

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, JULY 18, 2022 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Pro Tem/Vice Chair Ruh called the meeting to order at 7:00 p.m.

II. INVOCATION

Montclair Fire Department Chaplain Alan Olmos gave the invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Johnson led meeting participants in the Pledge.

IV. ROLL CALL

Present: 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

Absent: Mayor/Chair Dutrey (excused)

V. PRESENTATIONS

A. Community Activities Commission Presentation of 2021 Home Beautification Awards

Community Activities Commission Chair Diane Wells stated the CAC has sponsored the *Home Beautification Awards* program over the past 27 years to recognize Montclair residents who demonstrate community pride by attractively maintaining their homes. She noted this year the CAC selected two winners, who should be proud of the work they have done to maintain their homes. She thanked all residents who help make Montclair a beautiful community.

A brief PowerPoint presentation showcased photos of the winners' attractively landscaped residences. The **Barrios** Family, 4935 Denver Street, were praised for the beautiful floral gardens and decorative accents; and the **Shelton** family, 10120 Monte Vista Avenue, was commended for its water-conserving landscaping consisting of decorative white roses, drought-tolerant plants, hardscape features, and shaded seating areas. The **Sheltons'** "Garden of Hope" was funded by donations from friends to bring beauty and encouragement to a close friend suffering with Lou Gehrig's Disease.

The winners were each presented with *Home of the Year Award* certificates.

Mayor Pro Tem Ruh congratulated the winners and thanked all residents who have contributed to the beautification of Montclair. He thanked the CAC for organizing and facilitating the program.

VI. PUBLIC COMMENT

- A. **Mrs. Carolyn Raft**, Board Trustee, **West Valley Mosquito and Vector Control District (WVMVCD)**, reported that **WVMVCD** has withdrawn its application for a \$160,000 grant to fund an effort to introduce sterilized *Aedes* mosquitoes into the population whose offspring cannot have disease because the **San Bernardino County Department of Public Health's** Environmental Health Services Program also applied for the grant. She expressed her support for construction of a roundabout at the intersection of Ramona Avenue

and Howard Street that was approved at the last regular meeting, noting it has been needed for a long time.

- B. **Mr. Bruce Culp**, resident, indicated his support for the re-election of Mayor Dutrey and Council Member Martinez, and stated he may vote for Mayor Pro Tem Ruh if he supports the sale of cannabis in Montclair. He also noted most surrounding cities have changed to district elections, which may benefit Montclair as there are currently no members of the City Council who live north of the I-10 Freeway to represent the concerns of residents directly impacted by the developments taking place within the North Montclair Downtown Specific Plan area.

VII. PUBLIC HEARINGS

- A. **Consider Adoption of Resolution No. 22-3372 Amending the Master User Fee Schedule to Provide Clarification of an Existing In-Lieu Fee for Inclusionary Housing**

Mayor Pro Tem Ruh declared it the time and place set for public hearing to consider Resolution No. 22-3372 and invited comments from the public.

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

Council Member Johnson stated her admiration for the diversity of the Montclair community with residents of all incomes living together, and expressed her support for methods of incorporating more affordable housing in the community.

Council Member Lopez asked if the fees are deposited into the General Fund or if they are restricted to a specific purpose, and how often developers choose to pay the in-lieu fee rather than build affordable units in their projects.

City Manager Starr stated the City would deposit this fee into the Economic Development Agency's Affordable Housing Fund, which is not restricted like former Montclair Redevelopment Agency funds and could be allocated to other purposes under the direction of City Council. He stated when developers have the option, they practically always choose to pay the in-lieu fee.

Mayor Pro Tem Ruh stated the City needs every affordable housing tool at its disposal.

Moved by Council Member Lopez, seconded by Council Member Johnson, and carried unanimously 4-0-1 (Dutrey absent), the City Council adopted Resolution No. 22-3372 amending the Master User Fee Schedule to provide clarification of an existing in-lieu fee for inclusionary housing.

- B. **Adoption of Resolution No. 22-3367 Making Findings Pursuant to the California Environmental Quality Act and Approving a Precise Plan of Design for a Proposed 137-Unit Residential Apartment Project Within the North Montclair Downtown Specific Plan on 2.85 Acres at the Southwest Corner of Arrow Highway and Monte Vista Avenue**

Mr. Reece Petterson, Development Associate, **Trammel Crow Residential**, provided a PowerPoint-led presentation showcasing aspects of the Kendry Expansion Project, an expansion to the Alexan Kendry Project that will include 206 subterranean parking spaces, 137 apartment units, and amenities for residents.

Council Member Johnson complimented the project on providing garage parking and rooftop amenities for its residents.

Council Member Lopez expressed concerns regarding the narrow streets in the existing Alexan Kendry project, which present issues for emergency vehicle access, and asked if new wider roads would be added for this project.

Mr. Petterson stated no new roads are being built as a part of this expansion; however, the Fire Department verified that the hose pull length was long enough to reach all units from the street.

Council Member Martinez complimented the architecture and design elements included and stated her excitement for current Alexan Kendry residents and future Kendry Expansion residents.

Mayor Pro Tem Ruh stated he appreciates the variety of building styles used throughout the two projects.

Mayor Pro Tem Ruh declared it the time and place set for public hearing to consider Resolution No. 22-3367 and invited comments from the public.

Mr. Culp expressed frustration that residents who are renters living near this project did not receive a mailed notice about the hearing because the City is only legally required to mail notices to property *owners* within 300 feet of the project. He stated as a resident of the **Paseos at Montclair** located directly across the street from this development, he has already seen negative traffic impacts of the Alexan Kendry Project and foresees compounding issues with the Kendry Expansion. He urged the City to do more community outreach and hold meetings to receive input from residents so that concerns can be addressed before final approval of the project is considered by the City Council. He added he is disappointed there will be no electric vehicle chargers for future residents of the proposed project.

Mrs. Raft stated, as a former Council Member who was involved with the adoption and amendment of the North Montclair Downtown Specific Plan, she is excited to see so many new projects being built. She expressed relief that there will be no on-street parking for this project. In response to **Mr. Culp's** concern about a lack of electric charging stations, she stated those could be addressed when there is a greater need as more drivers switch to electric cars.

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

Moved by Council Member Lopez, seconded by Council Member Martinez, and carried unanimously 4-0-1 (Dutrey absent), the City Council adopted Resolution No. 22-3367 making findings pursuant to the California Environmental Quality Act and approving a Precise Plan of Design for a proposed 137-unit residential apartment project within the North Montclair Downtown Specific Plan on 2.85 acres at the southwest corner of Arrow Highway and Monte Vista Avenue.

VIII. CONSENT CALENDAR

Council Member Lopez requested Items C-2 and C-9 be pulled from the Consent Calendar.

Moved by Council Member/Director Johnson, seconded by Council Member/Director Lopez, and carried unanimously 4-0-1 (Dutrey absent), the City Council removed Items C-2 and C-9 and approved the remainder of the Consent Calendar as presented:

A. Approval of Minutes

1. Regular Joint Meeting — June 20, 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 June 20, 2022 regular joint meeting.

2. Adjourned Joint Meeting — June 22, 2022

The City Council and Montclair Housing Corporation Board of Directors approved the minutes of the June 22, 2022 adjourned joint meeting.

3. Special Joint Meeting — June 28, 2022

The City Council and Montclair Housing Corporation Board of Directors approved the minutes of the June 28, 2022 special 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 June 30, 2022.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the Warrant Register dated July 5, 2022, totaling \$546,595.92; the Warrant Register dated July 20, 2022 totaling \$2,318,522.15; and the Payroll Documentation dated June 5, 2022, amounting to \$700,054.12 gross, with \$487,352.21 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 June 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 06.01.22–06.30.22 in the amounts of \$6,176.35 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 June 30, 2022.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 06.01.22–06.30.22 in the amount of \$119,810.69.

7. Receiving and Filing of MHA Treasurer's Report

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

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 06.01.22–06.30.22 in the amount of \$0.00.

9. Approval of the Filing of a Notice of Completion for the Pacific Electric Trail Bridge Replacement Project with the San Bernardino County Recorder's Office

Authorizing the Release of Retention of the Payment Bond 30 Days After Recordation of the Notice of Completion

The City Council took the following actions:

- (a) Approved the filing of a Notice of Completion for the Pacific Electric Trail Bridge Replacement Project with the San Bernardino County Recorder's Office.
- (b) Authorized the release of retention of the payment bond 30 Days after recordation of the Notice of Completion.

10. Receiving and Filing the San Antonio Creek Trail Feasibility Study by Alta Planning + Design, Inc.

The City Council received and filed the San Antonio Creek Trail Feasibility Study by Alta Planning + Design, Inc.

**11. Approval of Tract Map No. 20384 for 10680 Silicon Avenue
Authorizing Staff to Record Tract Map No. 20384 with the
San Bernardino County Recorder's Office**

The City Council took the following actions:

- (a) Approved Tract Map No. 20384 for 10680 Silicon Avenue.
- (b) Authorized staff to record Tract Map No. 20384 with the San Bernardino County Recorder's Office.

12. Authorizing a \$23,680 Appropriation from the Contingency Fund for Emergency Replacement of 20 Premier Link Controllers for Air Conditioning Units Damaged by the Thunderstorm on June 22, 2022

The City Council authorized a \$23,680 appropriation from the Contingency Fund for emergency replacement of 20 Premier Link controllers for air conditioning units damaged by the thunderstorm on June 22, 2022.

C. Agreements

1. Approval of *Agreement No. 22-40* with Corelogic Solutions, LLC for ParcelPoint GIS Mapping Data Access for Use in CAD/RMS and Next Generation 9-1-1 Services, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing a \$2,010 Appropriation from the Prop 30/AB 109 Fund to Pay the Costs Associated with *Agreement No. 22-40*

The City Council took the following actions:

- (a) Approved *Agreement No. 22-40* with Corelogic Solutions, LLC for ParcelPoint GIS mapping data access for use in CAD/RMS and Next Generation 9-1-1 Services, subject to any revisions deemed necessary by the City Attorney.
- (b) Authorized a \$2,010 Appropriation from the Prop 30/AB 109 Fund to Pay the Costs Associated with *Agreement No. 22-40*.

3. Approval of *Agreement No. 22-61* with Econolite Systems for Traffic Signal Maintenance Services, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-61* with Econolite Systems for traffic signal maintenance services, subject to any revisions deemed necessary by the City Attorney.

4. Approval of *Agreement No. 22-71* with Civic Publications, Inc., to Provide Public Education and Community Outreach Services, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-71* with Civic Publications, Inc., to provide public education and community outreach services, subject to any revisions deemed necessary by the City Attorney.

5. Approval of *Agreement No. 22-72* with E-Homes, Inc., to Provide Real Estate Brokerage Services, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-72* with E-Homes, Inc., to provide real estate brokerage services, subject to any revisions deemed necessary by the City Attorney.

6. Approval of *Agreement No. 22-74* with Nutrition Ink to Provide Nutrition Education Services for the City's Senior Citizen Nutrition Program, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-74* with Nutrition Ink to provide nutrition education services for the City's Senior Citizen Nutrition Program, subject to any revisions deemed necessary by the City Attorney.

7. Approval of *Agreement No. 22-75* with Catering Systems, Inc., to Provide Meals for the City's Senior Citizen Nutrition Program, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-75* with Catering Systems, Inc., to provide meals for the City's Senior Citizen Nutrition Program, subject to any revisions deemed necessary by the City Attorney.

8. Approval of *Agreement No. 22-76* with Suzanne Yoakum to Provide Case Management Services for Senior Citizen Programs, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-76* with Suzanne Yoakum to provide case management services for Senior Citizen programs, subject to any revisions deemed necessary by the City Attorney.

10. Approval of *Agreement No. 22-78* with Ontario-Montclair School District to Provide a Licensed Clinical Social Worker for the Montclair Community Collaborative's Case Management Program, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-78* with Ontario-Montclair School District to provide a Licensed Clinical Social Worker for the Montclair Community Collaborative's Case Management Program, subject to any revisions deemed necessary by the City Attorney.

11. Approval of *Agreement No. 22-79* with San Bernardino County Transportation Authority, Amendment No. 4 to *Agreement No. 15-64* (SBCTA Cooperative Agreement No. 15-1001297) for the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-79* with San Bernardino County Transportation Authority, Amendment No. 4 to *Agreement No. 15-64* (SBCTA Cooperative Agreement No. 15-1001297) for the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project, subject to any revisions deemed necessary by the City Attorney.

12. Approval of *Agreement No. 22-80* with Revenue & Cost Specialists, LLC to Conduct a Comprehensive Cost-of-Service Study Related to Fees Charged by the City of Montclair, Subject to Any Revisions Deemed Necessary by the City Attorney

The City Council approved *Agreement No. 22-80* with Revenue & Cost Specialists, LLC to conduct a comprehensive cost-of-service study related to fees charged by the City of Montclair, subject to any revisions deemed necessary by the City Attorney.

D. Resolutions

1. Adoption of Resolution No. 22-3368 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges

The City Council adopted Resolution No. 22-3368 authorizing placement of liens on certain properties for delinquent sewer and trash charges.

2. Adoption of Resolution No. 22-3370 Adopting a Grant Management Policy

The City Council adopted Resolution No. 22-3370 adopting a Grant Management Policy.

3. Adoption of Resolution No. 22-3371 Rescinding and Superseding Resolution No. 21-3294 Identifying and Correcting Updated Terms and Conditions for a Fire Department Response Away from its Official Duty Station when Assigned to an Emergency Incident

The City Council adopted Resolution No. 22-3371 rescinding and superseding Resolution No. 21-3294 identifying and correcting updated terms and conditions for a Fire Department response away from its official duty station when assigned to an emergency incident.

4. Adoption of Resolution No. 22-3373 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of July 18, 2022, through August 17, 2022

The City Council adopted Resolution No. 22-3373 making factual findings in compliance with AB 361 for the continuation of public meeting teleconferencing during public health emergencies for the period of July 18, 2022, through August 17, 2022.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

2. Award of Contract to Mariposa Landscapes, Inc., in the Amount of \$47,558 for Construction of the Fire Station No. 2 Landscaping Project

Approval of *Agreement No. 22-55* with Mariposa Landscapes, Inc. for Construction of the Fire Station No. 2 Landscaping Project, Subject to Any Revisions Deemed Necessary by the City Attorney

Authorizing an Additional \$30,000 Appropriation from 2021 Lease Revenue Bond Funds for Costs Related to the Project

Authorization of a \$12,442 Construction Contingency for the Project

Council Member Lopez asked why additional funds are being requested for this project.

City Manager Starr advised staff did not anticipate the costs for this project to increase like other projects; however, that was not the case.

Moved by Council Member Lopez, seconded by Council Member Martinez, and carried unanimously 4-0-1 (Dutrey absent), the City Council took the following actions:

- (a) Awarded a contract to Mariposa Landscapes, Inc., in the amount of \$47,558 for construction of the Fire Station No. 2 Landscaping Project.
- (b) Approved *Agreement No. 22-55* with Mariposa Landscapes, Inc. for construction of the Fire Station No. 2 Landscaping Project, subject to any revisions deemed necessary by the City Attorney.
- (c) Authorized an additional \$30,000 appropriation from 2021 Lease Revenue Bond Funds for costs related to the Project.
- (d) Authorized a \$12,442 construction contingency for the Project.

9. **Approval of Agreement No. 22-77 with Misha L. Penn to Provide Grant Management and Fiscal Compliance Services for the Human Services Department, Subject to Any Revisions Deemed Necessary by the City Attorney**

Moved by Council Member Lopez, seconded by Council Member Martinez, and carried unanimously 4-0-1 (Dutrey absent), the City Council approved *Agreement No. 22-77* with Misha L. Penn to provide grant management and fiscal compliance services for the Human Services Department, 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 54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr**

Agency: City of Montclair

Employee Management

Organizations: Montclair City Confidential Employees Assn.

Montclair General Employees Association

Montclair Fire Fighters Association

Montclair Police Officers Association

C. **City Manager/Executive Director**

City Manager/Executive Director Starr stated while the City is required to send notices to property owners within 300 feet, the management companies of apartment complexes are also required to post the notices in an area where their residents can view them. He further advised that **Moule & Polyzoides** is currently contracted to develop a street design plan for the NMDSP area to address traffic issues and provide for a more pedestrian- and bicycle-friendly downtown area.

D. **Mayor/Chair** — None

E. **Council Members/Directors**

1. Mayor Pro Tem/Vice Chair Ruh made the following comments:

(a) With a new surge of COVID-19 cases due to the new BA.5 coronavirus variant, he urged everyone to be safe.

(b) He noted his attendance at **the Gold Line Joint Powers Authority** meeting, at which there continues to be support expressed by all representatives of cities along the Gold Line's path for its extension to Montclair.

(c) Last week he attended **Assembly Member Freddie Rodriguez's** Summer BBQ event where the District's Veteran, Woman, and Business of the Year were recognized. He added the Business of the Year was Montclair's own **Bowlium**. He stated he would like to recognize the awardees at a future City Council meeting.

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

(a) He congratulated Montclair's Junior Baseball Division for making it to the All Stars League tournament, where unfortunately they were defeated by the Upland team.

(b) He concurred with Mayor Pro Tem Ruh's suggestion for the City Council to recognize the awardees from **Assembly Member Rodriguez's** Summer BBQ event.

- (c) He reported traffic flow issues related to inadequate lane striping on Central Avenue at the I-10 Freeway and requested staff to contact SBCTA.
 - (d) He congratulated former Montclair/Upland Fire Chief **Dave Corbin** on his upcoming retirement from the **San Bernardino County Fire Protection District**.
3. Council Member/Director Johnson commented as follows:
- (a) She announced the **Montclair Chamber of Commerce** will be hosting another drive-thru e-waste collection event on Saturday and Sunday, July 23rd and 24th, and invited the community to drop by the Chamber office at 8880 Benson Avenue.
 - (b) She recently learned her grand daughters, who live in Rancho Cucamonga, recently went on a field trip with their class to a water park, which turned out to be the Splash Pad at Alma Hofman Park.
 - (c) She announced **Habitat for Humanity**, located at 4737 Holt Boulevard in Montclair, will be opening its application period for individuals to build their own homes. She advised those who are interested should call their office at (909) 399-0202.
4. Council Member/Director Martinez commented as follows:
- (a) She reported the City's campaign to prevent illegal fireworks was successful, resulting in 60 fewer firework-related calls for service compared to last year.
 - (b) She stated last week's vendor fair was successful and her family is also thoroughly enjoying the weekly concerts and movies in the park. She thanked all staff involved with these events.

F. Committee Meeting Minutes

1. Minutes of Real Estate Committee Meeting of November 15, 2021

The City Council received and filed the minutes of the Real Estate Committee meeting of November 15, 2021, for informational purposes.

2. Minutes of Personnel Committee Meeting of June 20, 2022

The City Council received and filed the minutes of the Personnel Committee meeting of June 20, 2022, for informational purposes.

XI. CLOSED SESSION

At 8:35 p.m., the City Council went into closed session to discuss labor negotiations.

XII. CLOSED SESSION ANNOUNCEMENTS

At 8:55 p.m., the City Council returned from closed session. Mayor Pro Tem Ruh announced the City Council met in closed session to discuss labor negotiations; information was received and direction given to staff; and no further announcements would be made at this time.

XIII. ADJOURNMENT

At 8:55 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.

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



 Andrea Myrick, City Clerk