



**REGULAR JOINT MEETING OF THE
CITY COUNCIL, SUCCESSOR AGENCY, MONTCLAIR HOUSING CORPORATION,
MONTCLAIR HOUSING AUTHORITY, AND MONTCLAIR COMMUNITY FOUNDATION**

to be held in the Council Chambers
5111 Benito Street, Montclair, California

Monday, December 20, 2021
7:00 p.m.

Remote Participation Information:

Zoom Link: <https://zoom.us/j/95239872725>

Dial Number: 1-(669)-900-6833

Meeting ID: 952-3987-2725

*If you want to make a public comment or speak on an agenda item, including public hearing and closed session items, please complete a Speaker Card in the Council Chambers or at <https://www.cityofmontclair.org/public-comment/>. The Mayor/Chair (or the meeting's Presiding Officer) will call on those who submitted requests to speak at the appropriate times during the meeting. Those who did not submit a request to speak who are present at the meeting location may raise their hand during Public Comment to request to speak. Those participating remotely may request speak using the "raise hand" function in Zoom or may dial *9 if on the phone, and then *6 to un-mute when called on to speak. Written comments (200-word limit per agenda item, and 200-word limit for all non-agenda items combined) and requests to speak can also be emailed to cityclerk@cityofmontclair.org at least one hour before the meeting begins.*

Audio recordings of Council meetings are available on the City's website at <https://www.cityofmontclair.org/departments/public-meetings/> and can be accessed by the end of the next business day following the meeting.

AGENDA

- I. CALL TO ORDER** City Council [CC], Successor Agency Board [SA],
Montclair Housing Corporation Board [MHC],
Montclair Housing Authority Commission [MHA],
Montclair Community Foundation Board [MCF]

II. INVOCATION

In keeping with our long-standing tradition of opening our Council meetings with an invocation, this meeting may include a nonsectarian invocation. Such invocations are not intended to proselytize or advance any faith or belief or to disparage any faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS

- A. Community Activities Commission Presentation of 2021 Holiday Home
Decoration Contest Winners**

VI. PUBLIC COMMENT

*During Public Comment, you may comment on any subject that **does not** appear on this agenda. Each speaker has up to five minutes. The meeting's presiding officer may provide more or less time to accommodate speakers with special needs or a large number of speakers waiting in line. (Government Code Section 54954.3).*

*If you did not submit a Speaker Card and would like to speak on an item on the **Consent Calendar**, please raise your hand during Public Comment to announce the agenda item you would like to provide comments on. The presiding officer will pull the item from the Consent Calendar and will then call on you to speak at the time of the item's consideration.*

Under the provisions of the Brown Act, the meeting bodies are prohibited from participating in substantial discussion of or taking action on items not listed on the agenda.

VII. PUBLIC HEARINGS

- A. Consider Adoption of Resolution No. 21-3329 Making Findings Pursuant to the California Environmental Quality Act and Approving a Conditional Use Permit and Precise Plan of Design to Allow the Establishment of a 3,950 Sq. Ft. Full-Service Restaurant with Drive-Thru Service and Outdoor Dining (Panera Bread Café) Within the Boundaries of the North Montclair Downtown Specific Plan Located at 9052 Central Avenue and 5220 Moreno Street [CC] 6

VIII. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Regular Joint Meeting — November 15, 2021 [CC/SA/MHC/MHA/MCF] 299
- B. Administrative Reports
 - 1. Consider Receiving and Filing of Treasurer’s Report [CC] 54
 - 2. Consider Approval of Warrant Registers & Payroll Documentation [CC] 55
 - 3. Consider Receiving and Filing of Treasurer’s Report [SA] 56
 - 4. Consider Approval of Warrant Register [SA] 57
 - 5. Consider Receiving and Filing of Treasurer’s Report [MHC] 58
 - 6. Consider Approval of Warrant Register [MHC] 59
 - 7. Consider Receiving and Filing of Treasurer’s Report [MHA] 60
 - 8. Consider Approval of Warrant Register [MHA] 61
 - 9. Consider 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 [CC] 62
 - 10. Consider Amending the 2019–2024 Capital Improvement Program to Add the Zone 5 and 6 Street Rehabilitation Project [CC]
Consider Authorizing a \$4,000,000 Appropriation from 2021 Lease Revenue Bond Funds for Costs Related to the Zone 5 and 6 Street Rehabilitation Project [CC]
Consider Authorizing Staff to Advertise for Bid Proposals for Construction of the Zone 5 and 6 Street Rehabilitation Project [CC] 64
 - 11. Consider Authorizing the Purchase of Three 2022 Ford Explorer Interceptor Utility Vehicles from Fritts Ford in the Total Amount of \$116,793.90 [CC]
Consider Declaring Two (Model Years 2008 & 2011) Ford Crown Victoria Police Interceptor Vehicles and One 2019 Ford Explorer Interceptor Utility Vehicle as Surplus and Available for Parts or for Sale at Auction [CC] 68
 - 12. Consider Authorizing a \$94,846.03 Allocation from the Equipment Replacement Fund for the Purchase of Two Vehicles for Use by the Code Enforcement Division [CC]
Consider Authorizing the Purchase of Two 2022 Ford Explorer Interceptor Utility Vehicles from Fritts Ford in the Total Amount of \$94,846.03 [CC]

Consider Declaring One 2005 Ford Taurus Vehicle and One 2006 Ford Crown Victoria Interceptor Vehicle as Surplus and Available for Parts or for Sale at Auction [CC]

70

13. Consider Authorizing the Purchase of a 2022 Ford Super Duty F-250 Pickup Truck from National Fleet Auto Group for \$44,674.16 [CC]

Consider Authorizing a \$4,674.16 Allocation from the Equipment Replacement Fund for the Purchase and Installation of Beacon Lights and Strobes for the Vehicle [CC]

Consider Declaring One 2003 Ford F-250 Pickup Truck as Surplus and Available for Parts or for Sale at Auction [CC]

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14. Consider Authorizing the Purchase of a John Deere 1600 Turbo Series III Commercial Wide Area Mower from Stotz Equipment for \$82,789.58 for Turf Maintenance at City Parks [CC]

Consider Authorizing a \$2,789.58 Appropriation from the Equipment Replacement Fund for Use toward the Purchase of the Mower [CC]

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15. Consider Authorizing City Manager Edward C. Starr to Sign a Joint 12-Month Notification Letter to the Inland Empire Utilities Agency for the Chino Basin Regional Sewage Service Contract - Exercise of Option for Continued Service [CC]

75

16. Consider Approval of the Hiring of Retired Annuitant Rosemary Hoerning as a City Engineering Consultant and Authorization to Pay Wages with Lease Revenue Bond Funds Allocated for Consulting Fees [CC]

78

17. Consider Approval of the Montclair Housing Authority Annual Report Pursuant to Section 3416.1(f) of the Health and Safety Code (SB 341) for Fiscal Year 2020-21 [CC/MHA]

80

18. Consider Review and Acceptance of the Montclair Housing Authority Annual Report for Fiscal Year 2020-21 [MHA]

89

C. Agreements

1. Consider Approval of Agreement No. 21-04-I-106 (Case No. 2021-06), an Irrevocable Annexation Agreement with Jose A. Palma for 4168 Howard Street, Montclair, CA 91763 (APN 1012-241-04-0-000) [CC]

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2. Consider 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 [CC]

99

3. Consider Approval of Agreement No. 21-79 with Barbara Pennell, a Purchase and Sale Agreement for Property Located at the Northwest Corner of Central Avenue and Richton Street [CC]

Consider Authorizing a \$1,550,000 Appropriation from the Economic Development Fund for Acquisition and Closing Costs Associated with Agreement No. 21-79 [CC]

Consider Authorizing City Manager Edward C. Starr to Sign Agreement No. 21-79 and All Other Documents Related to Acquisition of the Property [CC]

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4. Consider Approval of Agreement No. 21-80 with Flock Group Inc. for a 2-Year Lease for 40 Automated License Plate Reader Cameras [CC]
Consider Authorizing a \$110,000 Appropriation from the Federal Asset Forfeiture Fund to Pay Costs Associated with Agreement No. 21-80 [CC] 143
5. Consider Approval of Agreement No. 21-81 with Willdan Engineering, Inc., for Electrical Engineering and Design Services for the Electric Vehicle Charging Station Project [CC]
Consider Authorizing the City Manager to Amend the Scope of Services as Necessary for a Contingency Amount Not to Exceed \$5,000 [CC] 183
6. Consider Approval of Agreement No. 21-82 with Kaiser Foundation Hospitals to Award a Grant in the Amount of \$10,000 to Support the Montclair to College Program [MCF]
Consider Authorizing Executive Director Edward C. Starr to Sign Agreement No. 21-82 [MCF] 201
7. Consider Approval of Agreement No. 21-83 with CSG Advisors for Municipal Advisory Services to Evaluate Augusta Communities LLC's Proposed 2022 Indenture of Trust to Refinance its Series 2012A Mobile Home Park Revenue Refunding Bonds and Series 2012B Mobile Home Park Subordinate Revenue Refunding Bonds Issued by the Independent Cities Finance Authority [CC]
Consider Authorizing City Manager Edward C. Starr to Sign Agreement No. 21-83 with CSG Advisors [CC] 207
8. Consider Approval of Agreement No. 21-84 with Loma Linda University Children's Hospital, a Memorandum of Understanding for the Montclair Police Department's Use of the Children's Assessment Center [CC]
Consider Authorizing Executive Director of Public Safety/Police Chief Robert Avels to Sign Agreement No. 21-84 [CC] 216
9. Consider Approval of Agreement No. 21-85 with Transtech to Prepare a School Area Signage Plan for Vernon Middle School [CC] 228
10. Consider Approval of Agreement No. 21-86-I-107 (Case No. 2021-40), an Irrevocable Annexation Agreement with Pomona Hershey Properties, LLC for 11185 Roswell Avenue, Pomona, CA 91766 (APN 1012-411-51-0000) [CC] 244
11. Consider Approval of Agreement No. 21-87 with HDR Environmental, Operations and Construction, Inc. for the Preparation of a Spill Prevention Control and Countermeasure Plan for the Police Facility [CC]
Consider Authorizing a \$14,200 Appropriation from the Contingency Fund for Costs Associated With Agreement No. 21-87 [CC] 250
12. Consider Approval of Agreement No. 21-88 with San Bernardino County Fire Protection District, a Memorandum of Understanding for Participation in a 2021 Regional Assistance to Firefighters Grant Opportunity [CC]
Consider Authorizing City Manager Edward C. Starr to Sign Agreement No. 21-88 [CC] 271

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| 13. Consider Approval of Agreement No. 21-90 with San Bernardino County Sheriff's Department, a Memorandum of Agreement to Conduct Investigations of Officer-Involved Shootings and In-Custody Deaths [CC] | 282 |
| Consider Authorizing Executive Director of Public Safety/Police Chief Robert Avels to Sign Agreement No. 21-90 [CC] | |

D. Resolutions

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| 1. Consider Approval of Resolution No. 21-3328 Reaffirming the Payment and Reporting the Value of Employer-Paid Member Contributions to the California Public Employees' Retirement System as of July 15, 2002 [CC] | 288 |
| 2. Consider Adoption of Resolution No. 21-3331 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 December 20, 2021 through January 19, 2022 [CC] | 291 |
| 3. Consider Adoption of Resolution No. 21-3332 Authorizing Submittal of a Claim to the San Bernardino County Transportation Authority for Transportation Development Act Article 3 Funds for the Pacific Electric Trail Bridge Replacement Project [CC] | 295 |

IX. PULLED CONSENT CALENDAR ITEMS

X. COUNCIL WORKSHOP

- A. Implementation of Residential and Commercial Organic Waste Recycling Programs in Compliance with SB 1383 — Burrtec & CalRecycle
(The City Council may consider continuing this item to an adjourned meeting on Tuesday, January 18, 2022, at 5:45 p.m.)

XI. COMMUNICATIONS

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| B. Department Reports | |
| C. City Attorney | |
| D. City Manager/Executive Director | |
| E. Mayor/Chairperson | |
| 1. Cancellation of Monday, January 3, 2022 Regular Joint Meeting [CC/SA/MHC/MHA/MCF] | |
| F. Council Members/Directors | |
| G. Committee Meeting Minutes <i>(for informational purposes only)</i> | |
| 1. Personnel Committee Meeting — November 15, 2021 [CC] | 298 |

XII. ADJOURNMENT

The regular joint meeting of the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board scheduled for Monday, January 3, 2022 has been cancelled due to a lack of quorum. The next regular joint meeting will be held on Tuesday, January 18, 2022, at 7:00 p.m.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the meeting bodies after publication of the Agenda packet are available for public inspection in the Office of the City Clerk between 7:00 a.m. and 6:00 p.m., Monday through Thursday. Please call the City Clerk's Office at (909) 625-9416 or send an e-mail to cityclerk@cityofmontclair.org to request documents via e-mail.

If you need special assistance to participate in this meeting, please contact the City Clerk's Office at (909) 625-9416 or e-mail cityclerk@cityofmontclair.org. Notification prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

I, Andrea M. Myrick, City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the City's website at <https://www.cityofmontclair.org/departments/public-meetings/> and on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on Thursday, December 16, 2021.