

CITY OF MONTCLAIR

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

AGENDA

**MONDAY, OCTOBER 17, 2022
7:00 p.m.**



Mayor

Javier “John” Dutrey

Mayor Pro Tem

Bill Ruh,

Council Members

Tenice Johnson

Corysa Martinez

Benjamin “Ben” Lopez

City Manager

Edward C. Starr

City Attorney

Diane E. Robbins

City Clerk

Andrea M. Myrick

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



**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 17, 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

- A. Proclamation Declaring November 1, 2022 as "Family Literacy Day" in the City of Montclair
- B. Proclamation Declaring November 2022 as "Family Court Awareness Month" in the City of Montclair

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 — October 3, 2022 [CC/SA/MHC/MHA/MCF] 51

B. Administrative Reports

1. Consider Receiving and Filing of Treasurer's Report [CC] 4
2. Consider Approval of Warrant Register & Payroll Documentation [CC] 5
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9. Consider Authorizing the Receipt of \$9,878.76 from the Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership Program to Assist with the Purchase of Ballistic Vests [CC] 12
10. Consider Approving the Purchase of Shopping Carts, Whole Turkeys, and Assorted Items for the Montclair Holiday Food and Toy Basket Program [MCF] 13

C. Agreements

1. Consider Approval of Amendment No. 1 to Agreement No. 22-58 and Amendment No. 1 to Agreement No. 22-59 with the Ontario-Montclair School District for the Montclair After-School Program and Summer Expanded Learning Program to Remove the Vaccine Verification and Testing Policy [CC] 14

D. Resolutions

1. Consider Adoption of Resolution No. 22-3384 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of October 17, 2022, through November 17, 2022 [CC] 17

IX. PULLED CONSENT CALENDAR ITEMS

X. BUSINESS ITEMS

- A. Consider Authorizing the Preparation of Action Minutes as the Official Record of City Council and Commission Meetings [CC]**

Consider Revising the Retention Period for Video/Audio Recordings of Meetings to "Permanent" for Those with Action Minutes Prepared [CC] 21

XI. 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 §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 — October 3, 2022 [CC]

50

XII. CLOSED SESSION

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. 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, November 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 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, October 13, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 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 September 30, 2022.

BACKGROUND: Included in the City Council's agenda packet is a copy of the Treasurer's Report for the period ending September 30, 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 September 30, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 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 October 17, 2022; and the Payroll Documentations dated September 25, 2022, and October 9, 2022, and recommends their approval.

FISCAL IMPACT: The Warrant Register dated October 17, 2022, totals \$1,472,906.07.

The Payroll Documentation dated September 25, 2022 totals \$754,960.36 gross, with \$526,882.93 net being the total cash disbursement.

The Payroll Documentation dated October 9, 2022 totals \$723,119.40 gross, with \$507,343.24 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:	OCTOBER 17, 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 September 30, 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 September 30, 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 September 30, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 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 September 30, 2022, pursuant to state law.

BACKGROUND: Vice Chair Ruh has examined the Successor to the Redevelopment Agency Warrant Register dated 09.01.22-09.30.22 in the amounts of \$14,417.15 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 September 30, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 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 September 30, 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 September 30, 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 September 30, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 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 September 30, 2022, pursuant to state law.

BACKGROUND: Vice Chair Ruh has examined the Warrant Register dated 09.01.22–09.30.22 in the amount of \$34,954.56 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 September 30, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 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 September 30, 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 September 30, 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 September 30, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 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 September 30, 2022, pursuant to state law.

BACKGROUND: Vice Chair Ruh has examined the Warrant Register dated 09.01.22–09.30.22 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 September 30, 2022.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 2022	FILE I.D.:	PDT362
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	POLICE
ITEM NO.:	9	PREPARER:	M. BUTLER
SUBJECT:	CONSIDER AUTHORIZING THE RECEIPT OF \$9,878.76 FROM THE FISCAL YEAR 2022 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP PROGRAM TO ASSIST WITH THE PURCHASE OF BALLISTIC VESTS		

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing the receipt of \$9,878.76 from the Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership (BVP) Program to assist with the purchase of ballistic vests.

BACKGROUND: The U.S. Bureau of Justice Assistance administers the BVP Program, created by the Bulletproof Vest Partnership Grant Act of 1998, which assists state, local, and tribal jurisdictions in purchasing body armor for sworn law enforcement officers. The BVP Program reimburses agencies for up to 50 percent of the total cost of body armor vests that comply with the most current National Institute of Justice ballistic body armor standards.

Each year, staff applies for the BVP Program to assist with the cost of ballistic vests. In September 2022, the Montclair Police Department was awarded \$9,878.76, which would cover half the cost of approximately 18 vests. The Department has a “mandatory wear policy” for all officers, and each ballistic vest has a five-year replacement cycle. The Department is committed to maximizing officer safety through the use of body armor in combination with prescribed safety procedures. BVP federal funds would be used to replace five-year-old vests and to issue vests to newly hired Officers.

FISCAL IMPACT: If approved by the City Council, the Department would receive \$9,878.76 toward the purchase of ballistic vests from the BVP Program. The Fiscal Year 2022-23 Budget includes funds for the purchase of ballistic body armor, and the BVP federal funds would be used to reimburse the City up to 50 percent per vest, which are available for two years from the time of the award announcement.

RECOMMENDATION: Staff recommends the City Council authorize the receipt of \$9,878.76 from the Fiscal Year 2022 Bulletproof Vest Partnership Program to assist with the purchase of ballistic vests.



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 2022	FILE I.D.:	MCF100
SECTION:	CONSENT - ADMIN. REPORTS	DEPT.:	HUMAN SVCS./MCF
ITEM NO.:	10	PREPARER:	A. COLUNGA
SUBJECT:	CONSIDER APPROVING THE PURCHASE OF SHOPPING CARTS, WHOLE TURKEYS, AND ASSORTED ITEMS FOR THE MONTCLAIR HOLIDAY FOOD AND TOY BASKET PROGRAM		

REASON FOR CONSIDERATION: The Montclair Community Foundation (MCF) Board of Directors is requested to consider approval to use funds donated to MCF to purchase shopping carts, turkeys and other assorted items for the Holiday Food and Toy Basket Program.

BACKGROUND: The Montclair City Council also serves in its capacity as the MCF Board of Directors. The vision of MCF is to work collectively and collaboratively to strengthen services and enhance the quality of life for residents by promoting health, wellness, and economic stability for all including the most vulnerable in our community. The mission of MCF is to guarantee a quality community for all, by working together as diverse, committed individuals and organizations to make an impact that improves the overall well-being of the community.

For 36 years, the City has coordinated the Holiday Food and Toy Basket Program to serve the less fortunate in Montclair by providing low-income families with a basket of food to prepare a holiday meal and toys to children. Since 2015, MCF has partnered with the City to provide whole turkeys and assorted food items that are given to each of the qualified food basket recipients. Funded entirely through the generous food, toy, and monetary donations to MCF from businesses, organizations and individuals throughout the community, the Holiday Food and Toy Basket Program was able to supply over 550 disadvantaged Montclair children, their family members, and senior citizens with a holiday meal last year.

To ensure the less fortunate in our community receive the provisions they need during the holiday season, staff recommends the purchase of whole turkeys and assorted food items to provide each Holiday Food and Toy Basket recipient with ingredients for a complete holiday meal, which will be paid for with donations to MCF. In addition, the large Holiday Food and Toy Baskets require the assistance of at least ten large shopping carts to transport the donated items. Shopping carts will be purchased with funds donated to MCF.

Staff recommends using \$20,000 of funds donated to MCF to purchase shopping carts, whole turkeys, and assorted food items for the Holiday Food & Toy Basket Program.

FISCAL IMPACT: Should the MCF Board approve the purchase of shopping carts, turkeys, and assorted items, the City will make the purchase for the Holiday Food and Toy Basket Program, and MCF will reimburse the City through funds donated.

RECOMMENDATION: Staff recommends the Montclair Community Foundation Board approve the purchase of shopping carts, whole turkeys, and assorted items for the Holiday Food and Toy Basket Program.



CITY COUNCIL AGENDA REPORT

DATE: OCTOBER 17, 2022

FILE I.D.: HSV030

SECTION: CONSENT - AGREEMENTS

DEPT.: HUMAN SVCS.

ITEM NO.: 1

PREPARER: A. COLUNGA

SUBJECT: CONSIDER APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT NO. 22-58 AND AMENDMENT NO. 1 TO AGREEMENT NO. 22-59 WITH THE ONTARIO-MONTCLAIR SCHOOL DISTRICT FOR THE MONTCLAIR AFTER-SCHOOL PROGRAM AND SUMMER EXPANDED LEARNING PROGRAM TO REMOVE THE VACCINE VERIFICATION AND TESTING POLICY

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Amendment No. 1 to Agreement No. 22-58 and Amendment No. 1 to Agreement No. 22-59 with the Ontario-Montclair School District (OMSD) for the Montclair After-School Program (MAP) and Summer Expanded Learning Program to the remove Vaccine Verification and Testing Policy.

BACKGROUND: The Human Services Department has delivered after-school programs within OMSD schools since 1999. Funding for this program originates from the California Department of Education, After-School Education and Safety (ASES) program and the Expanded Learning Opportunity program through grants made available to local education authorities, such as OMSD. The goal of MAP is to improve the academic performance and success of students in the program by providing high-quality academic programming after school while ensuring a safe physical and emotional environment for all.

Agreement No. 22-58 provides funding for MAP at the following eight elementary school sites: El Camino, Howard, Kingsley, Lehigh, Mission, Monte Vista, Moreno, Ramona; and two middle school sites: Serrano, and Vernon. Agreement No. 22-59 provides funding for summer expanded learning from May to June 2023 at the following five school sites: Kingsley, Lehigh, Mission, Monte Vista, and Serrano.

Amendment No. 1 to both agreements removes "Exhibit B: Vaccine Verification and Testing Policy," as requested by the Ontario Montclair School District.

FISCAL IMPACT: There will be no impact to the City's General Fund should the City Council approve proposed Amendment No. 1 to Agreement No. 22-58 and Amendment No. 1 to Agreement No. 22-59.

RECOMMENDATION: Staff recommends the City Council approve Amendment No. 1 to Agreement No. 22-58 and Amendment No. 1 to Agreement No. 22-59 with the Ontario-Montclair School District for the Montclair After-School Program and Summer Expanded Learning Program to the remove Vaccine Verification and Testing Policy.



ONTARIO-MONTCLAIR SCHOOL DISTRICT
Ontario, California

AMENDMENT TO CONSULTANT SERVICES

Contract #: C 223-049 Amendment: M 1 Original Start Date July 1, 2022 Original End Date June 30, 2023

Contract C-223-049 is herewith amended between the Ontario-Montclair School District and
City of Montclair as authorized by the Terms and Conditions of the original Agreement
except for:

AMENDMENT TO TERM (only to be filled out if the original date of agreement is changing):

Start Date: End Date: REQUIRED IF EXTENDING TERM

AMENDMENT TO SERVICES:

Amendment M1 to Contract C-223-049 with CITY OF MONTCLAIR to provide staff and materials for the ASES
expanded learning program. Amendment is to remove the Exhibit B : VACCINE VERIFICATION / TESTING POLICY.
All other properties of agreement remain unchanged. [Originator: Fiscal Services]

AMENDMENT TO COMPENSATION:

DISTRICT agrees to compensate CONSULTANT in the following manner:

In witness whereof, the parties hereto have caused this Agreement to be executed on Date of Board Meeting:

DISTRICT

Signature
Phil Hillman
Printed Name
Chief Business Official
Title
Ontario-Montclair School District
950 West D Street Ontario, CA 91762
(909) 459-2500

CONSULTANT

Signature
Javier "John" Dutrey
Printed Name
Mayor
Title
5111 Benito Street Montclair, CA 91763
Address
(909) 626-8571
Telephone Number

Approved by Board of Trustees:



ONTARIO-MONTCLAIR SCHOOL DISTRICT
Ontario, California

AGREEMENT NO. 22-59
Amendment No. 1

AMENDMENT TO CONSULTANT SERVICES

Contract #: C 223-048 Amendment: M 1 Original Start Date July 1, 2022 Original End Date June 30, 2023

Contract C-223-048 is herewith amended between the Ontario-Montclair School District and
City of Montclair as authorized by the Terms and Conditions of the original Agreement
except for:

AMENDMENT TO TERM (only to be filled out if the original date of agreement is changing):

Start Date: End Date: REQUIRED IF EXTENDING TERM

AMENDMENT TO SERVICES:

Amendment M1 to Contract C-223-048 with CITY OF MONTCLAIR to provide staff and materials for the ASES
expanded learning program. Amendment is to remove the Exhibit B : VACCINE VERIFICATION / TESTING POLICY.
All other properties of agreement remain unchanged. [Originator: Fiscal Services]

AMENDMENT TO COMPENSATION:

DISTRICT agrees to compensate CONSULTANT in the following manner:

In witness whereof, the parties hereto have caused this Agreement to be executed on Date of Board Meeting:

DISTRICT

Signature
Phil Hillman
Printed Name
Chief Business Official
Title
Ontario-Montclair School District
950 West D Street Ontario, CA 91762
(909) 459-2500

CONSULTANT

Signature
Javier "John" Dutrey
Printed Name
Mayor
Title
5111 Benito Street Montclair, CA 91763
Address
(909) 626-8571
Telephone Number

Approved by Board of Trustees:



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 2022	FILE I.D.:	COV100/CYC125
SECTION:	CONSENT - RESOLUTIONS	DEPT.:	CITY MGR.
ITEM NO.:	1	PREPARER:	A. MYRICK
SUBJECT:	CONSIDER ADOPTION OF RESOLUTION NO. 22-3384 MAKING FACTUAL FINDINGS IN COMPLIANCE WITH AB 361 FOR THE CONTINUATION OF PUBLIC MEETING TELECONFERENCING DURING PUBLIC HEALTH EMERGENCIES FOR THE PERIOD OF OCTOBER 17, 2022, THROUGH NOVEMBER 17, 2022		

REASON FOR CONSIDERATION: The City Council's adoption of Resolution No. 22-3384 would extend the City's remote public meeting procedures under AB 361 for an additional 30 days, expiring November 17, 2022.

BACKGROUND: Governor Newsom's Executive Order N-29-20, which suspended and modified the Brown Act's teleconferencing requirements during the COVID-19 pandemic, expired on September 30, 2021. On September 16, 2021, Governor Newsom signed AB 361 into law as an urgency bill and, four days later, executed an order delaying the application of AB 361 until October 2, 2021.

AB 361 permits legislative bodies of state and local entities to continue to meet virtually and remotely through telephonic and internet means (i.e., via teleconference) during a proclaimed state of emergency without having to meet the quorum, posting, physical location access, and other requirements of traditional teleconference meetings under the Brown Act. Under AB 361, a legislative body may hold entirely virtual meetings (or partially virtual meetings) until the end of the current state of emergency and during any future emergency declarations through January 1, 2024. However, to do so, the legislative body must make factual findings to continue teleconferencing every 30 days.

FISCAL IMPACT: There is no direct fiscal impact on the General Fund related to the City Council's adoption of Resolution No. 22-3384.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 22-3384 making factual findings in compliance with AB 361 for the continuation of teleconferencing during public health emergencies for the period of October 17, 2022, through November 17, 2022.

RESOLUTION NO. 22-3384

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR
STATING COMPLIANCE WITH THE PROVISIONS OF ASSEMBLY BILL 361
INCLUDING COMPLIANCE WITH ABBREVIATED TELECONFERENCE
REQUIREMENTS FOR OPEN MEETINGS, AND MAKING FACTUAL FINDINGS
REGARDING THE COVID-19 PUBLIC HEALTH EMERGENCY FOR THE
PERIOD OF OCTOBER 17, 2022, THROUGH NOVEMBER 17, 2022**

WHEREAS, recognizing the continuing public health threat posed by the novel coronavirus, California Governor Gavin Newsom on September 16, 2021 signed Assembly Bill 361 (AB 361), an urgency law establishing procedures for the continuation of teleconferencing during public health emergencies, including the COVID-19 public health emergency; and

WHEREAS, the Montclair City Council, its standing committees, and the Montclair Planning and Community Activities Commissions may continue to meet virtually and remotely through telephonic and internet means (i.e., via teleconference) during a proclaimed state of emergency without having to meet the quorum, posting, physical location access and other requirements of traditional teleconference meetings under the Ralph M. Brown Act—Government Code (GC) sections (§§)54950-54963 (the "Brown Act") open meeting laws until the end of the current state of emergency and during any future state of emergency, up until January 1, 2024; and

WHEREAS, to continue meeting virtually, the Montclair City Council is required to make factual findings.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair hereby elects to use AB 361's abbreviated teleconferencing procedures where a state of emergency has been formally proclaimed, but only if at least one of the following three conditions apply, and this election shall hereby include its standing committees and the Montclair Planning and Community Activities Commissions:

1. State or local officials have imposed or recommended measures to promote social distancing at the time the legislative body holds the meeting to adopt AB 361 [GC §54953(e)(1)(A)]; or
2. The legislative body holds a meeting for the first time for the purpose of determining by majority vote whether, as a result of proclaimed state of emergency, meeting in person would present imminent risks to the health and safety of attendees [GC §54953(e)(1)(B)], or
3. The legislative body has determined (per the previous bullet) that, as a result of the proclaimed state of emergency, meeting in person would continue to present imminent risks to the health or safety of attendees [GC §54953(e)(1)(C)].

As to condition No. 1, immediately above:

- On March 16, 2020, the City Council adopted Resolution No. 20-3263 declaring that a local public health emergency exists in the City of Montclair. The public health emergency continues until Resolution No. 20-3263 is rescinded.
- On September 21, 2020, the City Manager introduced, and the City Council adopted, the ***City Facilities Public Reopening, Health and Safety Plan***. The ***Plan*** introduced a strong, clear and detailed guidance to ensure public health and safety in City facilities. Protocols in ***the Plan*** are based on a variety of sources including, but not limited to, the federal government's *Opening America* plan, CDC Guidelines, State of California Guidance, EEOC Guidance for the workplace, and the Aspen Institute Return to Play COVID-19 Risk Assessment Tool. A copy of ***the Plan*** had been provided to each member of the City Council.

BE IT FURTHER RESOLVED that pursuant to AB 361, local legislative bodies electing to use the urgency bill's abbreviated teleconferencing procedures must make the following factual findings within 30 days after teleconferencing for the first time after the expiration of Executive Order No. N-29-20 on September 30, 2021, and every 30 days thereafter until January 1, 2024, or when Montclair City Council Resolution No. 20-3263 declaring a public health emergency is rescinded, whichever comes first:

1. The legislative body has reconsidered the circumstances of the state of emergency; and
2. Either of the following circumstances exist:
 - The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - State or local officials continue to impose or recommend measures to promote social distancing.

As to condition No. 1, immediately above, this Resolution makes factual findings as follows:

- The City Council of the City of Montclair, in reconsideration of the circumstances of the public health emergency related to COVID-19, as expressed in Montclair City Council Resolution No. 20-3263, adopted March 16, 2020, declaring that a local public health emergency exists in the City of Montclair, remains in effect.

As to condition No. 2, immediately above, this Resolution makes factual findings as to the following:

- On September 21, 2020, the City Council adopted the ***City Facilities Public Reopening, Health and Safety Plan***, introducing a strong, clear and detailed guidance to ensure public health and safety in City facilities. Protocols in ***the Plan*** are based on a variety of sources including, but not limited to, the federal governments *Opening America* plan, CDC Guidelines, State of California Guidance, EEOC Guidance for the workplace, and the Aspen Institute Return to Play COVID-19 Risk Assessment Tool. Adoption of ***the Plan*** also incorporated guidance from the California Department of Public Health (CDPH) and the Centers for Disease Control and Prevention (CDC), including public health guidelines that promote personal responsibility for social distancing and compliance with face covering mandates, education on the need to avoid large gatherings, and promotion of protocols related to personal hygiene.

By adoption of this Resolution, the City Council of the City of Montclair reaffirms that it continues to impose measures in City facilities and at City-sponsored events to promote social distancing in compliance with the ***City Facilities Public Reopening, Health and Safety Plan***.

BE IT FURTHER RESOLVED that the City Council of the City of Montclair, its standing committees, and the Montclair Planning and Community Activities Commissions shall further comply with each of AB 361's abbreviated teleconference requirement for open meetings, including the following:

1. Notice and agenda:

- The City of Montclair shall provide notice and post agendas as otherwise required under the Brown Act (setting aside traditional teleconferencing requirements), and shall indicate on the notice the means by which the public may access the meeting and offer comment.
- The agenda shall identify and include an opportunity for all persons to attend via a call-in option or internet-based service. Further, (1) the agenda is not required to be posted at all teleconferencing locations, (2) public access does not need to be assured at all teleconference locations, (3) the notices and agenda do not need to list the teleconferencing locations of the members of the City Council, and (4) a quorum of the members of the City Council do not need to participate within physical boundaries of the City of Montclair.

2. Public comment rules: AB 361 instituted new rules for public comments for timed and untimed public comment periods during legislative body meetings.

- **Timed general public comment period:** The Montclair City Council, its committees, and the Montclair Planning and Community Activities Commissions provide members of the public a timed, general public comment period, and opportunity to register for public comment does not close until the set general public comment period has elapsed.

- **Untimed public comment period per agenda item:** The Montclair City Council, its committees, and the Montclair Planning and Community Activities Commissions provide for a timed, general public comment period.
 - **Timed public comment period per agenda item:** The Montclair City Council, its committees, and the Montclair Planning and Community Activities Commissions provide for a timed public comment period per agenda item.
3. **Prohibition against requirement for public comments to be submitted in advance.** The Montclair City Council, its committees, and the Montclair Planning and Community Activities Commissions comply with AB 361's prohibition against a local legislative body from requiring public comments to be submitted in advance of the meeting.
 4. **Registration for public comment:** The Montclair City Council, its committees, and the Montclair Planning and Community Activities Commissions comply with AB 361 by not imposing a requirement that a member of the public register for public comment before being allowed to provide public comment where a third-party platform (such as Zoom or Microsoft Teams) is employed.
 5. **Disrupted broadcasting procedures:** In the event there is a broadcasting disruption of a meeting of the Montclair City Council, its committees, or the Montclair Planning and Community Activities Commissions to the public by phone or by internet, the Montclair City Council, its committees, and the Montclair Planning and Community Activities Commissions will take no further action on agenda items until public access is restored.
 6. **Standing Committee:** Each standing committee of the Montclair City Council shall fall under the scope of AB 361.
 7. **Montclair Planning and Community Activities Commissions:** The Montclair Planning Commission and the Montclair Community Activities Commission shall fall under the scope of AB 361.

BE IT FURTHER RESOLVED that this action is exempt from review pursuant to the California Environmental Quality Act (CEQA) in accordance with State CEQA Guidelines Section 15061(b)(3), the "common sense" exemption that CEQA only applies to projects that have the potential for causing a significant effect on the environment.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of November 17, 2022, or such time as the City Council adopts a subsequent resolution in accordance with GC §54953(e)(3) to extend the time during which meetings may continue to be held remotely by teleconference in compliance with that section.

APPROVED AND ADOPTED this XX day of XX, 2022.

ATTEST:

Mayor

City Clerk

I, Andrea M. Myrick, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 22-3384 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2022, and that it was adopted by the following vote, to-wit:

AYES: XX
NOES: XX
ABSTAIN: XX
ABSENT: XX

Andrea M. Myrick
City Clerk



CITY COUNCIL AGENDA REPORT

DATE:	OCTOBER 17, 2022	FILE I.D.:	CCK127
SECTION:	BUSINESS ITEMS	DEPT.:	ADMIN. SVCS.
ITEM NO.:	A	PREPARER:	A. MYRICK
SUBJECT:	CONSIDER AUTHORIZING THE PREPARATION OF ACTION MINUTES AS THE OFFICIAL RECORD OF CITY COUNCIL AND COMMISSION MEETINGS		

CONSIDER REVISING THE RETENTION PERIOD FOR VIDEO/AUDIO RECORDINGS OF MEETINGS TO "PERMANENT" FOR THOSE WITH ACTION MINUTES PREPARED

REASON FOR CONSIDERATION: Currently, Montclair staff prepares detailed, summary-style minutes for legislative body meetings. With the recent transition to live-streamed video-recorded Council and Commission meetings, staff feels it is a good time to consider the action minute format for the written minutes memorializing actions of the City Council. Changing to action minutes would simplify the preparation of the minutes, making available more time for staff to focusing on other identified projects and goals of the City. When necessary, such as for public hearing and business items, a very brief statement summarizing the points of discussion would still be provided in the action minutes.

The City Council is requested to consider authorizing the preparation of action minutes as the official record of City Council and Commission meetings, and to revise the retention period for video and audio recordings of meetings to "permanent" for those with action minutes prepared.

BACKGROUND: California Government Code Sections 36814 and 40801 state that the City Clerk shall maintain a journal of proceedings or minutes of City Council meetings. The Government Code does not specify in what form or style the minutes must be as long as the subject of the proceedings and the final actions are recorded. Similarly, Section 2.12.110 of the Montclair Municipal Code states that the City Council "shall direct the City Clerk to keep a record of its proceedings." *The Standard Code of Parliamentary Procedure*, 4th Edition, states, "In general, minutes are a record of all actions and proceedings but not a record of discussion."

Draft minutes are reviewed and approved by the City Council before they are considered final. Once approved, the minutes become the official record of what took place at a meeting. Minutes may be subpoenaed as evidence for court purposes, and auditors depend on them for proof of authorization for important expenditures.

Minutes can be prepared in several different formats, including action, summary, or verbatim. Minutes are not meant to be transcriptions and are not intended to be a record of discussions and conversations; they are regarded as the legal record that records the actions and proceedings of a legislative body.

At a minimum, all minutes must contain the following information, which solely comprise the action minute format:

- Date of the meeting
- Indication of whether it is a regular, regular adjourned, or special meeting

- Location of meeting
- Starting and ending times of the meeting
- Names of members and staff present at the meeting
- Description of items being discussed
- Names of speakers and whether they were in favor or opposed to an item
- A statement of action for each item and how the members of the legislative body voted

Minutes in Montclair

The style of minutes is not a new topic in Montclair. The issue was discussed at Council meetings in 1985 and 1996, at which times those City Councils expressed their preference for detailed summary minutes. In a memo to the City Council dated August 8, 2011 (Attachment 1), the City Manager/City Clerk advised the City Council of staff's intention to transition to action minutes due to staff attrition during the recession. There was no opposition by Council Members to the proposal; however, the newly-appointed Deputy City Clerk, having prepared summary-style Council Meeting minutes for over a decade, felt the expectation for the format had been long established and did not wish to discontinue the practice of preparing summary minutes.

Currently, the City Council's summary minutes are extensive and include all of the items contained in action minutes with the addition of detailed, summarized commentary by members of the legislative body, staff, and public. The summarized comments of each speaker range from a few sentences to a few paragraphs.

While detailed summary minutes can provide more context to a reader about what led to a decision, the format has some inherent challenges.

- The preparation of detailed summary minutes is a significant drain on limited administrative staff time and resources.
- Depending on the length of the meeting and the complexity of the items, senior-level staff tend to be relied upon as the summary minute composers. Newer and entry-level staff do not typically understand the context or history of matters being discussed enough to effectively summarize the discussions and, as a result, take more time and prepare even longer summaries that are essentially verbatim style.
- It can be difficult to distill 30 minutes of commentary, questions, and answers while providing the appropriate context.
- There is the potential for the minute composer to misinterpret comments or misrepresent the intended message of a speaker.
- The video and/or audio recording of the meeting serves as the best method available to capture the nuances of discussion during a meeting for assessing legislative intent and an individual legislator's thoughts.

After the August 15, 2022 City Council meeting, which was particularly long and contained extensive discussions and public comments, City Clerk Myrick prepared action format minutes, including abbreviated summaries of non-agenda public comments and City Council communications, prior to expanding them into the usual detailed summary minutes that were approved at the following meeting. By recording the amount of time it took to prepare the action format, and then the additional time it took to create the summary version, it was found that the action version took 2.5 hours for the City Clerk to prepare, whereas the full summary minutes took just over 7 hours. In addition, having

two staff members proof-read the summary minutes took a combined 2.5 hours, totaling over nine hours of staff time for the final draft of summary minutes. A copy of the approved summary minutes of the August 15, 2022 City Council meeting, followed by the action version prepared by the City Clerk, are attached to this report as Attachment 2.

In the traditionally prepared summary minutes, motions and actions are part of a discussion's narration, making it difficult to find actions when comments are made before and after a motion, or if there is additional discussion between a motion being made and the vote on that motion being taken. The proposed format of action minutes highlights the actions for each item in a table that identifies the body or bodies acting, the motion, the names of those who made and seconded the motion, the vote, and the result.

Staff in the Community Development and Human Services Departments were also queried on how long it takes to prepare minutes for the Planning and Community Activities Commission meetings. For Planning Commission, minutes are first prepared by the department's Administrative Secretary in verbatim format, and then are pared down into summary format by the Community Development Director. The verbatim transcription takes about 2 to 3 times the length of the actual meeting, and the summarizing takes 4 to 6 hours. A typical planning commission meeting is two hours, meaning it could take up to 12 hours for staff to prepare the summary minutes of a Planning Commission meeting. Minutes of Community Activities Commission (CAC) meetings are composed in summary format by an entry-level staff member, revised by a higher-level staff member, and finalized by the Human Services Director. The process is estimated to take about 6 to 8 hours of staff time. CAC meetings involve few actions aside from approving minutes and community benefit funds. Action minutes for the CAC would note the final result of discussion on non-action items.

Additional Considerations for Transition to Action Minutes

In League of California Cities surveys conducted over the past several years, the overwhelming trend shows that cities have been transitioning to action minutes rather than summary minutes for a city's formal meeting body records. In a 2021 survey of California cities regarding the type of minutes prepared, 70 percent of the 146 respondents answered that they prepare action minutes. The main reasons given for this trend include the following:

- New information technologies such as real-time cable and internet broadcasts, as well as audio, video, and digital copies of the meetings provide multiple methods by which officials, staff, and the public can access verbatim records of discussions.

Currently, the City of Montclair broadcasts the City Council meetings live on YouTube and Zoom and the video recordings of recent Council meetings are available on the City's website. These electronic records are required to be kept for a minimum of 3 years under the City's adopted Records Retention Schedule; however, Council meeting audio back to 2010 has not been destroyed in anticipation of transitioning to action minutes. With action minutes, interested parties can either receive a link to a web-hosted video or audio file upon request, purchase recordings of meetings saved to a storage media for a fee established in the City's Master Fee Schedule, or request to view or listen to archived meetings in the City Clerk's Office at no charge.

- Many City Attorneys prefer action minutes over summary minutes, especially with the availability of video and/or digital copies, because summary minutes are more subjective, as they are the minute taker's paraphrased version of the testimony, discussion, debate and action taken. Action minutes are more defensible and removes the issue of "he said/she said" dialogue regarding or leading to City Council actions. In addition, while not a common situation in Montclair, many cities found that approving summary minutes rather than action minutes took up much more time at Council meetings, as the subjective nature of paraphrasing resulted in additional Council Member debate and discussion regarding what "he said/she said" (and in many cases what he or she "meant").
- Providing extensive summary minutes requires significantly more City resources. The City Clerk generally uses notes to prepare the minutes, but often times has to refer back to audio tapes to verify and transcribe certain comments.
- The City Clerk can have verbatim minutes for any discussion or comment prepared upon request.

Among nearby agencies, the types of minutes prepared are as follows:

Action	Summary
City of Chino Hills City of Colton City of Fontana City of Glendora City of Grand Terrace City of Hesperia City of Ontario City of Pomona City of Rancho Cucamonga City of San Dimas City of Upland City of Victorville County of San Bernardino	City of Chino City of Claremont City of La Verne City of San Bernardino

Based on the survey results, there was an apparent shift towards preparing action minutes. In addition, an increasing number of public agencies are televising and/or webcasting their meetings and archiving those video and audio files on their websites—a trend that has accelerated since the pandemic, which persuaded many cities to adopt protocols for remote public participation. As a result, the public has access to the meeting recording 24 hours of the day if they want to hear the specifics of what was said during a discussion.

FISCAL IMPACT: There would be no direct fiscal impact as a result of preparing action minutes as opposed to summary; however, a great deal of staff time will be saved by converting to the preparation of action minutes rather than summary.

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

1. Authorize the preparation of action minutes as the official record of City Council, Planning Commission, and Community Activities Commission meetings; and
2. Revise the retention period for video/audio recordings of meetings to "permanent" for those with action minutes prepared.



MONTCLAIR

MEMORANDUM

ATTACHMENT 1 - 2011 MEMO

Date: August 22, 2011

To: Honorable Mayor and City Council

From: Edward C. Starr, City Manager

Subject: ACTION MINUTES FOR MEETINGS OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS

City Council Members are aware that personnel attrition is one approach that has been utilized in addressing the current economic recession and its adverse impacts on the City's fiscal capacity to maintain a viable program of services. Since 2006, employment numbers in the City of Montclair declined from a high of 216 to the current 193.

One position recently left vacant through attrition is City Clerk. Former City Clerk Donna Jackson retired December 31, 2010, and Departmental Secretary Yvonne Smith was subsequently reclassified to Deputy City Clerk. The official title of City Clerk now rests with the City Manager, though most of the duties of the City Clerk position reside with the Deputy City Clerk. Deputy City Clerk Smith does not currently have the full range of credentials necessary to qualify for the position of City Clerk; however, she possesses the necessary experience and skill level to perform the duties. Ms. Jackson remains available to provide election-related services on a contract basis.

The reduction of personnel in the City Clerk Program to one full-time employee and one part-time employee now limits the program's capacity to address fluctuating demands and evolutionary changes. To address this lack of flexibility, I am requesting City Council Members consider authorizing migration to a hybrid form of action minutes for City Council and Redevelopment Agency/Montclair Housing Corporation meeting transcripts—deployment of action minutes would significantly reduce the allotment of time now required to complete summary minutes transcripts of meetings, thereby equipping the City Clerk Program with the time necessary to address current, fluctuating, and evolving demands.

Unlike summary minutes, which are effectively a transcript of comments made and actions taken, action minutes simply track outcomes. Attached to this memorandum for City Council review is a sample of the action minutes format utilized by the City of East Palo Alto. As indicated by this format, transcription of action minutes for meetings of the City Council and Redevelopment Agency/Montclair Housing Corporation Boards of Directors would significantly reduce preparation time. The abbreviated

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August 22, 2011

format would also reduce the time necessary for City Council/Agency Board Members to complete their review of agendas.

Under the recommended hybrid form of action minutes, comments made under the "Communications" section of the agenda would continue to be reported in summary format.

The complete audio of City Council/Redevelopment Agency/Montclair Housing Corporation meetings would continue to be archived and available for review on the City's website, and verbatim transcripts of specific portions of meetings could be prepared at a City Council Member's request.

Should transition to action minutes prove unsatisfactory for City Council Members, addressing the current staffing level in the City Clerk Program would become a first priority once the City's fiscal health is satisfactorily restored, thereby allowing transition back to the existing summary format for records of meetings.

With concurrence of City Council Members, I propose making the transition to action minutes no later than the January 2, 2012 regular joint meeting.

Please contact me at your earliest convenience if any member of the City Council has concerns or questions or is opposed to the proposed transition to an action minutes format for meetings of the City Council and Redevelopment Agency/Montclair Housing Corporation Boards of Directors.

ECS:ecs

Attachment

- c Department Heads
Deputy City Clerk Smith
Departmental Secretary Dalton

ACTION MINUTES

**REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
&
COUNCIL RE-ORGANIZATION RECEPTION
Tuesday, December 7, 2004
Regular Meeting & Reception : 7:30P.M.
CITY COUNCIL CHAMBERS, 2415 UNIVERSITY AVENUE**

(Incumbents)

MAYOR/VICE-CHAIR: Donna Rutherford

VICE-MAYOR/CHAIR: David Woods

COUNCIL/AGENCY MEMBERS: Duane Bay, Patricia Foster

(Elect):

Ruben Abrica, A. Peter Evans

7:30P.M. Regular City Council/Redevelopment Agency Meeting

CALL TO ORDER: 7:30p.m.

ROLL CALL: All Present

1. APPROVAL OF AGENDA

Action: Motion/Second Bay/Foster Vote: 4-0

2. Certification of Election and Recognition of Outgoing Councilmember; Oath of Office Ceremony and Seating of Newly Elected Councilmembers

A. Policy and Action Resolution

1. **Res. # 2404-** Declaring and Certifying the Results of the General Municipal Election Held in the City of East Palo Alto on Tuesday, November 2, 2004.

Recommendation: Approve the Resolution Certifying the November 2, 2004 General Municipal Election

Action: Motion/Second: Bay/Foster Vote: 4-0

B. Oath of Office

1. Ruben Abrica
2. A. Peter Evans
3. Patricia Foster
4. Donna Rutherford

ACTION: Mr. Evans requested that his Oath or Office be performed by his wife, Keisha Evans and friend, Sandra Webster, this "ceremonial" oath was allowed and completed.

Note" Deputy City Clerk Warren explained that Mr. Evans would take an "Official Oath" given by her. The official oath was completed on Wednesday morning, December 8, 2004 at 8:45a.m. in the City Clerk's Office.

ACTION: Mr. Abrica, Mrs. Foster and Mrs. Rutherford was given the Official Oath of Office during the Council meeting/Reception by Deputy City Clerk Warren.

3. Council Reorganization**A. Selection of Mayor**

ACTION: Councilmember Rutherford nominated Vice Mayor Woods
There were no further nominations, nominations closed
Councilmember Evans seconded nomination
Vote taken: 5-0

B. Selection of Vice Mayor

ACTION: Councilmember Foster nominated Councilmember Abrica
There were no further nominations, nominations closed
Councilmember Rutherford seconded nomination
Vote taken: 5-0

Mayor Woods' term – 2004/2005
Vice Mayor Abrica's term -2004/2005

C. Recognition of Outgoing Council Member**1. Proclamation****A. Duane Bay**

A proclamation for outgoing Councilmember Duane Bay from the City was presented to him by Council along with a bouquet of flowers and gift of a commemorative clock.

D. Special Presentations

1. Dignitaries and Public Recognitions
2. Acknowledgments – City Council/Redevelopment Agency

Other Proclamations for outgoing Councilmember Bay and welcome to new councilmembers.

U. S. Congresswoman Anna Eshoo's office – presented by Aide Seth Fisher

Thank you and other welcoming speeches: Millbrae Mayor Marc Hershman; Palo Alto Vice Mayor Jim Burch; other dignitaries and public.

4. Joint Community Forum

12 members of the public spoke on various city issues and welcomed new council, acknowledged and thank outgoing Councilmember Bay for his service to the city.

5. CONSENT CALENDAR**A. Ordinances: 2nd Reading**

1. Ord. No. 289 - An Ordinance Adopting the 2001 Editions of the California Building Codes, California Fire Code, the 1997 Editions of the Uniform Housing Code and Uniform Code for the Abatement of Dangerous Buildings and Excluding Certain Portions Thereof; and Amending Chapter 15 of the City of East Palo Alto Municipal Code to Reflect Changes

Recommendation: That Council Adopt the Ordinance

ACTION: MOTION/SECOND: Rutherford/Woods Vote: 5-0

B. City Council/Redevelopment Informational Reports and Resolutions

1. Authorization for the City Manager to Enter into a Contract for Community Health Surveys and Related Activities using \$7, 824 in Grant Funds Awarded From the US Environmental Protection Agency (USEPA)

ACTION: Pulled for review by Councilmember Evans, discussed and continued to 12/21/04 meeting

MOTION/SECOND: Evans/Woods Vote: 5-0

2. Approval of the Establishment of a List of Qualified Planning Consultants

Recommendation: That Council/RDA Approve the Resolutions

ACTION: MOTION/SECOND: Foster/Rutherford Vote: 5-0

.....**End of Consent Calendar**.....

6. Oral Reports (Requests to Speak on Items 3 and 4 Will be Heard Under Community Forum)

A. Council/Redevelopment Agency Reports

1. Discussion of Council/Redevelopment Agency Members Committee Assignments Regarding City and City-related Outside Governmental Agency Appointments

This item was not addressed and was continued to 12/21/04 meeting.

ADJOURNMENT & RECEPTION: 8:35p.m.

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, AUGUST 15, 2022 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

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

II. INVOCATION

Pastor Lance Irely, Trinity Lutheran Church, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor/Chair Dutrey led meeting participants in the Pledge.

IV. ROLL CALL

Present: Mayor/Chair Dutrey; Mayor Pro Tem/Vice Chair Ruh; Council Members/Directors Johnson, Martinez, and Lopez

City Manager/Executive Director Starr; Director of Community Development Diaz; Assistant City Manager/Director of Human Services Richter; Executive Director of Public Safety/Police Chief Avels; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS

A. Recognition of the California 52nd Assembly District Veteran of the Year, Woman of the Year, and Business of the Year

Mayor/Chair Dutrey and the City Council recognized the following awardees from the 52nd Assembly District:

- Veteran of the Year: **Sgt. Cornelious Lambert**
- Woman of the Year: **Leticia "Letty" Rodriguez**

Each honoree received a City of Montclair Certificate of Recognition.

Mayor/Chair Dutrey announced a representative from the Small Business of the Year, **Bowlum**, could not attend this evening and the certificate would be delivered to the business.

VI. PUBLIC COMMENT

A. Mrs. Kati Parker introduced herself as a candidate running for Board Member of the **Chino Basin Water Conservation District** and provided her qualifications.

B. Mrs. Carolyn Raft, Board Trustee, **West Valley Mosquito and Vector Control District (WVMVCD)**, stated there have been several samples of mosquitoes testing positive for West Nile Virus throughout the region, with two in Rancho Cucamonga, one in Ontario, one in Upland, and one in Montclair and urged everyone to wear repellent, especially during these warm summer evenings.

C. Mr. Al Villanueva, **Arbol Verde Preservation Committee** founder, stated he lives in the "*El Barrio*" historic community and is one of the founders of **El Barrio Park** in Claremont. He expressed his opposition to the County building a public restroom near **El Barrio Park** along the **Pacific Electric (PE) Trail**, and stated his belief that it would attract homeless individuals, crime, vandalism, and drug use.

D. Mr. Donald DeBoen, resident, stated he lives near where the restroom will be installed by the **PE Trail** and there is already an issue with homeless individuals loitering in the area. He stated he believes another public restroom is not needed so close to a park that has public restrooms.

- E. **Mr. Bruce Culp**, resident, expressed his support for users of the **PE Trail** who need access to public restrooms. He stated the trail is actively used, which deters criminal activity. He also stated his disdain for the vilification of homeless people.
- F. **Mr. Michael Keenan**, Claremont resident, stated he utilizes the **PE Trail** and thinks there only needs to be a sign for trail users pointing to the public restrooms that are located about 500 feet away from the trail.

VII. PUBLIC HEARINGS

- A. **Consider Adoption of Resolution No. 22-3366 Making Findings Pursuant to the California Environmental Quality Act and Approving Tentative Parcel Map No. 20474 and a Precise Plan of Design for a Proposed 302-Unit Residential Apartment Development Within the North Montclair Downtown Specific Plan on 9.96 Acres Located Approximately 200 Feet West of the Intersection of Monte Vista Avenue and Richton Street, West of the San Antonio Creek Channel at 4700 Huntington Drive**

Mr. Reese Peterson, Trammel Crow Residential (TCR), provided an overview of the project aided by PowerPoint visuals. He also advised the City Council that TCR has proposed the following revisions to the Conditions of Approval (Exhibit A to Resolution No. 22-3366):

- Revision: CONDITIONS PRIOR TO THE SUBMITTAL OR APPROVAL OF A FINAL MAP (Condition Nos. 15-20) Planning/Administration
- Add subsection (f) to Condition No. 15:
f. The Director of Community Development, or his/her designee, shall have the authority to modify Conditions Nos. 15(a)-(e) (e.g., in the event that approval from third-party agencies delays project construction despite the Applicant's best efforts).
- Revise hours in Condition No. 58: Construction activity shall only be permitted from the hours of 7:00 a.m. to ~~5~~6:00 p.m. daily.

Mayor Dutrey declared it the time and place set for public hearing to consider Resolution No. 22-3366 and invited comments from the public.

Ms. Lydia Henry, a resident of the Claremont *Arbol Verde* community for over 30 years, stated her concerns related to transforming Huntington Drive into a thoroughfare for drivers wanting a faster connection to the mall, freeway, or transit center. She stated Huntington Drive is currently a residential street and could not accommodate increased traffic levels, which would also create more safety issues. She stated any public restrooms should be added in the park at the trailhead of the **PE Trail**.

Mr. Keenan stated he had trouble finding the documents on the City's website related to this item. He stated concerns of eminent domain being used for the addition of more homes around the development. He also asked if the community would have a gate for access to the **PE Trail** like other communities that abut the trail.

Mr. Villanueva stated he supports the project, which will support the affordable housing shortage. He stated his opinion that **Trammel Crow's** other developments in the area have not generated an increase in crime or gang activity.

Mrs. Raft stated she is happy to see this project and has wanted to see development of the site for a long time.

Mr. Culp stated he is generally supportive of projects like this; however, there are many factors preventing him from giving his full support. First, he is unclear about how the bridge will be built since there is currently no plan or agreement with **the U.S. Army Corps of Engineers**. He added he also objects to the \$700,000 fee from

the developer so the City can build affordable housing in other areas of the city. He stated he feels that money should go to sewer connections for residents in the area who have been waiting to connect to the City's sewer line, and the developer should be required to make the housing they are building affordable. He added the north end of the city should provide affordable housing options and not be reserved for the wealthy.

Mr. Amin Nash stated he lives on Huntington Drive right next to the project site and believes the road is too narrow to support the traffic that will be generated by the high number of units being built, noting he feels it would become difficult to back out of his driveway. He added while he appreciates the opportunity for public input, he would prefer the project not move forward at this time until considering other road configurations and traffic calming measures such as a roundabout.

There being no one else in the audience wishing to speak, Mayor Dutrey closed the public hearing and returned the matter to the City Council for its consideration.

Council Member Johnson asked if traffic calming measures could be implemented on Huntington Drive to address the road safety concerns.

Mr. Peterson stated TCR would be happy to work with staff to develop traffic calming measures.

Council Member Johnson asked for the width and speed limit of Huntington Drive.

Director of Public Works/City Engineer Heredia advised the road is 40 feet wide. She noted it is two one-way lanes of traffic and the speed limit is 25 miles per hour. She added no changes are contemplated for width or speed limit, as it is already consistent with residential streets in the city.

The City Council received clarification on the following Conditions of Approval:

- Condition No. 20: TCR is working with staff and *Arbol Verde* neighborhood residents to implement culturally significant landmarks, artwork, and other features that pay homage to the area's history into the development and public park.
- Condition No. 128: The referenced street study is being conducted by **Moule and Polyzoides** to develop the *North Montclair Streetscape Master Plan*, including Huntington Drive.
- Condition No. 129: The fair share of improvements to be contributed will be based on a formula agreed upon by the City and the developer.

Council Member Lopez stated the area is very culturally significant and he does not feel that adding a plaque to placate the *Arbol Verde* residents is acceptable. He also stated he believes Upland's and Claremont's concerns regarding traffic are valid and asked if a cul-de-sac configuration was considered.

Mr. Peterson emphasized TCR's dedication to ensuring residents are part of the process of determining how to represent the culture and history of the area. As to the road issue, he stated that the extension of Huntington Drive is not part of the project, and the developer created this plan to conform to the approved specific plan.

Director of Community Development Diaz clarified no right-of-way changes nor eminent domain are currently being contemplated by staff. He advised the street study is being performed to determine how to address issues with Huntington Drive. He added 50 days have elapsed since Planning Commission approved the project, and in that time, staff has reached out to the Community Development Directors of both Upland and Claremont; however, the correspondence from both cities provided to the City Council just prior to the

meeting was just received today, August 15, 2022, via email. He noted staff is certainly willing to meet with both cities to resolve any concerns, which will also be addressed by the study being conducted.

Mayor Pro Tem Ruh raised concerns about street parking and traffic hazards with deliveries being made on a narrow road like Huntington Drive. He stated he feels speed bumps may cause more issues and traffic hazards. He concurred that the property holds cultural significance for many area residents and agreed with preserving that heritage. He added that, while he supports efforts to build new housing to address the shortage throughout the state, he believes it needs to be affordable and he does not agree with separating and grouping all affordable housing together.

Council Member Martinez emphasized her appreciation for residents for bringing forward their concerns and writing letters in relation to this project, especially issues such as gentrification and cultural representation. She also commended TCR's efforts to work with the residents to address their concerns.

Mayor Dutrey asked if the streetscape plan would be presented to the City Council for approval when completed.

City Manager Starr advised it would, adding TCR is only building a segment of Huntington Drive from Monte Vista Avenue to the west end of the property, but it would not connect to Huntington Drive; that connection is a decision to be made by the City Council at a future date, separate from this project, and should not be a part of this project's consideration. He pointed out City of Claremont staff had originally proposed the extension of Huntington Drive to Monte Vista Avenue to Montclair staff approximately twenty years ago.

Mayor Dutrey asked if there is potential for a cul-de-sac configuration for Huntington Drive instead of connecting to the Claremont side on the west.

City Manager Starr indicated the North Montclair Downtown Specific Plan (NMDSP) provides for the street to connect; however, it would be the City Council's decision and the specific plan could be amended. He added the streetscape plan would also provide additional studies for potential configurations of the street. He noted TCR planned the project on the assumption that the street would eventually become connected, as depicted in the NMDSP.

Council Member Lopez expressed his belief there is a lack of adequate parking within the project, noting he foresees residents and guests of the project and trail users parking on Huntington Drive and impacting the nearby residents. He also expressed concerns that the single-family home residents to the west of the development would be pushed out as a result of recommendations by future studies.

City Manager Starr stated the parking included within the development meets the requirements of the NMDSP, and added that deliveries can be made on the interior streets of the project.

Ms. Alisha Winterswyk, Best Best & Krieger, the City's special counsel for planning and development, advised that the Housing Accountability Act prohibits the City Council from denying a project without making findings that relate directly to health and safety.

Moved by Council Member Martinez, seconded by Council Member Johnson, and carried 5-0, the City Council adopted Resolution No. 22-3366 making findings pursuant to the California Environmental Quality Act and approving Tentative Parcel Map No. 20474 and a Precise Plan of Design for a proposed 302-unit residential apartment development within the North Montclair Downtown Specific Plan on 9.96 acres located approximately 200 feet west of the intersection of Monte Vista Avenue and Richton Street, west of the San Antonio Creek channel at 4700 Huntington Drive, incorporating the changes proposed by the applicant to Exhibit A.

B. Second Reading — Consider Adoption of Ordinance No. 22-999 Adding Chapter 4.76 to Title 4 of the Montclair Municipal Code Related to Imposing a Cannabis Business License Tax (Subject to Final Approval by the Voters at the November 8, 2022 General Municipal Election)

Mayor Dutrey declared it the time and place set for public hearing to consider Ordinance No. 22-999 and invited comments from the public.

There being no one in the audience wishing to speak, Mayor Dutrey closed the public hearing and returned the matter to the City Council for its consideration.

Mayor Pro Tem Ruh emphasized his belief that the voters should not be asked to put a tax into effect without first knowing the proposed regulations on the businesses to be taxed. He asked if the ordinances that were presented to the City Council in 2019 would go into effect upon voter approval at this November's election.

City Manager Starr reiterated the prior ordinances are in no way connected to the ballot measures, and regulations would need to be considered separately by the City Council using the advisory measure as an indication of current voter support for cannabis businesses.

Council Member Lopez stated his understanding that the tax measure in no way addresses licensing, zoning, or the use of funds raised through the tax. He further noted this would allow taxation to be put into place at a rate under the City Council's own discretion from zero percent up to seven percent, but only if cannabis businesses are legalized in Montclair by the City Council.

Moved by Council Member Lopez, seconded by Council Member Johnson, and carried that Ordinance No. 22-999 be read by number and title only, further reading be waived, and this be declared its second reading; and that the City Council adopt Ordinance No. 22-999.

Second reading and adoption of Ordinance No. 22-999 was approved by the following 5-0 vote:

AYES:	Lopez, Martinez, Johnson, Ruh, Dutrey
NOES:	None
ABSTAIN:	None
ABSENT:	None

VIII. CONSENT CALENDAR

Item C-2 was pulled from the Consent Calendar.

City Manager Starr requested Item D-1 be adopted with staff's recommended changes.

Mayor Dutrey entertained discussion on Item C-1 prior to vote on the Consent Calendar.

Moved by Council Member/Director Johnson, seconded by Council Member/Director Lopez, and carried unanimously 5-0, the City Council pulled Item C-2, accepted staff's recommended changes to Item D-1 and approved the remainder of the Consent Calendar as presented, with discussion on Item C-1:

A. Approval of Minutes

1. Regular Joint Meeting — August 1, 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 August 1, 2022 regular joint meeting.

B. Administrative Reports**1. Receiving and Filing of City Treasurer's Report**

The City Council received and filed the City Treasurer's Report for the month ending July 31, 2022.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the Warrant Register dated August 15, 2022, totaling \$2,743,764.37; and the Payroll Documentation dated July 3, 2022, amounting to \$712,817.94 gross, with \$498,513.69 net being the total cash disbursement; and the Payroll Documentation dated July 17, 2022, amounting to \$657,648.47, with \$461,573.44 net being the total cash disbursement.

3. Receiving and Filing of Successor Agency Treasurer's Report

The City Council acting as successor to the Redevelopment Agency Board received and filed the Successor to the Redevelopment Agency Treasurer's Report for the month ending July 31, 2022.

4. Approval of Successor Agency Warrant Register

The City Council acting as successor to the Redevelopment Agency Board approved the Successor to the Redevelopment Agency Warrant Register dated 07.01.22-07.31.22 in the amounts of \$6,121.49 for the Combined Operating Fund and \$0.00 for the Redevelopment Obligation Retirement Funds.

5. Receiving and Filing of MHC Treasurer's Report

The MHC Board received and filed the MHC Treasurer's Report for the month ending July 31, 2022.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 07.01.22-07.31.22 in the amount of \$32,000.79.

7. Receiving and Filing of MHA Treasurer's Report

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending July 31, 2022.

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 07.01.22-07.31.22 in the amount of \$0.00.

9. Authorizing the Destruction of Certain Obsolete Public Records Pursuant to the City of Montclair Records Retention Schedule

The City Council authorized the destruction of certain obsolete public records pursuant to the City of Montclair Records Retention Schedule.

10. Authorizing the Purchase of a Vactor CNG 2110 Plus Sewer Cleaner Truck from Haaker Equipment Co.**Declaring a 2004 International Combo Sewer Truck (Unit 314) as Surplus and Available for Auction**

The City Council took the following actions:

- (a) Authorized the purchase of a Vactor CNG 2110 Plus Sewer Cleaner Truck from Haaker Equipment Co.
- (b) Declared a 2004 International Combo Sewer Truck (Unit 314) as surplus and available for auction.

C. Agreements

1. Amending the 2019–2024 Capital Improvement Program to Include the Holt Boulevard Median and Street Rehabilitation Project

Approval of *Agreement No. 22–84* with HR Green Pacific for the Preparation of Plans and Specifications for the Construction of Median and Street Rehabilitation Improvements on Holt Boulevard from Ramona Avenue to Benson Avenue, Subject to Any Revisions Deemed Necessary by the City Attorney

Approval of *Agreement No. 22–85* with AGA Engineers, Inc. for the Preparation of Plans and Specifications for the Construction of Traffic Signals Upgrades and Traffic Signal Interconnect and Broadband Fiber Optic Improvements, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing a \$503,000 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to *Agreement Nos. 22–84* and *22–85*

Authorizing a \$45,829.25 Design Services Contingency for the Project

Council Member Martinez noted this is a significant project for the south end of the community and expressed her appreciation for the coming improvements.

The City Council took the following actions:

- (a) Amended the 2019–2024 Capital Improvement Program to include the Holt Boulevard Median and Street Rehabilitation Project.
- (b) Approved *Agreement No. 22–84* with HR Green Pacific for the preparation of plans and specifications for the construction of median and street rehabilitation improvements on Holt Boulevard from Ramona Avenue to Benson Avenue, subject to any revisions deemed necessary by the City Attorney.
- (c) Approved *Agreement No. 22–85* with AGA Engineers, Inc. for the preparation of plans and specifications for the construction of traffic signals upgrades and traffic signal interconnect and broadband fiber optic improvements, subject to any revisions deemed necessary by the City Attorney.
- (d) Authorized a \$503,000 appropriation from 2021 Lease Revenue Bond proceeds for costs related to *Agreement Nos. 22–84* and *22–85*.
- (e) Authorized a \$45,829.25 design services contingency for the Project.

3. Approval of *Agreement No. 22–89* with San Bernardino County for Access to the Sheriff's Automated Systems, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing Executive Director of Public Safety/Police Chief Robert Avels to Sign *Agreement No. 22–89*

The City Council took the following actions:

- (a) Approved *Agreement No. 22–89* with San Bernardino County for access to the Sheriff's Automated Systems, subject to any revisions deemed necessary by the City Attorney.
- (b) Authorized Executive Director of Public Safety/Police Chief Robert Avels to sign *Agreement No. 22–89*.

4. **Approval of *Agreement No. 22-90* with the San Bernardino County Office of Homeless Services to Accept an Award for the Homeless Housing, Assistance, and Prevention Program Round 2 (HHAP2), Subject to Any Revisions Deemed Necessary by the City Attorney**

Authorizing the City Manager to Sign *Agreement No. 22-90* and Any Other Related Documents to Effectuate Related Programs

The City Council took the following actions:

- (a) Approved *Agreement No. 22-90* with the San Bernardino County Office of Homeless Services to accept an award for the Homeless Housing, Assistance, and Prevention Program Round 2 (HHAP2), subject to any revisions deemed necessary by the City Attorney.
- (b) Authorized the City Manager to sign *Agreement No. 22-90* and any other related documents to effectuate related programs.

D. Resolutions

1. **Adoption of Resolution No. 22-3342 Approving *Agreement No. 22-26*, an Affordable Housing Agreement Between the City, MHC, and MHA; Authorizing the Transfer of Certain Real Property located at 5072 Moreno Street to the Montclair Housing Authority; and Declaring the Real Property to be Exempt Surplus Land**

Adoption of Montclair Housing Authority Resolution No. 22-01 Approving *Agreement No. 22-26*, an Affordable Housing Agreement, and Accepting the Transfer of Certain Real Property from the City of Montclair

Adoption of Montclair Housing Corporation Resolution No. 22-02 Approving *Agreement No. 22-26*, an Affordable Housing Agreement

Authorization of a \$40,000 Appropriation from the Housing Trust Fund for Rehabilitation of the Property Located at 5072 Moreno Street

City Manager Starr advised staff recommends the City Council, Montclair Housing Authority (MHA), and Montclair Housing Corporation (MHC) approve the addition of the following recital to each of the three proposed resolutions: ***“WHEREAS, no development of the Property is contemplated;”***

The City Council took the following actions:

- (a) Amended Resolution No. 22-3342 by adding the following recital: ***“WHEREAS, no development of the Property is contemplated; and”***.
- (b) Adopted Resolution No. 22-3342, as amended, approving *Agreement No. 22-26*, an Affordable Housing Agreement between the City, MHC, and MHA; authorized the transfer of certain real property located at 5072 Moreno Street to the Montclair Housing Authority; and declaring the real property to be exempt surplus land.

The Montclair Housing Authority took the following actions:

- (a) Amended MHA Resolution No. 22-01 by adding the following recital: ***“WHEREAS, no development of the Property is contemplated; and”***.
- (b) Adopted MHA Resolution No. 22-01, as amended, approving *Agreement No. 22-26*, an Affordable Housing Agreement, and accepting the transfer of certain real property from the City of Montclair.

The Montclair Housing Corporation took the following actions:

- (a) Amended MHC Resolution No. 22-02 by adding the following recital: "WHEREAS, no development of the Property is contemplated; and".
- (b) Adopted MHC Resolution No. 22-02, as amended, approving *Agreement No. 22-26*, an Affordable Housing Agreement.
- (c) Authorized a \$40,000 appropriation from the Housing Trust Fund for rehabilitation of the property located at 5072 Moreno Street.

2. Adoption of Resolution No. 22-3376 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of August 15, 2022, through September 14, 2022

The City Council adopted Resolution No. 22-3376 making factual findings in compliance with AB 361 for the continuation of public meeting teleconferencing during public health emergencies for the period of August 15, 2022, through September 14, 2022.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

2. Approval of *Agreement Nos. 22-86, 22-87, and 22-88* with Montclair Little League and Golden Girls Softball League for Use of Ball Field Facilities, Subject to Any Revisions Deemed Necessary by the City Attorney

Council Member Lopez stated his understanding that the contracts approved earlier this year were to cover the full year.

Director of Human Services Richter advised the prior contracts ended in August and new contracts would cover the upcoming season through December.

Moved by Mayor Pro Tem Ruh, seconded by Council Member Johnson, and carried 5-0, the City Council approved *Agreement Nos. 22-86, 22-87, and 22-88* with Montclair Little League and Golden Girls Softball League for use of ball field facilities, subject to any revisions deemed necessary by the City Attorney.

X. COMMUNICATIONS

A. Department Reports — None

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

Properties: APNs 1009-383-17-0000 & 1009-391-20-0000
Negotiating Parties: City of Montclair, Boyce and Green Inc. Ownership, and Cynthia L. Cox
Agency Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price

C. City Manager/Executive Director — None

D. Mayor/Chair

Mayor/Chair Dutrey made the following comments:

- 1. He commended the successful National Night Out event and thanked all staff involved.

2. He acknowledged upcoming days and months of recognition, holidays, and celebrations:
 - August 14 — Victory in Japan Day
 - August 26 — Women's Equality Day
 - September 5 — Labor Day
 - September 11 — National Grandparents Day
 - September 16 — Mexican Independence Day
 - September 16 — National POW/MIA Recognition Day
 - September 17 — Constitution Day
 - September 23 — Native American Day
 - September 25-27 — Rosh Hashanah
 - Sept. 15 - Oct. 15 — National Hispanic Heritage Month
3. He recognized all candidates for the upcoming General Municipal Election: himself and **Oscar Miranda** running for Mayor; and Mayor Pro Tem Ruh, Council Member Martinez, **Xavier Mendez**, and **Juliet Orozco** running for City Council; and wished everyone luck on their campaigns.

E. Council Members/Directors

1. Mayor Pro Tem/Vice Chair Ruh made the following comments:
 - (a) He thanked veterans who fought during the Victory Day in Japan marking the end of World War II.
 - (b) He stated 60 percent of water is used outdoors and that mowed green turf is the most irrigated crop. He noted the state may soon outlaw green landscapes if things get too drastic. He urged residents to conserve water as much as possible.
2. Council Member/Director Lopez made the following comments:
 - (a) He and all other Council Members attended the **Montclair High School (MHS)** booster club's spaghetti dinner fundraiser event for the football team.
 - (b) He announced the **MHS Cavaliers** will have its first football game of the season on Friday, August 19th, playing against the **Village Christian Challengers**. He encouraged the community to come and support their team.
3. Council Member/Director Johnson announced her attendance at the **National League of Cities Women in Municipal Government** conference last week in Sacramento, which covered issues from childcare to education. She stated a fascinating seminar was presented on disaster preparedness. She indicated her interest in learning about the City's disaster preparedness plans that are in place.
4. Council Member/Director Martinez shared that her sister had just completed her first day of classes at **Chaffey College**. She added that her sister received a *Montclair to College (MTC)* scholarship, which provides two years of free tuition at **Chaffey** for **MHS** graduates. She noted their mother also attended **Chaffey**, while she attended **Mt. San Antonio College**, where she also served on the student government board.

F. Committee Meeting Minutes

1. **Minutes of Personnel Committee Meeting of August 1, 2022**
The City Council received and filed the minutes of the Personnel Committee meeting of August 1, 2022, for informational purposes.

XI. CLOSED SESSION

At 9:30 p.m., the City Council went into closed session to discuss real property negotiations.

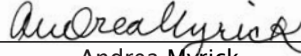
XII. CLOSED SESSION ANNOUNCEMENTS

At 9:42 p.m., the City Council returned from closed session. Mayor Dutrey announced that 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.

XIII. ADJOURNMENT

At 9:42 p.m., Mayor/Chair Dutrey adjourned the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board.

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



Andrea Myrick,
City Clerk

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, AUGUST 15, 2022 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

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

II. INVOCATION

Pastor Lance Ireby, Trinity Lutheran Church, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor/Chair Dutrey led meeting participants in the Pledge.

IV. ROLL CALL

Present: Mayor/Chair Dutrey; Mayor Pro Tem/Vice Chair Ruh; Council Members/Directors Johnson, Martinez, and Lopez

City Manager/Executive Director Starr; Director of Community Development Diaz; Assistant City Manager/Director of Human Services Richter; Executive Director of Public Safety/Police Chief Avels; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS

A. Recognition of the California 52nd Assembly District Veteran of the Year, Woman of the Year, and Business of the Year

- Veteran of the Year: **Sgt. Cornelious Lambert**
- Woman of the Year: **Leticia "Letty" Rodriguez**
- Small Business of the Year: **Bowlum**

VI. PUBLIC COMMENT

- **Kati Parker** – Introduction as Board Member Candidate for the **Chino Basin Water Conservation District**.
- **Carolyn Raft** – Provided an update as the City's representative to the **West Valley Mosquito and Vector Control District (WVMVCD)** Board of Trustees.
- The following individuals spoke on the addition of a public restroom in Montclair along the **Pacific Electric Trail**:

Al Villanueva spoke in opposition.

Donald DeBoen spoke in opposition.

Bruce Culp spoke in support

Michael Keenan spoke in opposition.

VII. PUBLIC HEARINGS

A. Consider Adoption of Resolution No. 22-3366 Making Findings Pursuant to the California Environmental Quality Act and Approving Tentative Parcel Map No. 20474 and a Precise Plan of Design for a Proposed 302-Unit Residential Apartment Development Within the North Montclair Downtown Specific Plan on 9.96 Acres Located Approximately 200 Feet West of the Intersection of Monte Vista Avenue and Richton Street, West of the San Antonio Creek Channel at 4700 Huntington Drive

Mr. Reese Peterson, Trammel Crow Residential, provided an overview of the project and proposed the following revisions to the Conditions of Approval (Exhibit A to Resolution No. 22-3366):

- Revision: CONDITIONS PRIOR TO THE SUBMITTAL OR APPROVAL OF A FINAL MAP (Condition Nos. 15–20) Planning/Administration
- Add subsection (f) to Condition No. 15:
f. The Director of Community Development, or his/her designee, shall have the authority to modify Conditions Nos. 15(a)–(e) (e.g., in the event that approval from third-party agencies delays project construction despite the Applicant's best efforts).
- Revise hours in Condition No. 58: Construction activity shall only be permitted from the hours of 7:00 a.m. to ~~5~~6:00 p.m. daily.

Mayor Dutrey opened the public hearing.

The following individuals spoke in support of the project:

- Al Villanueva
- Carolyn Raft

The following individuals spoke in opposition to the project:

- Lydia Henry
- Michael Keenan
- Bruce Culp
- Amin Nash

Written comments on the project were received from the following:

- City of Claremont
- City of Upland

Mayor Dutrey closed the public hearing and the City Council discussed the matter. Discussion focused on concerns related to traffic impacts, pedestrian safety, parking, maintaining the historic integrity of the area, modifications to Huntington Drive, and the potential future conversion of Huntington Drive into a through-street.

ACTION – Public Hearings – Item A	
ACTING:	City Council
MOTION:	Adopt Resolution No. 22-3366 incorporating changes proposed by the applicant to Exhibit A.
MADE BY: SECOND BY:	Council Member Martinez Council Member Johnson
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Johnson, Ruh, Dutrey None None None
RESULT:	Motion carried 5-0

B. Second Reading — Consider Adoption of Ordinance No. 22-999 Adding Chapter 4.76 to Title 4 of the Montclair Municipal Code Related to Imposing a Cannabis Business License Tax (Subject to Final Approval by the Voters at the November 8, 2022 General Municipal Election)

Mayor Dutrey opened the public hearing. No members of the public provided comments.

Mayor Dutrey closed the public hearing.

The City Council discussed the matter and received clarification that the ordinance only relates to the taxing authority of the City Council and not regulations for cannabis businesses.

ACTION – Public Hearings – Item B	
ACTING:	City Council
MOTION:	Direct the City Clerk to read Ordinance No. 22-999 for a second time by number and title only, waive further reading, and adopt Ordinance No. 22-999.
MADE BY: SECOND BY:	Council Member Lopez Council Member Johnson
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Johnson, Ruh, Dutrey None None None
RESULT:	Motion carried 5-0

VIII. CONSENT CALENDAR

ACTION – Consent Calendar	
ACTING:	City Council Successor Agency Montclair Housing Corporation Montclair Housing Authority Montclair Community Foundation
MOTION:	Pull Item C-2 from the Consent Calendar. Approve Item D-1 with staff's recommended changes. Approve the remainder of the Consent Calendar as presented.
MADE BY: SECOND BY:	Council Member/Director Johnson Council Member/Director Lopez
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Johnson, Ruh, Dutrey None None None
RESULT:	Motion carried 5-0

A. Approval of Minutes**1. Regular Joint Meeting — August 1, 2022**

ACTION – Consent Calendar – Item A-1	
ACTING:	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
RESULT:	Approved on Consent

B. Administrative Reports**1. Receiving and Filing of City Treasurer's Report – July 2022**

ACTION – Consent Calendar – Item B-1	
ACTING:	City Council

ACTION – Consent Calendar – Item B-1	
RESULT:	Approved on Consent

2. Approval of City Warrant Register and Payroll Documentation

ACTION – Consent Calendar – Item B-2	
ACTING:	City Council
RESULT:	Approved on Consent

3. Receiving and Filing of SA Treasurer's Report – July 2022

ACTION – Consent Calendar – Item B-3	
ACTING:	Successor Agency Board
RESULT:	Approved on Consent

4. Approval of SA Warrant Register – July 2022

ACTION – Consent Calendar – Item B-4	
ACTING:	Successor Agency Board
RESULT:	Approved on Consent

5. Receiving and Filing of MHC Treasurer's Report – July 2022

ACTION – Consent Calendar – Item B-5	
ACTING:	Montclair Housing Corporation Board
RESULT:	Approved on Consent

6. Approval of MHC Warrant Register – July 2022

ACTION – Consent Calendar – Item B-6	
ACTING:	Montclair Housing Corporation Board
RESULT:	Approved on Consent

7. Receiving and Filing of MHA Treasurer's Report – July 2022

ACTION – Consent Calendar – Item B-7	
ACTING:	Montclair Housing Authority Commissioners
RESULT:	Approved on Consent

8. Approval of MHA Warrant Register – July 2022

ACTION – Consent Calendar – Item B-8	
ACTING:	Montclair Housing Authority Commissioners
RESULT:	Approved on Consent

9. Authorizing the Destruction of Certain Obsolete Public Records Pursuant to the City of Montclair Records Retention Schedule

ACTION – Consent Calendar – Item B-9	
ACTING:	City Council
RESULT:	Approved on Consent

10. Authorizing the Purchase of a Vactor CNG 2110 Plus Sewer Cleaner Truck from Haaker Equipment Co.

Declaring a 2004 International Combo Sewer Truck (Unit 314) as Surplus and Available for Auction

ACTION – Consent Calendar – Item B-10	
ACTING:	City Council
RESULT:	Approved on Consent

C. Agreements

1. Amending the 2019–2024 Capital Improvement Program to Include the Holt Boulevard Median and Street Rehabilitation Project

Approval of *Agreement No. 22-84* with HR Green Pacific for the Preparation of Plans and Specifications for the Construction of Median and Street Rehabilitation Improvements on Holt Boulevard from Ramona Avenue to Benson Avenue, Subject to Any Revisions Deemed Necessary by the City Attorney

Approval of *Agreement No. 22-85* with AGA Engineers, Inc. for the Preparation of Plans and Specifications for the Construction of Traffic Signals Upgrades and Traffic Signal Interconnect and Broadband Fiber Optic Improvements, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing a \$503,000 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to *Agreement Nos. 22-84* and *22-85*

Authorizing a \$45,829.25 Design Services Contingency for the Project

ACTION – Consent Calendar – Item C-1	
ACTING:	City Council
RESULT:	Approved on Consent

3. Approval of *Agreement No. 22-89* with San Bernardino County for Access to the Sheriff's Automated Systems, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing Executive Director of Public Safety/Police Chief Robert Avels to Sign *Agreement No. 22-89*

ACTION – Consent Calendar – Item C-3	
ACTING:	City Council
RESULT:	Approved on Consent

4. Approval of *Agreement No. 22-90* with the San Bernardino County Office of Homeless Services to Accept an Award for the Homeless Housing, Assistance, and Prevention Program

Round 2 (HHAP2), Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing the City Manager to Sign *Agreement No. 22-90* and Any Other Related Documents to Effectuate Related Programs

ACTION – Consent Calendar – Item C-4	
ACTING:	City Council
RESULT:	Approved on Consent

D. Resolutions

- Adoption of Resolution No. 22-3342 Approving *Agreement No. 22-26*, an Affordable Housing Agreement Between the City, MHC, and MHA; Authorizing the Transfer of Certain Real Property located at 5072 Moreno Street to the Montclair Housing Authority; and Declaring the Real Property to be Exempt Surplus Land**

Adoption of Montclair Housing Authority Resolution No. 22-01 Approving *Agreement No. 22-26*, an Affordable Housing Agreement, and Accepting the Transfer of Certain Real Property from the City of Montclair

Adoption of Montclair Housing Corporation Resolution No. 22-02 Approving *Agreement No. 22-26*, an Affordable Housing Agreement

Authorization of a \$40,000 Appropriation from the Housing Trust Fund for Rehabilitation of the Property Located at 5072 Moreno Street

ACTION – Consent Calendar – Item D-1	
ACTING:	City Council Montclair Housing Corporation Board Montclair Housing Authority Commissioners
RESULT:	Approved on Consent, with the following recital added to Resolution No. 22-3342, MHA Resolution No. 22-01, and MHC Resolution No. 22-02: “WHEREAS, no development of the Property is contemplated; and”

- Adoption of Resolution No. 22-3376 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of August 15, 2022, through September 14, 2022**

ACTION – Consent Calendar – Item D-2	
ACTING:	City Council
RESULT:	Approved on Consent

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

- Approval of *Agreement Nos. 22-86, 22-87, and 22-88* with Montclair Little League and Golden Girls Softball League for Use of Ball Field Facilities, Subject to Any Revisions Deemed Necessary by the City Attorney**

The City Council discussed and received clarification from staff on Item C-2.

ACTION – Pulled Consent Calendar Items – Item C-2	
PULLED BY:	Mayor Dutrey
ACTING:	City Council
MOTION:	Approve Item C-2 as presented.
MADE BY: SECOND BY:	Mayor Pro Tem Ruh Council Member Johnson
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Johnson, Ruh, Dutrey None None None
RESULT:	Motion carried 5-0

X. COMMUNICATIONS

A. Department Reports — None

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

Properties: APNs 1009-383-17-0000 & 1009-391-20-0000
Negotiating Parties: City of Montclair, Boyce and Green Inc. Ownership, and Cynthia L. Cox
Agency Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price

C. City Manager/Executive Director — None

D. Mayor/Chair

Mayor/Chair Dutrey commented on the National Night Out event, announced upcoming days and months of recognition for August and September, and recognized candidates for the upcoming General Municipal Election.

E. Council Members/Directors

1. Mayor Pro Tem/Vice Chair Ruh thanked veterans of Victory Day in Japan and spoke on the state's current drought and water conservation efforts.
2. Council Member/Director Lopez stated he and all other Council Members attended the **Montclair High School** booster club's spaghetti dinner fundraiser event for the football team.
3. Council Member/Director Johnson announced her attendance at the **National League of Cities'** Women in Municipal Government conference last week in Sacramento.
4. Council Member/Director Martinez commented on her sister's first day at **Chaffey College**, which she is attending on a *Montclair to College* scholarship.

F. Committee Meeting Minutes

The following committee minutes were received and filed for informational purposes:

1. Minutes of Personnel Committee Meeting of August 1, 2022

XI. CLOSED SESSION

The City Council entered closed session at 9:30 p.m. to discuss real property negotiations.

XII. CLOSED SESSION ANNOUNCEMENTS


The City Council returned from closed session at 9:42 p.m.

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.

XIII. ADJOURNMENT

At 9:42 p.m., the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board were adjourned.

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



Andrea Myrick,
City Clerk

DRAFT ACTION MINUTES

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
OCTOBER 3, 2022, AT 6:02 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Mayor Pro Tem Ruh called the meeting to order at 6:02 p.m.

II. ROLL CALL

Present: Mayor Pro Tem Ruh, Council Member Johnson, City Manager Starr, and Assistant City Manager/Director of Human Services Richter

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of September 19, 2022.

Moved by Council Member Johnson, seconded by Mayor Pro Tem Ruh, and carried unanimously to approve the minutes of the Personnel Committee meeting of September 19, 2022.

IV. PUBLIC COMMENT – None

V. CLOSED SESSION


At 6:03 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 6:17 p.m., the Personnel Committee returned from Closed Session. Mayor Pro Tem Ruh stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 6:17 p.m., Mayor Pro Tem Ruh adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL, SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS, MONTCLAIR HOUSING AUTHORITY COMMISSION, AND MONTCLAIR COMMUNITY FOUNDATION BOARD HELD ON MONDAY, OCTOBER 3, 2022 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

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

II. INVOCATION

Pastor Josh Matlock, Bethany Baptist Church, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Council Member Martinez led meeting participants in the Pledge.

IV. ROLL CALL

Present: Mayor/Chair Dutrey; Mayor Pro Tem/Vice Chair Ruh; Council Members/Directors Johnson, Martinez, and Lopez

City Manager/Executive Director Starr; Director of Community Development Diaz; Assistant City Manager/Director of Human Services Richter; Executive Director of Public Safety/Police Chief Avels; 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**, stated the District will be hosting its quarterly shredding event on Saturday, October 15, from 9:00 a.m. to noon at Ontario Police Department located at 2500 S. Archibald Avenue, Ontario. She also announced the District will host a Veteran Claims Event on Wednesday, November 9, from 10:00 a.m. to 2:00 p.m. at the District office located at 14010 City Center Drive in Chino Hills.

B. Ms. Juliet Orozco, Soroptimist International Montclair/Inland Valley, announced the Live Your Dream Awards are now accepting applications. The program provides scholarships to women who are the primary financial support for their families to empower them with resources to improve their economic opportunities.

C. Mr. Arnold San Miguel, Regional Affairs Officer of **Southern California Association of Governments (SCAG)**, invited the City Council and staff to **SCAG's 12th Annual Southern California Economic Summit** on December 1, 2022, in Los Angeles. He also announced a Notice of Preparation for a Program Environmental Impact Report will soon be released in relation to Connect SoCal 2024, which is a long-range plan for the Regional Transportation Plan/Sustainable Communities Strategies covering 2024 to 2050.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

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

A. Approval of Minutes

1. Regular Joint Meeting — September 19, 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 September 19, 2022 regular joint meeting.

B. Administrative Reports

1. **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**

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

Declaring Six Ford Police Interceptor Utility Vehicles as Surplus and Available for Parts or for Sale at Auction

The City Council took the following actions:

- (a) Authorized 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.
- (b) Authorized a \$46,914.93 appropriation from the Inflation Control Expenditure Fund to cover the unanticipated cost increase of the vehicles.
- (c) Declared six Ford Police Interceptor Utility vehicles as surplus and available for parts or for sale at auction.

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

The City Council approved the City Warrant Register dated October 3, 2022, totaling \$2,051,712.69; and the Payroll Documentation dated August 28, 2022, amounting to \$707,959.15 gross, with \$497,358.57 net being the total cash disbursement; and the Payroll Documentation dated September 11, 2022, totals \$1,003,097.08 gross, with \$695,852.00 net being the total cash disbursement.

C. Agreements

1. **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**

The City Council approved *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.

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

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

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

Authorizing a \$3,400 Design Services Contingency for the Mills Avenue Street Rehabilitation Project

The City Council took the following actions:

- (a) Amended the 2019-2024 Capital Improvement Program to include the Mills Avenue Street Rehabilitation Project from Holt Boulevard to Moreno Street.
- (b) Approved *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.
- (c) Authorized a \$30,000 appropriation from 2021 Lease Revenue Bond proceeds for costs related to *Agreement No. 22-99*.
- (d) Authorized a \$3,400 design services contingency for the Mills Avenue Street Rehabilitation Project.

D. Resolutions

1. Adoption of Resolution No. 22-3378 Authorizing Placement of Assessments on Certain Properties for Delinquent Sewer and Trash Accounts

The City Council adopted Resolution No. 22-3378 authorizing placement of assessments on certain properties for delinquent sewer and trash accounts.

IX. PULLED CONSENT CALENDAR ITEMS — None

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

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

Moved by Mayor Pro Tem Ruh, seconded by Council Member Johnson, and carried unanimously 5-0, the City Council took the following actions:

- 1. Adopted 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; and
- 2. Authorized 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.

XI. RESPONSE

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

Mr. Mark Ramos, President, United Food and Commercial Workers International Union (UFCW) Local 1428, asked if the 2019 draft cannabis ordinances are available to the public. He recommended against several proposed aspects of community benefits funding programs including having a competitive process for nonprofits to receive funds and involving the City Manager in the review process as a sole decision-maker.

City Manager Starr advised the draft was available online in 2019 and may not be there anymore, but it is available to the public upon request.

Mayor Pro Tem Ruh complimented how Pomona's cannabis program protects workers.

Council Member Lopez received clarification that no changes have been made to the 2019 draft ordinances. He noted he supports not having a restricted list of organizations that can receive community benefits funding from this program. He voiced his concern that the 300-page document does not appear business friendly due to its sheer volume, which he feels could open the City to more legal challenges.

City Manager Starr advised the direction from the City Council prior to developing the 2019 draft ordinances was to ensure that cannabis businesses would be well-regulated to keep the illegal businesses out. He noted loose regulations were not something the City Council was interested in exploring at that time, and the drafted ordinances included regulations for several aspects of the cannabis industry that are not addressed by any other state or local regulations such as vending machines and cannabis lounges. He added Montclair's draft ordinances received high regard from a large reputable cannabis retailer that operates upscale cannabis businesses in the Bay Area.

Mayor Dutrey requested newer Council Members who do not have copies of the 2019 draft ordinances receive them, and stated the City Council would take this report under advisement for the potential future consideration of cannabis regulations.

The City Council received and filed the response to City Council inquiry regarding commercial cannabis community benefits funding and social equity programs.

XII. COMMUNICATIONS

A. Department Reports

1. Human Services Department — Upcoming Activities & Events

Assistant City Manager/Director of Human Services Richter provided the following updates and announcements:

- **Youth Basketball League** — Indoor sports are finally starting back up. Youth basketball registration is open through Thursday, October 6, or until each division is filled.
- **Hispanic Heritage Month Celebration** — The public is invited to attend this event on Saturday, October 8, from 5:00 to 7:00 p.m. at the center court at **Montclair Place**. Montclair Afterschool Program (MAP) participants from **Kingsley** and **Mission Elementary Schools** will put on Folklórico performances and **Serrano Middle School** students will be hosting a Mexican tissue paper flower craft project.
- **Montclair Candidates' Forum** — This event will take place on Wednesday, October 12, from 7:00 to 8:30 p.m. in the Council Chambers. The public will have the opportunity to ask questions of the Montclair candidates running for Mayor and City Council.
- **Free Flu Vaccine and COVID Vaccine/Booster Events** — On October 18, and again on November 1, **San Bernardino County** will be hosting this free event in the Montclair Community Center from 9:30 a.m. to 1:30 p.m. No insurance is required and appointments are encouraged, but walk-ins are accepted. Pre-register at [MyTurn.ca.gov](https://myturn.ca.gov).

- **Lights On After School** — MAP will be hosting its annual Lights on After School event on Thursday, October 20, from 6:30 to 8:30 p.m. The event will feature visual arts, dance, drama, and music created and performed by students from all of our 10 MAP sites.
- **Holiday Food & Toy Basket Sign-Ups** — Appointments to apply to receive a holiday food and toy basket are now available for Montclair families who meet certain income requirements. October 21 is the deadline to contact the Recreation Center to schedule an appointment.
- **Halloween Spooktacular** — This event will be held on Saturday, October 29, from 5:00 to 8:00 p.m. in the parking lot at **Montclair Place**. Costume contests, games, a DJ, and other fun activities will be located outside next to the Pumpkin Patch.

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 54957 Regarding Public Employee Performance Evaluation: City Manager/Executive Director**
2. **Closed Session Pursuant to Government Code Section 54956.9(d)(1) Regarding Pending Litigation**
Garcia v. Lopez, City of Montclair, et al.
Fuentes v. Lopez, City of Montclair, et al.

C. City Manager/Executive Director — None

D. Mayor/Chair

Mayor/Chair Dutrey made the following comments:

2. He acknowledged upcoming and recently passed days and months of recognition, holidays, and celebrations:
 - September 25-27 — Rosh Hashanah
 - October — Breast Cancer Awareness Month
Filipino American History Month
Italian American Heritage Month
Polish American Heritage Month
LGBT History Month
- (b) He stated he attended the **Innovating Commerce Serving Communities (ICSC)** Conference in San Diego this weekend along with Mayor Pro Tem Ruh and Council Member Martinez.
- (c) He noted he just learned that a Montclair Firefighter named **Robert G. Anderson** died in the line of duty in 1977 and stated he would like to honor him by adjourning tonight's meeting in his memory.
- (d) He announced that Benson Avenue at the I-10 underpass is closed through November 9th due to freeway construction work. He noted Monte Vista Avenue will remain under construction until 2024.

E. Council Members/Directors

1. Mayor Pro Tem/Vice Chair Ruh voiced his frustration with the road closures in the area and their impacts on traffic, noting San Antonio Avenue's closure is causing additional traffic congestion on Montclair's streets. He noted the traffic signals north and south of the freeway on Central Avenue are not well coordinated causing major backups, and expressed his desire

to re-signalize with demand lights, noting he believes there are federal and state grants that would provide funding for it.

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

- (a) He stated he attended the **Chino Basin Water Conservation District's** Garden & Pumpkin Fest event on Saturday at the Waterwise Community Center.
- (b) He echoed complaints received from residents about the traffic conditions around construction zones, and suggested some of the striping for traffic turning onto the freeway be repainted.
- (c) He stated there would be a 55-hour closure on the I-10 freeway of three westbound lanes at Monte Vista Avenue for half a mile, and the westbound on- and off-ramps from Friday, October 14, at 10:00 p.m. through Monday, October 17, at 5:00 a.m.

F. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of September 19, 2022

The City Council received and filed the minutes of the Personnel Committee meeting of September 19, 2022, for informational purposes.

XIII. CLOSED SESSION

At 8:08 p.m., Council Member Lopez was excused and the City Council went into closed session to discuss pending litigation. Council Member Lopez joined the City Council in closed session at 8:54 p.m. to discuss the City Manager's performance evaluation.

XIV. CLOSED SESSION ANNOUNCEMENTS

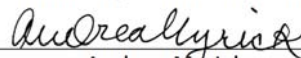
At 8:53 p.m., Mayor Dutrey announced that the City Council met in closed session to discuss pending litigation; information was received and direction given to staff; and no further announcements would be made at this time.

At 10:04 p.m., Mayor Dutrey announced that the City Council evaluated the performance of the City Manager and direction was given to the City Attorney and the Mayor to discuss the results of the evaluation with the City Manager

XV. ADJOURNMENT

At 10:04 p.m., Mayor/Chair Dutrey adjourned the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board in memory of Montclair Firefighter **Robert G. Anderson**, who passed away from a car accident while on duty in 1977.

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



Andrea Myrick,
City Clerk

CITY OF MONTCLAIR

TREASURER'S REPORT

FOR THE MONTH ENDING

SEPTEMBER 30, 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**

SEPTEMBER 30, 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	<u><u>\$ 32,902,893</u></u>
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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 SEPTEMBER 30, 2022

<u>Fund</u>	<u>Beginning Balance</u>	<u>Receipts</u>	<u>Disbursements</u>	<u>Interfund Transfers</u>	<u>Ending Balance</u>
General Fund	\$ 4,452,290.90	\$ 643,894.11	\$ 3,387,586.04	\$ 4,449.75	\$ 1,713,078.72 (1)
Gas Tax Fund	(321,346.47)	92,498.53	112,327.96	5,550.25	(335,655.65) (2)
Road Maintenance - Section 2032	1,374,968.49	69,643.69	587.50	-	1,444,024.68
Measure I Fund	4,803,758.50	76,923.48	-	-	4,880,681.98
Traffic Safety	133,676.11	7,008.13	790.20	-	133,884.04
Disability Access Fund - Bus. License	47,909.90	640.80	908.10	-	47,642.60
Park Maintenance	76,568.63	6,161.80	43,491.80	-	39,238.63
Park Development	1,154,807.06	-	-	-	1,154,807.06
CDBG	(41,173.71)	11,250.11	22,841.50	-	(52,725.10) (2)
SB2 Planning Grant	(20,842.50)	-	-	-	(20,842.50) (2)
Air Quality Improvement Trust	129,388.32	13,023.68	34,247.80	-	108,164.20
SB City Cares Act Infrastructure	(24,354.65)	-	-	-	(24,354.65) (2)
Senior Nutrition Program	(46,293.45)	10,635.13	23,597.05	-	(59,255.37) (2)
American Rescue Plan	4,780,264.57	-	-	-	4,780,264.57
Forfeiture Fund - State	118,718.59	-	1,552.60	-	117,165.99
Proposition 30/SB 109	98,378.50	-	1,133.34	-	97,245.16
SB 509 Public Safety	251,405.22	47,457.00	20,130.86	-	278,731.36
Forfeiture Fund-Federal/DOJ	313,142.67	-	-	-	313,142.67
Asset Seizure Fund	0.12	0.01	-	-	0.13
Section 11489 Subfund	35,396.66	-	140.00	-	35,246.66
Fed Asset Forfeiture-Treasury	122,245.01	-	463.29	-	121,781.72
School District Grant Fund	98,315.00	-	-	-	98,315.00
State Supplemental Law Enforce	410,731.78	11,928.32	-	-	422,660.10
Local Law Enforcement Block Gr	15,023.67	-	-	-	15,023.67
PC 1202.5 Crime Prevention	2,308.24	3.25	-	-	2,311.49
Recycling Grant Fund	71,156.51	-	-	-	71,156.51
Homeless Emergency Aid Program	(261.41)	-	-	-	(261.41) (2)
Bureau of Justice Assistance	(111.00)	-	-	-	(111.00) (2)
Statewide Park Dev Grant	180,634.00	-	2,000.00	-	180,634.00
Homeless Housing Assist Preven	20,911.62	-	-	-	18,911.62 (2)
LEAP Grant	(68,426.50)	-	-	-	(68,426.50) (2)
After School Program Fund	429,479.30	-	240,049.95	-	189,429.35
OTS Grant	-	-	-	-	-
City of Hope	1,290.78	-	-	-	1,290.78
Safety Dept. Grants	278,701.17	-	2,704.30	-	275,996.87
OSMD Immunization Grant	1,370.50	-	-	-	1,370.50 (2)
Kaiser Permanente Grant	3,822.10	-	371.73	-	3,450.37
Resource Center Grant - OMSD	14,095.33	-	2,491.76	-	11,603.57
Title IIB Sr Support Services	(4,762.23)	-	3,196.64	-	(7,958.87) (2)
Healthy Community Strategic Plan	15,107.19	-	-	-	15,107.19
ASES Supplemental Grant	144,691.56	-	-	-	144,691.56
E.M.S. - Paramedic Fund	11,155.00	3,103.47	5,321.30	-	8,937.17 (3)
Economic Development	4,440,675.49	-	46,137.46	-	4,394,538.03
City Contributions/Donations Fund	500.00	-	-	-	500.00
Sewer Operating Fund	2,332,553.75	690,300.90	491,776.10	-	2,531,078.55
Sewer Replacement Fund	2,247,404.32	-	-	-	2,247,404.32
CFD 2011-1 (Paseos)	123,145.89	-	5,506.51	-	117,639.38
CFD 2011-2 (Arrow Station)	68,040.37	-	1,488.63	-	87,541.74
Inland Empire Utility Agency	4,028,207.02	74.22	-	-	4,028,281.24
Sewer Expansion Fee Fund	867,646.87	-	-	-	867,646.87
Developer Impact Fees - Local	1,281,969.12	-	-	-	1,281,969.12
Developer Impact Fees - Regional	325,211.89	-	-	-	325,211.89
Burtec Pavement Impact Fees	177,796.22	-	-	-	177,796.22
PUC Reimbursement Fund-MVGS	324,111.38	-	-	-	324,111.38
Utility Underground In-Lieu	383,396.52	-	-	-	383,396.52
General Plan Update Fee	105,263.83	-	-	-	105,924.02
Housing Fund	555,708.20	680.19	-	-	555,708.20
Public Education/Govt. PEG Fee Fund	87,327.67	-	-	-	87,327.67
Infrastructure Fund	(1,891,121.27)	-	373,356.14	-	(2,264,477.41) (4)
COVID-19	(140,903.38)	-	11,107.23	-	(152,010.61)
Successor Agency Bonds-Taxable	4,811,553.53	-	-	-	4,811,553.53
Successor Agency Bonds-Tax Exempt	8,001,549.54	-	19,522.00	-	7,982,027.54
2014 Lease Revenue Bond Proceeds	(284,589.74)	-	-	-	(284,589.74)
2021 Lease Revenue Bond Proceeds	(331,036.78)	-	88,782.65	-	(419,819.43)
2014 Lease Revenue Bond Debt Svc	(28,928.79)	215,218.07	1,793,588.75	-	(1,607,279.47) (5)
2021 Lease Revenue Bond Debt Svc	1,725,255.75	855,567.53	-	-	2,580,823.28
Pension Obligation Bond Debt Svc	(3,500.00)	1,200,124.76	-	-	1,196,624.76
Contingency Fund	0.96	-	-	-	0.96 (1)
Assigned General Fund Reserves	18,889,133.20	-	81,667.73	(10,000.00)	18,797,465.47 (1)
TOTALS	\$ 67,181,502.64	\$ 3,956,157.18	\$ 6,819,856.92	\$ -	\$ 64,318,802.90

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 SEPTEMBER 30, 2022**

	Par Value	Purchase Date	Maturity Date	Coupon Interest Rate	Current Market Value	Balance at Cost	Totals
CHECKING ACCOUNT							
Checking Account							\$ 31,413,440.72
Asset Seizure Account							\$ 2,468.78
CASH W/FISCAL AGENT, CD's, LAIF DEPOSITS, AND SHORT-TERM U.S. AGENCY SECURITIES							
Local Agency Investment Fund (LAIF)				1.630%	30,823,754.80	30,902,893.40	
First American Government					2,000,000.00	2,000,000.00	
					<u>\$ 32,823,754.80</u>		<u>\$ 32,902,893.40</u>
U.S. AGENCY SECURITIES							
					<u>\$ -</u>		<u>\$ -</u>
TOTAL							<u><u>\$ 64,318,802.90</u></u>

Current market values obtained from US Bank.

CITY OF MONTCLAIR
CASH AND INVESTMENTS BY TYPE
September 30, 2022
Total Cash & Investments \$64,318,803



Investments

3.10%



LAIE

48.10%



Checking

48.80%



**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
TREASURER'S REPORT
FOR THE MONTH ENDING
September 30, 2022**

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH BY FUND
September 30, 2022**

COMBINED OPERATING FUND

Operating	<u>(43,132.54)</u>	\$ (43,132.54)
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LRPRP Fund

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

	1,123,807.84	
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	\$ 1,123,807.84

TOTAL CASH

\$ 1,080,675.30

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH
September 30, 2022**

Checking Account

US Bank

1,080,675.30

TOTAL CASH

1,080,675.30

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
September 30, 2022**

City of Montclair
Final Warrant Register
Council Date 10/17/2022
Regular Warrants
Checking Account: Successor to the RDA

	Warrants	US Bank transfers	Area Totals
SRDA Combined Operating Fund	1,500.00	12,917.15	14,417.15
RORF (Redevelopment Obligation Retirement Funds)	0.00	0.00	0.00
	1,500.00	12,917.15	
September 2022 Total			14,417.15

Note: Reimburse City for 9/1 payrolls
Reimburse City for 9/15 payrolls
Reimburse City for 9/29 payrolls

Vice Chair Ruh

Book Transfer Daily Activity Detail

CITY OF MONTCLAIR

SinglePoint

Reported Activity From 09/01/2022 To 09/30/2022

Printed on 10/04/2022 at 8:27 AM PDT



Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
09/29/2022	\$3279.21	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 09/29/22 Payroll
Initiate Date 09/29/2022
Initiate Time 12:21PM CDT
Initiated By JKULBECK
Completed Date 09/29/2022
Completed Time 12:21PM CDT

Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
09/19/2022	\$4823.10	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 09/15/22 Payroll
Initiate Date 09/19/2022
Initiate Time 07:14PM CDT
Initiated By JKULBECK
Completed Date 09/19/2022
Completed Time 07:14PM CDT

Effective Date	Amount	From: Debit Account Number	To: Credit Account Number	Status
09/06/2022	\$4814.84	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 09/01/22 Payroll
Initiate Date 09/06/2022
Initiate Time 09:54AM CDT
Initiated By JKULBECK
Completed Date 09/06/2022
Completed Time 09:54AM CDT

Total Number of Book Transfers: 3
Total Amount of Book Transfers: \$12,917.15

--- End of Report ---

**CITY OF MONTCLAIR
HOUSING CORPORATION
TREASURER'S REPORT
FOR THE MONTH ENDING
September 30, 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
September 30, 2022**

	<u>Interest Rate</u>	<u>Market Value</u>	<u>Book Value</u>
Checking Account			
US Bank			271,060.34
Investments			
LAIF	1.63%	1,696,231.16	<u>1,718,354.27</u>
TOTAL CASH & INVESTMENTS			<u><u>1,989,414.61</u></u>

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.

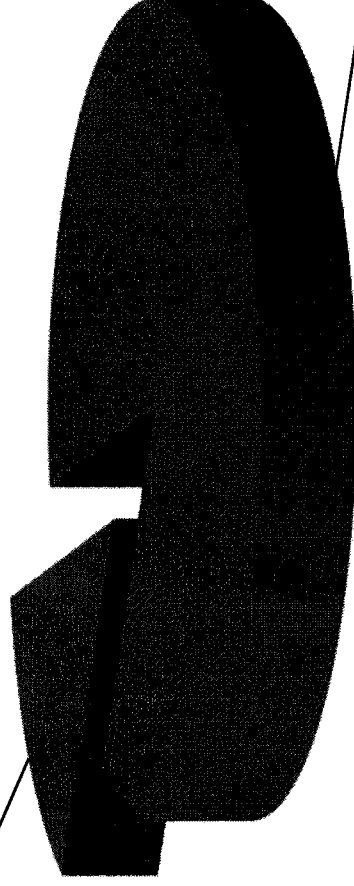
The Corporation has sufficient funds available to meet expenditures during the upcoming six-month period.

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
September 30, 2022**

Total Cash & Investments - \$1,989,414

Checking Acct.
13.6%



Local Agency Investment
Fund
86.4%

**CITY OF MONTCLAIR
HOUSING CORPORATION
WARRANT REGISTER
FOR THE MONTH ENDING
September 30, 2022**

City of Montclair
Final Warrant Register
Council Date 10/17/2022
Regular Warrants
Checking Account: MHC

Warrants	ACH Transfers	Voided Checks	US Bank transfers	Totals
34,954.56	0.00	0.00	0.00	34,954.56

September 2022 Total

34,954.56

US Bank transfers:

Vice Chair Ruh

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**CITY OF MONTCLAIR
HOUSING AUTHORITY
TREASURER'S REPORT
FOR THE MONTH ENDING
September 30, 2022**

Schedule 1

**CITY OF MONTCLAIR
HOUSING AUTHORITY
STATEMENT OF CASH
September 30, 2022**

	<u>Amount</u>
Checking Account	
US Bank	3,179,582.44
TOTAL CASH	\$ <u>3,179,582.44</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
September 30, 2022**

City of Montclair
Final Warrant Register
Council Date 10/17/2022
Regular Warrants
Checking Account: MHA

Warrants	Voided Checks	US Bank transfers - out.	Totals
0.00	0.00	0.00	0.00

September 2022 Total	0.00
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Vice Chair Ruh