

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 17, 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/Pastor Vicki Brobeck, Grace Fellowship Foursquare Church, gave the invocation.

III. PLEDGE OF ALLEGIANCE

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

IV. ROLL CALL

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

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; Acting Police Chief Reed; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS

A. Recognition of Outgoing Planning Commissioner Ginger Eaton

Mayor Dutrey presented a Certificate of Recognition to outgoing Planning Commissioner **Ginger Eaton** for her 4 years of dedicated service on the Planning Commission.

Mayor Pro Tem Johnson presented **Mrs. Eaton** with an award commemorating her service to the City of Montclair.

Mrs. Eaton was also presented with certificates from the offices of **Senator Susan Rubio** and **Congresswoman Norma Torres**.

B. Community Activities Commission Presentation of 2023 Home Beautification Awards

CAC Vice Chair Escalante led a visual presentation of the winning homes of the 2023 Home Beautification Contest.

Mayor Dutrey presented awards to the following winners:

Traditional Home of the Year

10215 Vernon Avenue — **Vanessa** and **Nick Rodriguez**

Drought Tolerant Home of the Year

11185 Shetland Avenue — **Irene** and **Humberto Chavez**

VI. PUBLIC COMMENT

- **Carolyn Raft, Board Trustee, West Valley Mosquito and Vector Control District**, reminded the public that in August, sterile male mosquitoes will be released to help control the mosquito population in surrounding areas. She recognized that **Joseph Govea** passed away and offered her condolences to his family. She wished City Manager Starr a happy birthday.
- **Joana Lubmann, Neware**, stated she was speaking for businesses located on Brooks Street, explaining they are experiencing significant issues regarding theft, threats, and vandalism. They requested that these issues be taken seriously and that the City help to prevent them.

- **Abel Benitez**, resident, stated he is a participant in the Community Garden and requested the program rules be revised to allow families to utilize more than one plot.
- **Joan Lindhorst**, resident, expressed frustration with a lack of communication from the Code Enforcement Division regarding her recent complaints about a neighbor's unkempt yard.
- **Herman Janssen** expressed his support for **Bill Kaufman** operating a commercial cannabis business in the City.
- **Bill Kaufman** provided an update on his unsuccessful attempts to get a business license from City Hall for a commercial cannabis business out of the **Shoe City** building on Central Avenue and Moreno Street.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

ACTION - Consent Calendar	
ACTING:	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
MOTION:	Approve the Consent Calendar with a revision to A-1.
MADE BY: SECOND BY:	Council Member/Director Lopez Council Member/Director Ruh
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
RESULT:	Motion carried 5-0.

A. Approval of Minutes

1. Regular Joint Meeting — June 19, 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 5-0, with a revision to include a comment by Council Member Lopez that was inadvertently omitted.

B. Administrative Reports

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

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

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 – June 2023

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 – June 2023

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 – June 2023

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 – June 2023

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 – June 2023

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 – June 2023

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

9. Consider Authorizing a \$151,164 Appropriation from California Department of Parks and Recreation Per Capita Grant Funds and a \$3,174,739 Appropriation from 2021 Lease Revenue Bond Funds for Costs Related to Construction of the Sunset Park Beautification Project

Consider Approving the Plans and Specifications and Authorizing Staff to Advertise for Bid Proposals for construction of the Sunset Park Beautification Project

Councilmember Lopez received clarification from City Manager Starr on the project cost.

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

10. **Consider Authorizing the Use of 2018 and 2019 Justice Assistance Grant Funds Totaling \$29,884 Toward the Cost of Transitioning to a Records Management System Compliant with the National Incident-Based Reporting System**

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

11. **Consider Authorizing the Receipt of \$15,717 from the FY 2021 State Homeland Security Grant Program to Purchase Eleven AccuRad Personal Radiation Detectors**

Consider Authorizing a \$15,717 Appropriation from the Public Safety Grant Capital Outlay Machinery and Tools Account to Purchase Eleven AccuRad Personal Radiation Detectors from Mirion Technologies

Mayor Pro Tem Johnson received clarification from Chief Pohl on what a personal radiation detector was.

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

12. **Consider Authorizing the Destruction of Certain Obsolete Public Records Pursuant to the City of Montclair Records Retention Schedule**

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

C. Agreements

1. **Consider Approval of Agreement No. 23-42 with Liebert Cassidy Whitmore for Participation in the East Inland Empire Employment Relations Consortium and Premium Liebert Library Subscription, 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 5-0.

2. **Consider Approval of Agreement No. 23-43 with Civic Publications, Inc., for Public Education and Community Outreach Services, Subject to Any Revisions Deemed Necessary by the City Attorney**

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

3. **Consider Ratifying Agreement No. 23-44 with Colts Landscape, Inc. for Landscape Maintenance Services
Consider Authority City Manager Edward C. Starr to Sign Said Agreement**

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

4. **Consider Awarding a Contract to Hyper Electric in the Amount of \$154,350 for the Electric Vehicle Charging Stations Project
Consider Authorizing a \$15,500 Construction Contingency for the Project**

Consider Approval of Agreement No. 23-45 with Hyper Electric for Construction of the Project, Subject to Any Revisions Deemed Necessary by the City Attorney

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

5. **Consider Approval of Agreement No. 23-46 with BFK Architecture + Planning for Engineering Design Services for the Montclair Branch Public Library Restrooms, Courtyard, and Fire Stations Remodel Project, Subject to Any Revisions Deemed Necessary by the City Attorney**

Consider Authorizing a \$185,000 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to Agreement No. 23-46

Consider Authorizing a \$16,760 Design Services Contingency for the Project

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

6. **Consider Approval of Agreement No. 23-47 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**

ACTION - Consent Calendar - Item C-6	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

7. **Consider Approval of Agreement No. 23-48 with Suzanne Yoakum to Provide Case Management Services for the Senior Center, Subject to Any Revisions Deemed Necessary by the City Attorney**

ACTION - Consent Calendar - Item C-7	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

8. **Consider Approval of Agreement No. 23-49 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**

ACTION - Consent Calendar - Item C-8	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

9. **Consider Approval of Agreement No. 23-52 with ZPR's House of Car Wash for Car Wash Services for City Vehicles**

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

10. **Consider Approval of Agreement No. 23-53 with the Montclair Chamber of Commerce to Provide Services to Promote Local Economic Development, Subject to Any Revisions Deemed Necessary by the City Attorney**

Mayor Pro Tem/Vice Chair Johnson declared her abstention on Item C-10.

ACTION - Consent Calendar- Item C-10	
ACTING:	City Council
MOTION:	Approve Item C-10.
MADE BY: SECOND BY:	Council Member/Director Lopez Council Member/Director Martinez
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Dutrey None Johnson None
RESULT:	Motion carried 4-0-1.

11. **Consider Approval of Agreement No. 23-55 with TOC Public Relations to Develop a Recruitment Website Exclusively for the Police Department, Including a Photo and Video Recruitment Package and a Social Media Ad Campaign for the Purpose of Attracting and Recruiting Police Officer Candidates, Subject to Any Revisions Deemed Necessary by the City Attorney**

Consider Authorizing Acting Police Chief Jason Reed to Sign Said Agreement

Consider Authorizing a \$40,000 Appropriation from the Federal Asset Forfeiture Fund for Costs Associated with Agreement No. 23-55

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

D. Resolutions

- 1. Consider Adoption of Resolution No. 23-3409 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

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

- 2. Consider Adoption of Resolution No. 23-3415 Approving Agreement No. 23-54, an Affordable Housing Agreement with the Montclair Housing Authority and the Montclair Housing Corporation; Authorizing the Transfer of 10053 Central Avenue, Montclair, to the Montclair Housing Authority for use as Affordable Housing; and Declaring Such Real Property to be Exempt Surplus Land**

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

Consider Adoption of MHC Resolution No. 23-03 Approving Agreement No. 23-54, an Affordable Housing Agreement with the City of Montclair and the Montclair Housing Authority

ACTION - Consent Calendar - Item D-2	
ACTING:	Montclair Housing Corporation Board
RESULT:	Approved on Consent Calendar; motion carried 5-0.

Consider Adoption of MHA Resolution No. 23-02 Approving Agreement No. 23-54, 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

ACTION - Consent Calendar - Item D-2	
ACTING:	Montclair Housing Authority Commissioners
RESULT:	Approved on Consent Calendar; motion carried 5-0.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. COMMUNICATIONS

A. Department Reports

1. Police Department — National Night Out

Acting Police Chief Reed provided information on this year's National Night Out that will be held on August 1st from 6:30 p.m.-10 p.m. at Alma Hofman Park. It will give the community the opportunity to learn more about the Montclair Police Department. Police Officers will be there to speak to the public and allow kids the opportunity to see and handle some of the tools of the trade. There will be different booths, including food vendors, and free face painting for the kids. The movie, "Jungle Cruise," will be played at 8:15 p.m. The American Red Cross will be set-up for blood donations at the Senior Center from 2:00 p.m.-8:00 p.m.

B. City Attorney

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

1. Request for City Council to Meet in Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr

Agency: City of Montclair
Employee Management
Associations: Montclair City Confidential Employees Association
Montclair General Employees Association
Montclair Fire Fighters Association
Montclair Police Officers Association

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

Property: APN 1009-241-43-0-000
Negotiating Parties: City of Montclair and Chen Sandy Living Trust
Agency Negotiator: Edward C. Starr, City Manager
Under Negotiations: Recommendations Regarding Purchase Price

C. City Manager/Executive Director

City Manager Starr made the following comments:

1. He congratulated former Deputy Fire Chief Pohl on his appointment to Fire Chief, and former Police Captain Jason Reed on his appointment to Acting Police Chief.
2. In relation to **Mr. Kaufman's** public comments, he advised that commercial cannabis activities are not legal in the City of Montclair.

D. Mayor/Chair

Mayor/Chair Dutrey made the following comments:

1. He recognized the month of July for the following: Canada Day and Bastille Day.
2. He recognized Independence Day taking place on July 4th, and thanked the Police and Fire Departments for their efforts controlling illegal fireworks.
3. He requested staff schedule a workshop to update the City Council on the bond funds that have been spent and future bond allocation plans.

E. Council Members/Directors

1. Mayor Pro Tem/Vice Chair Ruh commented that he did not notice many illegal fireworks in his area on the Fourth of July. He reminded the public of local street closures due to construction. He reported his attendance at an Open House event held by **Assembly Member Freddie Rodriguez**. He acknowledged the passing of **Juan Campos**, a local pastor, and expressed his condolences.
2. Council Member/Director Lopez commented that phone lines were busy on the Fourth of July do to concerned residents calling in, and expressed his hope that the community takes into consideration the mental wellbeing of veterans and pets next year when contemplating lighting illegal fireworks. He commended **Montclair Little League's** All Stars team and Montclair's Travel Ball team on their accomplishments this season.
3. Mayor Pro Tem/Vice Chair Johnson reminded the community that an E-waste event hosted by the **Montclair Chamber of Commerce** is coming up. She also announced that on August 17th the **Chamber** will be holding a *Night Under the Stars* event at the **Chino Basin Water Conservation District**.

F. Committee Meeting Minutes

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

1. Public Works Committee – May 18, 2023
2. Personnel Committee – June 19, 2023

XI. CLOSED SESSION

At 8:40 p.m., the City Council went into closed session to discuss labor negotiations and real property negotiations.

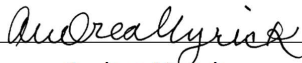
XII. CLOSED SESSION ANNOUNCEMENTS

At 9:25 p.m., the City Council returned from closed session. Mayor Dutrey announced that the City Council met in closed session to discuss labor negotiations and real property negotiations; information was received and direction given to staff on both items; and no further announcements would be made at this time.

XIII. ADJOURNMENT

At 9:26 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

The meeting was adjourned in memory of Joseph Govea and Pastor Juan Campos.