

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 6, 2023 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

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I. CALL TO ORDER

Mayor/Chair Dutrey called the meeting to order at 7:00 p.m.

II. INVOCATION

Reverend Maggie Burbank–Yenoki, Monte Vista Unitarian Universalist Congregation, gave the invocation.

III. PLEDGE OF ALLEGIANCE

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

IV. ROLL CALL

Present: Mayor/Chair Dutrey; Mayor Pro Tem/Vice Chair Johnson; Council Members/Directors Ruh and Martinez

City Manager/Executive Director Starr; Assistant City Manager/Director of Human Services Richter; Director of Finance Kulbeck; Executive Director of Public Safety/Police Chief Avels; Director of Public Works/City Engineer Heredia; City Attorney Robbins; City Clerk Myrick

Absent: Council Member Lopez (excused)

V. PRESENTATIONS

A. Chino Basin Water Conservation District’s (CBWCD) Groundwater Basin and Sustainability Tour

Kati Parker, Board Member, CBWCD, invited the City Council and the community to tour the groundwater basin and learn about water sustainability efforts and District-provided programs on June 1, 2023.

VI. PUBLIC COMMENT

- Ruby Long, Field Representative for San Bernardino County Fourth District Supervisor Curt Hagman, announced the Supervisor’s Office, in partnership with the City of Montclair, is hosting a free document shredding event at City Hall on Saturday, March 11, 2023, from 9:00 a.m. to noon.
- Jordi Ubaldo, Event Coordinator, Montclair Chamber of Commerce, invited the City Council and community to the following upcoming Chamber events: Montclair Chamber Networking Breakfast on Thursday, February 9th at 8:30 a.m. at OPARC, 9029 Vernon Avenue, including a presentation about providing on-the-job training; Ready To Launch Initiative at Montclair High School, where businesses are invited to provide mock interviews to students on February 22nd at 1:30 p.m.; and Nonprofit Night at the Toyota Arena to see the Ontario Reign hockey team play on Friday, March 10th at 7:30 p.m.
- Nina Joyner invited the community to attend the first annual Black History Fair at the Christian Development Center, 5080 Kingsley Street, on Saturday, February 11th, from noon to 5:00 p.m.

**VII. PUBLIC HEARINGS**

**A. Consider Projects and Prioritization of Funding for the Fiscal Year 2023–24 Community Development Block Grant Program**

Mayor Dutrey opened the public hearing.

City Clerk Myrick stated no written comments were received in relation to this item, and no members of the public requested to speak on the item.

Mayor Dutrey closed the public hearing and returned the matter to the City Council for consideration.

<b>ACTION - Public Hearings - Item A</b>													
<b>ACTING:</b>	City Council												
<b>MOTION:</b>	<p>Approve the following projects and prioritization of funding for the Fiscal Year 2023–24 Community Development Block Grant Program:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">Code Enforcement Program</td> <td style="text-align: right; padding-left: 20px;">\$ 80,970</td> </tr> <tr> <td style="padding-left: 20px;">Renovations to Reeder Ranch</td> <td style="text-align: right; padding-left: 20px;">\$ 150,000</td> </tr> <tr> <td style="padding-left: 20px;">Graffiti Abatement</td> <td style="text-align: right; padding-left: 20px;">\$ 30,728</td> </tr> <tr> <td style="padding-left: 20px;">Senior Transportation Services (Golden Express Transportation)</td> <td style="text-align: right; padding-left: 20px;">\$ 10,000</td> </tr> <tr> <td colspan="2" style="border-top: 1px solid black; padding-top: 5px;"><b>TOTAL</b></td> </tr> <tr> <td></td> <td style="text-align: right;"><b>\$ 271,698</b></td> </tr> </table>	Code Enforcement Program	\$ 80,970	Renovations to Reeder Ranch	\$ 150,000	Graffiti Abatement	\$ 30,728	Senior Transportation Services (Golden Express Transportation)	\$ 10,000	<b>TOTAL</b>			<b>\$ 271,698</b>
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	<b>\$ 271,698</b>												
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member Ruh Mayor Pro Tem Johnson												
<b>AYES:</b> <b>NOES:</b> <b>ABSTAIN:</b> <b>ABSENT:</b>	Martinez, Ruh, Johnson, Dutrey None None Lopez												
<b>RESULT:</b>	Motion carried 4-0-1.												

**VIII. CONSENT CALENDAR**

<b>ACTION - Consent Calendar</b>	
<b>ACTING:</b>	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
<b>MOTION:</b>	Remove Item C-1 from the Consent Calendar and approve the remainder of the Consent Calendar as presented.
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member/Director Ruh Council Member/Director Martinez
<b>AYES:</b> <b>NOES:</b> <b>ABSTAIN:</b> <b>ABSENT:</b>	Martinez, Ruh, Johnson, Dutrey None None Lopez
<b>RESULT:</b>	Motion carried 4-0-1.

**A. Approval of Minutes**

**1. Regular Joint Meeting — January 17, 2023**

<b>ACTION – Consent Calendar – Item A-1</b>	
<b>ACTING:</b>	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**B. Administrative Reports**

**1. Consider Approval of Warrant Register and Payroll Documentation**

<b>ACTION – Consent Calendar – Item B-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**2. Consider Authorizing a \$20,666.08 Allocation from the Building Maintenance Reserve Fund to Replace the Damaged Automatic Sliding Doors on the South Entrance of City Hall**

<b>ACTION – Consent Calendar – Item B-2</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**3. Consider Authorizing a \$35,000 Allocation from the Building Maintenance Reserve Fund for the Purchase and Installation of New Automatic Sliding Doors on the West Entrance of City Hall**

<b>ACTION – Consent Calendar – Item B-3</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**4. Consider Authorizing an Allocation of up to \$100,000 from the Building Maintenance Reserve Contingency Fund for the Replacement of the Splash Pad Surface Tiles**

<b>ACTION – Consent Calendar – Item B-4</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**5. Consider Authorizing the Purchase of a 2023 Chevrolet Blazer 2LT Vehicle for the Police Department Fleet from Mountain View Chevrolet in the Total Amount of \$39,609.95  
Consider Declaring a 2011 Chevrolet Caprice Vehicle as Surplus and Available for Parts or for Sale at Auction**

<b>ACTION - Consent Calendar - Item B-5</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

6. **Consider Authorizing a \$53,000 Appropriation from the Federal Asset Forfeiture Fund to Purchase 53 Apple iPhone 14 Pro Phones and Associated Cellular Service for Patrol use through Fiscal Year 2023-24**

<b>ACTION - Consent Calendar - Item B-6</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

7. **Consider Approval of Grant Fund Balance Carryover from Prior Fiscal Years for Use in the Human Services Department**

<b>ACTION - Consent Calendar - Item B-7</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

8. **Consider Authorizing an Allocation of up to \$15,000 from Grant and Donation Funds from the Montclair Community Foundation for the Purchase of Items for the 2023 Montclair to College Graduation Ceremony**

<b>ACTION - Consent Calendar - Item B-8</b>	
<b>ACTING:</b>	Montclair Community Foundation Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**C. Agreements**

2. **Consider Approval of Agreement No. 23-10, the Second Amendment to Agreement No. 19-25 with San Bernardino County Transportation Authority (SBCTA), a Right-of-Way Contract for the Purchase of Real Property by SBCTA from the City for Construction of the I-10 Corridor Project, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-2</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**D. Resolutions**

1. **Consider Adoption of Resolution No. 23-3397 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

<b>ACTION - Consent Calendar - Item D-1</b>	
<b>ACTING:</b>	City Council

ACTION – Consent Calendar – Item D-1	
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

2. **Consider Adoption of Resolution No. 23-3398 Bringing to Conclusion, Effective February 28, 2023, the Local State of Emergency in Montclair Related to the COVID-19 Pandemic, as Declared by Resolution No. 20-3263**

ACTION – Consent Calendar – Item D-2	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

3. **Consider Adoption of Resolution No. 23-3399 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of February 6, 2023, through February 28, 2023**

ACTION – Consent Calendar – Item D-3	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**IX. PULLED CONSENT CALENDAR ITEMS**

**C. Agreements**

1. **Consider Approval of Agreement No. 23-09 with Rangwala Associates to Prepare a Feasibility Study Related to the City of Montclair’s Sphere of Influence, Subject to Any Revisions Deemed Necessary by the City Attorney**

City Manager Starr requested this item be pulled due to expressed interest from San Bernardino County to explore the possibility of cost-sharing with the City on a Sphere of Influence General Plan instead. He indicated staff would bring this or an updated proposal back at a future date.

**X. COMMUNICATIONS**

**A. Department Reports — None**

**B. City Attorney**

City Attorney Robbins stated the City Council is no longer requested to hold a closed session this evening and pulled the following closed session item from the agenda:

1. **Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference with Designated Labor Negotiator Diane E. Robbins**

*Employee: City Manager*

**C. City Manager/Executive Director**

City Manager Starr shared disappointing news that the State of California did not approve the funding request for construction of the Gold Line extension to Claremont and Montclair.

**D. Mayor/Chair**

**1. City Council Committee/Liaison Assignments**

Mayor Dutrey indicated no Council Members requested changes to their current Committee/Liaison assignments. He volunteered to serve on the Planning Commission Interview Panel to fill the current vacancy.

<b>ACTION - Communications - Item D-1</b>	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Approve Mayor Dutrey’s appointment to the Planning Commission Interview Panel.
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member Ruh Council Member Martinez
<b>AYES:</b> <b>NOES:</b> <b>ABSTAIN:</b> <b>ABSENT:</b>	Martinez, Ruh, Johnson, Dutrey None None Lopez
<b>RESULT:</b>	Motion carried 4-0-1 (Lopez absent).

**2. Report on Status of Biannual Training for City Council Pursuant to AB 1234 (Ethics) and AB 1661 (Sexual Harassment Prevention)**

City Clerk Myrick reported all Council Members have completed their trainings and are in compliance with AB 1234 (Ethics) and AB 1661 (Sexual Harassment Prevention), with the exception of Mayor Pro Tem Johnson, who is having technical difficulties completing the AB 1234 (Ethics) training, but intends to have it resolved soon.

- 3. Mayor Dutrey announced the City’s legislative bodies would be going back to the traditional Brown Act meeting rules including meetings being physically accessible to the public and posting the agenda at all teleconference locations.
- 4. Mayor Dutrey recognized Black History Month and Presidents’ Day coming up in February. He also congratulated the **Montclair High School Cavaliers** boys’ soccer team for its outstanding performance this season and encouraged everyone to show their support.

**E. Council Members/Directors**

- 1. Council Member/Director Ruh commended public safety and those in the medical field for their response to a tragic incident that took place over the weekend. He noted he attended a memorial service for the Monterey Park victims.
- 2. Council Member/Director Martinez stated her heart goes out to the community and family members affected by the recent violence.
- 3. Mayor Pro Tem/Vice Chair Johnson recognized the Public Works Department for hanging over 70 banners throughout the City recognizing Montclair businesses, which benefits the Montclair to College Program.

**F. Committee Meeting Minutes**

The following committee minutes were received and filed for informational purposes:

- 1. Personnel Committee – January 17, 2023

XI. CLOSED SESSION — None

XII. CLOSED SESSION ANNOUNCEMENTS — None

XIII. ADJOURNMENT

At 7:41 p.m., the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board were adjourned.

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



Andrea Morick,  
City Clerk

*The meeting was adjourned in memory of the victims of the recent mass shooting incidents that took place in Monterey Park and Half Moon Bay on January 23, 2023.*