

**CITY COUNCIL, SUCCESSOR REDEVELOPMENT AGENCY,
MONTCLAIR HOUSING CORPORATION, MONTCLAIR
HOUSING AUTHORITY, AND MONTCLAIR COMMUNITY
FOUNDATION MEETINGS**

AGENDA

Tuesday, February 22, 2022
7:00 p.m.

Location

Council Chamber
5111 Benito Street
Montclair, CA 91763

Webinar Link

<https://zoom.us/j/93717150550>

Dial #

1-669-900-6833

Meeting ID

937-1715-0550



Mayor Javier "John" Dutrey
Mayor Pro Tem Bill Ruh
Council Members Tenice Johnson,
Council Member Corysa Martinez
Council Member Benjamin "Ben" Lopez

City Manager Edward C. Starr
City Attorney Diane E. Robbins
City Clerk Andrea M. Myrick



**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

Tuesday, February 22, 2022
7:00 p.m.

Remote Participation Information:

Zoom Link: <https://zoom.us/j/93717150550>
Dial Number: 1 (669) 900-6833
Meeting ID: 937-1715-0550

*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 online 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.*

Video recordings of Council meetings are available on the City's website at <https://www.cityofmontclair.org/council-meetings/> and can be accessed by the end of the 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. Chino Basin Water Conservation District – Inland Valley Garden Planner

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 Projects and Prioritization of Funding for the Fiscal Year 2022–2023 Community Development Block Grant Program [CC] 4

VIII. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Regular Joint Meeting — February 7, 2022 [CC/SA/MHC/MHA/MCF] 29
- B. Administrative Reports
 - 1. Consider Receiving and Filing of Treasurer’s Report [CC] 6
 - 2. Consider Approval of Warrant Registers & Payroll Documentation [CC] 7
 - 3. Consider Receiving and Filing of Treasurer’s Report [SA] 8
 - 4. Consider Approval of Warrant Register [SA] 9
 - 5. Consider Receiving and Filing of Treasurer’s Report [MHC] 10
 - 6. Consider Approval of Warrant Register [MHC] 11
 - 7. Consider Receiving and Filing of Treasurer’s Report [MHA] 12
 - 8. Consider Approval of Warrant Register [MHA] 13
 - 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] 14
 - 10. Consider Authorizing the Purchase of a 2022 Ford Ranger XL Vehicle From Fritts Ford in the Total Amount of \$30,479.39 [CC]
Consider Declaring a Chevrolet Caprice Vehicle as Surplus and Available for Parts or for Sale at Auction [CC] 16
- C. Agreements
 - 1. Consider Amending the 2019–2024 Capital Improvement Program to Add the Monte Vista Avenue/I-10 Traffic Signal Interconnect Project [CC]
Consider Authorizing a \$100,000 Appropriation from 2021 Lease Revenue Bond Funds for Costs Related to the Monte Vista Avenue/I-10 Traffic Signal Interconnect Project [CC]
Consider Approval of Agreement No. 22–14 with HP Communications for Construction of the Monte Vista Avenue/I-10 Traffic Signal Interconnect Project [CC] 18
- D. Resolutions — None

IX. PULLED CONSENT CALENDAR ITEMS

X. COMMUNICATIONS

- A. Department Reports
 - 1. Human Services Department — Upcoming Activities & Events

B. City Attorney

- 1. Request for City Council to Meet in Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr [CC]

Agency: City of Montclair
 Employee Management
 Associations: Montclair City Confidential Employees Association
 Montclair General Employees Association
 Montclair Fire Fighters Association
 Montclair Police Officers Association

- C. City Manager/Executive Director
- D. Mayor/Chairperson
- E. Council Members/Directors
- F. Committee Meeting Minutes — None

XI. CLOSED SESSION
XII. CLOSED SESSION ANNOUNCEMENTS
XIII. ADJOURNMENT

The next regular joint meeting of the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board will be held on Monday, March 7, 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 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/agendas/> and on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on Thursday, February 17, 2022.

The City's overall proposed CDBG project costs for Fiscal Year 2022-2023 total \$423,164; however, the City expects to receive only \$291,490 new funding for the forthcoming fiscal year. To cover the shortfall, staff recommends that \$131,674 from the City's CDBG Unprogrammed Fund account be used to financially backfill the proposed projects. Moneys in the CDBG Unprogrammed Fund account accumulate when a prior project(s) does not utilize all of the funds allotted for the specific program or the City received more funding from HUD than originally anticipated. The moneys from this account can only be used to offset costs for approved CDBG construction projects. The proposed alley improvement project qualifies as a project able to use Unprogrammed Fund moneys to meet the anticipated funding shortfall.

FISCAL IMPACT: The City expects to receive \$291,490 from HUD for the Fiscal Year 2022-2023 CDBG Program. To cover the shortfall of the estimated construction project costs, staff recommends that \$131,674 from the City's CDBG Unprogrammed Fund account, administered by the County, be used to financially backfill the proposed projects.

RECOMMENDATION: Staff recommends the City Council approve the above projects and prioritization of funding for the Fiscal Year 2022-2023 CDBG Program.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN520
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	FINANCE
ITEM NO.:	1	PREPARER:	J. KULBECK
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

REASON FOR CONSIDERATION: The City Council is requested to consider receiving and filing the City of Montclair Treasurer's Report for the month ending January 31, 2022.

BACKGROUND: Included in the City Council's agenda packet is a copy of the Treasurer's Report for the period ending January 31, 2022.

FISCAL IMPACT: Routine—report of City's cash and investments.

RECOMMENDATION: Staff recommends the City Council receive and file the Treasurer's Report for the month ending January 31, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN540
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	FINANCE
ITEM NO.:	2	PREPARER:	L. LEW/V. FLORES
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION		

REASON FOR CONSIDERATION: The City Council is requested to consider approval of the Warrant Register and Payroll Documentation.

BACKGROUND: Mayor Pro Tem Ruh has examined the Warrant Register dated February 22, 2022, and the Payroll Documentation dated January 30, 2022, and recommends their approval.

FISCAL IMPACT: The Warrant Register dated February 22, 2022, totals \$1,476,638.17.

The Payroll Documentation dated January 30, 2022 totals \$628,596.13 gross, with \$450,199.99 net being the total cash disbursement.

RECOMMENDATION: Staff recommends the City Council approve the above-referenced Warrant Register and Payroll Documentation.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN510
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	SA
ITEM NO.:	3	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

REASON FOR CONSIDERATION: The City Council acting as Successor to the Redevelopment Agency Board of Directors (Successor Agency Board) is requested to consider receiving and filing the Successor to the Redevelopment Agency Treasurer's Report for the month ending January 31, 2022, pursuant to state law.

BACKGROUND: Included in the Successor Agency Board's agenda packet is a copy of the Successor to the Redevelopment Agency Treasurer's Report for the period ending January 31, 2022.

FISCAL IMPACT: Routine—report of the Successor Agency's cash.

RECOMMENDATION: Staff recommends the Successor Agency Board receive and file the Successor to the Redevelopment Agency Treasurer's Report for the month ending January 31, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN530
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	SA
ITEM NO.:	4	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER		

REASON FOR CONSIDERATION: The City Council acting as Successor to the Redevelopment Agency Board of Directors is requested to consider receiving and filing the Successor to the Redevelopment Agency Warrant Register for the month ending January 31, 2022, pursuant to state law.

BACKGROUND: Vice Chair Ruh has examined the Successor to the Redevelopment Agency Warrant Register dated 01.01.22-01.31.22 in the amounts of \$5,706.18 for the Combined Operating Fund and \$0.00 for the Redevelopment Obligation Retirement Funds, and finds it to be in order.

FISCAL IMPACT: Routine—report of Agency's obligations.

RECOMMENDATION: Vice Chair Ruh recommends the City Council as Successor to the Redevelopment Agency Board of Directors approve the Successor to the Redevelopment Agency Warrant Register for the period ending January 31, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN525
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHC
ITEM NO.:	5	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to receive and file the Montclair Housing Corporation Treasurer's Report for the month ending January 31, 2022, pursuant to state law.

BACKGROUND: Included in the Montclair Housing Corporation Board agenda packet is a copy of the Treasurer's Report for the period ending January 31, 2022.

FISCAL IMPACT: Routine—report of the Montclair Housing Corporation's cash and investments.

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors receive and file the Treasurer's Report for the month ending January 31, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN545
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHC
ITEM NO.:	6	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER		

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending January 31, 2022, pursuant to state law.

BACKGROUND: Vice Chair Ruh has examined the Warrant Register dated 01.01.22-01.31.22 in the amount of \$64,330.13 for the Montclair Housing Corporation and finds it to be in order.

FISCAL IMPACT: Routine—report of Montclair Housing Corporation's obligations.

RECOMMENDATION: Vice Chair Ruh recommends the Montclair Housing Corporation Board of Directors approve the Warrant Register for the period ending January 31, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN525
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHA
ITEM NO.:	7	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER RECEIVING AND FILING OF TREASURER'S REPORT		

REASON FOR CONSIDERATION: The Montclair Housing Authority Commission is requested to receive and file the Montclair Housing Authority Treasurer's Report for the month ending January 31, 2022, pursuant to state law.

BACKGROUND: Included in the Montclair Housing Authority Commission's agenda packet is a copy of the Treasurer's Report for the period ending January 31, 2022.

FISCAL IMPACT: Routine—report of Montclair Housing Authority's obligations.

RECOMMENDATION: Staff recommends the Montclair Housing Authority Commission receive and file the Treasurer's Report for the month ending January 31, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	FIN545
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	MHA
ITEM NO.:	8	PREPARER:	C. RAMIREZ
SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER		

REASON FOR CONSIDERATION: The Montclair Housing Authority Commission is requested to consider receiving and filing the Warrant Register for the month ending January 31, 2022, pursuant to state law.

BACKGROUND: Vice Chair Ruh has examined the Warrant Register dated 01.01.22-01.31.22 in the amount of \$0.00 for the Montclair Housing Authority and finds it to be in order.

FISCAL IMPACT: Routine—report of Montclair Housing Authority's obligations.

RECOMMENDATION: Vice Chair Ruh recommends the Montclair Housing Authority Commission approve the Warrant Register for the period ending January 31, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	TRN110A
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	PUBLIC WORKS
ITEM NO.:	9	PREPARER:	S. STANTON
SUBJECT:	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		

REASON FOR CONSIDERATION: By City Council action on April 19, 2021, Resolution No. 21-3307 was adopted, declaring a need for emergency contracting procedures for the Pacific Electric (PE) Trail Bridge Replacement Project. Under Public Contract Code Section 22050, the governing body must review the emergency action at every regularly scheduled meeting after making the declaration to determine the need to continue the action by a fourth-fifths majority vote.

BACKGROUND: The City of Montclair, in coordination with San Bernardino County Transportation Authority (SBCTA), constructed a multi-purpose trail linking cities from Claremont to Rialto along the famous Pacific Electric Railway Line. This 21-mile trail is a vital component of our Active transportation and Healthy Montclair programs. The trail provides recreational and alternative transportation opportunities for cyclists, pedestrians, runners, and equestrians and links residents and the commuting public to schools, jobs, and our regional transportation hub. The 20-acre Montclair Transcenter is the largest facility of its kind between Union Station in Los Angeles and the San Bernardino County station. It conveniently connects the region's fixed-route commuter rail, bus service, and rideshare programs in one centrally located area. The Pacific Electric trail is a vital connection to this important transportation hub.

On March 21, 2021, the PE Trail Bridge was damaged due to a fire and closed to active transportation traffic. The closure of the bridge disrupts the regional connections of the PE Trail. A structural engineer who investigated the magnitude and extent of the damage declared the PE Trail bridge a total loss and recommended replacement. The replacement will be a prefabricated steel truss bridge to mitigate the risks that left the existing bridge vulnerable to fire. A steel truss bridge provides the best combination of long-term value and affordability while also recognizing the need for a speedy replacement of this vital piece of infrastructure. The use of a prefabricated bridge saves valuable time since a state-licensed structural engineer has preapproved its design. Compared to a wooden structure, the construction of the steel truss bridge is completed at an accelerated pace since it is delivered assembled and dropped into place.

The City of Montclair is a healthier and more equitable City due to safer and more connected roadways through active transportation options. SBCTA recognizes the value and importance of the PE trail. To that end, SBCTA has shown good faith and leadership by graciously offering to cover a percent of the cost, up to \$100,000, to replace the bridge through their TDA Grant Program. On June 2, 2021, the SBCTA Board of Directors authorized the release of the TDA Article 3 Call for Projects for bicycle and pedestrian improvement projects. The City applied for the grant, and SBCTA's General Policy

Committee awarded \$227,544 for the Project. The City will cash flow the Project and seek reimbursement from SBCTA at a future date.

Currently, Pacific Electric Trail commuters are being detoured from the regional trail to Arrow Highway. To reduce the impact of the bridge closure, City staff will continue to work diligently through the use of the emergency contracting procedures to hire various consultants and contractors to complete the bridge replacement. Contech Engineered Solutions will fabricate the bridge. Biggs Cardoso Associates (BCA), a structural engineering consultant, will design the bridge deck and modify the existing bridge substructure and foundations to accept the new bridge. Additionally, Environmental permits and studies are required to clear the Project through the California Environmental Quality Act (CEQA) and U.S. Army Corps permitting process.

February 22, 2022 Update

The contractor, Sunquest General Engineering, Inc., will demolish the existing bridge by early March. Staff is coordinating with Vulcan Materials Company to access their vacant lot to access the site for the delivery of the new prefabricated steel truss bridge.

FISCAL IMPACT: The estimated cost to replace the Pacific Electric Trail Bridge is \$450,000. SBCTA will contribute a total of \$327,544 in TDA Grant funding, and General Fund Reserves will cover the remaining project costs.

RECOMMENDATION: Staff recommends that the City Council receive and file a status report on emergency contracting procedures for the Pacific Electric Trail Bridge Replacement Project and determine there is a need to continue the action.

FISCAL IMPACT: If authorized by the City Council, funding for the purchase of a 2022 Ford Ranger XL vehicle would result in an expenditure of \$30,479.39 from the Police Department Fiscal Year 2021-22 Budget from Equipment Replacement Fund Account No. 1750-4425-62020-400-00000. There would be no fiscal impact to the City as a result of declaring an existing vehicle in the Police Department fleet as surplus and making it available for parts. However, the City could receive up to \$7,500 from the auction of said vehicle. Proceeds from the sale would be credited to the Equipment Replacement Fund.

RECOMMENDATION: Staff recommends the City Council take the following actions:

1. Authorize the purchase of a 2022 Ford Ranger XL vehicle from Fritts Ford in the total amount of \$30,479.39.
2. Declare a 2011 Chevrolet Caprice vehicle as surplus and available for parts or for sale at auction.



CITY COUNCIL AGENDA REPORT

DATE:	FEBRUARY 22, 2022	FILE I.D.:	STA650C
SECTION:	CONSENT - AGREEMENTS	DEPT.:	PUBLIC WORKS
ITEM NO.:	1	PREPARER:	S. STANTON

SUBJECT: CONSIDER AMENDING THE 2019–2024 CAPITAL IMPROVEMENT PROGRAM TO ADD THE MONTE VISTA AVENUE/I-10 TRAFFIC SIGNAL INTERCONNECT PROJECT

CONSIDER AUTHORIZING A \$100,000 APPROPRIATION FROM 2021 LEASE REVENUE BOND FUNDS FOR COSTS RELATED TO THE MONTE VISTA AVENUE/I-10 TRAFFIC SIGNAL INTERCONNECT PROJECT

CONSIDER APPROVAL OF AGREEMENT NO. 22-14 WITH HP COMMUNICATIONS FOR CONSTRUCTION OF THE MONTE VISTA AVENUE/I-10 TRAFFIC SIGNAL INTERCONNECT PROJECT

REASON FOR CONSIDERATION: The City Council is requested to consider amending the 2019–2024 Capital Improvement Program (CIP) to add the Monte Vista Avenue/I-10 Traffic Signal Interconnect Project, authorize necessary funding from 2021 Lease Revenue Bond funds, and approve Agreement No. 22-14 with HP Communications for the project. Amendments to the CIP, non-budgeted appropriations, and contracts with the City are subject to City Council approval.

BACKGROUND: The Monte Vista Avenue/I-10 Traffic Signal Interconnect Project will install a traffic signal interconnect conduit on Monte Vista Avenue from Palo Verde Street to approximately 40 feet north of the I-10 Freeway.

The 2019–2024 Capital Improvement program identifies an unfunded project titled Citywide Fiber Optic Communications. This future project will provide fiber optic cabling from City Hall to the City Yard, Police Department, both Fire Stations, and traffic signals throughout the City. However, staff identified two major hurdles for completing the project: installing conduit across the Union Pacific Railroad right of way and the I-10 Caltrans right of way. During construction of the Monte Vista Avenue/Union Pacific Railroad grade separation, staff negotiated the conduit installation within the bridge structure, eliminating one of the hurdles.

As part of the I-10 Freeway widening project, Monte Vista Avenue will be lowered approximately 24 inches. Therefore, underground utilities will also require an adjustment. HP Communications is currently under contract to relocate various underground utilities for the project. Staff approached the lead agency on the project, San Bernardino County Transportation Authority (SBCTA), about the possibility of installing a new conduit for our future project. Staff was advised that the project was under a tight schedule, and it would be best to use HP Communications since they already have a good understanding of the project and are on schedule to relocate other utilities.

The attached cost proposal received from HP Communications includes design services, Caltrans encroachment, construction permit fees, and installation of conduit and pull boxes for future use. This work would be performed as part of the Caltrans I-10 Widening Project.

FISCAL IMPACT: The HP Communications fee proposal is for \$76,145, staff is requesting and additional \$23,855 as a construction contingency in the event there any unforeseen costs related to the project. The Monte Vista Avenue/I-10 Traffic Signal Interconnect Project would be funded using \$100,000 of 2021 Lease Revenue Bond funds.

RECOMMENDATION: Staff recommends that the City Council take the following actions:

1. Amend the 2019–2024 Capital Improvement Program to add the Monte Vista Avenue/I-10 Traffic Signal Interconnect Project;
2. Authorize a \$100,000 appropriation from 2021 Lease Revenue Bond funds for costs related to the Monte Vista Avenue/I-10 Traffic Signal Interconnect Project; and
3. Consider approval of Agreement No. 22–14 with HP Communications for construction of the Monte Vista Avenue/I-10 Traffic Signal Interconnect project.

Infrastructure Fund Capital Project Funding Information

Project Name: Monte Vista Avenue/I-10 Freeway Conduit Installation
 Project Details: Install underground conduit for future traffic signal interconnect project. Limits are from the southern Caltrans ROW to the northern Caltrans ROW.

Preparation Date: February 15, 2022 Department: Public Works/ Engineering
 Project No. (Assigned by Finance): 21005 Contact/Ext.: Monica Heredia / Ex. 441

Phase	Fiscal Years					Total	Fund/Program
	Prior Years	2019/2020	2020/2021	2021/2022	2022/2023		
Environmental							
Design							
R/W Acquisition							
Construction				100,000.00		100,000.00	2021 LRBP
Total	0.00	0.00	0.00	100,000.00	0.00	100,000.00	

Approvals: _____ Date: 2/15/22
 Department: Public Works/Engineering By: M Heredia
 Finance By: Sarah Kullback Date: 2-15-22
 City Council Date: _____ Total Project Cost: 100,000.00
 Revision Number: _____

AGREEMENT

KNOW ALL MEN BY THESE PRESENTS: That the following Agreement is made and entered into as of the date executed by the City Clerk and the Mayor, by and between **HP COMMUNICATIONS, INC.**, a **CORPORATION**, hereinafter referred to as "CONTRACTOR" and the CITY OF MONTCLAIR, hereinafter referred to as "CITY."

A. Recitals.

- (i) CITY did accept the bid of CONTRACTOR.
- (ii) CITY has authorized the City Clerk and Mayor to enter into a written contract with CONTRACTOR for furnishing labor, equipment, and material for the construction of:

**CITY OF MONTCLAIR CONDUIT INSTALLATION
MONTE VISTA AVENUE/ I-10 FREEWAY**

"PROJECT" hereinafter.

B. Resolution.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed:

1. **GENERAL SCOPE OF WORK:** CONTRACTOR shall furnish all necessary labor, tools, materials, appliances, and equipment for and do all work contemplated and embraced for the PROJECT. Said PROJECT to be performed in accordance with specifications and standards on file in the Office of the City Engineer and in accordance with bid prices hereinafter mentioned and in accordance with the instructions of the Engineer.
2. **INCORPORATED DOCUMENTS TO BE CONSIDERED COMPLEMENTARY:** The aforesaid specifications are incorporated herein by reference thereto and made a part hereof with like force and effect as if all of said documents were set forth in full herein. Said documents, the Notice Inviting Bids, the Instructions to Bidders, the Proposal and any City-issued addenda, together with this written Agreement, shall constitute the contract between the parties. This contract is intended to require a complete and finished piece of work and anything necessary to complete the work properly and in accordance with the law and lawful governmental regulations shall be performed by the CONTRACTOR whether set out specifically in the contract or not. Should it be ascertained that any inconsistency exists between the aforesaid documents and this written Agreement, the provisions of this written Agreement shall control.
3. **TERMS OF CONTRACT:** The CONTRACTOR agrees to execute the contract within ten (10) calendar days from the date of notice of award of the contract and to complete his portion of PROJECT within the time specified in the Special Provisions. CONTRACTOR agrees further to the assessment of liquidated damages in the amount specified in the Special Provisions or the Standard Specifications, whichever is higher, for each calendar day PROJECT remains incomplete beyond the expiration of the completion date. CITY may deduct the amount thereof from any moneys due or that may become due the CONTRACTOR under this contract. Progress payments made after the scheduled date of completion shall not constitute a waiver of liquidated damages.

AGREEMENT

4. **GOVERNING LAW:** The City and Contractor understand and agree that the laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in the municipal, superior, or federal district court with jurisdiction over the City of Montclair.

5. **INSURANCE:**

(a) Types of Required Coverages-Without limiting the indemnity provisions of the Contract, the Contractor shall procure and maintain in full force and effect during the term of the Contract, the following policies of insurance. If the existing policies do not meet the insurance requirements set forth herein, Contractor agrees to amend, supplement or endorse the policies to do so.

(1) **Commercial General Liability:** Commercial General Liability Insurance which affords coverage at least as broad as Insurance Services Office "occurrence" form CG 00 01, with minimum limits of at least \$1,000,000 per occurrence for bodily injury, personal injury and property damage, and \$2,000,000 aggregate total bodily injury, personal injury and property damage. Commercial General Liability insurance and endorsements shall be kept in force at all times during the performance of this Agreement.

Products-Completed Operations: Contractor shall procure and submit to City evidence of insurance for a period of at least three (3) years from the time that all work under this Contract is completed.

(2) **Automobile Liability Insurance:** Automobile Liability Insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering "Any Auto" (Symbol 1), including owned, non-owned and hired autos, or the exact equivalent, with minimum limits of \$1,000,000 for bodily injury and property damage, each accident. If Contractor owns no vehicles, auto liability coverage may be provided by means of a non-owned and hired auto endorsement to the general liability policy. Automobile liability insurance and endorsements shall be kept in force at all times during the performance of this Agreement.

(3) **Workers' Compensation:** Workers' Compensation Insurance, as required by the State of California and Employer's Liability Insurance with a limit of not less than \$1,000,000 each accident for bodily injury and \$1,000,000 each employee for bodily injury by disease.

(b) Endorsements-Insurance policies shall not be in compliance if they include any limiting provision or endorsement that has not been submitted to the City for approval.

(1) The insurance coverages required by Section (a)(1) Commercial General Liability; and (a)(2) Automobile Liability Insurance shall contain the following provisions or be endorsed to provide the following:

Additional Insured: The City, its elected officials, officers, employees, volunteers, boards, agents and representatives shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of the Contract. Coverage for the additional insureds shall apply to the fullest extent permitted by law.

Additional Insured Endorsements shall not:

AGREEMENT

1. Be limited to "Ongoing Operations"
2. Exclude "Contractual Liability"
3. Restrict coverage to the "Sole" liability of contractor
4. Exclude "Third-Party-Over Actions"
5. Contain any other exclusion contrary to the Contract)

Primary Insurance: This insurance shall be primary and any other insurance whether primary, excess, umbrella or contingent insurance, including deductible, or self-insurance available to the insureds added by endorsement shall be in excess of and shall not contribute with this insurance.

(2) The policy or policies of insurance required by Section (a)(3) Workers' Compensation shall be endorsed, as follows:

Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the indemnified parties.

(c) Notice of Cancellation-Required insurance policies shall not be cancelled or the coverage reduced until a thirty (30) day written notice of cancellation has been served upon the City except ten (10) days shall be allowed for non-payment of premium.

(d) Waiver of Subrogation-Required insurance coverages shall not prohibit Contractor from waiving the right of subrogation prior to a loss. Contractor shall waive all rights of subrogation against the indemnified parties and Policies shall contain or be endorsed to contain such a provision.

(e) Evidence of Insurance-The Contractor, concurrently with the execution of the contract, and as a condition precedent to the effectiveness thereof, shall deliver either certified copies of the required policies, or original certificates and endorsements on forms approved by the City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. At least fifteen (15) days prior to the expiration of any such policy, evidence of insurance showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is cancelled or reduced, Contractor shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies.

(f) Deductible or Self-Insured Retention-Any deductible or self-insured retention must be approved in writing by the City and shall protect the indemnified parties in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.

(g) Contractual Liability-The coverage provided shall apply to the obligations assumed by the Contractor under the indemnity provisions of this contract.

(h) Failure to Maintain Coverage-Contractor agrees to suspend and cease all operations hereunder during such period of time as the required insurance coverage is not in effect and evidence of insurance has not been furnished to the City. The City shall have the right to withhold any payment due Contractor until Contractor has fully complied with the insurance provisions of this Contract. In addition, the City may either immediately terminate this Agreement or, if insurance is available at a reasonable cost, City may take out the necessary insurance and pay, at Contractor's expense, the premium thereon.

AGREEMENT

In the event that the Contractor's operations are suspended for failure to maintain required insurance coverage, the Contractor shall not be entitled to an extension of time for completion of the Work because of production lost during suspension.

(i) Acceptability of Insurers-Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and authorized to do business in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law. Any other rating must be approved in writing in accordance with the City.

(j) Claims Made Policies-If coverage is written on a claims-made basis, the retroactive date on such insurance and all subsequent insurance shall coincide or precede the effective date of the initial Contractor's Contract with the City and continuous coverage shall be maintained or an extended reporting period shall be exercised for a period of at least three (3) years from termination or expiration of this Contract.

Upon expiration or termination of coverage of required insurance, Contractor shall procure and submit to City evidence of "tail" coverage or an extended reporting coverage period endorsement for the period of at least three (3) years from the time that all work under this contract is completed.

(k) Insurance for Subcontractors-Contractor shall be responsible for causing Subcontractors to purchase the same types and limits of insurance in compliance with the terms of this Contract/Agreement, including adding the City as an Additional Insured to the Subcontractor's policies.

6. CONTRACTOR'S LIABILITY: The City of Montclair and its respective officers, agents and employees shall not be answerable or accountable in any manner for any loss or damage that may happen to the project or any part thereof, or for any of the materials or other things used or employed in performing the project; or for injury or damage to any person or persons, either workmen, employees of the CONTRACTOR or his subcontractors or the public, whatsoever arising out of or in connection with the performance of the project. The CONTRACTOR shall be responsible for any damage or injury to any person or property resulting from defects or obstructions or from any cause whatsoever, except the sole negligence or willful misconduct of CITY, its employees, servants, or independent contractors who are directly responsible to CITY during the progress of the project or at any time before its completion and final acceptance. The CONTRACTOR will indemnify CITY against and will hold and save CITY harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision, or other organization arising out of or in connection with the work, operation, or activities of the CONTRACTOR, his agents, employees, subcontractors, or invitees provided for herein, whether or not there is concurrent passive or active negligence on the part of CITY, but excluding such actions, claims, damages to persons or property, penalties, obligations, or liabilities arising from the sole negligence or willful misconduct of CITY, its employees, servants, or independent contractors who are directly responsible to CITY, and in connection therewith:

a. The CONTRACTOR will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations, or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection therewith.

AGREEMENT

b. The CONTRACTOR will promptly pay any judgment or award rendered against the CONTRACTOR or CITY covering such claims, damages, penalties, obligations, and liabilities arising out of or in connection with such work, operations, or activities of the CONTRACTOR hereunder or reasonable settlement in lieu of judgment or award, and the CONTRACTOR agrees to save and hold the CITY harmless therefrom.

c. In the event CITY is made a party to any action or proceeding filed or prosecuted against the CONTRACTOR for damages or other claims arising out of or in connection with the project, operation, or activities of the CONTRACTOR hereunder, the CONTRACTOR agrees to pay to CITY any and all costs and expenses incurred by CITY in such action or proceeding together with reasonable attorneys' fees.

Money due to the CONTRACTOR under and by virtue of the contract, as shall be considered necessary by CITY, may be retained by CITY until disposition has been made of such actions or claims for damage as aforesaid.

7. NONDISCRIMINATION: No discrimination shall be made in the employment of persons upon public works because of the race, color, sex, sexual preference, sexual orientation, or religion of such persons, and every contractor for public works violating this section is subject to all the penalties imposed for a violation of Division 2, Part 7, Chapter 1 of the Labor Code in accordance with the provisions of § 1735 of said Code.

8. INELIGIBLE SUBCONTRACTORS: The CONTRACTOR shall be prohibited from performing work on this project with a subcontractor who is ineligible to perform on the project pursuant to § 1777.1 and § 1777.7 of the Labor Code.

9. CONTRACT PRICE AND PAYMENT: CITY shall pay to the CONTRACTOR for furnishing the material and doing the prescribed work the unit prices set forth in accordance with CONTRACTOR's Proposal dated February 4, 2022.

10. ATTORNEYS' FEES: In the event that any action or proceeding is brought by either party to enforce any term or provision of this Agreement, the prevailing party shall recover its reasonable attorneys' fees and costs incurred with respect thereto.

AGREEMENT

11. **EFFECT OF PARTIAL INVALIDITY**

If any term or provision of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement and any application of the terms shall remain valid and enforceable under this Agreement or California law.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

CONTRACTOR

CITY

HP COMMUNICATIONS
13341 Temescal Canyon Rd.
Corona, CA, 92223

CITY OF MONTCLAIR, CALIFORNIA
5111 Benito Street
Montclair, CA 91763

By: _____
Name:

By: _____
Javier "John" Dutrey, Mayor

Title:

ATTEST:

By: _____
Name:

By: _____
Andrea Myrick, City Clerk

Title:

APPROVED AS TO FORM:

By: _____
Diane E. Robbins, City Attorney



&

The City of Montclair

“The High-Performance Team”

CONDUIT INSTALLATION - PROPOSAL

CONFIDENTIAL



HP Communications, Inc.

"United We Stand"

February 4, 2022

Steven Stanton
City of Montclair
5111 Benito Street
Montclair, CA 91763

RE: CITY OF MONTCLAIR CONDUIT INSTALLATION

Steven,

Thank you for providing HP Communications the opportunity to submit a quote for the above referenced Project. Based on the information provided and our experience with projects similar in scope, we are pleased to present you with this proposal. HP Communications will provide labor and equipment to complete the following:

CITY OF MONTCLAIR CONDUIT INSTALLATION:				
Description	Qty	U.O.M	Price	Extension
Open Trench – Labor and Equipment to install 2 - 4” PVC Conduits	950	Ft	\$47.00	\$44,650.00
Vault Installation	3	EA	\$550.00	\$1,650.00
Concrete Restoration	120	Sq Ft	\$37.50	\$4,500.00
Material	1	LS	\$22,877.00	\$22,877.00
Engineering	1	LS	\$2468.00	\$2468.00
Grand Total				\$76,145.00

Terms:

- *Net 30 days from date of invoice. 2% late fee per month for payments past 30 days.*
- *Price includes all applicable sales tax.*
- *Price quote is valid for 30 Days.*

Again, thank you for the opportunity and we hope that this proposal meets with your approval. We at HP Communications take pride in our efforts to develop partnerships with our customers. We're not just satisfied with completing a job; we will help design and build the best system to suit our customers' needs.

Victor Gonzalez
Project Manager
Inland Empire Div.
HP Communications Inc.
951-453-6833
Victor.gonzalez@hpcomminc.com

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, FEBRUARY 7, 2022 AT 7:00 P.M. CONDUCTED REMOTELY PURSUANT TO STATE EXECUTIVE ORDER AND AB 361 SUSPENDING CERTAIN ASPECTS OF THE BROWN ACT DURING THE COVID-19 PUBLIC HEALTH STATE OF EMERGENCY

I. CALL TO ORDER

Mayor/Chair Dutrey called the meeting to order at 7:00 p.m.

II. INVOCATION

Pastor Joe McTarsney, Calvary Montclair, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Lopez 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; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS — None

VI. PUBLIC COMMENT

A. **Ms. Ruby Long**, Field Representative for **San Bernardino County Fourth District Supervisor Curt Hagman**, announced **Supervisor Hagman** host a "Coffee with Curt" event on Saturday, February 26th from 9:00 to 10:30 a.m. at the Montclair Police Department.

B. **Mr. Bruce Culp**, resident, encouraged everyone to support local businesses for the upcoming **Super Bowl LVI** celebrations. He expressed support for continuing emergency work to replace the **Pacific Electric Trail** bridge, and stated concerns that the new bridge would not be as wide as the old one. He also suggested the City consider sending requests for proposals for affordable housing to the developer of a new low income apartment development in Pomona, which is currently renting units at \$624 per month.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

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

A. Approval of Minutes

1. Regular Joint Meeting — January 18, 2022

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 January 18, 2022 regular joint meeting.

B. Administrative Reports

1. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated February 7, 2022, totaling \$1,419,791.32; and the Payroll Documentation dated January 16, 2022, amounting to \$639,871.06 gross, with \$446,309.92 net being the total cash disbursement.

2. 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.

3. Approval of Parcel Map No. 20507 Generally Located on the East Side of Monte Vista Avenue South of Palo Verde Street

Authorizing Staff to Record Parcel Map No. 20507 with the Office of the San Bernardino County Recorder

The City Council took the following actions:

- (a) Approval of Parcel Map No. 20507 generally located on the east side of Monte Vista Avenue south of Palo Verde Street.
- (b) Authorizing staff to record Parcel Map No. 20507 with the Office of the San Bernardino County Recorder.

C. Agreements

1. Approval of Agreement No. 22-08 with RSG for Financial, Analytical, and Advisory Services Related to Affordable Housing

The City Council approved *Agreement No. 22-08* with RSG for financial, analytical, and advisory services related to affordable housing.

2. Award of Contract to Gentry Brothers, Inc., in the Amount of \$3,598,603.23 for Construction of the Zone 5 and 6 Street Rehabilitation Project

Approval of Agreement No. 22-09 with Gentry Brothers, Inc., for Construction of the Zone 5 and 6 Street Rehabilitation Project

Authorization of a \$400,000 Construction Contingency for the Zone 5 and 6 Street Rehabilitation Project

The City Council took the following actions:

- (a) Awarded a contract to Gentry Brothers, Inc., in the amount of \$3,598,603.23 for construction of the Zone 5 and 6 Street Rehabilitation Project.
- (b) Approved *Agreement No. 22-09* with Gentry Brothers, Inc., for construction of the Zone 5 and 6 Street Rehabilitation Project.
- (c) Authorized a \$400,000 construction contingency for the Zone 5 and 6 Street Rehabilitation Project.

3. Approval of Agreement No. 22-10-I-108 (Case No. 2022-02), an Irrevocable Annexation Agreement with Juan Rodriguez and Lorena Ayala for 4751 Howard Street, Montclair (APN 1012-331-06-0000)

The City Council approved *Agreement No. 22-10-I-108* (Case No. 2022-02), an Irrevocable Annexation Agreement with Juan Rodriguez and Lorena Ayala for 4751 Howard Street, Montclair (APN 1012-331-06-0000).

D. Resolutions

1. Adoption of Resolution No. 21-3334 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges

The City Council adopted of Resolution No. 21-3334 authorizing placement of liens on certain properties for delinquent sewer and trash charges.

2. Adoption of Resolution No. 22-3336 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of February 7, 2022, Through March 9, 2022

The City Council participated in a brief discussion related to resuming in-person City Council meetings beginning at the next Midyear Budget Review meeting on February 16, 2022, and continuing to allow for remote participation.

The City Council adopted Resolution No. 22-3336 making factual findings in compliance with AB 361 for the continuation of public meeting teleconferencing during public health emergencies for the period of February 7, 2022, through March 9, 2022.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. COUNCIL WORKSHOP

A. Fiscal Year 2021-22 Midyear Budget Review

The City Council continued this presentation to an adjourned meeting on Wednesday, February 16, 2022, at 6:00 p.m. in the City Council Chambers.

XI. COMMUNICATIONS

A. Department Reports

1. Police Department

Executive Director of Public Safety/Police Chief Avels discussed the following topics:

- **Military Equipment Use Policy** - In accordance with recently passed legislation, Assembly Bill 481, cities are required to adopt a policy prior to purchasing equipment state lawmakers have deemed military equipment, and to post an annual report on the inventory and use of such equipment. He advised the policy is posted on the City's website and will be presented to the City Council in March for approval via an Ordinance after the policy has been posted for 30-days.
- **American Red Cross Blood Donation Drive** - The Montclair Police Department is hosting a blood drive at the Montclair Community Center on Tuesday, February 22, from 2:00 p.m. to 8:00 p.m. All officials, staff, and community members are encouraged to participate due to the current blood shortage.

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 54956.8 Regarding Real Property Negotiations

Property: 9671 Central Ave., Montclair (2 parcels, APNs 1008-611-16 & 1008-611-17)
Negotiating Parties: City of Montclair & RAMI, MUKESH & SMITA REV LIV TR
City Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price

C. City Manager/Executive Director

City Manager/Executive Director Starr advised that, although the state is lifting its mask mandate beginning February 15th, unvaccinated individuals will still be required to wear face masks indoors, and major events of 1,000 or more attendees will require proof of vaccination or negative test.

In response to **Mr. Culp's** concern about the width of the **Pacific Electric Trail** bridge, Public Works Director/City Engineer Heredia advised the new bridge's width is 12 feet, which is the same as the previous bridge.

In response to **Mr. Culp's** question about affordable housing projects, City Manager Starr advised the recent Pomona project to which **Mr. Culp** referred is funded through a state trust fund. He expressed that, after recently being redistricted into State Senate District 22, the City of Montclair will request to gain access to the program's affordable housing funding through **State Senator Susan Rubio**.

D. Mayor/Chair

1. Mayor/Chair Dutrey made the following comments:

- (a) He stated juvenile suspects who assaulted a Montclair Police Officer at **Montclair Place** were apprehended, and commended the Police Department for responding to two murders that took place in the City last Friday. He condemned these crimes and stated the City of Montclair is a peaceful and safe city, and he expects all involved to be brought to justice.
- (b) He commended staff from the Police, Fire, and Public Works Departments for responding to damage that occurred during the recent major windstorm.
- (c) He acknowledged the City Council's approval this evening of a new paving project for the southern streets of Montclair.
- (d) He wished the **Los Angeles Rams** well in the upcoming **Super Bowl** knowing that most football fans in this City are rooting for them, and stated if they win on Sunday he will declare the following day as "Rams Day" in the City of Montclair.

E. Council Members/Directors

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

- (a) He acknowledged, in honor of Black History Month, the 369th regiment of World War II volunteer soldiers from Harlem who were primarily African American. He stated because the army was racially segregated, a general had them fight along with the French forces, which were not segregated. He noted 170 troops were honored by the French government and some decided to remain and live in France, while others returned and became civil rights activists. He stated all served this country with dignity, duty, and devotion.
- (b) He wished everyone a Happy Lunar New Year, noting it is the Year of the Tiger, which symbolizes the expulsion of evil.
- (c) He stated on January 26th, **Congresswoman Norma Torres** visited the Senior Center to hand out COVID-19 tests, which the seniors appreciated, and the next day she toured the Central Avenue bridge, which spans Holt to Mission Boulevards over the train tracks. He noted with the excessive truck traffic, the bridge is in dire need of reconstruction and her time and effort was appreciated.

- (d) He noted the Housing Trust Fund was started by **Senator Rubio** and he believes it is a great program which he has always supported.
 - (e) He thanked the City's public safety personnel and City staff for addressing the latest crimes and wind damage.
2. Council Member/Director Johnson made the following comments:
- (a) She announced a new business, **Harmony Nursing Services**, an educational facility for nurses, is holding a ribbon cutting event on Thursday, February 10 at 10:00 a.m. at 4651 Holt Boulevard, Unit I.
 - (b) In honor of Black History Month, she shared the story of **Mamie Till**, whose 14-year-old son was murdered for by two white men in 1955 in Mississippi for allegedly whistling at a white woman. She stated **Mamie Till** bravely insisted that her son's casket be left open at his funeral because she "wanted the world to see what they did to [her] boy."
3. Council Member/Director Martinez made the following comments:
- (a) She thanked Montclair Police and Fire Departments for their response to the various recent serious events referenced by her Council colleagues.
 - (b) She wished everyone a Happy Black History Month and stated she hopes everyone takes time to reflect on the meaning of this month.
4. Council Member/Director Lopez made the following comments:
- (a) He stated he is encouraged to learn COVID-19 numbers have dropped drastically in the right direction.
 - (b) He expressed his relief that the officer who was assaulted is recovering well at home.
 - (c) In reference to the paving project in the southern part of Montclair, he stated the City is listening to its residents in those areas.
 - (d) He reported there will be a 10-day ramp closure from February 8th through the 18th at the eastbound I-10 Freeway onramp approaching Fourth Street, and a 55-hour freeway closure of the two right lanes eastbound approaching Mountain Avenue.
 - (e) He stated his friend **Daniel Evers Everett**, grandson of civil rights activist **Medgar Evers**, has shared many stories of his grandfather and, if anyone is interested, he would be happy to ask **Mr. Evers Everett** to be a guest speaker at an event or meeting in the community.

F. Committee Meeting Minutes — None

XII. CLOSED SESSION

At 7:51 p.m., the City Council went into closed session to discuss real property negotiations.

XIII. CLOSED SESSION ANNOUNCEMENTS

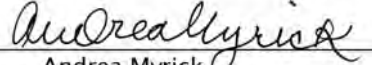
At 8:13 p.m., the City Council returned from closed session. Mayor Dutrey announced the City Council met in closed session to discuss real property negotiations; information was received and direction given to staff; and no further announcements would be made at this time.

XIV. ADJOURNMENT

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

At 8:13 p.m., Mayor Dutrey adjourned the City Council to Wednesday, February 16, 2022 at 6:00 p.m. in the City Council Chambers for the Midyear Budget Review.

Submitted for City Council/Successor Agency Board/Montclair Housing Corporation Board/Montclair Housing Authority Commission/Montclair Community Foundation Board approval,



Andrea Myrick
City Clerk

PENDING APPROVAL

**CITY OF MONTCLAIR
TREASURER'S REPORT
FOR THE MONTH ENDING
JANUARY 31, 2022**

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STATEMENT OF CASH AND INVESTMENT ACCOUNTS

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CASH AND INVESTMENTS BY TYPE

**CITY OF MONTCLAIR
STATEMENTS OF COMPLIANCE WITH THE INVESTMENT POLICY
AND INVESTMENT STRATEGY**

JANUARY 31, 2022

COMPLIANCE STATEMENT

The City has the following amount invested in various financial instruments. This conforms with the investment policy approved by the City Council.

Total Investments \$ 32,803,124

During the current month the City was in compliance with the internal control procedures set forth in the Investment Policy.

INVESTMENT STRATEGY FOR THE UPCOMING MONTH

During the upcoming month, surplus moneys will be invested in the Local Agency Investment Fund and other investments authorized in the Investment Policy. The City has sufficient monies available to meet expenditures during the next six month period.

CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENTS BY FUND
AS OF JANUARY 31, 2022

Fund	Beginning Balance	Receipts	Disbursements	Interfund Transfers	Ending Balance
General Fund	\$ (1,828,069.95)	\$ 5,451,967.60	\$ 2,222,812.91	\$ 14,200.00	\$ 1,415,284.74 (1)
Gas Tax Fund	37,325.20	1,093.00	71,224.12	-	(32,805.92) (2)
Road Maintenance - Section 2032	883,627.43	65,181.12	12,860.05	-	935,948.50
Measure I Fund	4,123,894.00	73,635.66	-	-	4,197,529.66
Traffic Safety	42,072.31	23,701.06	-	-	65,773.37
Disability Access Fund - Bus. License	41,085.20	920.00	-	-	42,005.20
Park Maintenance	74,653.30	6,161.80	1,461.13	-	79,353.97
Park Development	1,152,007.06	2,800.00	-	-	1,154,807.06
CDBG	(31,844.94)	5,496.23	-	-	(26,348.71)
SB2 Planning Grant	(2,474.00)	-	-	-	(2,474.00)
Air Quality Improvement Trust	244,155.46	-	7,914.92	-	(34,263.63) (2)
SB City Cares Act Infrastructure	(23,032.05)	-	19,392.50	-	(21,866.50) (2)
Senior Nutrition Program	(55,624.68)	14,176.02	168.00	-	(23,200.05) (2)
American Rescue Plan	4,738,465.00	-	19,363.15	-	(60,811.61) (2)
Forfeiture Fund - State	117,684.11	-	-	-	4,738,465.00
Proposition 30/SB 109	105,844.00	-	-	-	117,684.11
SB 509 Public Safety	136,251.07	91,023.00	25,966.64	-	105,844.00
Forfeiture Fund-Federal/DOJ	408,328.10	-	-	-	201,307.43
Asset Seizure Fund	0.05	0.01	-	-	408,328.10
Section 11489 Subfund	42,092.46	-	-	-	0.06
Fed Asset Forfeiture-Treasury	113,959.76	-	-	-	42,092.46
School District Grant Fund	-	49,158.00	-	-	113,959.76
State Supplemental Law Enforcement	465,296.91	17,602.50	-	-	49,158.00
PC 1202.5 Crime Prevention	2,171.93	2.74	-	-	482,899.41
Recycling Grant Fund	60,232.67	-	-	-	2,174.67
Homeless Emergency Aid Program	(11,361.00)	12,909.00	-	-	60,232.67
Bureau of Justice Assistance	(13,020.00)	361,268.00	180,634.00	-	(11,361.00) (2)
Statewide Park Dev Grant	-	-	12,450.00	-	(111.00) (2)
Homeless Housing Assist Preven	6,716.05	-	66,688.63	-	180,634.00
After School Program Fund	291,832.23	287,533.08	-	-	(5,733.95) (2)
OTS Grant	-	-	-	-	522,676.68
FIRST 5 Fund	1,290.78	-	-	-	1,290.78
Safety Dept. Grants	264,138.96	-	-	-	264,138.96
OSMD Immunization Grant	1,370.50	-	-	-	1,370.50 (2)
Kaiser Permanente Grant	4,336.50	-	-	-	4,336.50
Resource Center Grant - OMSD	32,459.74	-	567.28	-	31,892.46
Title III B Sr Support Services	(3,352.59)	2,381.93	930.55	-	(1,901.21) (2)
Healthy Community Strategic Plan	16,935.94	1,187.01	-	-	15,748.93
ASES Supplemental Grant	55,785.17	28,221.04	-	-	84,006.21
E.M.S. - Paramedic Fund	502.25	3,404.47	1,396.99	-	2,509.73 (3)
Economic Development	6,347,096.72	118,221.80	118,221.80	-	6,228,874.92
City Contributions/Donations Fund	500.00	-	-	-	500.00
Sewer Operating Fund	2,066,229.18	515,910.50	274,419.84	-	2,307,719.84
Sewer Replacement Fund	2,244,611.29	-	-	-	2,244,611.29
CFD 2011-1 (Paseos)	192,828.06	1,340.71	-	-	194,168.77
CFD 2011-2 (Arrow Station)	112,929.66	353.88	-	-	113,283.54
Inland Empire Utility Agency	1,824,834.90	2,283.39	1,507.10	-	1,827,128.29
Sewer Expansion Fee Fund	608,372.10	229.06	-	-	608,601.16
Developer Impact Fees - Local	1,171,868.90	596.00	-	-	1,172,464.90
Developer Impact Fees - Regional	76,610.83	1,340.00	-	-	77,950.83
Burtec Pavement Impact Fees	269,849.61	18,914.27	-	-	288,763.88
PUC Reimbursement Fund-MVGS	324,111.38	-	-	-	324,111.38
Utility Underground In-Lieu	340,516.52	-	-	-	340,516.52
General Plan Update Fee	94,390.76	1,010.78	-	-	95,401.54
Housing Fund	555,708.20	-	-	-	555,708.20
Public Education/Govt. PEG Fee Fund	59,597.04	9,029.68	152,375.64	-	(81,838.23) (4)
Infrastructure Fund	(229,462.59)	-	26,257.94	-	(203,204.65)
COVID-19	(33,909.46)	-	-	-	(33,909.46)
Successor Agency Bonds-Taxable	4,796,019.53	-	-	-	4,796,019.53
Successor Agency Bonds-Tax Exempt	8,220,419.94	-	-	-	8,220,419.94
2014 Lease Revenue Bond Proceeds	(561,282.82)	-	2,925.00	-	(558,357.82)
2021 Lease Revenue Bond Proceeds	(169,260.00)	-	9,060.50	-	(160,199.50)
2014 Lease Revenue Bond Debt Svc	(867,763.35)	235,334.09	-	-	(632,429.26) (5)
2021 Lease Revenue Bond Debt Svc	2,556,905.25	43,094.75	-	-	2,600,000.00
Contingency Fund	233,836.96	-	-	-	233,836.96 (1)
Assigned General Fund Reserves	9,541,843.08	22,630.50	-	(14,200.00)	9,550,273.58 (1)
TOTALS	\$ 51,273,036.62	\$ 7,360,713.87	\$ 3,229,785.70	\$ -	\$ 55,403,964.79

Negative Cash Notes follow this presentation.

Notes on Negative Cash Balances

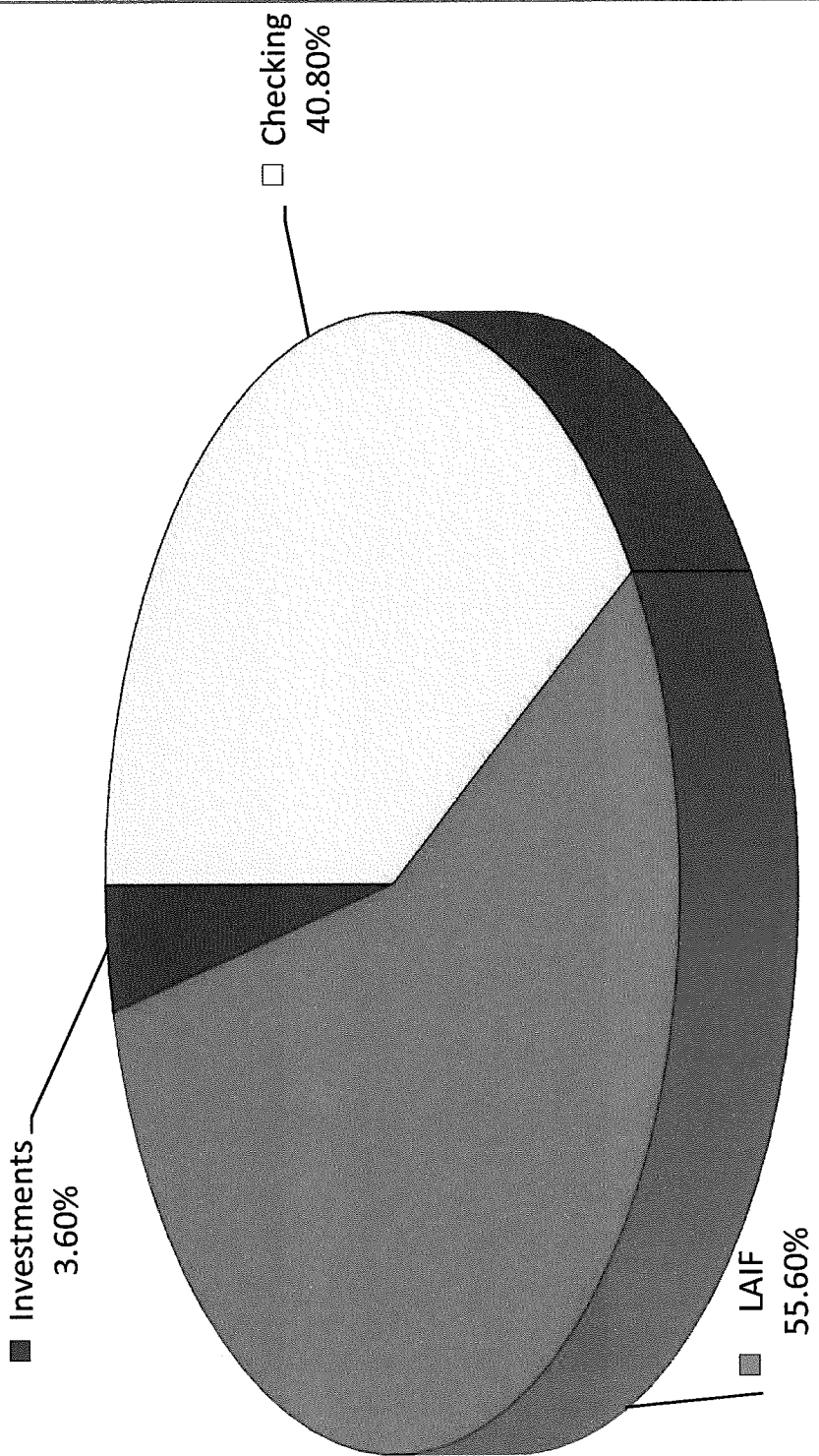
- (1)** The General Operating Fund may have a negative cash for the majority of the fiscal year awaiting property and sales tax collections. This is covered by the Contingency Fund and other General Fund Reserve Funds until those collections are received. As Contingency and General Reserves exceed this negative, the City is not utilizing restricted resources.
- (2)** These are reimbursable grant funds that utilize general pool monies initially to cover expenditures pending reimbursement from the granting agencies. Therefore, it is not uncommon for these to be negative until that reimbursement is received.
- (3)** This fund has operational deficits annually. At the end of the fiscal year it is restored by a General Fund Transfer.
- (4)** The Infrastructure Fund receives transfers from other funds to accomplish infrastructure projects. Those transfers are usually recorded when the projects nears completion or prior to mid-year budget preparation. Any negative in that fund will be eliminated at those times. Transfers from these funds (C.D.B.G., Gas Tax, Measure I, etc.) may go negative on cash pending collections of these revenues. In this way we can determine if obligations for projects are exceeding current resources.
- (5)** This debt service operation utilizes transaction and use taxes which are part of the sales tax and Successor Agency property taxes. These have been sufficient in prior fiscal years to cover the necessary debt service; however, they are not completely received until fiscal year-end. Once debt service is covered the excess will be transferred to the General Fund.

**CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENT ACCOUNTS
AS OF JANUARY 31, 2022**

	Par Value	Purchase Date	Maturity Date	Coupon Interest Rate	Current Market Value	Balance at Cost	Totals
CHECKING ACCOUNT							
Checking Account							\$ 22,598,372.08
Asset Seizure Account							\$ 2,468.71
CASH W/FISCAL AGENT, CD's, LAIF DEPOSITS, AND SHORT-TERM U.S. AGENCY SECURITIES							
Local Agency Investment Fund (LAIF)				0.220%	30,842,239.35	30,803,124.00	
First American Government					2,000,000.00	2,000,000.00	
					<u>\$ 32,842,239.35</u>		\$ 32,803,124.00
U.S. AGENCY SECURITIES							
							\$ -
							<u>\$ 55,403,964.79</u>

Current market values obtained from US Bank.

CITY OF MONTCLAIR
CASH AND INVESTMENTS BY TYPE
January 31, 2022
Total Cash & Investments \$55,403,965



**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
TREASURER'S REPORT**

FOR THE MONTH ENDING

January 31, 2022

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH BY FUND
January 31, 2022**

COMBINED OPERATING FUND

Operating	<u>56,396.80</u>	\$ 56,396.80
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LRPRP Fund

Operating	<u>0.00</u>	\$ 0.00
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RORF

	3,211,876.96	
RORF Area I	0.00	
RORF Area II	0.00	
RORF Area III	0.00	
RORF Area IV	0.00	
RORF Area V	0.00	
RORF Area VI	0.00	
		\$ 3,211,876.96

TOTAL CASH

\$ 3,268,273.76

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH
January 31, 2022**

Checking Account

US Bank

3,268,273.76

TOTAL CASH

3,268,273.76

NOTE:

In accordance with State law, the Successor Agency receives the monies necessary to cover its obligations for the upcoming six month period. The monies are received in January and June of each year.

The Successor Agency has sufficient funds available to meet expenditures during the upcoming six-month period.

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
WARRANT REGISTER
FOR THE MONTH ENDING
January 31, 2022**

Book Transfer Daily Activity Detail

CITY OF MONTCLAIR

SinglePoint

Reported Activity From 01/03/2022 To 01/31/2022

Printed on 02/07/2022 at 4:00 PM PST



Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
01/20/2022	\$2483.14	153499275813	153499275805	Completed

Debit Account Name CITY OF MONTCLAIR SUCCESSOR AGENCY
Debit Account Type DDA
Credit Account Name CITY OF MONTCLAIR GENERAL ACCOUNT
Credit Account Type DDA
Template Name .
Memo Reimburse City for 01-20-22 Payroll
Initiate Date 01/20/2022
Initiate Time 10:21AM CDT
Initiated By JKULBECK
Completed Date 01/20/2022
Completed Time 10:21AM CDT

Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
01/06/2022	\$3223.04	153499275813	153499275805	Completed

Debit Account Name CITY OF MONTCLAIR SUCCESSOR AGENCY
Debit Account Type DDA
Credit Account Name CITY OF MONTCLAIR GENERAL ACCOUNT
Credit Account Type DDA
Template Name .
Memo Reimburse City for 01/06/2022 Payroll
Initiate Date 01/06/2022
Initiate Time 02:33PM CDT
Initiated By JKULBECK
Completed Date 01/06/2022
Completed Time 02:33PM CDT

Total Number of Book Transfers: 2
Total Amount of Book Transfers: \$5,706.18

--- End of Report ---

**CITY OF MONTCLAIR
HOUSING CORPORATION
TREASURER'S REPORT**

FOR THE MONTH ENDING

January 31, 2022

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SCHEDULE 1 - STATEMENT OF CASH AND INVESTMENTS

CASH AND INVESTMENTS GRAPH

Schedule 1

**CITY OF MONTCLAIR
HOUSING CORPORATION
STATEMENT OF CASH AND INVESTMENTS
January 31, 2022**

	<u>Interest Rate</u>	<u>Market Value</u>	<u>Book Value</u>
Checking Account			
US Bank			625,521.54
 Investments			
LAIF	0.25%	1,712,590.20	1,712,806.60
TOTAL CASH & INVESTMENTS			2,338,328.14

NOTE:

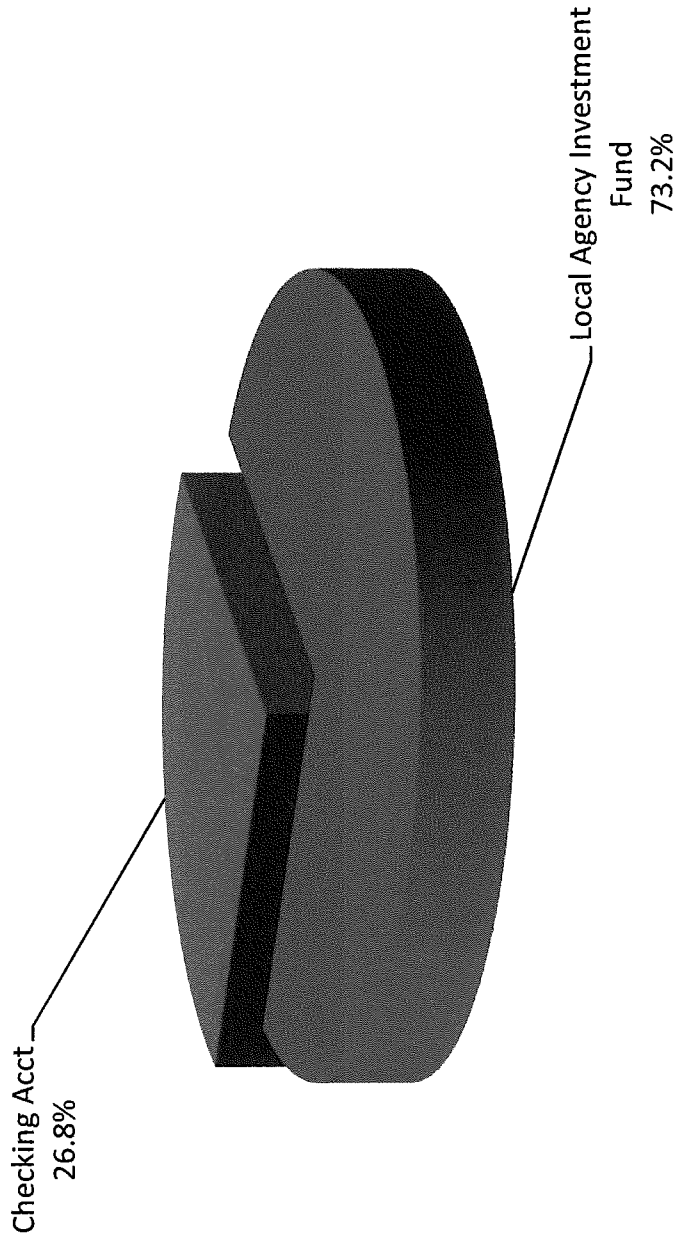
Pursuant to the Corporation's Investment Policy, all moneys are invested in banks, the Local Agency Investment Fund, and in securities with maturities of no greater than three years.

The Corporation has sufficient funds available to meet expenditures during the upcoming six-month period.

The Corporation is in compliance with the internal control procedures set forth in its Investment Policy.

**CITY OF MONTCLAIR
HOUSING CORPORATION
CASH AND INVESTMENTS GRAPH
January 31, 2022**

Total Cash & Investments - \$2,338,328



**CITY OF MONTCLAIR
HOUSING CORPORATION
WARRANT REGISTER**

FOR THE MONTH ENDING

January 31, 2022

City of Montclair
Final Warrant Register
Council Date 02/22/2022
Regular Warrants
Checking Account: MHC

<u>Warrants</u>	<u>ACH Transfers</u>	<u>Voided Checks</u>	<u>US Bank transfers</u>	<u>Totals</u>
54,198.05	0.00	0.00	10,132.08	64,330.13

January 2022 Total

64,330.13

US Bank transfers:

Reimburse City for 1/6 payroll

Reimburse City for 1/20 payroll

Vice Chair Ruh

Accounts Payable

Checks by Date - Summary by Check Number

User: cramirez
Printed: 2/7/2022 2:06 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
5254	Buch002	Buchbinder Maintenance, Inc.	01/10/2022	28,514.49
5255	Hele001	Helena Gardens Owners Association	01/10/2022	2,439.12
5256	land012	Landscape Maintenance Unlimited	01/10/2022	7,748.00
5257	Mont043	Montclair Meadows Owners Assoc	01/10/2022	1,800.00
5258	Mont074	Monte Vista Water District	01/10/2022	5,668.36
5259	Sout018	Southern California Edison Co	01/10/2022	189.46
5260	Sout021	Southern California Gas Co	01/10/2022	879.11
5261	Mont002	City of Montclair	01/20/2022	3,551.16
5262	Mont074	Monte Vista Water District	01/20/2022	693.08
5263	Nagc006	NAGCO GLASS	01/20/2022	334.86
5264	Sout018	Southern California Edison Co	01/20/2022	1,174.99
5265	Sout021	Southern California Gas Co	01/20/2022	1,012.92
5266	Stra002	Stradling, Yocca, Carlson & Rauth	01/20/2022	192.50
Report Total (13 checks):				54,198.05

Book Transfer Daily Activity Detail

CITY OF MONTCLAIR
 SinglePoint
 Reported Activity From 01/03/2022 To 01/31/2022
 Printed on 02/07/2022 at 3:58 PM PST



Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
01/20/2022	\$4182.26	153499275821	153499275805	Completed

Debit Account Name MONTCLAIR HOUSING CORPORATION
Debit Account Type DDA
Credit Account Name CITY OF MONTCLAIR GENERAL ACCOUNT
Credit Account Type DDA
Template Name .
Memo Reimburse City for 01-20-22 Payroll
Initiate Date 01/20/2022
Initiate Time 10:21AM CDT
Initiated By JKULBECK
Completed Date 01/20/2022
Completed Time 10:21AM CDT

Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
01/06/2022	\$5649.82	153499275821	153499275805	Completed

Debit Account Name MONTCLAIR HOUSING CORPORATION
Debit Account Type DDA
Credit Account Name CITY OF MONTCLAIR GENERAL ACCOUNT
Credit Account Type DDA
Template Name .
Memo Reimburse City for 01/06/2022 Payroll
Initiate Date 01/06/2022
Initiate Time 02:33PM CDT
Initiated By JKULBECK
Completed Date 01/06/2022
Completed Time 02:33PM CDT

Total Number of Book Transfers: 2
Total Amount of Book Transfers: \$10,132.08

--- End of Report ---

**CITY OF MONTCLAIR
HOUSING AUTHORITY
TREASURER'S REPORT
FOR THE MONTH ENDING
January 31, 2022**

Schedule 1

**CITY OF MONTCLAIR
HOUSING AUTHORITY
STATEMENT OF CASH
January 31, 2022**

	<u>Amount</u>
Checking Account	
US Bank	6,562.16
TOTAL CASH	\$ <u><u>6,562.16</u></u>

NOTE:

During the upcoming month, surplus moneys will be invested in the Local Agency Investment Fund. The MHA has sufficient monies available to meet expenditures during the next six month period.

**CITY OF MONTCLAIR
HOUSING AUTHORITY
WARRANT REGISTER
FOR THE MONTH ENDING
January 31, 2022**

City of Montclair
Final Warrant Register
Council Date 02/22/2022
Regular Warrants
Checking Account: MHA

<u>Warrants</u>	<u>Voided Checks</u>	<u>US Bank transfers - out.</u>	<u>Totals</u>
0.00	0.00	0.00	0.00
January 2022 Total			<u><u>0.00</u></u>

Vice Chair Ruh