

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, JULY 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 Chapel Montclair**, gave the invocation.

Mayor/Chair Dutrey requested a moment of silence for Montclair Police Officer **Andrew W. Farthing**, who was killed in the line of duty in 1961.

**III. PLEDGE OF ALLEGIANCE**

Council Member/Director Ruh 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; Senior Management Analyst Fuentes; 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 — None**

**VI. PUBLIC COMMENT**

**Ms. Cynthia Ayala** spoke as a representative of the **Los Portales** restaurant located on Central Avenue. She asked what the City is doing to assist small businesses so they can continue to operate in spite of the various restrictions put in place by the State.

Mayor Dutrey stated he is disappointed in the governor's recent order to ban indoor dining and stated City Manager Starr would report on the City's assistance to local businesses during his report later in the meeting.

**VII. PUBLIC HEARINGS — None**

**VIII. CONSENT CALENDAR**

Council Member Johnson stated she would like to remove Items C-2 and C-3 to recuse herself from voting.

Council Member Ruh commented relating to Item C-1 emphasizing the importance of the City's continuation of the Senior Nutrition Education Program during these challenging budgetary times, which shows the City's longstanding commitment to its senior citizens.

Moved by Council Member/Director Ruh, seconded by Mayor Pro Tem/Vice Chair Raft, and carried unanimously by the following roll call vote for removal of Items C-2 and C-3 and approval of the remainder of the Consent Calendar as presented:

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

**A. Approval of Minutes**

**1. Regular Joint Meeting — June 15, 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 June 15, 2020 regular joint meeting.

**2. Adjourned Regular Joint Meeting — June 23, 2020**

The City Council and Montclair Housing Corporation Board approved the minutes of the June 23, 2020 adjourned meeting.

**B. Administrative Reports**

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

The City Council approved Warrant Register dated July 6, 2020, totaling \$2,372,066.88; the Payroll Documentation dated May 24, 2020, amounting to \$594,810.34 gross, with \$415,240.98 net being the total cash disbursement; and the Payroll Documentation dated June 7, 2020, totaling \$686,884.15 gross, with \$473,422.74 net being the total cash disbursement.

**C. Agreements**

**1. Approval of *Agreement No. 20-46* with Nutrition Ink to Provide Nutrition-Education Services for the City’s Senior Citizen Nutrition Program**

The City Council approved *Agreement No. 20-46* with Nutrition Ink to provide nutrition-education services for the City’s Senior Citizen Nutrition Program.

**4. Approval of *Agreement No. 20-56* with the County of San Bernardino Related to Distribution of 2019 Justice Assistance Grant Program Award Funds**

**Authorizing City Manager Edward C. Starr to Sign Said Agreement**

The City Council took the following actions:

- (a) Approved *Agreement No. 20-56* with the County of San Bernardino related to distribution of 2019 Justice Assistance Grant Program Award funds.
- (b) Authorized City Manager Edward C. Starr to sign said Agreement.

**5. Approval of *Agreement No. 20-59* with Liebert Cassidy Whitmore for Participation in the East Inland Empire Employment Relations Consortium**

The City Council approved *Agreement No. 20-59* with Liebert Cassidy Whitmore for participation in the East Inland Empire Employment Relations Consortium.

**6. Approval of *Agreement No. 20-60* with Ontario-Montclair School District for Utilization of the Family Resource Center for Case Management Services and to Support Operating Costs of the Facility**

The City Council approved *Agreement No. 20-60* with Ontario-Montclair School District for utilization of the Family Resource Center for case management services and to support operating costs of the facility.

**7. Approval of *Agreement No. 20-62* with ServiceMaster 360 Premier Cleaning to Provide Custodial Services at the Family Resource Center**

The City Council approved *Agreement No. 20-62* with ServiceMaster 360 Premier Cleaning to provide custodial services at the Family Resource Center.

**8. Approval of Agreement No. 20-63 with AGA Engineers, Inc. Replacing and Superseding Agreement No. 19-42 with Albert Grover & Associates for Traffic Engineering Services**

The City Council approved *Agreement No. 20-63* with AGA Engineers, Inc. replacing and superseding *Agreement No. 19-42* with Albert Grover & Associates for traffic engineering services.

**IX. PULLED CONSENT CALENDAR ITEMS**

**C. Agreements**

**2. Approval of Agreement No. 20-48 with Ontario-Montclair School District to Support the Montclair After-School Program**

Mayor Dutrey asked if funding for the After-School Program was reduced due to a decrease in state funding.

City Manager stated the state has reduced its budget significantly and the City received \$700,000 less for after-school programs.

Mayor Dutrey asked if the state adopted the budget based on a deferment of revenue for the program, such as depending on whether the state receives stimulus funds.

City Manager advised it was not adopted with that caveat; however, the state could further reduce the funding if it does not receive federal stimulus funds.

Mayor Dutrey asked if there will be a need for after-school programs with the Ontario-Montclair School District (OMSD) going online in the fall.

City Manager Starr stated OMSD has planned for a hybrid approach with three options: in-class, online, or a combination of both. He noted while the state reduced funding due to an anticipated decline in demand, the City anticipates an increased demand due to the number of working parents needing the extra childcare in the afternoons.

Council Member Ruh concurred, noting many parents in this community do not have the option to work from home due to the nature of their work, such as retail and food service. He stated he is glad that the program will continue.

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft, and carried by a vote of 4-0-1 with Council Member Johnson recusing herself, the City Council approved *Agreement No. 20-48* with Ontario-Montclair School District to support the Montclair After-School Program.

**3. Approval of Agreement No. 20-49 with Ontario-Montclair School District to Support the Montclair After-School Summer Expanded Learning Program**

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft, and carried by a vote of 4-0-1 with Council Member Johnson recusing herself, the City Council approved *Agreement No. 20-49* with Ontario-Montclair School District to support the Montclair After-School Summer Expanded Learning Program.

**X. COUNCIL WORKSHOP**

**A. Presentation of Community Survey Results by Fairbank, Maslin, Maullin, Metz & Associates**

Moved by Mayor Pro Tem Raft, seconded by Council Member Ruh, and carried unanimously, the City Council continued this presentation to an adjourned meeting to take place remotely via ZOOM teleconference on Monday, July 20, 2020, at 5:45 p.m.

## XI. COMMUNICATIONS

### A. City Attorney — None

### B. City Manager/Executive Director

#### 1. COVID-19 Update

City Manager Starr advised the number of cases throughout the County and in the City have been increasing, with 15,345 active cases in the County and 337 in the City. He reported there are currently COVID-positive individuals residing in 246 locations within the City.

He reported the City has released outdoor dining guidance to assist restaurants to remain open during the current ban on indoor dining by the state. While the restriction is in place for three weeks, it could be extended. He advised the City is taking a cautious approach by delaying the opening of parks to discourage large public gatherings, and City Hall will remain closed to the public for in-person visits without appointments.

He noted the City has also provided guidance for the **Tiki Drive-In Theater** and swap meet to continue operation, as well as apartment and condo complexes with community pools. He noted the City also assists businesses to apply for County funding through its COVID-Compliant Business Program.

Senior Management Analyst Fuentes added that while still restricted by state laws and guidelines, the City has been providing extensive assistance to businesses by taking the following measures:

- Waiving permit fees for banners and tents;
- Allowing the operation of business activities on sidewalks adjacent to businesses and in their parking lot areas; and
- Suspending the permit program for yard sale signs; while still limiting yard sales to specified weekends of the year.

City Manager Starr advised the City is using as much flexibility as it can with issuing guidance and while some cities are choosing to allow businesses to ignore state laws, businesses are being adversely impacted by sanctions from the state such as the revocation of alcohol sale licenses and closure by state strike teams.

Mayor Dutrey encouraged businesses to contact the City to receive assistance and provide suggestions on ways the City can further help.

Council Member Ruh advised over 1,000 bars across the state were cited for noncompliance of COVID-19 safety protocols. He encouraged businesses to enforce these rules and refuse service to those who do not comply.

Council Member Johnson commended City Manager Starr and Senior Management Analyst Fuentes for their leadership with getting the guidelines out to businesses. She noted she continues to receive calls at the Chamber from businesses seeking guidance.

Mayor Dutrey advised the current emergency action in place authorizes the City to issue fines for not wearing face coverings in public. He emphasized the importance of wearing masks, keeping distance from others, washing your hands, and getting tested often. He stated face masks are not about impeding freedom, but protecting the public's freedom to stay healthy.

**C. Mayor/Chair**

Mayor/Chair Dutrey made the following comments:

1. He stated fireworks were a huge issue this year throughout southern California. He commended the Police Department and Code Enforcement for doing additional patrols.
2. He asked if Central Avenue is on schedule for completion by the end of July.  
Public Works Director/City Engineer Castillo stated it is on schedule, but striping would be done in August.
3. He commended the Police Department for its ongoing work investigating the shootout involving Pomona Police Department that occurred on Monte Vista Avenue after a high-speed pursuit of a murder suspect on the I-10 freeway.

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

1. Council Member/Director Johnson congratulated the winners of the Fourth of July sidewalk chalk art contest.
2. Council Member/Director Ruh made the following comments:
  - (a) He stated the use of illegal fireworks was the worst he's ever seen this year. He noted an Ontario man had his hand amputated while handling illegal fireworks. He thanked the Fire and Police Departments.
  - (b) He stated that Montclair has 81.1 cases per 10,000 residents, and 1.48 deaths per 10,000 residents. He emphasized the importance of wearing masks and following safety protocols, and stated he is disappointed in the lack of leadership on this issue at the County level. He stated businesses need to understand that their employees are their most valuable asset and need to be protected from the virus.
3. Mayor Pro Tem/Vice Chair Raft shared her frustrations with the number of fireworks that disturbed the peace in her neighborhood this year.

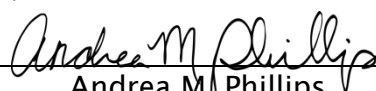
Executive Director of Public Safety/Police Chief Avels reported on the City's response to this year's firework problem, noting it was a very difficult task to curb the illegal activity. He noted a new advisory program was put in place which helped and resulted in the confiscation of several illegal fireworks, and more citations being issued than previous years. He stated next year he hopes a task force can begin to plan earlier to make a greater impact on the illegal sales of fireworks. He thanked the community for providing tips that led to those setting off the fireworks.

**E. Committee Meeting Minutes — None**

**XII. ADJOURNMENT**

At 8:03 p.m., Mayor/Chair Dutrey adjourned the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, 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,

  
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Andrea M. Phillips  
City Clerk