



**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, October 3, 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 submit 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

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 — None**

VIII. CONSENT CALENDAR

A. Approval of Minutes

1. Regular Joint Meeting — September 19, 2022 [CC/SA/MHC/MHA/MCF] 54

B. Administrative Reports

1. Consider Authorizing the Purchase of Five 2023 Ford Explorer Interceptor Utility Vehicles and One Ford Edge SE for the Police Department Fleet from Fritts Ford in the Total Amount of \$299,605.93 [CC]

Consider Authorizing a \$46,914.93 Appropriation from the Inflation Control Expenditure Fund to Cover the Unanticipated Cost Increase of the Vehicles [CC]

Consider Declaring Six Ford Police Interceptor Utility Vehicles as Surplus and Available for Parts or for Sale at Auction [CC] 4

2. Consider Approval of Warrant Register & Payroll Documentation [CC] 7

C. Agreements

1. Consider Approval of Agreement No. 22-92 with Western University of Health Sciences to Provide College of Osteopathic Medicine of the Pacific Students with Clinical and Educational Training at the Montclair Medical Clinic, Subject to Any Revisions Deemed Necessary by the City Attorney [CC] 8

2. Consider Amending the 2019-2024 Capital Improvement Program to Include the Mills Avenue Street Rehabilitation Project from Holt Boulevard to Moreno Street [CC]

Consider Approval of Agreement No. 22-99 with Andreasen Engineering, Inc. for Performance of Surveying, Evaluation of Pedestrian Connectivity Improvements, and Preparation of Sidewalk Improvement Plans for Mills Avenue Street Rehabilitation Project, Subject to Any Revisions Deemed Necessary by the City Attorney [CC]

Consider Authorizing a \$30,000 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to Agreement No. 22-99 [CC]

Consider Authorizing a \$3,400 Design Services Contingency for the Mills Avenue Street Rehabilitation Project [CC] 16

D. Resolutions

1. Consider Adoption of Resolution No. 22-3378 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges [CC] 35

IX. PULLED CONSENT CALENDAR ITEMS

X. BUSINESS ITEMS

- A. Consider Adoption of Resolution No. 22-3380 Making Certain Findings for an Exception to the 180-Day Wait Period Pursuant to Government Code Sections 7522.56, 3301, and 21221 (H) with Authorization to Hire David Taylor into the Part-Time, Temporary Retired Annuitant Position of Police Officer [CC]

Consider Authorizing a \$32,155 Appropriation from the FY 2022-23 Police Department Personnel Budget to Fund the Part-Time, Temporary Retired Annuitant Position of Police Officer [CC]

40

XI. RESPONSE

- A. Consider Receiving and Filing the Response to City Council Inquiry Regarding Commercial Cannabis Community Benefits Funding and Social Equity Programs [CC]

45

XII. 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 §54957 Regarding Public Employee Performance Evaluation: City Manager/Executive Director [CC]

2. Request for City Council to Meet in Closed Session Pursuant to Government Code §54956.9(d)(1) Regarding Pending Litigation [CC]

Garcia v. Lopez, City of Montclair, et al.

Fuentes v. Lopez, City of Montclair, et al.

- C. City Manager/Executive Director

- D. Mayor/Chairperson

- E. Council Members/Directors

- F. Committee Meeting Minutes (*for informational purposes only*)

1. Personnel Committee Meeting — September 19, 2022 [CC]

53

XIII. CLOSED SESSION

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. 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, October 17, 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/agendas/> and on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on Thursday, September 29, 2022.