

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, MAY 17, 2021 AT 7:02 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor/Chair Dutrey called the meeting to order at 7:02 p.m.

II. INVOCATION

The invocation was provided by **Pastor Donald Rucker, Christian Development Center.**

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 Ruh; Council Members/Directors Johnson, Martinez, and Lopez

Acting City Manager/Executive Director Richter; Acting Deputy City Manager Fuentes; Executive Director of Public Safety/Police Chief Avels; City Attorney Robbins; City Clerk Phillips

V. PRESENTATIONS

A. COVID-19 Community Recognition Award

Mayor Dutrey announced tonight's award recipients are **Pastors Donald** and **Ethel Rucker**, who were nominated by Senior Code Enforcement Supervisor Fondario. He noted the **Ruckers** used to be Montclair residents and a few years ago they opened the **Christian Development Center** in Montclair, where they host a food bank and provide counseling services and shelter assistance to the homeless. He thanked the **Ruckers** for their dedication to the Montclair community and presented them with a COVID-19 Community Recognition Award Certificate and City pins.

VI. PUBLIC COMMENT

A. **Mr. Thuan Nguyen**, resident, shared his personal experience of being called derogatory names for being gay while attending **Montclair High School**, and urged the City Council to stand in solidarity with the LGBTQ community of Montclair by declaring June as LGBTQ Pride Month with a proclamation at its next meeting and lighting up the windows of the Council Chambers in rainbow colors for the duration of the month.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

Council Member Lopez requested Item C-2 be pulled from Consent.

Moved by Council Member/Director Johnson, seconded by Mayor Pro Tem/Vice Chair Ruh, and carried unanimously 5-0, the City Council approved the remainder of the Consent Calendar as presented:

A. Approval of Minutes

1. Regular Joint Meeting — May 3, 2021

The City Council; Successor Agency, Montclair Housing Corporation, and Montclair Community Foundation Boards of Directors; and the Montclair Housing Authority Commissioners, approved the minutes of the May 3, 2021 regular joint meeting by a 4-0-1 vote, with Mayor/Chair Dutrey abstaining.

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 April 30, 2021.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated May 17, 2021, totaling \$772,701.36; and the Payroll Documentation dated April 11, 2021, amounting to \$653,561.56 gross, with \$451,520.92 net being the total cash disbursement; and April 25, 2021 amounting to \$579,827.75 gross, with \$400,661.44 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 April 30, 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 04.01.21-04.30.21 in the amounts of \$17,402.15 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 April 30, 2021.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 04.01.21-04.30.21 in the amount of \$100,160.84.

7. Receiving and Filing of MHA Treasurer's Report

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending April 30, 2021.

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 04.01.21-04.30.21 in the amount of \$0.00.

9. Receiving and Filing a Status Report on Emergency Contracting Procedures for the Pacific Electric Trail Bridge Replacement Project and Determining There is a Need to Continue the Action

The City Council received and filed a status report on emergency contracting procedures for the Pacific Electric Trail Bridge Replacement Project and determined there is a need to continue the action.

10. Authorizing a \$30,000 Appropriation from the General Fund Contingency Fund to Cover Increased Costs Related to the Conduct of the November 3, 2020 General Municipal Election

The City Council authorized a \$30,000 appropriation from the General Fund Contingency Fund to cover increased costs related to the conduct of the November 3, 2020 General Municipal Election.

C. Agreements

1. Approval of *Agreement No. 21-21* with the County of San Bernardino for Equipment Maintenance and Access to the County's Emergency Radio Communications System

The City Council approved *Agreement No. 21-21* with the County of San Bernardino for equipment maintenance and access to the County's emergency radio communications system.

D. Resolutions

1. Adoption of Resolution No. 21-3313 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service

The City Council adopted Resolution No. 21-3313 adjusting the equivalent dwelling unit monthly fee for sewer service.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

2. Approval of *Agreement No. 21-25* with LEFTA Systems for Specialized Comprehensive Law Enforcement Application Software

Authorizing a \$6,600 Appropriation from the State Asset Forfeiture Fund to Pay the Costs Associated with *Agreement No. 21-25*

Council Member Lopez stated this reporting amounts to a state mandate and as a result, the City is having to spend this money for a new system.

Moved by Council Member Lopez, seconded by Mayor Pro Tem Ruh, and carried unanimously 5-0, the City Council took the following actions:

- (a) Approved *Agreement No. 21-25* with LEFTA Systems for specialized comprehensive law enforcement application software.
- (b) Authorized a \$6,600 appropriation from the State Asset Forfeiture Fund to pay the costs associated with *Agreement No. 21-25*.

X. COMMUNICATIONS

A. Department Reports — None

B. City Attorney — None

C. City Manager/Executive Director

Acting City Manager Richter advised that although the CDC issued guidance that vaccinated individuals no longer need to wear masks indoors, the City continues to follow state and local mandates related to the wearing of masks, in addition to CalOSHA's standards for workplace practices.

Acting Deputy City Manager Fuentes stated the City will continue to have its mask mandate in effect, and the state has stated that on June 15th it will issue further guidance related to the mask mandate. He also noted CalOSHA's current emergency standards related to the pandemic are set to expire on October 2nd and they will be holding a meeting this week to likely renew those regulations. Further, he noted SB 1159 (Hill) that was recently passed holds that employers must maintain the mask mandate and that there is an assumption that all employees who contract COVID-19 were infected on the job for workers' compensation purposes.

Acting Deputy City Manager Fuentes advised the Skate Park reopened last week and basketball hoops in the park have been reattached.

Mayor Dutrey requested the City Council have a discussion item on the agenda for the City's mask mandate at the June 21st meeting.

D. Mayor/Chair

1. Mayor Dutrey advised a CAC Panel meeting has been scheduled to interview Community Activities Commission candidates on May 24th, and a PC Panel has yet to be scheduled to interview candidates for the Planning Commission, but it will be scheduled for early June.
2. Mayor/Chair Dutrey made the following comments:
 - (a) He reported over 50 percent of the adult population in Montclair has been vaccinated with at least one vaccine dose, which exceeds the County's average.
 - (b) He noted he went on a tour hosted by the **Gold Line Foothill Extension Construction Authority** of the Glendora station, and had an opportunity to discuss the funding shortfall with some of the members and other project stakeholders. He stated there is a great deal of support to continue construction of the **Gold Line** to Montclair among the legislators in the San Gabriel Valley and they have sent a project coalition letter to the **Senate Budget Committee** for the **Gold Line** segment to Montclair. He noted with the state's recent announcement of a surplus, there is a good chance the project may be able to get some state money, and **Congresswoman Torres** continues to advocate to get funding for the project on the federal front.
 - (c) He advised **Montclair High School** will be holding an in-person graduation this Wednesday with two ceremonies taking place at 3:30 p.m. and 7:00 p.m. He advised he would be attending the afternoon session, and Council Members Johnson and Martinez would attend the evening session to present the proclamation to the graduating class.
 - (d) He stated on Wednesday the City will also be hosting its Volunteer Recognition Ceremony at 7:00 p.m. which he will attend.
 - (e) He announced in lieu of the annual Memorial Day Event, the City is producing a video to honor those who sacrificed their lives for our country.
 - (f) He stated the **Vedic Temple** in Montclair held an event over the weekend to pray for India during its struggles with the current surge of COVID-19 cases in the country, noting Mayor Pro Tem Ruh participated in the event.
 - (g) He reported he went on a tour of a sewer treatment facility hosted by the **Inland Empire Utilities Agency**.
 - (h) He advised City Manager Starr is doing well in recovery from surgery.
 - (i) He encouraged everyone to come early to the next Council Meeting on June 7th, noting a new **Omnitrans** electric bus will be parked in front of the Council Chambers at 6:30 p.m.

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

1. Council Member/Director Martinez made the following comments:
 - (a) She thanked the **Ruckers** for their dedication to the community, noting she enjoys and appreciates **Ethel's** enthusiasm and ability to get things done when starting a new charitable endeavor.
 - (b) She thanked **Mr. Nguyen** for sharing his traumatic experience and for his willingness to help the City become a better place for everyone.
 - (c) She congratulated **Montclair High School** students on their graduation, and acknowledged the seniors had the hardest year while also having to miss out on things like prom and being with their friends during their senior year.
 - (d) She stated her family visited the vaccination site at **Montclair Place** and were very impressed with the location's organization and cleanliness, and with the professionalism of the staff.
2. Council Member/Director Johnson made the following comments:
 - (a) She reported seeing Public Works staff cleaning out the sewers near her home and when speaking to them learned that because of this kind of regular maintenance, residents don't have to worry about sewage backflow, rats, or cockroaches coming up through their toilets.
 - (b) She announced the **Chamber of Commerce** is hosting an e-waste event this Saturday and Sunday and encouraged everyone to stop by for a contactless drop-off of their electronics for recycling.
3. Council Member/Director Lopez made the following comments:
 - (a) He provided several freeway and road closure notices from **SBCTA including:**
 - A 55-hour closure of the NB to WB I-15/I-10 connector this weekend from Friday night at 10:00 p.m. through Monday morning at 5:00 a.m.
 - May 20th nighttime closure of Monte Vista Avenue under the I-10 overpass from 7:00 p.m. to 5:00 a.m.
 - Benson Avenue street closure from San Jose Street to Moreno Street under the I-10 overpass.
 - Intermittent nighttime closures of westbound Palo Verde Street between Monte Vista Avenue and Central Avenue.
 - Intermittent nighttime closures of the I-10 off-ramps at Monte Vista Avenue.
 - (b) He thanked Public Works staff for addressing issues he brought to their attention on behalf of some residents.
 - (c) He expressed his continued concerns regarding fireworks and requested the Police Department and City Attorney re-evaluate current firework enforcement efforts and increase penalties for violations, noting he believes the County assesses larger fines than he was told the City is allowed to charge.

Mayor Dutrey stated Executive Director of Public Safety/Police Chief Avels could make a brief presentation at the next meeting regarding the City's planned response to fireworks.

4. Mayor Pro Tem/Vice Chair Ruh made the following comments:
 - (a) He stated he is happy to announce that 15 volunteers will be recognized at the Community Activities Commission's upcoming Volunteer Recognition Ceremony.
 - (b) He stated the virtual Memorial Day presentation would be broadcast on May 31st.
 - (c) He announced the 529 College Program is now available through all financial institutions, noting the state will provide \$50 per child for parents to open college savings accounts for their children.
 - (d) He noted he is a member of the **Gold Line Joint Powers Authority**, and the JPA is very supportive of building the **Gold Line** to Montclair.
 - (e) He noted at the **Vedic Temple's** prayer event, they prayed for not only India but to all across the globe suffering from this pandemic. He urged everyone to get vaccinated if they are able.
 - (f) He stated he intends to continue wearing a mask no matter what the state decides to do with its mandate.

F. Committee Meeting Minutes

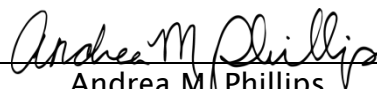
1. Minutes of Personnel Committee Meeting of May 3, 2021

The City Council received and filed the minutes of the Personnel Committee meeting of May 3, 2021, for informational purposes.

XI. ADJOURNMENT

At 8:01 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,



Andrea M. Phillips
City Clerk