

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, NOVEMBER 15, 2021 AT 7:00 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 7:00 p.m.

II. INVOCATION

The invocation was given by **Reverend Maggie Burbank-Yenoki, Montclair Unitarian Universalist Congregation.**

III. PLEDGE OF ALLEGIANCE

Council Member/Director Martinez 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 Economic Development Fuentes; Finance Manager Kulbeck; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS — None

VI. PUBLIC COMMENT

A. **Ms. Lauren Ensberg** provided updates on **Chaffey College** including the deadline for students to apply for the Montclair to College scholarship on March 1, 2022; the allocation of 2018 Measure P funding for master planning and facility improvements at **Chaffey's** three campuses; and **Chaffey College's** recognition by the **Hispanic Outlook on Education** as number four of the top California community colleges to grant Associates' degrees to Hispanic students.

B. **Ms. Eleni Christianson** raised issues she had accessing agendas on the City's website.

C. **Ms. Ruby Long**, Field Representative for **San Bernardino County Fourth District Supervisor Curt Hagman**, stated the District will be hosting its annual Christmas Open House event on Thursday, December 2nd from 5:30 to 7:30 p.m. at 14000 City Center Drive in Chino Hills. She advised RSVPs are required.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

Mayor Pro Tem Ruh and Council Member Lopez pulled Item C-2 from the Consent Calendar.

Council Member Johnson stated she would like to provide comments on Item C-4.

Council Member Lopez requested discussion on Items C-5 and C-8.

Moved by Mayor Pro Tem/Vice Chair Ruh, seconded by Council Member/Director Johnson, and carried unanimously 4-0-1 (Martinez left the meeting at 7:45 p.m. and was absent for the vote), the City Council approved the remainder of the Consent Calendar with discussion on Items C-4, C-5, and C-8 as follows:

A. Approval of Minutes

1. Regular Joint Meeting — November 1, 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 November 1, 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 October 31, 2021.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated November 15, 2021, totaling \$62,057,905.42; and the Payroll Documentation dated October 10, 2021, amounting to \$715,422.92 gross, with \$495,269.68 net being the total cash disbursement; and October 24, 2021 amounting to \$658,389.52 gross, with \$438,479.67 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 October 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 10.01.21–10.31.21 in the amounts of \$11,540.13 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 October 31, 2021.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 10.01.21–10.31.21 in the amount of \$15,217.08.

7. Receiving and Filing of MHA Treasurer’s Report

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

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 10.01.21–10.31.21 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. Approval of Tentative Parcel Map No. 20375 Generally Located on the East Side of Monte Vista Avenue South of Palo Verde Street

Authorizing Staff to Record Parcel Map No. 20375 with the Office of the San Bernardino County Recorder

The City Council took the following actions:

- (a) Approved Tentative Parcel Map No. 20375 generally located on the east side of Monte Vista Avenue south of Palo Verde Street.
- (b) Authorized staff to record Parcel Map No. 20375 with the Office of the San Bernardino County Recorder.

11. Authorizing the City to Opt-In to the National Opioid Settlements and Permitting the City Manager to Sign Formal and Binding Documents on Behalf of the City Related to Participation in the Settlements

The City Council authorized the City to opt-in to the National Opioid Settlements and permitting the City Manager to sign formal and binding documents on behalf of the City related to participation in the settlements.

C. Agreements

1. Approval of Amendment No. 1 to Agreement No. 21-27 with Catering Systems, Inc. to Provide Meals for the City's Senior Citizen Nutrition Program

The City Council approved Amendment No. 1 to *Agreement No. 21-27* with Catering Systems, Inc. to provide meals for the City's Senior Citizen Nutrition Program.

3. Approval of Agreement No. 21-72 Amending Agreement No. 13-41 with Mariposa Landscapes, Inc. for Landscape Maintenance Services

The City Council approved *Agreement No. 21-72* amending *Agreement No. 13-41* with Mariposa Landscapes, Inc. for landscape maintenance services.

4. Approval of Agreement No. 21-73 with Lexipol, LLC for Continued Maintenance of the Police Department Policy and Procedures Manual, Law Enforcement Daily Training Bulletins (DTB), and DTB Management Services

Council Member Johnson asked how the Department would ensure the Daily Training Bulletins are completed by staff.

Executive Director of Public Safety/Police Chief Avels advised someone from each Department, Police and Fire, would be assigned to ensure the DTBs are being completed and signed off by staff on a monthly basis.

The City Council approved *Agreement No. 21-73* with Lexipol, LLC for continued maintenance of the Police Department Policy and Procedures Manual, Law Enforcement Daily Training Bulletins (DTB), and DTB management services.

5. Approval of Agreement No. 21-74 with Lexipol, LLC for Implementation and Management of the Fire Department Policy and Procedures Manual and Fire Service Daily Training Bulletins

Council Member Lopez stated his understanding several members of the Fire Department serve on a committee that reviews policies and procedures, and asked if recommendations from that committee have not been sought.

Executive Director of Public Safety/Police Chief Avels advised only one staff member was assigned the task to review the procedures and policy manual, and noted the committee of personnel may have been an informal meeting to provide input to that staff member. He further discussed the outdated state of the current manual, which was a product of the dissolved JPA

between the fire departments of Montclair and Upland that had not been updated since 2016.

The City Council approved *Agreement No. 21-74* with Lexipol, LLC for implementation and management of the Fire Department Policy and Procedures Manual and fire service Daily Training Bulletins.

6. Approval of *Agreement No. 21-75* with the San Bernardino County Office of Homeless Services for Access to the Homeless Management Information System

Authorizing the City Manager to Sign *Agreement No. 21-75*

The City Council took the following actions:

- (a) Approved *Agreement No. 21-75* with the San Bernardino County Office of Homeless Services for access to the Homeless Management Information System.
- (b) Authorized the City Manager to sign *Agreement No. 21-75*.

7. Approval of *Agreement No. 21-76* with Marlow Innovations Inc. dba AFR Engine for Facial Recognition Software Platform Access

Authorizing a \$5,000 Appropriation from the Prop 30/AB 109 Fund to Pay the Costs Associated with *Agreement No. 21-76*

The City Council took the following actions:

- (a) Approved *Agreement No. 21-76* with Marlow Innovations Inc. dba AFR Engine for facial recognition software platform access.
- (b) Authorized a \$5,000 appropriation from the Prop 30/AB 109 Fund to pay the costs associated with *Agreement No. 21-76*.

8. Approval of *Agreement No. 21-77* with Yao Engineering, Inc. for Electrical Engineering and Design Services for a New Main Switchboard and Standby Generator at the Civic Center

Authorizing the City Manager to Amend the Scope of Services as Necessary for a Contingency Amount Not to Exceed \$5,000

Authorizing a \$36,390 Appropriation from 2021A Lease Revenue Bond Proceeds to Pay for Costs Associated with *Agreement No. 21-77* 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*

Council Member Lopez asked for a status update on the \$300,000 grant from the **California Office of Emergency Services (CalOES)**.

City Manager Starr advised the City has been awarded the grant.

The City Council took the following actions:

- (a) Approved *Agreement No. 21-77* with Yao Engineering, Inc. for electrical engineering and design services for a new main switchboard and standby generator at the Civic Center.
- (b) Authorized the City Manager to amend the scope of services as necessary for a contingency amount not to exceed \$5,000.
- (c) Authorized a \$36,390 appropriation from 2021A Lease Revenue Bond proceeds to pay for costs associated with *Agreement No. 21-77* 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*.

9. **Approval of Agreement No. 21-78 with Government Jobs.com, Inc. dba NEOGOV for Hosting and Support Services for Recruitment, Selection, Onboarding, Performance, and Tracking Software**

Authorizing a \$38,666 Transfer from the General Fund Technology Reserve Fund to the General Operating Fund for Costs Associated with Agreement No. 21-78

The City Council took the following actions:

- (a) Approval of Agreement No. 21-78 with Government Jobs.com, Inc. dba NEOGOV for Hosting and Support Services for Recruitment, Selection, Onboarding, Performance, and Tracking Software.
- (b) Authorizing a \$38,666 Transfer from the General Fund Technology Reserve Fund to the General Operating Fund for Costs Associated with Agreement No. 21-78.

D. Resolutions

1. **Adoption of Resolution No. 21-3326 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 November 15, 2021 through December 15, 2021**

The City Council adopted Resolution No. 21-3326 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 November 15, 2021 through December 15, 2021.

2. **Adoption of Resolution No. 21-3327 Adopting Chapter 10 of the Caltrans Local Assistance Procedures Manual as the City's Policy for the Procurement of Architectural and Engineering Services for State- and Federally-Funded Transportation Projects**

The City Council adopted Resolution No. 21-3327 adopting Chapter 10 of the Caltrans Local Assistance Procedures Manual as the City's policy for the procurement of architectural and engineering services for state- and federally-funded transportation projects.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

2. **Approval of Agreement No. 21-66 with Greyhound Lines, Inc. for Shared Use of a Single Bus Bay for Daily Commercial Bus Passenger Service and Ground Space for an Employee-Operated Ticket Vending and Customer Service Kiosk at the Montclair Transcenter**

Mayor Pro Tem Ruh received clarification from City Manager Starr about terms of the contract including nonpayment and disagreement about ticket booth location, both of which would result in termination of the contract.

Council Member Lopez shared his concerns for increased crime after reviewing information he received from an anonymous source from the Claremont Police Department regarding their crime issues at and around their Greyhound bus depot.

Mayor Dutrey requested Council Member Lopez provide any reports he received to City Manager Starr and Chief Avels so that staff can review the information. He noted the rest of the City Council needs access and time to review the same information in order to make an informed decision, and he would prefer staff review the reports to determine contributing factors to the crime issues including nearby businesses.

Council Member Martinez left the meeting at 7:45 p.m.

Discussion ensued regarding crime in relation to **Greyhound** bus depots, the frequent use of **Greyhound** bus service to transport individuals released from criminal detention centers, and security measures in place at the Montclair Transcenter.

Moved by Mayor Dutrey, seconded by Council Member Johnson, and carried unanimously (4-0-1, Martinez absent), the City Council continued consideration of Agreement No. 21-66 with **Greyhound** to a future meeting, and directed staff to review and analyze the new information and update its recommendation.

X. COMMUNICATIONS

A. Department Reports

1. Human Services Department — Upcoming Holiday Programs & Events

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

- Holiday Food & Toy Basket Program — Donation bins were placed around Montclair, including City Hall, Senior Center, Recreation Center, Fire Station 1 and the Police Department and will be accepted through Thursday, December 9th. The Police and Fire Departments will be holding food and toy drives at **Costco** on Friday, December 3rd, and Friday, December 10th, from 10:00 a.m. to 2:00 p.m.
- Holly Jolly Holiday Event — Thursday, December 2nd, from 6:00 p.m. until 8:30 p.m. in **Alma Hofman Park**. The evening will include the lighting of the City's Christmas tree, complimentary photos with Santa and Mrs. Claus, entertainment, refreshments, and a station for writing letters to Santa. Gift lights in honor or memory of a loved one will be available for purchase.
- Holiday Home Decoration Contest — The Community Activities Commission invites you to submit your entry for the Annual Holiday Home Decoration Contest. Entry applications are available on the City website and are due by Friday, December 3rd, at 6:00 p.m. Winners will be announced at an upcoming City Council meeting.
- Dashing Through Montclair — Saturday, December 4th, starting at 2:00 p.m. and ending at 6:00 p.m. Santa's route is posted on the City's website.

2. Police Department — Flock ALPR Cameras

Executive Director of Public Safety/Police Chief Avels discussed aspects of the **Flock** ALPR Camera system, which provides a cheap and effective way to station cameras around the community for data collection and assist with solving crimes in the City as well as in surrounding cities. He noted other solutions the Department has looked into would cost much more because they require extensive infrastructure enhancements in the range of \$300,000 to \$500,000 at the four intersections where cameras would be permanently located; however, the **Flock** system is portable and would not require massive infrastructure costs. The Department would consider

40 cameras at a cost of \$2,500 per year for each camera, with an initial startup cost of about \$110,000. He discussed the capability of the software to derive data from images including license plates and descriptions of vehicles, making a database that makes it easy to find suspect vehicles even with minimal information. He noted the cities of Upland, Ontario, and Redlands have already adopted the cameras.

Council Member Lopez left the dais at 8:24 p.m.

B. City Attorney

City Attorney Robbins requested the City Council meet in closed session concerning the following:

1. Closed Session Pursuant to Government Code Section 54956.9(d)(1) Regarding Pending Litigation

Sully-Miller Construction v. City of Mont

2. Closed Session Pursuant to Government Code Section 54956.9(d)(2) Regarding Potential Litigation

One Potential Case

C. City Manager/Executive Director — No comments

D. Mayor/Chair

1. Cancellation of Monday, December 6, 2021 Regular Joint Meeting

Mayor/Chair Dutrey announced the cancellation of the next regular joint meeting due to staff and City Council member participation at the **International Conference of Shopping Centers in Las Vegas**.

2. Mayor/Chair Dutrey made the following comments:

(a) He announced the **Montclair High School Cavaliers'** advancement in the **California Interscholastic Federation** Football Championships to the semifinals, noting they will next play against South Pasadena. He advised November 19th would be declared **MHS Football Day** in the City of Montclair to celebrate and cheer them on.

(b) He commended Human Services Department staff on their service at the Veterans' Day recognition lunch.

(c) He advised the Planning Commission would soon consider **Panera Bread's** application to open by **Target**.

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

1. Council Member/Director Johnson made the following comments:

(a) She commended the Fire Department for quickly responding to a house fire that claimed two homes.

Council Member Lopez returned at 8:27 p.m.

(b) She announced **Montclair Place** will be having various holiday activities and encouraged everyone to check their website for the event calendar.

(c) She expressed her appreciation for Human Services Department employees who serve the seniors, noting staff treats the City's seniors like family.

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

(a) He noted that he and other Council Members attended the **Hasco Outlet** grand opening event. He expressed his surprise at how many brand-name products they carried

at great prices, noting they get most of their stock from **Costco**.

- (b) He noted he also participated in the Veterans' Day lunch event to help hand out food and present certificates.
- (c) He stated he attended the **MHS** football game where they beat **San Gabriel High School**. He encouraged everyone to buy tickets online at the **CIF** website for this Friday's game against **South Pasadena High School**.
- (d) He noted on November 13th, **Calvary Montclair** and **Bethany Baptist Church** hosted a food drive and fed over 200 families.
- (e) He advised that the park lights for **Montclair Little League** practice did not go on after dark, noting that staff likely did not update the timers for Daylight Savings Time.
- (f) He provided freeway closure updates on I-10 eastbound lanes and advised a lane shift would be implemented for a week.

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

- (a) He stated he was unable to attend many recent events due to a busy work schedule.
- (b) He commemorated Veterans' Day, formerly Armistice Day—the 11th hour of the 11th day of the 11th month in 1918, at which time the Allied powers signed a ceasefire agreement with Germany, bringing **World War I** to a close. He stated we honor those who served in any war, as well as those who serve in peacetimes on Veterans' Day. "Although we may not know them all, we owe them all."
- (c) He reported his attendance with Mayor Dutrey at the National Community Renaissance event at the **Padua Theater**, at which **Congresswoman Norma Torres** and **Assemblymember James Ramos** were honored for their leadership in housing.
- (d) He thanked **Congresswoman Torres** for her efforts to obtain \$2 million for upgrades to ball park facilities at **Saratoga Park**.
- (e) He warned of a potential COVID-19 surge this winter and urged everyone to get their vaccinations or booster shots.
- (f) He noted he looks forward to the lighting of the Christmas Tree and Dashing Through Montclair events on December 2nd and 4th.
- (g) He recognized Thanksgiving as a special day in this country where families come together and wished everyone a Happy Thanksgiving.

F. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of November 1, 2021

The City Council received and filed the minutes of the Personnel Committee meeting of November 1, 2021, for informational purposes.

XI. CLOSED SESSION

At 8:39 p.m., the City Council went into closed session to discuss pending and potential litigation.

XII. CLOSED SESSION ANNOUNCEMENTS

At 9:01 p.m., the City Council returned from closed session. Mayor Dutrey announced the City Council met in closed session to discuss pending and

potential litigation. He advised information was received, and direction was given to staff on pending litigation. On potential litigation, information was received. He stated no further announcements would be made at this time.

XIII. ADJOURNMENT

At 9:01 p.m., Mayor/Chair Dutrey adjourned the City Council, Successor Agency 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 Myrick
City Clerk