

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, MARCH 4, 2024 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 Lopez 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; Police Chief Reed; Fire Chief Pohl; City Attorney Robbins; City Clerk Myrick

**V. PRESENTATIONS**

**A. Introduction of New and Promoting Police Department Employees**

Police Chief Reed introduced newly hired Police Officer Ricky Julian, and announced the promotion of Michael Zerr from Sergeant to Lieutenant.

**VI. PUBLIC COMMENT**

- **Ruby Long**, Field Representative for **San Bernardino County Fourth District Supervisor Curt Hagman**, announced the Supervisor's Office is hosting a free document shredding event at Montclair City Hall on Saturday, March 16, 2024, from 9:00 a.m. to noon.
- **Jose Perez**, resident, speaking on behalf of **Safety Routes to School - Community of Ontario and Montclair**, requested a redesign of the crosswalk on San Bernardino Street in front of **Vernon Middle School**.
- City Clerk Myrick announced that the City received written comments via email from Jacob Haiavy, Maryam Roham, Limor Geld, Ariela Kaspi-Kaneti, Mika Efros, and Liron Kaneti in opposition to a local ceasefire resolution in relation to the Israeli-Palestinian/Gaza conflict.
- The following spoke about the passage of a local ceasefire resolution in relation to the Israeli-Palestinian/Gaza conflict:
  1. Benjamin Wood (support)
  2. Jacob Haiavy (oppose)
  3. Rabbi Sholom Harlig (oppose)
  4. Loanie Marion (oppose)
  5. Edna Tzobery (oppose)
  6. Margaret Colwell (support)
  7. Thuan Nguyen (support)
  8. Nicole (support)
  9. Julian Gonzalez (support)
  10. Abraham (support)

11. Miryam (oppose)
  12. Rabbi Mordy Harlig (oppose)
  13. Eugenia Fukshansky (oppose)
- The following spoke their views on World War II, the Holocaust, the September 11, 2001 terrorist attacks on the United States, the October 7, 2023 terrorist attack on Israel, and the nation of Israel:
    1. Fred Leuchter
    2. Rex Yuden
    3. Jim Conley
    4. Ron Jeremy
    5. Molly Conger
    6. Bill Shaner
    7. Albert Jr.
    8. Phil Barber
    9. Chad Bastewell
    10. June Aimer

At 7:57 p.m., Mayor/Chair Dutrey suspended public comments to the end of the meeting, which resumed at 9:37 p.m.

**VII. PUBLIC HEARINGS**

**A. First Reading — Consider Ordinance No. 24-1007 Amending Chapter 11.02 of, and Adding Chapters 11.21 and 11.87 to, the Montclair Municipal Code Relating to Urban Lot Splits and Two-Unit Projects**

**Consider Setting a Public Hearing for Second Reading and to Consider Adoption of Ordinance No. 24-1007 on Monday, March 18, 2024, at 7:00 p.m. in the City Council Chambers**

Mayor Dutrey opened the public hearing and invited comments from the public. There being no one in the audience wishing to speak, Mayor Dutrey closed the public hearing and returned the matter to the City Council for consideration.

Mayor Dutrey noted that residents would only be notified of a neighbor’s project after this approval process has been completed.

Mayor Pro Tem Johnson received confirmation that two-story units could be built with this process to meet the minimum square footage.

Council Member Lopez received confirmation that this process differs from the accessory dwelling unit (ADU) process in that a covered parking space must be provided for the new unit, whereas ADUs do not require any additional parking.

Council Member Ruh spoke in support of the ordinance as a means to help address the affordable housing shortage.

<b>ACTION - Public Hearings - Item A</b>	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Conduct the first reading of Ordinance No. 24-1007 by number and title only, waive further reading, and set a public hearing for second reading and adoption of Ordinance No. 24-1007 on Monday, March 18, 2024 at 7:00 p.m. in the City Council Chambers.
<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>	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
<b>RESULT:</b>	Motion carried 5-0.

**B. First Reading — Consider Ordinance No. 24-1008 Amending the Montclair Municipal Code Related to the Compensation Schedule for the Mayor and Members of the City Council**

**Consider Setting a Public Hearing for Second Reading and to Consider Adoption of Ordinance No. 24-1008 on Monday, March 18, 2024, at 7:00 p.m. in the City Council Chambers**

Mayor Dutrey opened the public hearing and invited comments from the public.

**Xavier Mendez**, resident, spoke in favor of increasing City Council compensation as proposed by the ordinance.

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

Council Member Ruh noted he did not support the last increase and will be doing the same this time, and requested to not receive any increases that are approved.

Council Member Lopez stated during his 2020 election campaign, he vowed that he would not vote for any City Council salary increases, adding he feels the increase in the Mayor’s stipend is justified.

Mayor Pro Tem Johnson asked if the increase is in line with the increases annually received by employee groups.

City Manager Starr advised employee groups generally receive three to four percent base salary increases along with enhancements to other benefits that further increase the value of their total compensation package, which he would consider near equivalent to five percent per year.

Council Member Martinez pointed out the legislature increased the minimum base salary for city council members in order to encourage more participation and diversity from residents on their local governing boards.

Mayor Pro Tem Johnson noted council members put in a lot of hours of work that residents don’t see outside of council meetings and events, including representing the city on other boards, listening to residents’ concerns, and assisting the public with city services.

<b>ACTION – Public Hearings – Item B</b>	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Conduct the first reading of Ordinance No. 24-1008 by number and title only, waive further reading, and set a public hearing for second reading and adoption of Ordinance No. 24-1008 on Monday, March 18, 2024 at 7:00 p.m. in the City Council Chambers.
<b>MADE BY:</b> <b>SECOND BY:</b>	Mayor Pro Tem Johnson Council Member Martinez
<b>AYES:</b> <b>NOES:</b> <b>ABSTAIN:</b> <b>ABSENT:</b>	Martinez, Johnson, Dutrey Ruh Lopez None
<b>RESULT:</b>	Motion carried 3-1-1.

**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>DISCUSSION:</b>	Item B-3
<b>MOTION:</b>	Approve the Consent Calendar as presented.
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member/Director Ruh Council Member/Director Lopez
<b>AYES:</b> <b>NOES:</b> <b>ABSTAIN:</b> <b>ABSENT:</b>	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
<b>RESULT:</b>	Motion carried 5-0.

**A. Approval of Minutes**

**1. Special Meeting — January 29, 2024**

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

**2. Regular Joint Meeting — February 20, 2024**

<b>ACTION - Consent Calendar - Item A-2</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 5-0.

**3. Special Meeting — February 21, 2024**

<b>ACTION - Consent Calendar - Item A-3</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**B. Administrative Reports**

**1. Consider Approval of City Warrant Register & Payroll Documentation**

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

2. **Consider Approval of Tract Map No. 20381 Located at the Northwest Corner of Mission Boulevard and Ramona Avenue**  
**Consider Authorizing Tract Map No. 20381 to be Recorded with the San Bernardino County Recorder’s Office, Subject to Final Approval by the City Engineer**

<b>ACTION - Consent Calendar - Item B-2</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

3. **Consider Amending the 2019–2024 Capital Improvement Program to Include the Montclair Safe Routes to School (SRTS) Implementation Project for Safety Improvements near Montclair High, Monte Vista Elementary, and Monterra Elementary Schools**

**Consider Authorizing a \$634,000 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to the Montclair SRTS Implementation Project**

**Consider Finding the Project Categorically Exempt from CEQA and Making a De Minimis Finding of No Effect on Fish and Wildlife Associated with the Montclair SRTS Implementation Project and Authorizing Staff to File a Notice of Exemption for the Project**

Xavier Mendez, resident, thanked the City for implementing these improvements near schools. He requested adding stop signs on Benito Street and Helena Avenue and more frequent police officer patrols during school drop-off and pick-up times.

<b>ACTION - Consent Calendar - Item B-3</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**C. Agreements**

1. **Consider Approval of Agreement No. 24-18 with Theresa St. Peter for Professional Human Resources Consulting Services, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0

**D. Resolutions**

1. **Consider Adoption of Resolution No. 24-3431 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
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0

**IX. PULLED CONSENT CALENDAR ITEMS — None**

## X. COMMUNICATIONS

- A. Department Reports — None
- B. City Attorney — None
- C. City Manager/Executive Director— None
- D. Mayor/Chair

Mayor/Chair Dutrey stated on Saturday, **Montclair High School (MHS)** students participated in the Miles for Montclair walk-a-thon fundraiser in support of homeless students, which raised \$25,000 for the cause. He noted he spoke at a Career Day event held at **MHS** last week; participated in a **Read Across America** event at **Lehigh Elementary School** on March 1st, attended **Golden Girls Softball (GGS) League's** Opening Day; attended a tree planting event at Reeder Park; and will be attending **Montclair Little League's (MLL)** opening day this Saturday at Saratoga Park. He urged everyone to vote in tomorrow's primary election, and stated he prays for peace on both sides of the Israel-Palestine conflict.

### E. Council Members/Directors

1. Council Member/Director Ruh announced the passing of **Melvin Ernest Hodell**, Upland resident and publisher of *The Montclair Tribune* newspaper from 1958-1967, at the age of 102; stated he also attended Opening Day for **GGS**, participated in the **MHS** Miles for Montclair walk-a-thon, and planted trees at the Reeder Park event; urged everyone to take their vote-by-mail ballots to a vote center; and recited a short excerpt from the Peace Prayer of **St. Francis of Assisi**.
2. Council Member/Director Lopez stated he attended **GGS** Opening Day; encouraged everyone to attend **MLL's** this weekend; urged everyone to vote; and reminded everyone to turn their clocks forward one hour on March 10 for Daylight Savings Time.
3. Mayor Pro Tem/Vice Chair Johnson stated she attended the Reeder Park tree planting and Opening Day for **GGS**. She also attended and spoke at the **MHS** Career Day, teaching students how to give an elevator speech; and unfortunately was not able to make it to Miles for Montclair and another event at the **Nithyananda Vedic Temple** on Saturday due to an unexpected family visit. She urged everyone to vote tomorrow, and also announced that low income students can participate in the Cinderella Dreams event at **Montclair Place** on Saturday, March 16, from 9:00 a.m. to 4:00 p.m. to get everything they need to attend prom from dress, to accessories, to makeup.
4. Council Member/Director Martinez thanked everyone who showed up to participate in this evening's meeting.

Council Member Martinez moved to agendize a discussion item regarding consideration of a local ceasefire resolution on the Israeli-Palestinian/Gaza conflict.

There was no second to the motion; therefore, the motion failed.

### F. Committee Meeting Minutes

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

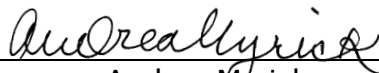
1. Personnel Committee - February 20, 2024

At 9:28 p.m., Mayor/Chair Dutrey called for a brief recess before continuing with the remaining public comments at 9:37 p.m.

**XI. ADJOURNMENT**

At 10:08 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,



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Andrea Myrick,  
City Clerk

*The meeting was adjourned in memory of **Melvin Ernest Hodell**, Upland resident, journalist, and founder of The Montclair Tribune newspaper.*