

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, FEBRUARY 7, 2022 AT 7:00 P.M. CONDUCTED REMOTELY PURSUANT TO STATE EXECUTIVE ORDER AND AB 361 SUSPENDING CERTAIN ASPECTS OF THE BROWN ACT DURING THE COVID-19 PUBLIC HEALTH STATE OF EMERGENCY

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

Council Member/Director Lopez 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; 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**, announced **Supervisor Hagman** host a “Coffee with Curt” event on Saturday, February 26th from 9:00 to 10:30 a.m. at the Montclair Police Department.

B. **Mr. Bruce Culp**, resident, encouraged everyone to support local businesses for the upcoming **Super Bowl LVI** celebrations. He expressed support for continuing emergency work to replace the **Pacific Electric Trail** bridge, and stated concerns that the new bridge would not be as wide as the old one. He also suggested the City consider sending requests for proposals for affordable housing to the developer of a new low income apartment development in Pomona, which is currently renting units at \$624 per month.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

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

A. Approval of Minutes

1. Regular Joint Meeting — January 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 January 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 February 7, 2022, totaling \$1,419,791.32; and the Payroll Documentation dated January 16, 2022, amounting to \$639,871.06 gross, with \$446,309.92 net being the total cash disbursement.

2. Receiving and Filing a Status Report on Emergency Contracting Procedures for the Pacific Electric Trail Bridge Replacement Project and Determining There is a Need to Continue the Action

The City Council received and filed a status report on emergency contracting procedures for the Pacific Electric Trail Bridge Replacement Project and determined there is a need to continue the action.

3. Approval of Parcel Map No. 20507 Generally Located on the East Side of Monte Vista Avenue South of Palo Verde Street

Authorizing Staff to Record Parcel Map No. 20507 with the Office of the San Bernardino County Recorder

The City Council took the following actions:

- (a) Approval of Parcel Map No. 20507 generally located on the east side of Monte Vista Avenue south of Palo Verde Street.
- (b) Authorizing staff to record Parcel Map No. 20507 with the Office of the San Bernardino County Recorder.

C. Agreements

1. Approval of *Agreement No. 22-08* with RSG for Financial, Analytical, and Advisory Services Related to Affordable Housing

The City Council approved *Agreement No. 22-08* with RSG for financial, analytical, and advisory services related to affordable housing.

2. Award of Contract to Gentry Brothers, Inc., in the Amount of \$3,598,603.23 for Construction of the Zone 5 and 6 Street Rehabilitation Project

Approval of *Agreement No. 22-09* with Gentry Brothers, Inc., for Construction of the Zone 5 and 6 Street Rehabilitation Project

Authorization of a \$400,000 Construction Contingency for the Zone 5 and 6 Street Rehabilitation Project

The City Council took the following actions:

- (a) Awarded a contract to Gentry Brothers, Inc., in the amount of \$3,598,603.23 for construction of the Zone 5 and 6 Street Rehabilitation Project.
- (b) Approved *Agreement No. 22-09* with Gentry Brothers, Inc., for construction of the Zone 5 and 6 Street Rehabilitation Project.
- (c) Authorized a \$400,000 construction contingency for the Zone 5 and 6 Street Rehabilitation Project.

3. Approval of *Agreement No. 22-10-I-108* (Case No. 2022-02), an Irrevocable Annexation Agreement with Juan Rodriguez and Lorena Ayala for 4751 Howard Street, Montclair (APN 1012-331-06-0000)

The City Council approved *Agreement No. 22-10-I-108* (Case No. 2022-02), an Irrevocable Annexation Agreement with Juan Rodriguez and Lorena Ayala for 4751 Howard Street, Montclair (APN 1012-331-06-0000).

D. Resolutions

1. Adoption of Resolution No. 21-3334 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges

The City Council adopted of Resolution No. 21-3334 authorizing placement of liens on certain properties for delinquent sewer and trash charges.

2. Adoption of Resolution No. 22-3336 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of February 7, 2022, Through March 9, 2022

The City Council participated in a brief discussion related to resuming in-person City Council meetings beginning at the next Midyear Budget Review meeting on February 16, 2022, and continuing to allow for remote participation.

The City Council adopted Resolution No. 22-3336 making factual findings in compliance with AB 361 for the continuation of public meeting teleconferencing during public health emergencies for the period of February 7, 2022, through March 9, 2022.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. COUNCIL WORKSHOP

A. Fiscal Year 2021-22 Midyear Budget Review

The City Council continued this presentation to an adjourned meeting on Wednesday, February 16, 2022, at 6:00 p.m. in the City Council Chambers.

XI. COMMUNICATIONS

A. Department Reports

1. Police Department

Executive Director of Public Safety/Police Chief Avels discussed the following topics:

- **Military Equipment Use Policy** – In accordance with recently passed legislation, Assembly Bill 481, cities are required to adopt a policy prior to purchasing equipment state lawmakers have deemed military equipment, and to post an annual report on the inventory and use of such equipment. He advised the policy is posted on the City’s website and will be presented to the City Council in March for approval via an Ordinance after the policy has been posted for 30-days.
- **American Red Cross Blood Donation Drive** – The Montclair Police Department is hosting a blood drive at the Montclair Community Center on Tuesday, February 22, from 2:00 p.m. to 8:00 p.m. All officials, staff, and community members are encouraged to participate due to the current blood shortage.

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

Property: 9671 Central Ave., Montclair (2 parcels, APNs 1008-611-16 & 1008-611-17)
Negotiating Parties: City of Montclair & RAMI, MUKESH & SMITA REV LIV TR
City Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price

C. City Manager/Executive Director

City Manager/Executive Director Starr advised that, although the state is lifting its mask mandate beginning February 15th, unvaccinated individuals will still be required to wear face masks indoors, and major events of 1,000 or more attendees will require proof of vaccination or negative test.

In response to **Mr. Culp's** concern about the width of the **Pacific Electric Trail** bridge, Public Works Director/City Engineer Heredia advised the new bridge's width is 12 feet, which is the same as the previous bridge.

In response to **Mr. Culp's** question about affordable housing projects, City Manager Starr advised the recent Pomona project to which **Mr. Culp** referred is funded through a state trust fund. He expressed that, after recently being redistricted into State Senate District 22, the City of Montclair will request to gain access to the program's affordable housing funding through **State Senator Susan Rubio**.

D. Mayor/Chair

1. Mayor/Chair Dutrey made the following comments:
 - (a) He stated juvenile suspects who assaulted a Montclair Police Officer at **Montclair Place** were apprehended, and commended the Police Department for responding to two murders that took place in the City last Friday. He condemned these crimes and stated the City of Montclair is a peaceful and safe city, and he expects all involved to be brought to justice.
 - (b) He commended staff from the Police, Fire, and Public Works Departments for responding to damage that occurred during the recent major windstorm.
 - (c) He acknowledged the City Council's approval this evening of a new paving project for the southern streets of Montclair.
 - (d) He wished the **Los Angeles Rams** well in the upcoming **Super Bowl** knowing that most football fans in this City are rooting for them, and stated if they win on Sunday he will declare the following day as "Rams Day" in the City of Montclair.

E. Council Members/Directors

1. Mayor Pro Tem/Vice Chair Ruh made the following comments:
 - (a) He acknowledged, in honor of Black History Month, the 369th regiment of World War II volunteer soldiers from Harlem who were primarily African American. He stated because the army was racially segregated, a general had them fight along with the French forces, which were not segregated. He noted 170 troops were honored by the French government and some decided to remain and live in France, while others returned and became civil rights activists. He stated all served this country with dignity, duty, and devotion.
 - (b) He wished everyone a Happy Lunar New Year, noting it is the Year of the Tiger, which symbolizes the expulsion of evil.
 - (c) He stated on January 26th, **Congresswoman Norma Torres** visited the Senior Center to hand out COVID-19 tests, which the seniors appreciated, and the next day she toured the Central Avenue bridge, which spans Holt to Mission Boulevards over the train tracks. He noted with the excessive truck traffic, the bridge is in dire need of reconstruction and her time and effort was appreciated.

- (d) He noted the Housing Trust Fund was started by **Senator Rubio** and he believes it is a great program which he has always supported.
 - (e) He thanked the City’s public safety personnel and City staff for addressing the latest crimes and wind damage.
2. Council Member/Director Johnson made the following comments:
 - (a) She announced a new business, **Harmony Nursing Services**, an educational facility for nurses, is holding a ribbon cutting event on Thursday, February 10 at 10:00 a.m. at 4651 Holt Boulevard, Unit I.
 - (b) In honor of Black History Month, she shared the story of **Mamie Till**, whose 14-year-old son was murdered for by two white men in 1955 in Mississippi for allegedly whistling at a white woman. She stated **Mamie Till** bravely insisted that her son’s casket be left open at his funeral because she “wanted the world to see what they did to [her] boy.”
 3. Council Member/Director Martinez made the following comments:
 - (a) She thanked Montclair Police and Fire Departments for their response to the various recent serious events referenced by her Council colleagues.
 - (b) She wished everyone a Happy Black History Month and stated she hopes everyone takes time to reflect on the meaning of this month.
 4. Council Member/Director Lopez made the following comments:
 - (a) He stated he is encouraged to learn COVID-19 numbers have dropped drastically in the right direction.
 - (b) He expressed his relief that the officer who was assaulted is recovering well at home.
 - (c) In reference to the paving project in the southern part of Montclair, he stated the City is listening to its residents in those areas.
 - (d) He reported there will be a 10-day ramp closure from February 8th through the 18th at the eastbound I-10 Freeway onramp approaching Fourth Street, and a 55-hour freeway closure of the two right lanes eastbound approaching Mountain Avenue.
 - (e) He stated his friend **Daniel Evers Everett**, grandson of civil rights activist **Medgar Evers**, has shared many stories of his grandfather and, if anyone is interested, he would be happy to ask **Mr. Evers Everett** to be a guest speaker at an event or meeting in the community.

F. Committee Meeting Minutes — None

XII. CLOSED SESSION

At 7:51 p.m., the City Council went into closed session to discuss real property negotiations.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 8:13 p.m., the City Council returned from closed session. 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.

XIV. ADJOURNMENT

At 8:13 p.m., Chair Dutrey adjourned the Successor Agency Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board.

At 8:13 p.m., Mayor Dutrey adjourned the City Council to Wednesday, February 16, 2022 at 6:00 p.m. in the City Council Chambers for the Midyear Budget Review.

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



Andrea Myrick
City Clerk