

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, MAY 2, 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

Ms. Carolyn Preschern, Inland Empire Prayer Breakfast Committee, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Congresswoman Norma Torres, U.S. House of Representatives (35th Congressional District of California), 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; Director of Human Services Richter; Finance Manager Kulbeck; Executive Director of Public Safety/Police Chief Avels; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS

A. **U.S. Representative Norma Torres Presentation of Funding Award for Saratoga Park Improvements**

Congresswoman Torres presented Mayor Dutrey with a Certificate of Special Congressional Recognition for the City's receipt of a \$2,000,000 funding award for improvements at Saratoga Park. She congratulated the City and stated she looks forward to the project's completion.

Mayor Dutrey thanked **Congresswoman Torres** for her efforts to secure the funding and thanked her for coming.

B. **Proclamation Declaring May 5, 2022, as the "National Day of Prayer" in the City of Montclair**

Mayor Dutrey presented **Ms. Carolyn Preschern**, Moderator, **Inland Empire Prayer Breakfast Committee**, with a proclamation declaring May 5, 2022, as the "National Day of Prayer" in the City of Montclair.

Ms. Preschern accepted the proclamation and thanked Mayor Dutrey. She invited the City Council and the community to the Inland Empire Prayer Breakfast on Friday, May 5th, at the **Doubletree Hotel**, 222 North Vineyard Avenue, Ontario from 7:00 to 9:00 a.m.

VI. PUBLIC COMMENT

A. **Ms. Tiffany Ramos**, President, **Montclair Little League (MLL)**, thanked the City Council and Police and Fire personnel for supporting **MLL** and attending their events. She expressed her gratitude for the coming improvements to the Saratoga Park ball field facilities.

B. **Mr. Bruce Culp**, resident, noted with this year's record drought, Montclair citizens will no doubt be asked to conserve water and he would like to ask the City Council to do their part by opposing developments that generate greenhouse gases and pollution that destroy the ozone layer and contribute to global warming. He encouraged requiring future developments to use solar power only.

- C. **Ms. Lisa Guevara**, resident, stated she is a renter living in a home that was built in the 1960s, and is concerned that her landlord has not fixed leaks or updated any fixtures for water efficiency. She also stated concerns regarding the construction of warehouses contributing to poor air quality in the area.

Council Member Lopez suggested **Ms. Guevara** request a free water inspection from **Monte Vista Water District**, and submit the report to her landlord to encourage appropriate repairs and upgrades.

Mayor Dutrey advised building deficiencies can also be reported to the Code Enforcement Division.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

Mayor Dutrey entertained discussion on Items C-1 and C-2 prior to the vote on the Consent Calendar at the request of Council Member Lopez.

Moved by Council Member/Director Lopez, seconded by Council Member/Director Johnson, and carried unanimously 5-0, the City Council approved the Consent Calendar, with discussion held on Items C-1 and C-2:

A. Approval of Minutes

1. Regular Joint Meeting — April 18, 2022

The City Council, Successor Agency Board of Directors, Montclair Housing Corporation Board of Directors, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board of Directors approved the minutes of the April 18, 2022 regular joint meeting.

B. Administrative Reports

1. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated May 2, 2022, totaling \$839,659.12; and the Payroll Documentation dated April 10, 2022, amounting to \$683,022.62 gross, with \$477,531.16 net being the total cash disbursement.

2. Authorizing the Use of \$7,200 in State Asset Forfeiture Funds to Host the 2022 National Night Out Event

The City Council authorized the use of \$7,200 in State Asset Forfeiture Funds to host the 2022 National Night Out Event.

3. Authorizing the Purchase of Uniforms for Non-Sworn Police Department Staff in the Amount of \$15,580

Authorizing A \$15,580 Appropriation from the Federal Asset Forfeiture Fund to Pay for the Uniforms

The City Council took the following actions:

- (a) Authorized the purchase of uniforms for non-sworn Police Department staff in the amount of \$15,580.
- (b) Authorized a \$15,580 appropriation from the Federal Asset Forfeiture Fund to pay for the uniforms.

C. Agreements

1. Approval of *Agreement No. 22-33* with the County of San Bernardino Related to Distribution of 2021 Justice Assistance Grant Program Award Funds

Authorizing City Manager Edward C. Starr to Sign Said Agreement

Council Member Lopez stated he is pleased the City is receiving this grant and asked what would be the intended use of the funds.

Executive Director of Public Safety/Police Chief Avels advised the Police Department annually receives this grant and the current agreement outlines the parameters for the grant's acceptance, but no determination as to the use of the funds has been made at this time. He noted a future agenda report would come to the City Council including that information.

The City Council took the following actions:

- (a) Approved *Agreement No. 22-33* with the County of San Bernardino related to distribution of 2021 Justice Assistance Grant Program Award Funds.
- (b) Authorized City Manager Edward C. Starr to sign said Agreement.

2. Approval of *Agreement No. 22-36* with Sewer Service Providers Within the Inland Empire Utilities Agency Service Area for Costs Related to Negotiations for Revisions to the Chino Basin Regional Sewage Service Contract

Authorizing a \$10,003 Appropriation from the Sewer Fund for Costs Related to Agreement No. 22-36

Council Member Lopez asked for the rationale behind the equal distribution of costs even though Montclair is the smallest participating city.

City Manager Starr confirmed that Montclair's sewer system is the smallest of the participating agencies; however, these costs are relatively low and cover negotiations for the upcoming fifty-year contract, which made it more reasonable to split costs equally.

Mayor Dutrey added each participating City gets one vote on the **Inland Empire Utilities Agency's** Regional Sewerage Program Policy Committee. He stated this arrangement began in the 1970s when cities with their own sewage treatment plants decided to consolidate effluent processing efforts. In the future, advanced treatment plants may also be needed to address the drought.

The City Council took the following actions:

- (a) Approved *Agreement No. 22-36* with sewer service providers within the Inland Empire Utilities Agency service area for costs related to negotiations for revisions to the Chino Basin Regional Sewage Service Contract.
- (b) Authorized a \$10,003 appropriation from the Sewer Fund for costs related to *Agreement No. 22-36*.

3. Amending the 2019-2024 Capital Improvement Program to Include Traffic Signal Upgrades and Traffic Signal Interconnect & Broadband Fiber Optic Improvements for Both the Arrow Highway Project and the Central Avenue Project

Approval of *Agreement No. 22-37* with AGA Engineers for the Preparation of Plans and Specifications for Construction of Traffic Signal Upgrades and Traffic Signal Interconnect & Broadband Fiber Optic Improvements for the Arrow Highway and Central Avenue Projects, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing a \$245,000 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to Agreement No. 22-37 With AGA Engineers for the Arrow Highway And Central Avenue Projects

Authorizing a \$54,495 Design Service Contingency for Traffic Signal Upgrades and Traffic Signal Interconnect & Broadband Fiber Optic Improvements for the Arrow Highway and Central Avenue Projects

The City Council took the following actions:

- (a) Amended the 2019–2024 Capital Improvement Program to include traffic signal upgrades and traffic signal interconnect & broadband fiber optic improvements for both the Arrow Highway Project and the Central Avenue Project.
- (b) Approved *Agreement No. 22-37* with AGA Engineers for the preparation of plans and specifications for construction of traffic signal upgrades and traffic signal interconnect & broadband fiber optic improvements for the Arrow Highway and Central Avenue Projects, subject to any revisions deemed necessary by the City Attorney.
- (c) Authorized a \$245,000 appropriation from 2021 Lease Revenue Bond proceeds for costs related to *Agreement No. 22-37* with AGA Engineers for the Arrow Highway and Central Avenue Projects.
- (d) Authorized a \$54,495 design service contingency for traffic signal upgrades and traffic signal interconnect & broadband fiber optic improvements for the Arrow Highway and Central Avenue Projects.

D. Resolutions

1. **Adoption of Resolution No. 22-3343 Approving a Five-Year Capital Project Needs Analysis for Fiscal Years 2022-23 through 2026-27**

Adoption of Resolution No. 22-3346 Approving the Five-Year Local Street Capital Improvement Program for Fiscal Years 2022-23 through 2026-27

The City Council took the following actions:

- (a) Adopted Resolution No. 22-3343 approving a Five-Year Capital Project Needs Analysis for Fiscal Years 2022-23 through 2026-27.
- (b) Adopted Resolution No. 22-3346 approving the Five-Year Local Street Capital Improvement Program for Fiscal Years 2022-23 through 2026-27.

2. **Adoption of Resolution No. 22-3347 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of May 2, 2022, through June 1, 2022**

The City Council adopted Resolution No. 22-3347 making factual findings in compliance with AB 361 for the continuation of public meeting teleconferencing during public health emergencies for the period of May 2, 2022, through June 1, 2022.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. COMMUNICATIONS

A. Department Reports

1. **Human Services Department — Upcoming Events & Programs**

Human Services Director Richter announced the Senior Center re-opened today for in-person senior lunch dining after more than two years. She stated going forward, the Senior Center opens to the public at 10:00 a.m. with lunch served from 11:30 a.m. to 12:30 p.m. Meals will still be provided “to go” through June 30th by reservation. She advised the Senior Center Nutrition Program is provided through a grant from the County’s **Department of Aging and Adult Services** and that

the suggested donation for eligible participants is \$3.00. Upcoming May activities include Cinco de Mayo and Mothers' Day celebrations, and the monthly senior birthday.

She asked everyone to save the date for the following events:

- Community Activities Commission's 22nd Annual Memorial Day Program — Monday, May 30th, at 6:00 p.m. at the Memorial Garden. Six new plaques will be dedicated on the Veterans' Memorial Wall.
- 8th Annual Country Fair Jamboree — Saturday, June 4th, from noon to 6:00 p.m. at "Shark Park" (Alma Hofman Park). The event will include games, food trucks, a petting zoo, carnival rides, craft vendors, contests, and live entertainment. The **Montclair Chamber of Commerce** is coordinating event sponsorship and vendors.

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 54956.9(d)(2) Regarding Potential Litigation

One Potential Case

C. City Manager/Executive Director — No comments

D. Mayor/Chair

1. Announcement of 4 Vacancies on the Community Activities Commission (4-Year Terms, July 1, 2022 through June 30, 2026)

Mayor Dutrey announced there are four vacancies on the Community Activities Commission (CAC) and encouraged residents to apply at www.cityofmontclair.org by the deadline at 5:30 p.m. on May 18, 2022 at 5:30 p.m.

2. Mayor Dutrey made the following comments:

- (a) He attended the Montclair to College (MTC) graduation at **the Canyon** last Wednesday, which was a great event.
- (b) He stated tonight's meeting would be adjourned in memory of **Wylie Pennington**, the husband of a former City employee—both longtime Montclair residents.

E. Council Members/Directors

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

- (a) He asked if COVID relief funds were being used for the traffic signal project amended earlier this evening.

City Manager Starr advised the referenced project is intended for the City's operational use and COVID funds could be used if possible to expand the system for public use.

- (b) He reported that many candidates for the upcoming primary election are posting signs in the community that exceed the City's permitted dimensions.
- (c) He thanked **Congresswoman Torres** for helping secure funds for park improvements, noting **MLL** parents and kids are very excited. He added that **Ms. Ramos**, who spoke earlier this evening, started a tutoring program for kids in the league.

- (d) He gave his regrets to **Ms. Preschern**, noting he cannot attend the **Inland Empire Prayer Breakfast**, but he appreciates the fact that they pray for elected officials and mail prayer cards from the event.
 - (e) He pointed out that he is wearing a traditional Mexican Charro bow tie in honor of the upcoming Cinco de Mayo, which marks the anniversary of the Mexican Army's victory over the French during the Battle of Puebla in 1862. He added that the day is not widely celebrated in Mexico but is generally celebrated by Mexican-Americans. He urged the community to celebrate safely and to not drink and drive.
2. Council Member/Director Johnson made the following comments:
- (a) Recalling the **Burrtec** workshop about organic waste recycling in January, she noted she now feels more comfortable with the process of collecting food waste in separate bags until trash day, comparing it to the adjustment back when the laws changed to require separating newspaper and other recyclables.
 - (b) She stated at the Arbor Day celebration on Friday, the City planted three fruit trees at Sunset Park. She noted some schoolyard children were curious about what they were doing, and became excited when they were told about the new fruit trees.
3. Council Member/Director Martinez made the following comments:
- (a) She wished everyone a happy Asian American and Pacific Islander Heritage Month.
 - (b) She attended the well-attended MTC graduation event and was happy to see how proud the students and their parents were.
 - (c) She noted on April 21st and 29th she presented scholarships to students at **Montclair High** and **Vernon Middle Schools** on behalf of the **Women's Club of Montclair**.
 - (d) She thanked **Congresswoman Torres** for her efforts to secure funding to improve Montclair's parks.
 - (e) She thanked **Ms. Ramos** for her dedication to the children of the community.
 - (f) She stated the City is continuing to ensure that Council Member Lopez obeys the terms of his censure.
4. Mayor Pro Tem/Vice Chair Ruh made the following comments:
- (a) He noted April was National Fair Housing Month.
 - (b) He thanked **Congresswoman Torres**, adding the funding will also provide for ADA improvements at the park.
 - (c) He stated during the drought, **Monte Vista Water District** allows watering of lawns one day per week.
 - (d) He reported COVID cases are again climbing and urged those who are able to get inoculated or boosted to do so.
 - (e) He acknowledged the historical aspect of Cinco de Mayo.
 - (f) He expressed his appreciation for being able to participate in this meeting remotely while he is 3,000 miles away on a business trip.

F. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of April 18, 2022

The City Council received and filed the minutes of the Personnel Committee meeting of April 18, 2022, for informational purposes.

XI. CLOSED SESSION

At 7:46 p.m., the City Council went into closed session to discuss potential litigation.

XII. CLOSED SESSION ANNOUNCEMENTS

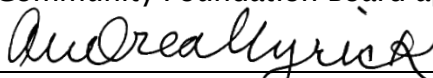
At 8:00 p.m., the City Council returned from closed session. Mayor Dutrey announced the City Council met in closed session to discuss potential litigation; information was received and direction given to staff; and no further announcements would be made at this time.

XIII. ADJOURNMENT

At 8:00 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.

The meeting was adjourned in memory of **Mr. Wylie Pennington**, a longtime Montclair resident and cherished member of the community.

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



Andrea Myrick
City Clerk