

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, AUGUST 17, 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

I. CALL TO ORDER

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

II. INVOCATION

The invocation was led by **Pastor Josh Matlock, Bethany Baptist Church.**

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem/Vice Chair Raft led meeting participants 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 Manager Kulbeck; Public Works Director/City Engineer Castillo; Community Development Director Diaz; Deputy Director of Community and Economic Development Caldwell; Human Services Director Richter; Senior Management Analyst Fuentes; City Attorney Robbins; City Clerk Phillips

Absent: Council Member Martinez (excused)

V. PRESENTATIONS — None

VI. PUBLIC COMMENT

- A. **Mr. Bruce Culp**, resident, spoke in support of the prospective San Antonio Creek Trail project, noting while the project is still in its early stages of receiving funding, it is a step in the right direction. He expressed concern that residents will not know where to drop off their ballots for this election with the uncertainties surrounding the challenges currently being faced by the **U.S. Postal Service**. He stated he hopes that the City will place a local moratorium on evictions with the state's moratorium ending in September.

VII. PUBLIC HEARINGS

- A. **Second Reading — Consider Adoption of Ordinance No. 20-989 Adding Chapter 3.31 to Title 3 of the Montclair Municipal Code Related to Imposing a General Transactions and Use Tax to be Administered by the California Department of Tax and Fee Administration (Subject to Final Approval by the Voters at the Tuesday, November 3, 2020 General Municipal Election)**

Mayor Dutrey declared it the time and place set for public hearing related to Ordinance No. 20-989 and invited comments from the public.

There being no one 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 Ruh, seconded by Mayor Pro Tem Raft, and carried that Ordinance No. 20-989, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADDING CHAPTER 3.31 TO TITLE 3 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO IMPOSING A GENERAL TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION (SUBJECT TO FINAL APPROVAL BY THE VOTERS AT THE TUESDAY, NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION)," was read by number and title only and was adopted by the following roll call vote:

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

VIII. CONSENT CALENDAR

Moved by Council Member/Director Johnson, seconded by Council Member/Director Ruh, and carried unanimously 4-0 by the following roll call vote for approval of the Consent Calendar as presented:

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

A. Approval of Minutes

1. Regular Joint Meeting — August 3, 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 August 3, 2020 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 July 31, 2020.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated August 17, 2020, totaling \$871,183.73; and the Payroll Documentation dated July 19, 2020, amounting to \$589,492.41 gross, with \$403,541.08 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 July 31, 2020.

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 07.01.20-07.31.20 in the amounts of \$4,224.42 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 July 31, 2020.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 07.01.20-07.31.20 in the amount of \$28,864.13.

7. Receiving and Filing of MHA Treasurer's Report

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending July 31, 2020.

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 07.01.20-07.31.20 in the amount of \$0.00.

9. Declaring a 1991 Chevrolet 3500 Rescue Squad Fire Vehicle as Surplus and Available for Parts or Sale at Auction

The City Council declared a 1991 Chevrolet 3500 rescue squad fire vehicle as surplus and available for parts or sale at auction.

C. Agreements

1. Award of Contract to Gentry Brothers, Inc., in the Amount of \$886,393.28 for Construction of the Holt Boulevard Pavement Rehabilitation Project

Approval of Agreement No. 20-70 with Gentry Brothers, Inc., for Construction of the Holt Boulevard Pavement Rehabilitation Project

Authorizing an Additional \$430,000 Appropriation from SB1 Proceeds Including a \$90,000 Construction Contingency for Costs Related to Construction of the Holt Boulevard Pavement Rehabilitation Project

The City Council took the following actions in relation to the Holt Boulevard Pavement Rehabilitation Project:

- (a) Awarded a contract to Gentry Brothers, Inc., in the amount of \$886,393.28 for construction of the Project.
- (b) Approved *Agreement No. 20-70* with Gentry Brothers, Inc., for construction of the Project.
- (c) Authorized an additional \$430,000 appropriation from SB1 proceeds including a \$90,000 construction contingency for costs related to construction of the Project.

2. Approval of Agreement No. 20-71, a Memorandum of Understanding Between Municipal Agencies and Water Service Providers Within the Inland Empire Utility Agency Service Area to Pursue Joint Efforts of Mutual Interest and Benefit Related to Regional Water Policy Matters

The City Council approved *Agreement No. 20-71*, a Memorandum of Understanding between municipal agencies and water service providers within the Inland Empire Utility Agency service area to pursue joint efforts of mutual interest and benefit related to regional water policy matters.

D. Resolutions

1. Acceptance of the Caltrans Sustainable Transportation Planning Grant in the Amount of \$177,945 for the San Antonio Creek Trail Multimodal Connectivity Plan

Adoption of Resolution No. 20-3284 Authorizing the City Manager to Execute Agreements with Caltrans for the San Antonio Creek Trail Multimodal Connectivity Plan

The City Council took the following actions:

- (a) Accepted the Caltrans sustainable transportation planning grant in the amount of \$177,945 for the San Antonio Creek Trail Multimodal Connectivity Plan.
- (b) Adopted Resolution No. 20-3284 authorizing the City Manager to execute agreements with Caltrans for the San Antonio Creek Trail Multimodal Connectivity Plan.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. COUNCIL WORKSHOP

A. Discussion of Audit Responsibilities and Process with Governing Board of the City (Audit Committee) by Van Lant & Fankhanel, LLP, the City's Independent Auditing Firm

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft, and carried unanimously 4-0 by the following roll call vote, the City Council continued this presentation to an adjourned meeting to take place remotely via ZOOM teleconference on Tuesday, September 8, 2020, at 5:45 p.m.:

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

XI. COMMUNICATIONS

A. Department Reports — None

B. City Attorney — None

C. City Manager/Executive Director

1. COVID-19 Update

City Manager Starr reported San Bernardino County has a total of 41,564 active COVID-19 cases recorded, with 915 confirmed cases in Montclair. He advised there have been 568 deaths countywide, with 11 in Montclair. He reported the testing has improved with results as quickly as 24 hours.

City Manager Starr advised the City has launched a City to Business program to provide education to local businesses of state guidance and safety protocols. He noted businesses that are not in compliance with the state's requirements can be reported by the public to the state, which will send a strike team that may revoke the business's permits and licenses or shut down the business.

D. Mayor/Chair

Mayor Dutrey made the following comments:

1. He noted there is now a 14.3% 7-day average positivity rate, with the state target being 8% or lower.
2. He asked whether the **Montclair Little League** can practice at Saratoga Parks at this time, noting the state recently changed its guidance for outdoor youth activities.

City Manager Starr advised guidance from the state still restricts outdoor activities that do not allow for social distancing of 6 feet, which includes sports such as baseball. He noted, however, that conditioning and training for youth sports may still take place as long as they adhere to the state guidance, so the little leagues can still hold practice if conducted appropriately.

3. He stated his appreciation for staff's efforts reaching out to the business community regarding compliance with state guidance, providing assistance with applying for the County's business partnership program, and working with restaurants to facilitate outdoor dining.
4. In reference to **Mr. Culp's** comments, Mayor Dutrey made the following remarks:
 - (a) *Evictions* – He noted the state legislature is proposing bills dealing with moratoriums and payment of back-rent, and advised the state is better equipped to handle the legal issues related to rentals and mortgages.

City Manager Starr added Congress is also contemplating eviction moratoriums with the next CARES Act bill.

- (b) *Mail Ballot Drop-Off* – He noted the City typically serves as a drop-off location for mail-in ballots, and the County will also be utilizing vote centers. He noted in past years, the City’s library has also served as an early voting site.

City Manager Starr advised this year, the City is offering the Community Center for the County to utilize as a vote center, and will have two secure County ballot drop boxes installed—one in the Civic Center parking lot and the other at the Police Department.

- 5. He noted he attended a virtual meeting with other California mayors last week and received information from **Los Angeles Mayor Eric Garcetti** regarding negotiations with Congress on the next contemplated stimulus bill. He noted that, while the House proposal included \$3 trillion in assistance for local governments, the Senate proposal only includes \$1 trillion. He stated his frustration with state and federal leaders for not allowing cities to take care of their businesses and residents in these dire economic times.
- 6. He recognized staff for completion of the Central Avenue Rehabilitation Project, noting the street looks great.
- 7. He announced **Montclair Place** has just debuted its new theater building’s lighting display this past Friday and encouraged everyone to drive by to see it.
- 8. He noted the City Council will consider adopting the Montclair Place Specific Plan and a General Plan Update at an upcoming meeting in September, and stated his preference to hold that meeting in-person in the Senior Center. Mayor Pro Tem Raft and Council Members Ruh and Johnson concurred.
- 9. He noted the **U.S. Census** is ongoing and encouraged those who have not completed theirs to do so online. He noted there is a 68% self-response rate in Montclair, which is higher than both the 61.8% County average and the 65.5% state average.

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

- 1. Council Member/Director Johnson commended staff for putting together and distributing comprehensive COVID compliance packets for businesses. She noted that she posted the City-provided mask sign at the **Chamber of Commerce** office, and has noticed a significant improvement with visitors complying without having to be asked.
- 2. Council Member/Director Ruh made the following comments:
 - (a) He stated he feels staff is doing a good job with the business community, noting it is important that people and businesses follow the rules.
 - (b) He noted that while he has heard complaints from parents and students that their school is being done virtually, he feels it is important to protect the safety of everyone and continue to not hold in-person instruction.
 - (c) He expressed his appreciation for fire suppression staff during this fire season.
 - (d) He advised the City of Azusa and several other Los Angeles County cities have been offering a \$10,000 grant to businesses that did not receive federal aid, and stated he hopes San Bernardino County is working on something to be supportive of businesses in this way.

- (e) He recognized last Friday as the 75th anniversary of the end of World War Two.
- 3. Mayor Pro Tem/Vice Chair Raft stated she appreciates staff's work on the business packets, noting she took two to distribute herself.

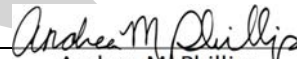
F. Committee Meeting Minutes — None

XII. ADJOURNMENT

At 7:51 p.m., Chair Dutrey adjourned the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board.

At 7:51 p.m., Mayor Dutrey adjourned the City Council to Tuesday, September 8, 2020, at 5:45 p.m. for a Council Workshop to discuss audit responsibilities and process by Van Lant & Fankhanel, LLP, the City's independent auditing firm.

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

PENDING APPROVAL