County Children’s Network**, thanked Mayor Dutrey and the City Council for their continued partnership in this cause. She stated preventing child abuse is especially important in these uncertain times with children not in school, and advised anyone who suspects child neglect or abuse to call 2-1-1 to report.

## **VI. PUBLIC COMMENT**

A. **Mr. Benjamin Wood**, resident, strongly encouraged the City of Montclair to issue a city-level protective order for commercial and residential tenants in the City, noting Governor Newsom’s Executive Order issued on March 27 does not go far enough. He noted other cities are implementing additional measures such as:

- Moratorium on evictions for commercial tenants;
- Rent freeze (to ensure that rents are not increased during the time of the emergency);
- Prohibition of the charging or collecting of late rent fees;
- Establishing a time period in which tenants are able to repay back rent (the longer the better);
- The creation of an emergency stimulus fund for local businesses and tenants; and
- Including in the text of the order or ordinance that the order can be invoked as a defense in unlawful detainer court.

Mayor Dutrey requested City Attorney Robbins research the Governor’s executive orders related to evictions and compose a response advising the Council on what further actions could be taken that would not be adverse to the City.

## **VII. PUBLIC HEARINGS — None**

## **VIII. CONSENT CALENDAR**

City Attorney Robbins requested Item C-3 be approved subject to minor revisions by the City Attorney to the insurance terms of the contract.

Moved by Council Member/Director Ruh, seconded by Mayor Pro Tem/Vice Chair Raft, and carried unanimously by the following roll call vote for approval of the Consent Calendar, as presented, with the exception of Item C-3, which is approved subject to the City Attorney’s revisions:

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

### **A. Approval of Minutes**

#### **1. Regular Joint Meeting — March 16, 2020**

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 March 16, 2020 regular joint meeting.

### **B. Administrative Reports**

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

The City Council approved the City Warrant Register dated April 6, 2020, totaling \$2,422,756.14; and the Payroll Documentation dated March 1, 2020, amounting to \$635,579.39 gross, with \$444,719.10 net being the total cash disbursement.

**C. Agreements**

- 1. Approval of *Agreement No. 20-17* with Biggs Cardosa Associates, Inc., Amending *Agreement No. 19-10* for Construction Management Services Associated with the Central Avenue Street Rehabilitation Project Phase I**

The City Council approved of *Agreement No. 20-17* with Biggs Cardosa Associates, Inc., amending *Agreement No. 19-10* for construction management services associated with the Central Avenue Street Rehabilitation Project Phase I.

- 2. Approval of *Agreement No. 20-22* with the State of California Natural Resources Agency, Department of Parks and Recreation Accepting Statewide Park Development and Community Revitalization Program Grant Funds to Develop Reeder Ranch Park**

**Authorizing City Manager Edward C. Starr to Execute *Agreement No. 20-22* on Behalf of the City**

The City Council took the following actions:

- (a) Approved of *Agreement No. 20-22* with the State of California Natural Resources Agency, Department of Parks and Recreation accepting Statewide Park Development and Community Revitalization Program grant funds to develop Reeder Ranch Park.
  - (b) Authorized City Manager Edward C. Starr to execute *Agreement No. 20-22* on behalf of the City.
- 3. Approval of *Agreement No. 20-23* with Biggs Cardosa Associates, Inc., for Design Services Associated with the Central Avenue Bridge Project**

The City Council approved of *Agreement No. 20-23* with Biggs Cardosa Associates, Inc., for design services associated with the Central Avenue Bridge Project, subject to the City Attorney's revisions to the insurance terms of the contract.

**D. Resolutions — None**

**IX. PULLED CONSENT CALENDAR ITEMS — None**

**X. COUNCIL WORKSHOP**

**A. Vital City Services Protection Transactions and Use Tax**

Moved by Council Member Ruh and seconded by Council Member Johnson that the workshop be continued to an adjourned meeting to take place on Monday, April 20, 2020, at 5:45 p.m. via the ZOOM web meeting/teleconference platform (meeting access information will be provided on the posted agenda for the meeting).

The motion to schedule the workshop was carried by the following roll call vote:

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

**XI. COMMUNICATIONS**

**A. City Department Reports — None**

**B. City Attorney — None**

**C. City Manager/Executive Director**

**1. COVID-19 Update**

City Manager Starr reported a Montclair Firefighter who tested positive for COVID-19 is doing well recovering at home. He noted the rest of the crew on his shift are on a two-week quarantine, which ends this Wednesday, and so far none have exhibited symptoms.

He announced the San Bernardino County Department of Public Health is in discussions with the City and Montclair Place to open a drive-through testing facility at the mall. He noted appointments will be needed, and there would be an appointment verification point in the line to remove those without appointments.

He noted two homeless individuals from the Montclair community have been placed in temporary housing; however, the County has suspended the program at this time so it is uncertain whether more will be placed.

He stated this pandemic will have an extreme impact on local governments' tax revenues, noting the tax allocation payments will be delayed and will be at much reduced amounts than what was anticipated. He noted the financial loss to the local economy during the shut-down is estimated at \$70-\$130 million every four weeks, which represents a loss to the City of \$3 million per period in tax revenue.

He advised the City has issued an administrative directive for City employees to wear face coverings at work when in the vicinity of others or in shared areas, and has issued a similar guidance for Montclair businesses to adopt the same policies for their employees.

He reported the County has identified several nonessential businesses still in operation during the County's directive to close, and those that continue to operate will be subject to City and County citations.

He noted staff continues to update the COVID-19 page on the City's website with up-to-date information and resources.

He stated staff has been attending numerous webinars related to COVID-19 and will be participating in one hosted by CalPERS this week to discuss the pandemic's impact on the employer rate and unfunded liabilities.

He advised the City is developing a telework policy for those who can safely do their jobs from home.

He reported he is not aware of any other employees who are out with COVID-19 symptoms.

The City's Maintenance of Effort requirements for federal grants have been suspended during the pandemic.

Staff has learned that the *Coronavirus Aid, Relief, and Economic Security (CARES) Act* is being interpreted to apply to counties with populations of 500,000 or more, which means there is a chance the City could receive some federal aid.

The City will be applying for a \$48,000 special equipment assistance grant through the **Inland Counties Emergency Medical Agency (ICEMA)** for first responders.

This pandemic will have a significant impact on the City's upcoming 2020-21 annual budget process.

#### **D. Mayor/Chair**

Mayor/Chair Dutrey made the following comments:

1. He stated he is disappointed with the federal government passing the *CARES Act* without direct support to local governments with populations less than 500,000, noting local government services have the most direct impact on citizens

and can more easily be tailored to their communities' specific needs.

2. He reported that **Omnitrans** and **Metrolink** have scaled back their services due to the steep reduction in ridership during the pandemic orders.
3. He stated **San Bernardino County Transportation Authority (SBCTA)** has initiated a Memorandum of Understanding with **Assembly Member Chris Holden** regarding federal funding for the extension of the Gold Line to the **Ontario International Airport**.
4. He asked whether the City has checked up on its senior care facilities and senior housing projects to ensure the facilities are operating safely and appropriately.

City Manager Starr indicated the County has jurisdiction over regulating the operation of those facilities; however, Public Safety Administrative Services Supervisor Pipersky is the City's liaison with the County for that purpose and is in contact with them.

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

1. Council Member/Director Johnson encouraged everyone to continue protecting each other, both adults and children, adding children over the age of two should be wearing face masks when out in public.
2. Council Member/Director Ruh made the following comments:
  - (a) He stated he appreciates stores setting special hours for seniors, marking spaces on the floor for lines to promote social distancing, and other special measures being taken to keep the public safe. He stated retail clerks are front-line workers just like healthcare workers—both seen and unseen, like the custodians and maintenance workers keeping the hospitals sanitized and facilities operating.
  - (b) He stated **Southern California Gas Company** is providing grant assistance to customers based on financial hardship due to the COVID-19 pandemic, and initiated a Medical Baseline Allowance program that provides assistance for those who become ill or have serious medical conditions necessitating increased energy use.
  - (c) He announced the Prime Minister of New Zealand has just declared the **Easter Bunny** an essential worker and wished everyone an Easter of peace and joy.

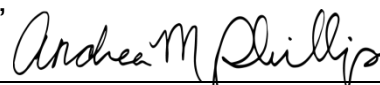
**F. Committee Meeting Minutes — None**

**XII. ADJOURNMENT**

At 8:05 p.m., Chair Dutrey adjourned the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board.

At 8:05 p.m., Mayor Dutrey adjourned the City Council to Monday, April 20, 2020, at 5:45 p.m. to a workshop on a proposed Vital City Services Protection Transaction and Use Tax.

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