

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 16, 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 Joe McTarsney, Calvary Montclair, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem/Vice Chair Ruh 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. **Monte Vista Water District (MVWD) Update on Emergency Conservation Regulations**

Mr. Justin Scott-Coe, MVWD General Manager, provided a short PowerPoint presentation demonstrating the sources of the District's water, with 50 percent coming from state and 50 percent from local sources; and adjusted restrictions for customers on water use requirements. He noted **MVWD** customers are limited to irrigating residential yards on three days per week—Tuesdays, Thursdays, and Saturdays, between 8:00 p.m. and 8:00 a.m. for six minutes per watering session. He added many other districts have had to restrict lawn watering to only one day per week; however, Montclair residents have significantly reduced water use in the past two decades and do not have to endure the strict restrictions of other communities.

Mayor Dutrey stated his support for **MVWD's** reliance on local water sources like the Chino Groundwater Basin.

Mayor Pro Tem Ruh expressed his continued opposition to live grass landscapes. He asked what would happen should **MVWD** not meet the target limitations.

Mr. Scott-Coe advised the District is on track to meet its 2022 targets, and there are severe penalties for exceeding the limits.

Council Member Lopez stated he is concerned residents will not take water conservation seriously unless they are threatened with penalties.

Mr. Scott-Coe advised there are enforcement mechanisms in place, including fines of \$100 to \$300 per occurrence; however, the District makes every effort to educate and notify residents before assessing fines. He added if fines do not resolve the excessive water use, the next remedy available is limiting water flow to the property to the minimum required for health and safety.

Council Member Lopez asked if the District has taken larger families and the expansion of accessory dwelling unit permitting into consideration concerning water allowances for each household.

Mr. Scott-Coe noted the District utilizes a budget-based tiered rate

structure and assigns a base allocation for essential indoor and outdoor water use to each customer based on the average household size of four members. He added that larger families may apply for yearly variances to increase their base indoor allocations.

Council Member Lopez asked if **MVWD** is working with the **West Valley Mosquito and Vector Control District (WVMVCD)** since residents will be discouraged from refilling their pools, which could lead to unmaintained green pools and stagnant water creating breeding grounds for mosquitoes.

Mr. Scott-Coe stated property owners are responsible for mitigating conditions that could attract mosquitoes; however, he will make sure **WVMVCD** is informed of the higher potential for those conditions during the drought.

Council Member Johnson asked what would be done if a hypothetically wealthy property owner continues to exceed water use restrictions despite a continuing assessment of fines.

Mr. Scott-Coe advised the District may install a flow restrictor on a property's water meter that significantly reduces water pressure. If the behavior continues, they may completely shut off the water. He asserted the District has never had to shut off water to a customer before based on excessive use, adding that it is common to shut off water for nonpayment.

Mayor Dutrey stated it is good to know our region has done a good job conserving water. He thanked **MVWD** General Manager **Scott-Coe** for his presentation and report.

VI. PUBLIC COMMENT

- A. **Mr. Bruce Culp**, resident, warned that a mega-drought event is imminent due to climate change and global warming. While residents are told to conserve water, he asked the City Council and other local elected officials to do their part by opposing new developments that cause environmental harm, such as warehouse projects.
- B. **Ms. Becky Esqueda** submitted a written comment expressing her concerns about drivers speeding, being distracted, and not stopping at stop signs, and requested solar lighted stop signs be placed at the intersection of Orchard Street and Vernon Avenue like the ones that were installed at the Benito Street and San Bernardino Street intersections near **Vernon Middle School**.

VII. PUBLIC HEARINGS

- A. **First Reading — Consider Ordinance No. 22-1001 Amending Sections Within Chapters 6.02; Amending Section 6.16.020; Repealing Sections 6.16.025 and 6.16.030; and Adding Chapter 6.17 to the Montclair Municipal Code Establishing a Mandatory Organic Waste Disposal Reduction Program**

Consider Setting a Public Hearing for Monday, June 6, 2022, at 7:00 p.m. in the City Council Chambers to Consider Second Reading and Adoption of Ordinance No. 22-1001

City Manager Starr provided a PowerPoint presentation on SB 1383 and the proposed Ordinance. He stated **Mike Arreguin**, Vice President of **Burrtec Waste Industries, Inc.**, the City's franchise waste hauler, is available if the City Council has any questions.

Mayor Dutrey declared it the time and place set for public hearing to consider first reading of Ordinance No. 22-1001 and invited comments from the public.

Mr. Culp recalled from the presentation provided to the City Council in January on the topic of organic waste that some City Council Members expressed concerns about how difficult the transition would be for themselves and the residents. He stated that he has been separating organic waste since he was a child and assured them it is just as easy as regular recycling. He asked how apartment

complexes, such as the one he lives in, would accommodate extra bins for organic waste if there is no room in the trash enclosures. He stated there are currently two types of bins in each of his complex's enclosures—one for regular garbage and another for recycling.

Mrs. Carolyn Raft, resident, asked how soon this program would go into effect and if residents would be notified in advance.

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.

In response to **Mr. Culp**, City Manager Starr advised that **Burrtec** and the City would work with large apartment complex managers to implement the program or allow for exceptions. He added most apartment complexes in the City do not currently have green waste bins because the landscapers haul away green waste.

In response to **Mrs. Raft**, City Manager Starr stated the program would be implemented on July 1, 2022, focusing initially on educating residents, and enforcement would begin on July 1, 2024.

Council Member Johnson referenced the part of the law that requires expired and leftover edible food to be redirected to shelters or food pantries rather than tossed. She stated her understanding that businesses could be liable if they donate leftover food that results in illness.

City Manager Starr advised the law cites protections in those cases under the state's "Good Samaritan Law."

Mayor Pro Tem Ruh referenced the definition of organic waste including paper and cardboard products, and expressed confusion about those inclusions. He asked if this would change how paper and cardboard are currently recycled in the blue bin.

City Manager Starr advised that paper and cardboard are generally derived from plants and considered compostable.

Mr. Arreguin advised paper and cardboard products can go in either bin, noting this inclusion allows for food-soiled paper and cardboard, which cannot be recycled, to be disposed of with organic waste. He stressed this information would be included in the educational materials distributed to residents.

Mayor Pro Tem Ruh stated he produces hardly any organic waste because he feeds food scraps to his pets and asked if someone like him would be fined.

Mr. Arreguin stated the fines are only instated for those who continue to dispose of organic waste in the wrong container.

Mayor Pro Tem Ruh asked if all containers in the blue bins need to be devoid of organic residue, noting while residents are being asked to reduce water use, they may not want to waste water rinsing containers.

Mr. Arreguin advised that rinsing containers is no longer necessary due to advanced processes over the years. He stated containers should just be emptied as much as possible.

Council Member Lopez stated he feels the legislation was poorly thought-out and constitutes a state mandate on local governments. He restated his continuing opposition to all unfunded state mandates. He stated that he believes it is a fact that the bags containing food waste would rip open when collected, contaminating the green waste. He asked if the additional costs of implementing this program would be passed on to residents and if those costs were calculated.

Mr. Arreguin advised **Burrtec** has been operating a pilot program with 4,500 homes participating. He reported that about 10 percent of the organic waste ends up mixed with green waste, which is an acceptable level for its use as mulch and fertilizer.

Council Member Lopez referenced a response from **CalRecycle** to Council Member Johnson’s question about using garbage disposal systems instead of organic waste recycling at the January workshop. He indicated **CalRecycle** stated the use of a garbage disposal system would not count as compliance with SB 1383. He asked if **Burrtec** would be responsible for checking sewage for organic materials that should have been recycled.

Mr. Arreguin advised **Burrtec** is not responsible for monitoring sewage for compliance with SB 1383.

Council Member Lopez asked who would be responsible for enforcement of the Ordinance.

City Manager Starr advised the City’s Code Enforcement Division would be responsible for enforcement, with the help of **Burrtec** for notification of violations.

Mr. Arreguin concurred, noting **Burrtec** would perform audits to determine which households are not in compliance and provide that information to the City.

Mayor Dutrey stated he is aware of a bill in the legislature related to organic waste and asked if it would have any impact on the proposed program.

Mr. Arreguin stated the bill would not have any significant impact.

Mayor Dutrey expressed his shared dissatisfaction with the state for imposing this mandate. He noted cities learned about 10 years ago with the state’s dissolution of local redevelopment agencies that the state can do as it wishes with entities it creates, and cities are also entities that exist under the state’s permission. He stated that, although politically convenient to oppose the implementation of an organic recycling program, cities have no choice but to comply.

Moved by Mayor Dutrey, seconded by Council Member Johnson, and carried that Ordinance No. 22-1001 be read by number and title only, further reading be waived, and this be declared its first reading; and that the City Council set a public hearing for Monday, June 6, 2022, at 7:00 p.m. to consider second reading and adoption of Ordinance No. 22-1001.

The first reading of Ordinance No. 22-1001 was approved, and a public hearing for its second reading was set, by the following 4-1 vote:

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

VIII. CONSENT CALENDAR

City Attorney Robbins advised the City Council of a recommended action added to Item C-1 to authorize the City Manager to sign the Agreement, noting the revision was made after distribution of the Councils’ printed agenda packets.

Council Member Johnson requested discussion on Items C-6, C-7, and C-11.

Mayor Dutrey entertained discussion on Items C-6, C-7, and C-11 prior to the vote on the Consent Calendar, and stated Item C-1 would be considered with the City Attorney’s amended recommendation.

Moved by Mayor/Chair Dutrey, seconded by Council Member/Director Lopez, and carried unanimously 5-0, the City Council approved the Consent Calendar with discussion held on Items C-6, C-7, and C-11:

A. Approval of Minutes

1. Regular Joint Meeting — May 2, 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 May 2, 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 April 30, 2022.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated May 16, 2022, totaling \$1,408,005.57; and the Payroll Documentation dated April 24, 2022, amounting to \$699,954.79 gross, with \$489,222.31 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 April 30, 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 04.01.22-04.30.22 in the amounts of \$20,630.72 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 April 30, 2022.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 04.01.22-04.30.22 in the amount of \$125,611.24.

7. Receiving and Filing of MHA Treasurer's Report

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending April 30, 2022.

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 04.01.22-04.30.22 in the amount of \$0.00.

9. Approval of Tract Map No. 20273 Located on the North Side of Arrow Highway Near Fremont Avenue

Authorizing Tract Map No. 20273 to be Recorded with the Office of the San Bernardino County Recorder Subject to Final Approval by the City Engineer

The City Council took the following actions:

- (a) Approved Tract Map No. 20273 located on the north side of Arrow Highway near Fremont Avenue.
- (b) Authorized Tract Map No. 20273 to be recorded with the Office of the San Bernardino County Recorder subject to final approval by the City Engineer.

C. Agreements

1. Approval of Agreement No. 22-11 with the San Bernardino County Office of Emergency Services Authorizing the Receipt of \$19,472 from the FY 2020 Homeland Security Grant Program

Authorizing City Manager Edward C. Starr to Sign Said Agreement

Authorizing a \$19,472 Appropriation from the Public Safety Grant Fund to Purchase Communications Equipment for the Command Trailer and a Walk-Through Metal Detector for the Police Station

The City Council took the following actions:

- (a) Approved *Agreement No. 22-11* with the San Bernardino County Office of Emergency Services authorizing the receipt of \$19,472 from the FY 2020 Homeland Security Grant Program.
- (b) Authorized City Manager Edward C. Starr to sign said Agreement.
- (c) Authorized a \$19,472 appropriation from the Public Safety Grant Fund to purchase communications equipment for the Command Trailer and a walk-through metal detector for the Police Station.

2. Authorizing a \$1,076,905 Appropriation from 2021 Lease Revenue Bond Funds for the Preparation of Preliminary Design Plans for Selected Roadways in the North Montclair Downtown Specific Plan (NMDSP) and Montclair Place District Specific Plan (MPDSP)

Approval of *Agreement No. 22-32* with Moule & Polyzoides for the Preparation of Preliminary Design Plans for Selected Roadways in the NMDSP & MPDSP Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing the City Manager to Amend the Scope of Services as Necessary for a Contingency Amount Not to Exceed \$133,500

The City Council took the following actions:

- (a) Authorized a \$1,076,905 appropriation from 2021 Lease Revenue Bond Funds for the preparation of preliminary design plans for selected roadways in the North Montclair Downtown Specific Plan (NMDSP) and Montclair Place District Specific Plan (MPDSP).
- (b) Approved *Agreement No. 22-32* with Moule & Polyzoides for the preparation of preliminary design plans for selected roadways in the NMDSP & MPDSP subject to any revisions deemed necessary by the City Attorney.
- (c) Authorized the City Manager to amend the scope of services as necessary for a contingency amount not to exceed \$133,500.

3. Approval of *Agreement No. 22-34* with Advanced Creative Concrete to Construct a Concrete Foundation for a Ventilation Training Prop at the Fire Department Training Facility

The City Council approved *Agreement No. 22-34* with Advanced Creative Concrete to construct a concrete foundation for a ventilation training prop at the Fire Department training facility.

4. Approval of *Agreement Nos. 22-38 and 22-39* with the County of San Bernardino to Provide for the Receipt of Grant Funds from the 2020 and 2021 Justice Assistance Grant Awards

Authorizing City Manager Edward C. Starr to Sign Said Agreements

The City Council took the following actions:

- (a) Approved *Agreement Nos. 22-38 and 22-39* with the County of San Bernardino to provide for the receipt of

grant funds from the 2020 and 2021 Justice Assistance Grant Awards.

- (b) Authorized City Manager Edward C. Starr to sign said Agreements.

5. **Approval of *Agreement No. 22-41* with AppleOne Employment Services to Provide Staffing Services for the Montclair After-School Program**

The City Council approved *Agreement No. 22-41* with AppleOne Employment Services to provide staffing services for the Montclair After-School Program.

6. **Approval of *Agreement No. 22-42* with Crafton Hills College Authorizing the Fire Department to Provide Clinical Training for Emergency Medical Students**

Council Member Johnson expressed her support for the Fire Department working with local schools, which could entice students to start their careers in Montclair.

The City Council approved *Agreement No. 22-42* with Crafton Hills College authorizing the Fire Department to provide clinical training for emergency medical students.

7. **Authorizing the Police Department to Contract with a Reputable Manufacturer for the Purchase of a Tactical Armored Vehicle Defined as Military Equipment Under Assembly Bill 481**

Approval of *Agreement No. 22-43* with San Bernardino County to Provide Funding for the Sole Purchase of a Tactical Armored Vehicle, Required Radio Components and Installation, and Graphics, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing Receipt of \$336,600 from San Bernardino County for the Sole Purchase of a Tactical Armored Vehicle, Required Radio Components and Installation, and Graphics

Council Member Johnson asked if this vehicle would be used for protection of officers only and not offensively.

Executive Director of Public Safety/Police Chief Avels stated he appreciates Council Member Johnson's concerns. He advised this vehicle would replace the City's Peacekeeper and would be used for the same purposes, including both defensive and offensive objectives. He stated the vehicle being purchased has the ability to attach devices to the front such as a battering ram; however, this would only be used in instances where a building is not safe for officers to enter without protection or when a door is barricaded.

Council Member Lopez stated he has seen battering rams used on warehouses that house illegal cannabis grow operations and can see the value in having one available on the force.

The City Council took the following actions:

- (a) Authorized the Police Department to contract with a reputable manufacturer for the purchase of a tactical armored vehicle defined as military equipment under Assembly Bill 481.
- (b) Approved *Agreement No. 22-43* with San Bernardino County to provide funding for the sole purchase of a tactical armored vehicle, required radio components and installation, and graphics, subject to any revisions deemed necessary by the City Attorney.
- (c) Authorized receipt of \$336,600 from San Bernardino County for the sole purchase of a tactical armored vehicle, required radio components and installation, and graphics.

8. Approval of Agreement No. 22-45 with ServiceMaster 360 Premier Cleaning to Provide Custodial Services at the Family Resource Center Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-45* with ServiceMaster 360 Premier Cleaning to provide custodial services at the Family Resource Center subject to any revisions deemed necessary by the City Attorney.

9. Approval of Agreement No. 22-46 with Ontario-Montclair School District for Utilization of the Family Resource Center for Case Management Services and to Support Operating Costs of the Facility Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-46* with Ontario-Montclair School District for utilization of the Family Resource Center for case management services and to support operating costs of the facility subject to any revisions deemed necessary by the City Attorney.

10. Approval of Agreement No. 22-48 with Mt. San Antonio College Authorizing the Fire Department to Provide Clinical Training for Emergency Medical Students

The City Council approved of *Agreement No. 22-48* with Mt. San Antonio College authorizing the Fire Department to provide clinical training for emergency medical students.

11. Approval of Agreement No. 22-49 with 5060 Montclair Plaza Lane Owner, LLC, a Reimbursement Agreement Related to the Development of Property Generally Located on the Southwest Corner of Central Avenue and Moreno Street Subject to Any Revisions Deemed Necessary by the City Attorney

Council Member Johnson asked: if the City is being reimbursed for the cost of the consultants by the developers, why is the City acting as a middle-man?

City Manager Starr advised the California Environmental Quality Act requires that environmental consultants for projects contract with the City rather than the developer.

Council Member Lopez asked why the City only provides five days for the developer to respond to notices of costs in excess of the estimates with an appeal, whereas the City is implicitly provided an undefined amount of time to respond to the developer.

City Manager Starr indicated the City must correspond with several interested parties before responding to the developer such as the consultants, the City Council, and other entities, while the developers can immediately respond when receiving a communication from the City. He advised staff would monitor and be aware if a consultant's costs are close to the cap far in advance of it happening, so the developer would be made aware before it gets to the point of sending a written notice.

Council Member Lopez stated he is concerned the City may be overburdening developers with time limits and other aspects of the process.

The City Council approved *Agreement No. 22-49* with 5060 Montclair Plaza Lane Owner, LLC, a reimbursement agreement related to the development of property generally located on the southwest corner of Central Avenue and Moreno Street subject to any revisions deemed necessary by the City Attorney.

D. Resolutions

- 1. Adoption of Resolution No. 22-3348 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of May 16, 2022, through June 15, 2022**

The City Council adopted Resolution No. 22-3348 making factual findings in compliance with AB 361 for the continuation of public meeting teleconferencing during public health emergencies for the period of May 16, 2022, through June 15, 2022.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. BUSINESS ITEMS

- A. Consider Approval of an Extension to the Requirement, as Provided For in Resolution No. 22-3344, for Council Member Benjamin Lopez to Attend City-Approved Sexual Harassment Prevention Training from “within Thirty (30) Calendar Days” to “within Sixty (60) Calendar Days” Following Adoption of Said Resolution**

Consider Authorizing a \$5,000 Transfer From the Contingency Account to City Attorney Program Account No. 1001-4801-52290-400 (Legal Services and Court Costs) to Provide Specialized Sexual Harassment Prevention Training for Council Member Lopez as Required by Resolution No. 22-3344

Mr. Culp stated his disappointment that Council Member Lopez continues to serve on the City Council with little consequence for his behavior. He pointed out that, while Council Member Lopez criticizes the state for passing costs onto local governments, he should look at his own actions that are costing the City money. He asked the City Council to consider amending its action tonight to require Council Member Lopez to forfeit his salary until the City is reimbursed for the costs it incurs in relation to the accommodations being made for him, including this specialized sexual harassment prevention training. He also requested Council Member Lopez be required to report back to the City Council about his training. He insisted Council Member Lopez resign from office.

Mayor Dutrey received confirmation from City Attorney Robbins that the City Council does not have the authority to reduce a Council Member’s salary, which is set by ordinance.

Moved by Council Member Martinez, seconded by Mayor Dutrey, and carried 4-1 (Lopez dissenting), the City Council took the following actions:

1. Approved an extension to the requirement, as provided for in Resolution No. 22-3344, for Council Member Benjamin Lopez to attend City-approved sexual harassment prevention training from “within thirty (30) calendar days” to “within sixty (60) calendar days” following adoption of said Resolution; and
2. Authorize a \$5,000 transfer from the contingency account to City Attorney Program Account No. 1001-4801-52290-400 (Legal Services and Court Costs) to provide specialized sexual harassment prevention training for Council Member Lopez as required by Resolution No. 22-3344.

XI. COMMUNICATIONS

A. Department Reports

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

Human Services Director Richter announced the following:

- (a) After being closed for the last two seasons, on Saturday, May 28th, the Splash Pad at Alma Hofman Park will reopen

and operate daily from noon to 6:00 p.m. through Labor Day, subject to regular maintenance, emergency repairs, and potential drought restrictions.

- (b) On Monday, May 30th, at 6:00 p.m., the Community Activities Commission will host its 22nd Annual Memorial Day Program in the City Hall Memorial Garden. The presentation will include patriotic songs and the dedication of six new plaques to the Veterans' Memorial Wall.
- (c) The City's 8th Annual Country Fair Jamboree will take place on Saturday, June 4th, from noon to 6:00 p.m. at Alma Hofman Park. The event will include games, food trucks, a petting zoo, carnival rides, craft vendors, contests, and live entertainment. Discount ride wristbands can be purchased in advance at City Hall, and free event parking will be available at **Our Lady of Lourdes Church** with a shuttle service provided.

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)(1) Regarding Potential Litigation

1 Potential Case

C. City Manager/Executive Director — None

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. Consider Scheduling Meetings for Fiscal Year 2022-23 Preliminary Budget Review Presentation and Budget Adoption, Tentatively Proposed for Wednesday, June 22, 2022, at 6:00 p.m., and Tuesday, June 28, 2022, at 6:00 p.m., in the City Council Chambers

Mayor/Chair Dutrey announced the Preliminary Budget Review workshop would be scheduled to take place on Wednesday, June 22, 2022, at 6:00 p.m., and the meeting for adoption of the Budget would be scheduled for Tuesday, June 28, 2022, at 6:00 p.m., if all members of the City Council are available. He noted the continuation of the workshop that took place on May 2, 2022, would also likely take place on June 28th.

Mayor Pro Tem/Vice Chair Ruh stated he would be out of town on the 22nd, but could attend the meeting remotely.

3. Mayor Dutrey made the following comments:

(a) He stated tonight's meeting would be adjourned in memory of Rancho Cucamonga City Council Member **Sam Spagnolo**, who served as Chair of the **Omnitrans** Board of Directors and President of the Inland Empire Division of the **League of California Cities**.

(b) He reported attending the **Southern California Association of Governments (SCAG)** Annual Conference and General Assembly two weeks ago, where he voted on **SCAG** Resolutions as the City's delegate.

Mayor Dutrey stated he must leave the meeting and asked Mayor Pro Tem/Vice Chair Ruh to preside over the meeting in his absence.

At 9:00 p.m., Mayor/Chair Dutrey left the meeting.

E. Council Members/Directors

1. Council Member/Director Martinez thanked residents who spoke this evening and stated she is glad the City will be reporting on the expenses of Council Member Lopez's censure.
2. Council Member/Director Johnson made the following comments:
 - (a) She stated she is delighted to hear the Splash Pad will finally be reopening to give our young residents a chance to play and get some relief from the heat.
 - (b) She reported attending an **Ontario-Montclair School District** parents' conference with Council Member Martinez, City Manager Starr, and Human Services Director Richter, adding many parents were glad to see Montclair representatives at the event.
 - (c) She announced the **Montclair Chamber of Commerce** will be hosting another drive-thru e-waste collection event on Saturday and Sunday, May 28th and 29th, and invited the community to drop by the Chamber office at 8880 Benson Avenue.
3. Council Member/Director Lopez made the following comments:
 - (a) He attended a **Chaffey High School** student production of the Addams Family, which he thoroughly enjoyed.
 - (b) He stated he was shocked and saddened to hear of the passing of **Rancho Cucamonga Council Member Spagnolo**, sharing that he met **Mr. Spagnolo** before he was a City Council Member in the 1980s, and was mentored by him on fire issues.
4. Mayor Pro Tem/Vice Chair Ruh made the following comments:
 - (a) He noted he also knew **Mr. Spagnolo** from his firefighter days. He stated **Mr. Spagnolo** loved his city and his community and did a great job guiding the City of Rancho Cucamonga as a member of its City Council. He expressed his condolences to the family and friends of **Mr. Spagnolo** and the City of Rancho Cucamonga for its significant loss.
 - (b) He stated his disappointment in commercial trash haulers for opposing and lobbying against legislation to reduce waste and produce energy and other societal benefits by diverting solid waste from landfills. He stated he would like to see trash converted to energy and byproducts such as pellets for road construction.
 - (c) He reported that he, representing the City, and Mayor Dutrey, representing **SBCTA**, attended **the Gold Line Joint Powers Authority** meeting to review station artwork last Thursday. He stated the artwork at each station is different and reflects the community in which the station resides. He added the Gold Line, now called the L Line, is the busiest line in the system. He thanked neighboring Cities for supporting the line's extension to Montclair.

F. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of May 2, 2022

The City Council received and filed the minutes of the Personnel Committee meeting of May 2, 2022, for informational purposes.

XII. CLOSED SESSION

At 9:15 p.m., the City Council went into closed session to discuss potential litigation.

XIII. CLOSED SESSION ANNOUNCEMENTS

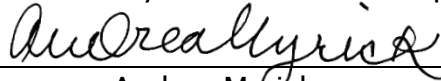
At 9:40 p.m., the City Council returned from closed session.

City Attorney Robbins announced the City Council met in closed session to discuss potential litigation and direction was given to staff to initiate litigation, with the vote of approval being 4-0 (Dutrey absent). She advised that, once the City has formally commenced litigation, the City will disclose the action, the defendant(s), and the other particulars to any person upon inquiry, unless to do so would jeopardize the City's ability to effectuate service of process on one or more unserved parties.

XIV. ADJOURNMENT

At 9:40 p.m., Mayor Pro Tem/Vice Chair Ruh adjourned the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board in memory of Rancho Cucamonga City Council Member **Sam Spagnolo**.

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



Andrea Myrick
City Clerk