

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 TUESDAY, FEBRUARY 21, 2023 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

Montclair Police Chaplain and Pastor **Joe McTarsney, Calvary Montclair**, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Ruh 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. **Police Department Citizen Valor Award Presented to Vincent Duarte**

Executive Director of Public Safety/Police Chief Avels, presented a Citizen Valor Award Certificate and Badge to **Vincent Duarte** for his heroic actions that saved the life of a **Montclair High School** student.

Mayor Dutrey presented **Mr. Duarte** with a Certificate of Recognition on behalf of the City of Montclair.

Representatives from the offices of **U. S. Representative Norma Torres** and **California State Assemblymember Freddie Rodriguez** presented **Mr. Duarte** with Certificates of Recognition, and Mayor Pro Tem Johnson presented him with a Certificate of Recognition on behalf of **San Bernardino County Fourth District Supervisor Curt Hagman**.

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. She also commended **Mr. Duarte** for his courage.
- **Nita L. Watson**, owner of **The Self Care Lab**, a local boxing club, proposed hosting a 5K run event in Montclair during Mental Health Awareness Month in May. She spoke on the importance of providing positive outlets for the children who reside in Montclair in order to benefit their mental health and mentioned safety concerns surrounding her business.

- **Gladstone Rennie**, representative of **Berkshire United**, introduced a program he is working on, *The Next Gen Apprenticeship Program*, which aims to bring positive opportunities to young men in the community. The intention of the program is to motivate youth to learn new skills in trades such as construction, and motivate those who participate to develop career goals.
- **Bill Kaufman** spoke in support of legalizing commercial cannabis activities in the City. He provided projections of the taxes he believed the City could earn through these commercial businesses.
- **Bruce Culp**, resident, thanked **Mr. Duarte** for his heroism and bravery in saving a fellow Montclair resident's life.
- **Edward Gomez**, resident, spoke on behalf of Home Owners' Associations within the City, and their concerns about people speeding on the streets at night. He would like these concerns addressed, potentially by adding street lights and additional police patrols for the area.
- **Chris Craig**, Field Representative for **Assemblymember Freddie Rodriguez**, invited the City Council and residents to an upcoming community swearing in ceremony occurring at their Chino District Office on Saturday, March 11, 2023, from 11:00 a.m. to 1:00 p.m.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

City Manager Starr requested Item C-2 be approved with a revision to staff's recommendation.

ACTION - Consent Calendar	
ACTING:	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
MOTION:	Approve Item C-2 as amended by staff, and approve the remainder of the Consent Calendar as presented.
MADE BY: SECOND BY:	Council Member/Director Ruh Council Member/Director Martinez
AYES: NOES: ABSTAIN: ABSENT:	Martinez, Ruh, Johnson, Dutrey None None Lopez
RESULT:	Motion carried 4-0-1.

A. Approval of Minutes

1. Regular Joint Meeting — February 6, 2023

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

B. Administrative Reports

1. Consider Receiving and Filing City Treasurer's Report - January 2023

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

2. Consider Approval of City Warrant Register and Payroll Documentation

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

3. Consider Receiving and Filing SA Treasurer's Report - January 2023

ACTION - Consent Calendar - Item B-3	
ACTING:	Successor Agency Board
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

4. Consider Approval of SA Warrant Register - January 2023

ACTION - Consent Calendar - Item B-4	
ACTING:	Successor Agency Board
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

5. Consider Receiving and Filing MHC Treasurer's Report - January 2023

ACTION - Consent Calendar - Item B-5	
ACTING:	Montclair Housing Corporation Board
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

6. Consider Approval of MHC Warrant Register - January 2023

ACTION - Consent Calendar - Item B-6	
ACTING:	Montclair Housing Corporation Board
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

7. Consider Receiving and Filing of MHA Treasurer's Report - January 2023

ACTION - Consent Calendar - Item B-7	
ACTING:	Montclair Housing Authority Commissioners

ACTION - Consent Calendar - Item B-7	
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

8. Consider Approval of MHA Warrant Register - January 2023

ACTION - Consent Calendar - Item B-8	
ACTING:	Montclair Housing Authority Commissioners
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

9. Consider Approval of the Filing of a Notice of Completion with the San Bernardino County Recorder for the CDBG Target Area Alley Improvement Project Constructed By Gentry Brothers, Inc.

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

ACTION - Consent Calendar - Item B-9	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

10. Consider Authorizing Replacement of the Evaporative Cooler Section of the Police Department Shooting Range Ventilation System

ACTION - Consent Calendar - Item B-10	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

11. Consider Authorizing a \$1600 Appropriation from the Federal Asset Forfeiture Fund to Purchase Badges for Non-Sworn Police Department Personnel

ACTION - Consent Calendar - Item B-11	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

12. Consider Approval of the Purchase of Replacement Equipment for the Recreation Center Weight Room from Complete Gym Solutions

ACTION - Consent Calendar - Item B-12	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

C. Agreements

- 1. Consider Approval of Agreement Nos. 23-06, 23-07, and 23-08 with Montclair Little League and Golden Girls Softball League for Use of Ball Field Facilities, Subject to Any Revisions Deemed Necessary by the City Attorney**

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

- 2. Consider Award of Contract to Pub Construction, Inc., in the Amount of \$5,461,739.03 for Construction of the Reeder Ranch Park Project**

Consider Approval of Agreement No. 23-11 with PUB Construction, Inc., for Construction of the Reeder Ranch Park Project, Subject to Any Revisions Deemed Necessary by the City Attorney

Consider Authorizing an Additional \$900,000 Appropriation from 2021 Lease Revenue Bond Funds for Construction of the Reeder Ranch Park

Consider Authorizing of a \$575,260.97 Construction Contingency for Construction of the Reeder Ranch Park Project

City Manager Starr indicated a revised agenda report was distributed in relation to this item with revisions to the recommendation.

ACTION - Consent Calendar - Item C-2	
ACTING:	City Council
MOTION:	Approve with revisions to recommendation as follows: <ol style="list-style-type: none"> 1. Authorize an additional \$900,000 \$1,417,243 appropriation from 2021 Lease Revenue Bond funds for construction of the Project; and 2. Authorize a \$575,260.97 \$546,174 Construction Contingency for construction of the Reeder Ranch Park Project.
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

- 3. Consider Approval of Agreement No. 23-12 with Action Target, Inc., for the Purchase of an Upgraded Target System in the Police Department Firearms Shooting Range, Subject to Any Revisions Deemed Necessary by the City Attorney**

Consider Authorizing a \$90,800 Appropriation from the Federal Asset Forfeiture Fund to Purchase the Upgraded Target System from Action Target, Inc.

ACTION - Consent Calendar - Item C-3	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

4. **Consider Approval of Agreement No. 23-13 Amending Agreement No. 20-41 with San Bernardino County Transportation Authority for Phase II of the Montclair Metrolink Transcenter Accessibility Improvement Project, Subject to Any Revisions Deemed Necessary by the City Attorney**

Mayor Pro Tem Johnson received clarification regarding the change to the project involving the removal of restrooms from the Pacific Electric Trail.

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

5. **Consider Approval of Agreement No. 23-14 with the City of Ontario for the Purchase of Unused Recycled Water Base Entitlement**

Consider Authorizing City Manager Edward C. Starr to Sign Said Agreement

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

D. Resolutions — None

IX. PULLED CONSENT CALENDAR ITEMS — None

X. COUNCIL WORKSHOP

A. Fiscal Year 2022-23 Midyear Budget Review

The City Council continued this presentation to an adjourned meeting on Wednesday, February 22, 2023, at 6:00 p.m. in the City Council Chambers.

XI. COMMUNICATIONS

A. Department Reports

1. Human Services Department — Upcoming Events & Programs

Director of Human Services Richter provided information on upcoming programs and events including the application period for the Veterans' Memorial Wall, the Montclair After-School Program's (MAP) Third Annual Art Show to be held in the Montclair Community Center on Thursday, March 2nd at 6:30 p.m., and a community meeting taking place on March 14th from 6:00 to 7:00 p.m. in the Senior Center for the Montclair Parks & Recreation Master Plan.

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: APN 1010-281-11-0000
Negotiating Parties: City of Montclair and Tessier D Living Trust
Agency Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price

2. **Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations**

Property: APN 1009-273-25-0000
Negotiating Parties: City of Montclair and Andrea Monique Meneses
Agency Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price

C. **City Manager/Executive Director** — No comments

D. **Mayor/Chair**

1. Mayor Dutrey reported on the **Christian Development Center's** First Annual Black History Month Fair held earlier this month, which was also attended by **Congresswoman Torres**; commended Police Department personnel for their investigative work on the recent **Montclair Place** shooting incident; and stated he attended a tour hosted by the **Chino Basin Water Conservation District** where he learned the difference between the San Antonio creek and man-made channel.

E. **Council Members/Directors**

1. Council Member/Director Ruh recognized the Black History Month event held at the **Christian Development Center** where he gave a presentation on the Green Book used by African Americans in the 1950s and 1960s to aid them in finding lodging and restaurants that served African American patrons while traveling; and noted his attendance at the swearing-in ceremony for **Senator Susan Rubio**.
2. Mayor Pro Tem/Vice Chair Johnson recognized the City's efforts in making the Black History Month event held at the **Christian Development Center** a success and thanked Council Member Ruh for his Green Book presentation at the event.

F. **Committee Meeting Minutes**

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

1. Personnel Committee - February 6, 2023

XII. CLOSED SESSION

At 7:50 p.m., the City Council went into closed session to discuss real property negotiations.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 8:04 p.m., the City Council returned from closed session. Mayor Dutrey announced that the City Council met in closed session to discuss real property negotiations; information was received on both properties and direction was given to staff in relation to APN 1009-273-25-0000; and no further announcements would be made at this time.

XIV. ADJOURNMENT

At 8:05 p.m., the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board were adjourned, and the City Council was adjourned to Wednesday, February 22, 2023 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