

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, OCTOBER 18, 2021 AT 7:03 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

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I. CALL TO ORDER

Mayor/Chair Dutrey called the meeting to order at 7:03 p.m.

II. INVOCATION

Montclair Police Department Chaplain Josh Matlock 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 Ruh; Council Members/Directors Johnson, Martinez, and Lopez

City Manager/Executive Director Starr; Director of Human Services Richter; Director of Community Development Diaz; Finance Manager Kulbeck; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS

A. COVID-19 Community Recognition Award

Mayor Dutrey announced tonight's award recipient is **Health Service Alliance (HSA)**, a community health clinic in Montclair that has provided over 5,000 COVID-19 vaccinations and administered approximately 2,500 COVID-19 tests for the community. He added **HSA** also assisted the City with quickly testing 30 City employees last December after an employee tested positive over the weekend. Mayor Dutrey expressed gratitude on behalf of the City Council and presented a Certificate of Recognition to **Dr. James Lally, M.D.**, Chief Executive/Medical Officer of **HSA**.

B. Introduction of New Public Works Director/City Engineer

City Manager Starr introduced **Monica Heredia**, the new Public Works Director/City Engineer who started with the City of Montclair on September 7th, hit the ground running, and soon will be responsible for administering \$47 million in new bond money for infrastructure projects. She was born in Bolivia and has lived in the United States since 1979. He discussed **Ms. Heredia's** education, including attending **Pomona High School** and graduating from **California State Polytechnic University, Pomona**, with a degree in Civil Engineering, and returning to school to earn a Master's Degree in Public Administration from **California State University, Northridge** in 2011. He reported **Ms. Heredia** began her career with and worked 22 years for the **Los Angeles Department of Water and Power**; more recently, she worked for the Cities of West Covina, Pico Rivera, and Santa Clarita, managing capital improvement projects.

City Manager Starr noted that **Ms. Heredia** has three adult children pursuing civil engineering, architecture, and medical careers. She enjoys reading, hiking, dancing, cycling, swimming, and traveling in her spare time.

Mayor Dutrey and the City Council welcomed Public Works Director/City Engineer Heredia to the Montclair City family.

## VI. PUBLIC COMMENT

A. **Ms. Ruby Long**, Field Representative for **San Bernardino County Fourth District Supervisor Curt Hagman**, stated the District would host a Veteran Claim Event on Wednesday, November 10th, from 10:00 a.m. to 2:00 p.m. at the District Office at 14010 City Center Drive in Chino Hills. She stated that County Veteran Service Officers would provide services free of charge at the event, including answering questions about existing claims, assisting with completing claim forms and paperwork, issuing County Veteran ID cards, and conducting benefit assessment interviews.

B. **Mr. Robert Pipersky**, resident, read his letter of retirement from the Montclair Police Department on October 4, 2021, after over 40 years of public service, having served most of his career as a Police Officer and retiring as a Public Safety Administrative Services Supervisor. He thanked the City for allowing him to serve a great community, adding he loved his job and felt he had never worked a day of his life.

Mayor Dutrey thanked **Mr. Pipersky** for his service and for hosting him on several ride-alongs.

Council Member Lopez expressed his appreciation for **Mr. Pipersky's** involvement with the community—especially for being **Santa Claus** at the City's holiday events.

Council Member Johnson congratulated **Mr. Pipersky** on his retirement and thanked him for educating her and the community about the City's emergency operations center and disaster plan.

Mayor Pro Tem Ruh stated **Mr. Pipersky** has proven to be a passionate and dedicated public servant, and everyone will miss his presence at the Police Department.

Council Member Martinez noted she watched the farewell video that the Police Department compiled for **Mr. Pipersky** and stated the messages were touching and the recognition is well-deserved.

C. **Ms. Karrina Quijada** and **Ms. Celina Gutierrez**, residents, presented Mayor Dutrey with an appreciation plaque from the **Montclair Little League** and thanked Council Member Lopez for being a great coach and leader to their kids.

D. **Mr. Bruce Culp**, resident, thanked **Mr. Pipersky** for his many years of service with the Police Department and congratulated Public Works Director/City Engineer Heredia on her new position with the City.

E. **Mrs. Carolyn Raft**, Trustee, **West Valley Mosquito and Vector Control District Board**, reported the District has only received three calls for services in Montclair this year compared to eleven last year; and advised that three mosquito samples tested positive for West Nile Virus out of 21 traps in the City. She congratulated **Dr. Lally** for receiving the COVID-19 Community Recognition Award and thanked **Mr. Pipersky** for his service to the City.

## VII. PUBLIC HEARINGS — None

## VIII. CONSENT CALENDAR

Mayor Dutrey requested public comments on Item B-9 be provided prior to the vote on the Consent Calendar and noted he would like to have Item C-4 pulled so that he may recuse himself because he received a campaign contribution from **Metro Auto Group**.

Council Member Lopez requested to pull Items C-2 and C-3 for comment.

Moved by Council Member/Director Lopez, seconded by Mayor Pro Tem/Vice Chair Ruh, and carried unanimously 5-0, the City Council pulled Item C-4 and approved the remainder of the Consent Calendar with comments provided on Items B-9, C-2, and C-3:

**A. Approval of Minutes**

**1. Regular Joint Meeting — October 4, 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 October 4, 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 September 30, 2021.

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

The City Council approved the City Warrant Register dated October 18, 2021, totaling \$1,039,200.47; and the Payroll Documentation dated September 12, 2021, amounting to \$643,426.70 gross, with \$448,831.69 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 September 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 09.01.21–09.30.21 in the amounts of \$8,219.06 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 September 30, 2021.

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 09.01.21–09.31.21 in the amount of \$52,589.10.

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

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

**8. Approval of MHA Warrant Register**

The MHA Commissioners approved the MHA Warrant Register dated 09.01.21–09.30.21 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**

**Mr. Culp** stated he hopes the City will complete this project soon because the **Pacific Electric Trail** has many supporters across several communities and provides healthy travel options and recreation opportunities.

Mayor Dutrey advised that the **San Bernardino County Transportation Authority (SBCTA)** Board has already dedicated \$100,000 to this project. Additionally, last week a transportation committee of **SBCTA** recommended the Board allocate an additional \$220,000 for the project. As a member of the **SBCTA** Board, he stated that he anticipates the Board will

approve the recommendation.

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. Approval of the Filing of a Notice of Completion with the San Bernardino County Recorder for the Central Avenue Rehabilitation Phase 1 Project Constructed by Sully Miller Contracting Company**

**Release of Retention of Payment Bond 30 Days After Recordation of Notice of Completion**

The City Council took the following actions:

- (a) Approved the filing of a Notice of Completion with the San Bernardino County Recorder for the Central Avenue Rehabilitation Phase 1 Project constructed by Sully Miller Contracting Company.
- (b) Released retention of payment bond 30 Days after recordation of Notice of Completion.

**11. Approval of a Grant Fund Balance Carryover of \$452,205.51 from Fiscal Year 2021-22 for the Montclair After-School Program**

The City Council approved a Grant Fund Balance Carryover of \$452,205.51 from Fiscal Year 2021-22 for the Montclair After-School Program.

**C. Agreements**

**1. Approval of *Agreement No. 21-23* with Crossroads Software Inc. for Digital Collision Reporting Software**

**Approval of *Agreement No. 21-24* with Lexisnexis Coplogic Solutions Inc. for Integration of Crossroads Software with the Existing Coplogic Desk Officer Reporting System for Online Crime Reporting Services**

**Authorizing a \$5,900 Appropriation from the Prop 30/AB 109 Fund to Pay the Costs Associated with *Agreement No. 21-23***

The City Council took the following actions:

- (a) Approved *Agreement No. 21-23* with Crossroads Software Inc. for digital collision reporting software.
- (b) Approved *Agreement No. 21-24* with Lexisnexis Coplogic Solutions Inc. for integration of Crossroads Software with the existing Coplogic Desk Officer Reporting System for online crime reporting services.
- (c) Authorized a \$5,900 appropriation from the Prop 30/AB 109 Fund to pay the costs associated with *Agreement No. 21-23*.

**2. Approval of *Agreement No. 21-58-I-100*, an Irrevocable Annexation Agreement with J2 Express, LLC for 10955-10973 Central Avenue, Montclair, CA 91762 (APN 1011-341-51-0-000)**

Council Member Lopez expressed his support for the City's annexation of properties in south Montclair and commended staff for preparing the agreement.

The City Council approved *Agreement No. 21-58-I-100*, an Irrevocable Annexation Agreement with J2 Express, LLC for 10955-10973 Central Avenue, Montclair, CA 91762 (APN 1011-341-51-0-000).

3. **Approval of Agreement No. 21-64 with Chaffey Joint Union High School District for Specialized Law Enforcement Services During Fiscal Year 2021-22**

Council Member Lopez expressed appreciation to CJUHSD for assisting with the cost to have a dedicated officer stationed at **Montclair High School**, noting increased gang activity throughout the region, including the active targeting of high school students for recruitment.

Mayor Dutrey noted he spoke with Executive Director of Public Safety/Police Chief Avels and **MHS Principal Cho** about having a police officer stationed at the school and thanked everyone for making it happen.

The City Council approved *Agreement No. 21-64* with Chaffey Joint Union High School District for specialized law enforcement services during Fiscal Year 2021-22.

**D. Resolutions**

1. **Adoption of Resolution No. 21-3324 Making Factual Findings in Compliance with AB 361 and Establishing Procedures for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies, Including the COVID-19 Public Health Emergency, for the Period of October 18, 2021 Through November 17, 2021**

The City Council adopted of Resolution No. 21-3324 making factual findings in compliance with AB 361 and establishing procedures for the continuation of public meeting teleconferencing during public health emergencies, including the COVID-19 public health emergency, for the period of October 18, 2021 through November 17, 2021.

**IX. PULLED CONSENT CALENDAR ITEMS**

Mayor Dutrey left the room at 7:44 p.m.

**C. Agreements**

4. **Approval of Agreement No. 21-65, a Participation Agreement with Metro Honda and Montclair Dealership Group Properties, LLC Offering City Assistance in the Amount of \$375,000 Toward the Design, Construction, and Installation of a Conforming, Interstate-10 Freeway-Adjacent Pylon Electronic Message Center (EMC) Sign in the City of Montclair, for which the City Shall Receive Certain Benefits Including Rights to Fifteen Percent of the EMC Sign's Operational Time During Each Twenty-Four Hour Period to Advertise Community-Related, Public Safety, Public Health, and Public Relations Messages; the Continued Operation of the Honda and Acura New Car Dealerships in the City During the Term of the Agreement; the Generation of Additional Property Tax Increment and Sales Tax Income to the City; and the Non-Binding Cooperation of the Nissan New Car Dealership to Continue Operating in the City Through Incentivization by Extension of a Credit Against the Promissory Note Amount of \$375,000**

**Approval of Conditions, Covenants and Restrictions as Contained in the Owner Declaration (Attachment No. 1 to Agreement No. 21-65) to Set Forth, in Recordable Form, Certain Obligations of Metro Honda and Montclair Dealership Group Properties, LLC**

**Approval of the Terms, Conditions and Provisions as Contained in the Promissory Note (Attachment No. 2 to Agreement No. 21-65)**

**Allocating up to \$375,000 from the Economic Development Fund in the General Fund as the City Disbursement Amount for the City's Cost Share of *Agreement No. 21-65***

**Authorizing the City Manager to Execute Participation *Agreement No. 21-65*, Owner Declaration, and Promissory Note**

Council Member Lopez advised last year, he and Mayor Dutrey drove around the City while discussing ideas and potential locations for an electronic message center sign to promote City events. He noted he is glad that the City is going in this direction instead, benefiting the car dealerships.

Moved by Council Member Lopez, seconded by Mayor Pro Tem/Vice Chair Ruh, and carried unanimously 4-0-1 (Dutrey recused), the City Council took the following actions:

- (a) Approved *Agreement No. 21-65*, a Participation Agreement with Metro Honda and Montclair Dealership Group Properties, LLC offering City assistance in the amount of \$375,000 toward the design, construction, and installation of a conforming, Interstate-10 Freeway-adjacent pylon Electronic Message Center (EMC) sign in the City of Montclair, for which the City shall receive certain benefits including rights to fifteen percent of the EMC sign's operational time during each twenty-four hour period to advertise community-related, public safety, public health, and public relations messages; the continued operation of the Honda and Acura New Car Dealerships in the City during the term of the Agreement; the generation of additional property tax increment and sales tax income to the City; and the non-binding cooperation of the Nissan new car dealership to continue operating in the City through incentivization by extension of a credit against the Promissory Note amount of \$375,000.
- (b) Approved conditions, covenants and restrictions as contained in the Owner Declaration (Attachment No. 1 to *Agreement No. 21-65*) to set forth, in recordable form, certain obligations of Metro Honda and Montclair Dealership Group Properties, LLC.
- (c) Approved the terms, conditions and provisions as contained in the Promissory Note (Attachment No. 2 to *Agreement No. 21-65*).
- (d) Allocated up to \$375,000 from the Economic Development Fund in the General Fund as the City Disbursement Amount for the City's cost share of *Agreement No. 21-65*.
- (e) Authorized the City Manager to execute Participation *Agreement No. 21-65*, Owner Declaration, and Promissory Note.

Mayor Dutrey returned to the dais at 7:47 p.m.

**X. COUNCIL WORKSHOP**

**A. David Turch & Associates, Federal Legislative Advocate Presentation**

The City Council continued this presentation to an adjourned meeting on Monday, November 1, 2021, at 5:45 p.m.

**XI. COMMUNICATIONS**

**A. Department Reports**

**1. Human Services Department — Upcoming Holiday Programs & Events**

Director of Human Services Richter announced the following programs and events:

- Outdoor Halloween Spooktacular— Saturday, October 30th, from 5:00 p.m. to 9:00 p.m. at **Alma Hofman (Shark) Park**.
- Holiday Food & Toy Basket Program — Baskets will be available to families who live in Montclair and meet specific income guidelines. The Department will accept applications by appointment only through Friday, October 22nd.
- Military Banner Program — Applications for active-duty military who request a banner will be accepted online or by appointment through November 10, 2021. The program provides complimentary banners for those currently serving in the armed forces who live in Montclair or graduated from **Montclair High School**. Banners may be purchased at \$200 for veterans who have been honorably discharged and reside in the City. The banners will be hung on Montclair streets in early 2022.

**B. City Attorney — No Comments**

**C. City Manager/Executive Director — No Comments**

**D. Mayor/Chair**

Mayor/Chair Dutrey made the following comments:

1. He reported **SBCTA**, in participation with **Omnitrans**, approved funding to install ten benches at bus stops throughout Montclair.
2. He thanked **Congresswoman Norma Torres** for stopping by the Civic Center during the City’s Senior Lunch Program last week and helping to distribute food.
3. He attended the State of the County event at the **Toyota Arena** in Ontario, at which **Fourth District San Bernardion County Supervisor Curt Hagman** led the presentation.

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

1. Council Member/Director Johnson thanked Executive Director of Public Safety/Police Chief Avels for relocating the electronic message sign with the message, “children are crossing.”
2. Council Member/Director Lopez made the following comments:
  - (a) He invited the community to attend **Montclair Little League’s** Halloween event on Friday, October 29th, at **Saratoga Park** from 6:30 p.m. to 8:30 p.m. for food, contests, and candy.
  - (b) He thanked former Fire Captain Chris Jackson, who recently resigned, for his 15 years of service to Montclair.
  - (c) He requested staff assist **Mr. Jose Perez**, who spoke at the workshop earlier this evening, with some lifted pavement around his property caused by a tree.
3. Mayor Pro Tem/Vice Chair Ruh made the following comments:
  - (a) He reported his virtual attendance, representing the City, with Mayor Dutrey, who represented **SBCTA**, at the **Gold Line Joint Powers Authority** meeting.

- (b) He advised **Dr. Lally** is offering **Moderna** boosters at the **Health Service Alliance** clinic for immunocompromised individuals.
- (c) He compared the risks and survival rate of Polio to those of COVID-19 and urged people to consider the serious long-term health issues caused by the disease for survivors. He pointed out the Polio vaccine's wide acceptance wiped out the disease, yet modern vaccine hesitancy is making that goal impossible to achieve for COVID-19.
- (d) Upon today's news of former **U.S. Secretary of State Colin Powell's** death caused by complications from COVID-19 at age 84 despite being vaccinated, he felt it necessary to report specific facts that are being overlooked in media reports. In addition to being in a vulnerable age group, **Mr. Powell** was being treated for multiple myeloma—an aggressive cancer of the blood that compromises one's immune system and makes the vaccine less effective. **Mr. Powell** also had Parkinson's Disease. He stated his thoughts are with **Mr. Powell's** family.

**F. Committee Meeting Minutes**

**1. Minutes of Public Works Committee Meeting of April 15, 2021**

The City Council received and filed the minutes of the Public Works Committee meeting of April 15, 2021, for informational purposes.

**2. Minutes of Real Estate Committee Meeting of May 17, 2021**

The City Council received and filed the minutes of the Real Estate Committee meeting of May 17, 2021, for informational purposes.

**3. Minutes of Personnel Committee Meeting of October 4, 2021**

The City Council received and filed the minutes of the Personnel Committee meeting of October 4, 2021, for informational purposes.

**XII. ADJOURNMENT**

At 7:58 p.m., Chair Dutrey adjourned the Successor Agency Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board.

At 7:58 p.m., Mayor Dutrey adjourned the City Council to Monday, November 1, 2021 at 5:45 p.m. for a Council Workshop Presentation by the City's Federal Legislative Advocate, David Turch & Associates.

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 Myrick  
City Clerk