

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 1, 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

Carolyn Preschern, Inland Empire Prayer Breakfast Committee, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem/Director Johnson led meeting participants in the Pledge.

IV. ROLL CALL

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

City Manager/Executive Director Starr; Assistant City Manager/Director of Human Services Richter; Director of Finance Kulbeck; Director of Community Development Diaz; Director of Public Works/City Engineer Heredia; Captain Reed; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS

A. Presentation of Annual Donation by the Montclair Chamber of Commerce to the Montclair Community Foundation for the Montclair to College Program

Board Chair **Steve Hammitt, Montclair Chamber of Commerce**, presented a \$1,579.60 check raised from its Military Banner Program to Mayor Dutrey as a donation to the Montclair to College Program.

B. Southern California Edison Presentation of 2023 Edison Scholar Award and \$50,000 Scholarship to Montclair High School Student Antonio Camarillo

Jennifer Shaw and Melissa Boyd, Government Relations Managers, **Southern California Edison (SCE)**, presented a scholarship of \$50,000 to **Montclair High School** student **Antonio Camarillo** and recognized him as one of the 2023 Edison Scholars selected for this prestigious distinction.

Antonio Camarillo was presented with Certificates of Recognition from the offices of **San Bernardino County Fourth District Supervisor Curt Hagman, California Assembly Member Freddie Rodriguez, California Senator Susan Rubio, and U.S. Representative Norma Torres.**

C. Proclamation Declaring May 4, 2023 as National Day of Prayer in the City of Montclair

Carolyn Preschern, Inland Empire Prayer Breakfast Committee, announced the annual breakfast would be taking place on May 4th at the **Ontario DoubleTree Hotel.**

D. Proclamation Declaring Montclair as a Purple Heart City

Mayor Dutrey presented a proclamation declaring Montclair as a Purple Heart City. He noted the proclamation would be provided to **Military Order of the Purple Heart, Chapter 2929 Adjutant Raymond Wetzel**, who was unable to attend to accept in-person.

VI. PUBLIC COMMENT

- **Jennifer Shaw**, Government Relations Manager, **SCE**, announced she would be leaving her position and thanked the Council for their support.
- **Melissa Boyd**, Government Relations Managers, **SCE**, announced she would be taking over for **Jennifer Shaw**, and looks forward to assisting the City of Montclair moving forward.
- **Jordi Ubaldo** and **Kaliah Redwood**, Event Coordinators, **Montclair Chamber of Commerce**, announced upcoming Chamber events **Networking Breakfast** on May 11th at 8:30 a.m. at **Aqua Ridge Senior Living**; an electronic waste event May 27 to 28, 2023 from 9:00 a.m. to 2:00 p.m.; and a *Night Under the Stars* on August 17, 2023, from 6:00 – 8:30 p.m. at the **Chino Basin Water Conservation District**.
- **Jose Perez** requested that the City provide safe routes to schools, particularly in the area he resides. He commented that the Montclair Police Department has been patrolling the area, but more frequently patrols could be helpful to deter driving violations.
- **Carolyn Raft**, **West Valley Mosquito and Vector Control District** Board Secretary and Montclair representative, warned the number of green pools are up this year, which contributes to mosquito breeding.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

| ACTION - Consent Calendar | |
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| ACTING: | City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board |
| MOTION: | Approve the Consent Calendar as presented. |
| MADE BY: SECOND BY: | Mayor Pro Tem/Vice Chair Johnson Council Member/Director Lopez |
| AYES: NOES: ABSTAIN: ABSENT: | Martinez, Ruh, Johnson, Dutrey, Lopez None None None |
| RESULT: | Motion carried 5-0. |

A. Approval of Minutes

1. Adjourned Meeting — April 3, 2023

| ACTION - Consent Calendar - Item A-1 | |
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| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

2. Regular Joint Meeting — April 3, 2023

| ACTION - Consent Calendar - Item A-2 | |
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| 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 5-0. |

B. Administrative Reports

1. Consider Receiving and Filing City Treasurer's Report – March 2023

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| ACTION – Consent Calendar – Item B-1 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

2. Consider Approval of City Warrant Register and Payroll Documentation

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| ACTION – Consent Calendar – Item B-2 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

3. Consider Receiving and Filing SA Treasurer's Report – March 2023

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| ACTION – Consent Calendar – Item B-3 | |
| ACTING: | Successor Agency Board |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

4. Consider Approval of SA Warrant Register – March 2023

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| ACTION – Consent Calendar – Item B-4 | |
| ACTING: | Successor Agency Board |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

5. Consider Receiving and Filing MHC Treasurer's Report – March 2023

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| ACTION – Consent Calendar – Item B-5 | |
| ACTING: | Montclair Housing Corporation Board |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

6. Consider Approval of MHC Warrant Register – March 2023

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| ACTION – Consent Calendar – Item B-6 | |
| ACTING: | Montclair Housing Corporation Board |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

7. Consider Receiving and Filing of MHA Treasurer's Report – March 2023

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| ACTION – Consent Calendar – Item B-7 | |
| ACTING: | Montclair Housing Authority Commissioners |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

8. Consider Approval of MHA Warrant Register – March 2023

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| ACTION – Consent Calendar – Item B-8 | |
| ACTING: | Montclair Housing Authority Commissioners |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

9. Consider Receiving and Filing Annual Reports from Independent Auditing Firm for the City of Montclair and the Successor Agency for the City of Montclair Redevelopment Agency

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| ACTION – Consent Calendar – Item B-9 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

10. Consider Authorizing a \$471,710.04 Appropriation from Lease Revenue Bond Proceeds for Excess Costs Associated with the Zone 5-6 Street Rehabilitation Project

Consider Approval of the Filing of a Notice of Completion with the San Bernardino County Recorder for the Zone 5-6 Street Rehabilitation Project Constructed by Gentry Brothers, Inc.

Consider Authorizing Release of Retention 30 Days after Recordation of the Notice of Completion

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| ACTION – Consent Calendar – Item B-10 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

11. Consider Receiving and Filing the Montclair Police Department 2022-23 Military Equipment Annual Report Pursuant to GC §7072

Consider Authorizing the Scheduling of a Follow-up Police Department Community Engagement Meeting on Wednesday, May 17, 2023, at 5:00 p.m. in the Police Department’s Emergency Operations Center Community Room at 4870 Arrow Highway, Montclair

Mayor Pro Tem Johnson received clarification that some equipment will be available for viewing at the event.

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| ACTION – Consent Calendar – Item B-11 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

C. Agreements

1. Consider Approval of Agreement No. 23-21 with Southern California Transcription Services for Transcription of Digital, Audio-Recorded Material, subject to any revisions deemed necessary by the City Attorney

Council Member Lopez received clarification regarding the number of intersections that would receive flashing stop signs.

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| ACTION – Consent Calendar – Item C-1 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

2. **Consider Approval of Agreement Nos. 23-22 and 23-23 with Ontario-Montclair School District to Support Expanding the Montclair After-School Summer Program Through July 2023 at Kingsley Elementary and Serrano Middle School**

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| ACTION - Consent Calendar - Item C-2 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

3. **Consider Approval of Agreement Nos. 23-24 and 23-25 with Ontario-Montclair School District to Support the Montclair After-School Program at Various Sites for the 2023-2024 School Year**

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| ACTION - Consent Calendar - Item C-3 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

4. **Consider Rejecting the Bid Received from Great Western Installation, Inc. for the Alma Hofman Park Playground Surface Replacement Project**

Consider Awarding a Contract to Spectrurf, Inc. in the Amount of \$180,599.50 for the Alma Hofman Park Playground Surface Replacement Project

Consider Approval of Agreement No. 23-26 with Spectrurf, Inc. for the Alma Hofman Park Playground Surface Replacement Project, Subject to Any Revisions Deemed Necessary by the City Attorney

Consider Authorizing a \$180,599.50 Appropriation from 2021 Lease Revenue Bond Proceeds to Cover Costs Related to Agreement No. 23-26

Mayor Pro Tem Johnson received clarification that this project would not affect the splash pad opening date.

Councilmember Lopez questioned why the other bid proposal was not accepted.

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| ACTION - Consent Calendar - Item C-4 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

5. **Consider Authorizing a \$41,397.45 Appropriation from the Contingency Fund to Participate in a Public/Private Emergency Ambulance and Interfacility Transport Service Bidding for the County Contract**

Consider Approval of Agreement No. 23-28, a Memorandum of Understanding with CONFIRE Agreeing to Become a Contracting Agency in the EMS Division

Consider Authorizing City Manager Edward C. Starr to Sign Agreement No. 23-28 and a Declaration of Intent to Participate in the CONFIRE EMS Division Contract

Carolyn Raft, resident, spoke in support of the CONFIRE agreement, and recommended the Council approve it.

Mayor Pro Tem Johnson received clarification that the response time should be 10 minutes or under, however it is currently 20 minutes with **AMR** since private vendors have more leniency.

Councilmember Lopez spoke in support of the agreement.

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| ACTION - Consent Calendar - Item C-5 | |
| ACTING: | City Council |
| RESULT: | Approved on Consent Calendar; motion carried 5-0. |

IX. PULLED CONSENT CALENDAR ITEMS

D. Resolutions

- 1. Consider Adoption of Resolution No. 23-3403 Approving Agreement No. 23-27, an Affordable Housing Agreement with the Montclair Housing Authority and the Montclair Housing Corporation; Authorizing the Transfer of 9814, 9875, and 9878 Monte Vista Avenue, Montclair, to the Montclair Housing Authority for use as Affordable Housing Units; and Declaring Such Real Property to be Exempt Surplus Land**

Consider Adoption of Resolution No. 23-01 Approving Agreement No. 23-27, an Affordable Housing Agreement with the City of Montclair and the Montclair Housing Authority

Consider Adoption of Resolution No. 23-01 Approving Agreement No. 23-27, an Affordable Housing Agreement with the City of Montclair and the Montclair Housing Corporation, and Accepting the Transfer of Certain Real Property from the City of Montclair

Consider Authorizing a \$75,000 Appropriation from the Housing Trust Fund for Rehabilitation of Certain Real Property

City Manager Starr pulled this item for staff to make technical revisions to the agenda report. It will be placed on a future agenda for discussion.

X. COMMUNICATIONS

A. Department Reports

1. Human Services Department — Upcoming Events & Programs

Assistant City Manager/Director of Human Services Richter provided information on upcoming programs and events including the Summer Day Camp that will be held at the Youth Center, with pre-registration having starting today. She provided a reminder that the Senior Center will be hosting two Cinco de Mayo activities on Friday, May 5th. She also announced that the weight room and racquetball courts in the Recreation Center will be reopening on May 8th. There will be a food distribution event on May 18th in the Community Center. The Summer Kick-Off will be held on May 27th from 12:00 p.m. to 3:00 p.m. at Alma Hofman Park. The Community Activities Commission's Memorial Day Program will take place on Monday, May 29th, in the Memorial Garden. The 9th Annual Country Fair Jamboree will be taking place on June 3rd.

B. City Attorney

City Attorney Robbins requested the City Council meet in closed session concerning the following:

1. **Closed Session Pursuant to Government Code §54956.9(d)(1) Regarding Pending Litigation**

City of Montclair v. Monte Vista Water District

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

*Property: APN 1008-611-15-0000
Negotiating Parties: City of Montclair and Yum Yum Donut Shop Inc.
Agency Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price*

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

*Properties: APN 1008-611-18-0000, 1008-611-19-0000
Negotiating Parties: City of Montclair and Fonseca, Ricardo R. Trust
Agency Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price*

Mayor Dutrey announced his intent to recuse himself during Closed Session Item B-3 due to a family member being a client of one of the businesses operating at the property.

C. **City Manager/Executive Director — None**

D. **Mayor/Chair**

1. **Announcement of Vacancies on Planning Commission (3)**

Mayor/Chair Dutrey announced there are 3 vacancies on the Planning Commission. The deadline to apply is by May 23rd at 5:30 p.m.

2. Mayor Dutrey announced that several Council Members went to Washington, D.C. to meet with legislators regarding large projects that the City is aiming to accomplish. He recognized May as Jewish American Heritage Month, Asian American Pacific Islander Heritage Month, International Nurses Day, Memorial Day, Armed Forces Day, and Mother's Day.

E. **Council Members/Directors**

1. Council Member/Director Ruh attended the **Montclair to College** graduation event and commended what great things are being provided for the students of Montclair. He announced his opposition to any parking fees for mass transit because he believes people will be more encouraged to use public transportation if parking is free. He noted that Prop 13 has saved a lot of homes and he would oppose any repeal efforts.

2. Council Member/Director Lopez stated on May 12th **Montclair Little League** is attending a Family Feast Night at the **Quakes Stadium**. He announced the first Thursday of May is recognized as the National Day of Prayer.

3. Mayor Pro Tem/Vice Chair Johnson stated she also wanted to commend the **Montclair to College** graduates and stated the Human Services Department did a great job on the event. She reported the Easter Eggstravaganza was a success last month.

4. Council Member/Director Martinez commended the **Montclair to College** graduation event and congratulated all the graduates. She also commented on how great the Washington, D.C. trip was and how grateful she was to speak with elected representatives and their staff. She reported **the Women's Club of Montclair**, of which she is a member, awarded a \$500 scholarship to a very deserving **Montclair High School** student.

F. Committee Meeting Minutes

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

- 1. Personnel Committee – April 3, 2023

XI. CLOSED SESSION

At 8:16 p.m., the City Council went into closed session to discuss pending litigation and real property negotiations (APN 1008-611-15-0000).

At 8:35 p.m., Mayor Dutrey left the meeting.

At 8:36 p.m., the City Council discussed real property negotiations (APNs 1008-611-18-0000 and 1008-611-19-0000)

XII. CLOSED SESSION ANNOUNCEMENTS

At 8:45 p.m., the City Council returned from closed session.

At 8:45 p.m., Mayor Dutrey returned to the meeting.

Mayor Dutrey announced the City Council met in closed session to discuss pending litigation and real property negotiations (APN 1008-611-15-0000), information was received and direction given to staff; and no further announcements would be made at this time.

Mayor Pro Tem Johnson announced the City Council met in closed session to discuss real property negotiations (APNs 1008-611-18-0000, 1008-611-19-0000), information was received and direction given to staff; and no further announcements would be made at this time.

XIII. ADJOURNMENT

At 8:46 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 Myrick,
City Clerk