

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 19, 2021 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 Pro Tem/Vice Chair Ruh called the meeting to order at 7:00 p.m.

II. INVOCATION

The invocation was provided by **Elder Ray Ramirez, Montclair Christian Church.**

III. PLEDGE OF ALLEGIANCE

Council Member Lopez led meeting participants in the Pledge.

IV. ROLL CALL

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

City Manager/Executive Director Starr; Director of Administrative Services and Human Resources Hamilton; Senior Management Analyst Fuentes; Executive Director of Public Safety/Police Chief Avels; City Attorney Robbins; City Clerk Phillips

Absent: Mayor/Chair Dutrey (Excused)

V. PRESENTATIONS

A. **Proclamation Declaring April 2021 as Child Abuse Prevention Month in the City of Montclair**

Mayor Pro Tem Ruh stated a proclamation declaring April 2021 as Child Abuse Prevention Month in the City of Montclair was mailed to the **Children's Network of San Bernardino County.**

**Ms. Doreen Ivery**, Mentoring Resource Specialist for the **Children's Network**, thanked Mayor Pro Tem Ruh and the City Council for its partnership and discussed the importance of reporting child abuse by dialing 2-1-1.

Council Member Lopez shared that he was a victim of child abuse and expressed his appreciation for the agency's work.

VI. PUBLIC COMMENT

A. **Ms. Jennifer Menjivar-Shaw**, Government Relations Manager at **Southern California Edison**, advised that **Edison** will be replacing 691 street light poles throughout the City, and expects the project to take place between May 3rd and June 11th. She noted homes near street lights being replaced would be notified a week in advance using door hanger notices.

B. **Mr. Ruben Solis**, resident, requested a change to the street sweeping schedule on his street due to parking issues, or that he be allowed to construct a driveway on his property similar to what a couple of his neighbors have, noting he was recently denied a permit to construct one by the City.

C. **Mr. Bruce Culp**, resident, stated he supports the City's effort to quickly replace the bridge along the Pacific Electric Trail, and requested updates on the cannabis ordinances and funding for the Gold Line extension to Montclair.

## VII. PUBLIC HEARINGS

### A. **Second Reading — Consider Ordinance No. 21-995 Amending Section 8.36.090 of the Montclair Municipal Code to Eliminate Commercial Truck Parking on Brooks Street and Palo Verde Street**

Council Member Lopez stated he feels it is appropriate to end the commercial truck parking program, noting his understanding staff has provided several alternative locations in and around the community for commercial truck parking to **Mr. Tom Squyres**, the resident who has greatly benefitted from the parking program.

Council Member Ruh stated he does not want to punish truck drivers who are essential to the health of the economy, and asked if staff had any further contact with **Mr. Squyres** about his parking issues, recalling **Mr. Squyres** had stated during the Public Works Committee meeting that he had ideas for possible solutions that he would provide to staff.

Public Works Director/City Engineer Castillo stated since that meeting, **Mr. Squyres** only reached out to request another copy of the list of locations to park his truck and has not provided any additional information or suggestions to staff.

Mayor Pro Tem Ruh declared it the time and place for a public hearing related to Ordinance No. 21-995 and invited members of the audience to provide comments.

**Mr. Culp** suggested truck drivers could park in the **Montclair Transcenter** if allowed by **Caltrans**, and use the connected bus services or ride-share apps to get back home.

There being no one else in the audience wishing to speak and no written comments submitted in relation to this item, Mayor Pro Tem Ruh closed the public hearing and returned the matter to the City Council for consideration.

Moved by Council Member Lopez, seconded by Council Member Johnson, and carried that Ordinance No. 21-995 be read by number and title only, further reading be waived, and that the City Council adopt Ordinance No. 21-995.

Ordinance No. 21-995 was adopted 4-0 by the following roll call vote:

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

## VIII. CONSENT CALENDAR

Moved by Council Member/Director Johnson, seconded by Council Member/Director Lopez, and carried unanimously 4-0 by roll call vote (Dutrey absent), the City Council approved the Consent Calendar as presented with a public comment on Item D-2:

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

#### 1. **Regular Joint Meeting — April 5, 2021**

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 April 5, 2021 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 March 31, 2021.

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

The City Council approved the City Warrant Register dated April 19, 2021, totaling \$815,004.31; and the Payroll Documentation dated March 14, 2021, amounting to \$597,894.02 gross, with \$415,249.67 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 March 31, 2021.

**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 03.01.21-03.31.21 in the amounts of \$13,270.07 for the Combined Operating Fund and \$2,433,678.00 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 March 31, 2021.

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 03.01.21-03.31.21 in the amount of \$26,673.41.

**7. Receiving and Filing of MHA Treasurer's Report**

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending March 31, 2021.

**8. Approval of MHA Warrant Register**

The MHA Commissioners approved the MHA Warrant Register dated 03.01.21-02.31.21 in the amount of \$0.00.

**9. Receiving and Filing Annual Independent Audit Reports for the City of Montclair and the Successor Agency to the City of Montclair Redevelopment Agency**

The City Council acting as successor to the Redevelopment Agency Board received and filed annual independent audit reports for the City of Montclair and the Successor Agency to the City of Montclair Redevelopment Agency.

**C. Agreements**

**1. Approval of Agreement No. 21-20, Amendment No. 1 to Agreement No. 19-47 with the San Bernardino County Department of Aging and Adult Services to Provide Additional Funding to Support the Elderly Nutrition Program**

The City Council approve *Agreement No. 21-20, Amendment No. 1 to Agreement No. 19-47* with the San Bernardino County Department of Aging and Adult Services to provide additional funding to support the elderly nutrition program.

**D. Resolutions**

**1. Adoption of Resolution No. 21-3307 Declaring the Need for Emergency Contracting Procedures for the Pacific Electric Trail Bridge Replacement Project**

**Amending the Fiscal Year 2019-2024 Capital Improvement Program, Adding the Pacific Electric Trail Bridge Replacement Project**

**Authorizing a \$500,000 Appropriation from the General Fund Reserve for the Cost Related to the Pacific Electric Trail**

## **Bridge Replacement Project**

### **Authorizing the City Manager to Execute Any Necessary Agreements in Relation to the Pacific Electric Trail Bridge Replacement Project**

The City Council took the following actions:

- (a) Adopted Resolution No. 21-3307 declaring the need for emergency contracting procedures for the Pacific Electric Trail Bridge Replacement Project.
  - (b) Amended the Fiscal Year 2019-2024 Capital Improvement Program, adding the Pacific Electric Trail Bridge Replacement Project
  - (c) Authorized a \$500,000 appropriation from the General Fund Reserve for the cost related to the Pacific Electric Trail Bridge Replacement Project.
  - (d) Authorized the City Manager to execute any necessary agreements in relation to the Pacific Electric Trail Bridge Replacement Project.
2. **Adoption of Resolution No. 21-3308 Opposing Senate Bill 9 (Atkins) – Housing Development: Approvals**

**Mrs. Carolyn Raft**, resident and former Council Member, stated she is glad to see the City is opposing SB 9 and feels the City needs to retain local control over decisions about adding new dwelling units to residential properties and maintain requirements to add parking.

The City Council adopted Resolution No. 21-3308 opposing Senate Bill 9 (Atkins) – Housing Development: Approvals.

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

## **X. COUNCIL WORKSHOP**

### **A. Presentation on Potential Pension and Infrastructure Bonds**

The City Council continued the item to an adjourned meeting to be held on Tuesday, April 20, 2021, at 6:00 p.m.

## **XI. COMMUNICATIONS**

### **A. Department Reports — None**

### **B. City Attorney — None**

### **C. City Manager/Executive Director**

City Manager Starr advised the schedule to reintroduce the cannabis ordinances was delayed due to the pandemic redirecting staff's attention to more urgent matters. He noted the ordinances need to be updated to accommodate changes to state law and to take other cities' experiences into account. He stated staff anticipates bringing the ordinances back to the Council in the fall of this year.

City Manager Starr reported the current funding challenges facing the Gold Line, noting staff is working with Congresswoman Norma Torres and its federal legislative advocate to secure federal funding from President Biden's proposed \$2 trillion infrastructure bill. He added staff is also attempting to overcome the hurdle of convincing the **Los Angeles Metropolitan Transportation Authority (LA Metro)** to allow the **Foothill Gold Line Extension Phase 2B Construction Authority** to apply for federal funding. In addition, should the project become federalized, staff is working with federal representatives to pass legislation that would exempt this and other transportation projects from the federal environmental review process if they have already undergone the state's process.

City Manager Starr stated the **Pacific Electric Trail** bridge replacement project approved under consent was an emergency item

and using a prefabricated metal bridge should eliminate any future threat of fire damage to the structure. He advised the process of replacement may require an environmental review and approval of other construction and engineering contracts to ensure proper foundations are installed prior to placement of the new bridge, which can now be expedited through administrative approvals.

**D. Mayor/Chair — Absent**

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

1. Mayor Pro Tem/Vice Chair Ruh made the following comments:

- (a) He announced there are two vacancies on the Planning Commission and three vacancies on the Community Activities Commission, and encouraged residents to apply at [www.cityofmontclair.org](http://www.cityofmontclair.org) by the deadline at 5:30 p.m. on May 4, 2021.
- (b) He urged all who are eligible to make appointments to get vaccinated.

City Manager Starr advised the COVID-19 testing site at the **Montclair Transcenter** will be moving to the upper level of **Montclair Place** starting April 26th, and will be occurring on Mondays, Wednesdays, and Fridays, while vaccinations will be occurring in the same location on Tuesdays and Thursdays.

- (c) He reported the passings and wished condolences to the families of the following individuals:
  - **Mrs. Hollis Judkins**, a former Community Activities Commissioner and valued member of the community.
  - **Ms. Crystal Martinez**, a recent **Montclair High School** graduate who was killed in a car accident last week.
  - **Mrs. Prudence Corbo**, who has been active in the community as a parishioner of Our Lady of Lourdes Church since 1959, and embodied love for the community.
  - **Mr. Donald Farrington** who served as a Montclair Police Officer in the 60s and 70s and went on to serve the City of Napa. **Mr. Farrington** retired to Arizona, where he passed away.
  - The grandson of **Mrs. Carolyn Anderson**, City of Upland Planning Commissioner, who died in a motorcycle accident.
  - Former Vice President **Walter Mondale**, who served as VP from 1977 to 1981, a US Senator for the state of Minnesota, and ambassador to Japan under the **Clinton Administration**.
- (d) He wished a Happy Birthday to Montclair resident **Joe Baltierra**, who turns 90 tomorrow.

2. Council Member/Director Lopez made the following comments:

- (a) He provided updates to freeway construction including the closure of both on- and off-ramps at Euclid Avenue Tuesday evening through Wednesday morning from 10:30 p.m. to 5:00 a.m., and the overnight closure of Monte Vista Avenue below the I-10 freeway, with dates for the closure to be announced.
- (b) He requested the City Council consider taking a position against SB 210 at an upcoming meeting, noting the law would require law enforcement agencies to destroy data obtained through automated license plate readers that

does not match a hot list after 24 hours. He noted most police investigations take longer than 24 hours and this law would greatly undermine police investigations.

- (c) He requested an examination of the City's current anti-firework ordinances and potential consideration of increased fines as a result of the recent firework explosion at a residence in Ontario that killed two people and damaged or destroyed several surrounding homes.
  - (d) He recognized the City's Police Dispatchers in honor of National Dispatchers Day, which was last week.
  - (e) He advised he discussed recent concerns brought to him by residents regarding crime-related activities and is pleased with staff's responsiveness to the issues.
3. Council Member/Director Johnson made the following comments:
- (a) She stated she read an article that stated the City is to receive \$7 million in COVID-19 stimulus money from the federal government and asked if that information is correct.  
  
City Manager Starr stated it is correct, and the City should be receiving the money in two separate allocations over two years. He advised use of the money is restricted to very specific COVID-related purposes that cannot replace revenues or contribute to pension funding. He noted cities are waiting for spending guidelines from the Department of the Treasury, and will have until December of 2025 to use the funds.
  - (b) She urged residents to be careful when driving with children returning to school, and to be safe when walking and always use crosswalks.
  - (c) She echoed the request for the community to get vaccinated, adding there will be a vaccination event held at **Alma Hofman Park** on Saturday, April 24th from 10:00 a.m. to 2:00 p.m., appointments for the event will be available through <http://www.myturn.ca.gov> starting Thursday.
  - (d) She encouraged those who go to **Montclair Place** to get tested or vaccinated to shop at the mall after.
  - (e) She commended staff for placing a homeless family in Montclair in temporary housing and for securing a four-bedroom mobile home for the family to move into through a partnership between the City, **Metro Honda**, **Christian Development Center**, and **Bethany Baptist Church**.

#### F. Committee Meeting Minutes

##### 1. Minutes of Public Works Committee Meeting of September 17, 2020

The City Council received and filed the minutes of the Public Works Committee meeting of September 17, 2020, for informational purposes.

##### 2. Minutes of Public Works Committee Meeting of February 18, 2021

The City Council received and filed the minutes of the Public Works Committee meeting of February 18, 2021, for informational purposes.

##### 3. Minutes of Personnel Committee Meeting of April 5, 2021

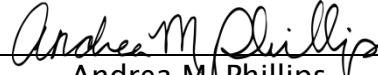
The City Council received and filed the minutes of the Personnel Committee meeting of April 5, 2021, for informational purposes.

**XII. ADJOURNMENT**

At 8:13 p.m., Vice Chair Ruh adjourned Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board.

At 8:13 p.m., Mayor Pro Tem Ruh adjourned the City Council to Tuesday, April 20, 2021, at 6:00 p.m. for a presentation on potential pension and infrastructure bonds.

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