



**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, November 21, 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 — None

VI. PUBLIC COMMENT

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

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

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

VII. PUBLIC HEARINGS

- A.** Consider Adoption of Resolution No. 22-3381, a Resolution of Necessity for the Acquisition of an Easement of Interest in Certain Real Property, by Eminent Domain, Located in the City of Montclair, San Bernardino County, California (APN 1009-383-17) for the City of Montclair's San Antonio Creek Pedestrian Bike Path Project [CC]

VIII. CONSENT CALENDAR

A. Approval of Minutes	
1. Regular Joint Meeting — November 7, 2022 [CC/SA/MHC/MHA/MCF]	141
B. Administrative Reports	
1. Consider Receiving and Filing of Treasurer’s Report [CC]	23
2. Consider Approval of Warrant Register & Payroll Documentation [CC]	24
3. Consider Receiving and Filing of Treasurer’s Report [SA]	25
4. Consider Approval of Warrant Register [SA]	26
5. Consider Receiving and Filing of Treasurer’s Report [MHC]	27
6. Consider Approval of Warrant Register [MHC]	28
7. Consider Receiving and Filing of Treasurer’s Report [MHA]	29
8. Consider Approval of Warrant Register [MHA]	30
9. Consider Authorizing a \$7,500 Appropriation from the State Asset Forfeiture Fund for the Purchase of Materials and Hardware for Repairs to the Police Department Firearms Shooting Range [CC]	31
C. Agreements	
1. Consider Approval of the First Amendment to Agreement No. 22-36 with Sewer Service Providers Within the Inland Empire Utilities Agency Service Area for Additional Costs Related to Negotiations for Revisions to the Chino Basin Regional Sewage Service Contract [CC]	
Consider Authorizing a \$4,286 Appropriation from the Sewer Fund for Costs Related to the First Amendment to Agreement No. 22-36 [CC]	32
2. Consider Approval of Agreement No. 22-101 with the San Bernardino County Office of Emergency Services Authorizing the Receipt of \$17,275 from the FY 2021 Homeland Security Grant Program [CC]	
Consider Authorizing City Manager Starr to Sign Agreement No. 22-101 [CC]	
Consider Authorizing a \$17,275 Appropriation from the Public Safety Grant Fund to Purchase an Electronic Message Board Trailer [CC]	
Consider Authorizing a \$1,390 Appropriation from the State Asset Forfeiture Fund to Cover the Remaining Balance of the Electronic Message Board Trailer [CC]	37
3. Consider Approval of Agreement No. 22-108 with Lexipol, LLC for Continued Maintenance of the Police Department’s Policy and Procedures Manual, Law Enforcement Daily Training Bulletins (DTB), and DTB Management Services [CC]	48
4. Consider Approval of Agreement No. 22-109 with Lexipol, LLC for Continued Maintenance of the Fire Department’s Policy and Procedures Manual and Fire Service Daily Training Bulletins [CC]	58

5. Consider Awarding a Contract to Arnold Fields Painting in the Amount of \$29,000 with a \$5,000 Contingency for City Hall Interior Painting Services [CC]

Consider Approval of Agreement No. 22-111 with Arnold Fields Painting for City Hall Interior Painting Services Subject to Any Revisions Deemed Necessary by the City Attorney [CC]

Consider Authorizing a \$34,000 Appropriation from the Building Maintenance Reserve Fund for City Hall Interior Painting Services [CC]

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6. Consider Approval of Agreement No. 22-112 with LD King, Inc. for Engineering Design Services for Street and Storm Drain Improvements for the Arrow Highway and Fremont Avenue Improvement Project, Subject to Any Revisions Deemed Necessary by the City Attorney [CC]

Consider Authorizing an \$8,286 Engineering Design Services Contingency for Agreement No. 22-112 [CC]

Consider Authorizing a \$53,000 Appropriation from the Redevelopment Project Area No. III Tax Allocation Bond Fund for Costs Related to Agreement No. 22-112 [CC]

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D. Resolutions — None

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]

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XI. COUNCIL WORKSHOP

- A. David Turch & Associates, Federal Legislative Advocate Presentation

(The City Council may consider continuing this item to an adjourned meeting on Monday, December 5, 2022, at 5:45 p.m. in the City Council Chambers)

XII. COMMUNICATIONS

- A. Department Reports

1. Human Services Department — Upcoming Holiday Activities & Events
2. Police Department — Dashing Through Montclair

- 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.

Kresback v. Hamilton, City of Montclair, et al.

Dowser v. City of Montclair

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

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

- 3. Request for City Council to Meet in Closed Session Pursuant to Government Code §54956.9(d)(4) Regarding Potential Litigation [CC]

1 Potential Case

- C. City Manager/Executive Director
- D. Mayor/Chairperson
- E. Council Members/Directors
- F. Committee Meeting Minutes *(for informational purposes only)*
 - 1. Personnel Committee Meeting — November 7, 2022 [CC]

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XIII. CLOSED SESSION

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. ADJOURNMENT

The next regular joint meeting of the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board will be held on Monday, December 5, 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, November 17, 2022.