

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 18, 2024 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**

**Pastor Donald Rucker, Christian Development Center**, 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, Martinez, and Lopez

City Manager/Executive Director Starr; 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 Human Services Department Employee**

Assistant Director of Human Services/Grants Manager Colunga introduced **Shari Haynes**, who was recently hired as the new Senior Citizens Supervisor.

Mayor Dutrey stated he would like to pull Item B-9 from the Consent Calendar for City Council discussion and consideration at this time.

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

**9. Consider Ratifying the City of Montclair Policy Statement Regarding the Discontinuation of Oral Public Comments from Online Public Participants During City-Hosted Video/Teleconferencing Sessions**

Mayor Dutrey read the policy and condemned the hateful comments made at the March 4, 2024 Council Meeting. He advised the City Council adopted Resolution No. 23-3414 last year upholding the City Council's dedication to creating a safe and welcoming environment to all.

**Dr. Sharon Lyn Stein** commended the City Council on behalf of the Jewish community for its response to the hateful rhetoric displayed at the prior meeting.

Council Member Ruh discussed his beliefs that, although legal, hate speech is unacceptable in civil society.

Mayor Pro Tem Johnson stated she supports the public speaking about the business of the city at council meetings, and hopes this new policy will prevent those who hid behind the anonymity of remote participation from spewing hate speech at meetings.

Council Member Lopez advised the anti-hate resolution adopted last year came at the request of the **Jewish Federation**, and covers all forms of hate to all groups. He stated he hopes to restore remote oral public comments in the future.

Council Member Martinez received clarification from City Manager Starr that Zoom will still be used for Council, Commission, and Committee meetings to allow the public to watch the meetings without being given the ability to speak and to give staff, consultants, and legislative representatives the ability to make remote presentations.

ACTION – Consent Calendar – Item B-9	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Ratify the <i>City of Montclair Policy Statement Regarding the Discontinuation of Oral Public Comments from Online Public Participants During City-Hosted Video/Teleconferencing Sessions.</i>
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member Lopez Council Member Ruh
<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.

## VI. PUBLIC COMMENT

- **Dr. Sharon Lyn Stein** thanked Council Members who did not support the adoption of a biased ceasefire resolution, stating such a resolution would send an anti-Israel message and have negative impacts on the Jewish community.
- **Bill Kaufman** urged the City to move forward with an ordinance to legalize the sale of cannabis products so he can bring his business to the City, and stated he supports a ceasefire and that he believes Israel is committing genocide against the Palestinian people of Gaza.
- **Steven Chow, STIIZY**, discussed his company’s success selling cannabis products in the city of Pomona, including over \$500,000 in contributions the company has made to the City’s parks and recreation programs over the past two years. He spoke in support of the City adopting a cannabis ordinance similar to Pomona’s.
- **Olivia Renteria**, resident, expressed frustration at the skate park being shut down when there are incidents of vandalism, noting respectful early-morning park users like her daughter are being punished for the actions of others who tend to use the park in the later afternoon and evening. She requested alternative responses to vandalism such as changing park hours.

At 7:40 p.m., Mayor Dutrey called a brief recess, and the City Council reconvened at 7:46 p.m.

## VII. PUBLIC HEARINGS

### A. Second Reading — Consider Adoption of 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 in the R-1 Single Family Zone

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.

ACTION – Public Hearings – Item A	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Conduct the second reading of Ordinance No. 24-1007 by number and title only, waive further reading, and adopt Ordinance No. 24-1007.
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member Ruh Council Member 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.

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

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

**Carolyn Raft**, resident, submitted written comments 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 Lopez stated he remains beholden to his vow to not support any City Council salary increases during his term.

Council Member Ruh stated he does not personally support the increase and asserted he has in the past and will continue to refuse any increases that are approved for City Council compensation for himself.

ACTION – Public Hearings – Item B	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Conduct the second reading of Ordinance No. 24-1008 by number and title only, waive further reading, and adopt Ordinance No. 24-1008.
<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**

ACTION – Consent Calendar	
<b>ACTING:</b>	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
<b>MOTION:</b>	Pull Item B-9 ( <i>considered prior to the Consent Calendar, after Presentations</i> ) and approve the remainder of the Consent Calendar as presented.

<b>ACTION - Consent Calendar</b>	
<b>MADE BY:</b>	Council Member/Director Lopez
<b>SECOND BY:</b>	Mayor Pro Tem/Vice Chair Johnson
<b>AYES:</b>	Lopez, Martinez, Ruh, Johnson, Dutrey
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None
<b>RESULT:</b>	Motion carried 5-0.

**A. Approval of Minutes**

**1. Adjourned Meeting — March 4, 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 — March 4, 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.

**B. Administrative Reports**

**1. Consider Receiving and Filing City Treasurer's Report - February 2024**

<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 City Warrant Register and Payroll Documentation**

<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 Receiving and Filing SA Treasurer's Report - February 2024**

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

**4. Consider Approval of SA Warrant Register – February 2024**

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

**5. Consider Receiving and Filing MHC Treasurer's Report – February 2024**

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

**6. Consider Approval of MHC Warrant Register – February 2024**

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

**7. Consider Receiving and Filing of MHA Treasurer's Report – February 2024**

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

**8. Consider Approval of MHA Warrant Register – February 2024**

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

**10. Consider Authorizing the Purchase of a 2024 Ford Explorer XLT Vehicle for the Police Department Fleet from Hemborg Ford in the Total Amount of \$42,228.51**

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

**11. Consider Declaring a 1979 Smith Air Compressor (Unit 411) and a 1985 Asplundh Wood Chipper (Unit 404) as Surplus Equipment Available for Parts or for Sale at Auction**

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

**C. Agreements — None**

**D. Resolutions — None**

## X. COUNCIL WORKSHOP

### A. Update on 2021 Lease Revenue Bond and Capital Improvement Program Projects

The City Council continued this presentation to an adjourned meeting to be held on Monday, April 1, 2024, at 5:45 p.m. in the City Council Chambers.

## XI. COMMUNICATIONS

### A. Department Reports

#### 1. Human Services Department — Upcoming Events

Assistant Director of Human Services/Grants Manager Colunga shared details of the Easter Eggstravaganza event taking place at Alma Hofman Park on Saturday, March 30, from 9:00 to 11:00 a.m.

### B. City Attorney

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

1. Appeal Hearing of John Minook Pursuant to GC §54957(b)

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

### D. Mayor/Chair

Mayor/Chair Dutrey recognized March as Women's History Month and Irish-American Heritage Month; noted Easter and Cesar Chavez Day fall on March 31; and noted he attended **Montclair Little League's (MLL) Opening Day**.

### E. Council Members/Directors

1. Mayor Pro Tem/Vice Chair Johnson promoted the **Montclair Chamber of Commerce's Shop Local Montclair** initiative; reported the success of the *Cinderella Dreams* event at **Montclair Place**, which had 190 participants who received free prom dresses, makeup, and accessories; and advised the Chamber will be holding its annual Montclair Police Recognition Event on Thursday, May 23, at **The Canyon in Montclair Place**.
2. Council Member/Director Lopez stated he attended **MLL's** opening ceremonies; shared that **Buena Vista Arts-Integrated School** put on a great production of *Willy Wonka Junior* at **Vernon Middle School**; and thanked staff for providing a map showing alleyway paving projects since 2010.
3. Council Member/Director Ruh advised that tomorrow is St. Joseph's Day and the Persian New Year; and encouraged the community to attend the upcoming annual Easter event on March 30.

### F. Committee Meeting Minutes

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

1. Personnel Committee - March 4, 2024

## XII. CLOSED SESSION

At 8:05 p.m., the City Council went into closed session to discuss the appeal hearing of John Minook.

**XIII. CLOSED SESSION ANNOUNCEMENTS**

At 8:23 p.m., the City Council returned from closed session.

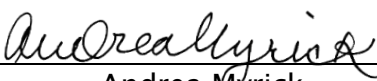
City Attorney Robbins announced that the City Council has considered the appeal of John Minook from the arbitrator’s advisory decision to uphold his termination, and it was the unanimous decision of the City Council to deny the appeal of John Minook and affirm the findings, opinion, and advisory award of Hearing Officer Daniel R. Saling in its entirety.

**XIV. ADJOURNMENT**

At 8:24 p.m., the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board were adjourned.

At 8:24 p.m., the City Council was adjourned to Monday, April 1, 2024, at 5:45 p.m. in the Council Chambers for a Council Workshop.

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

  
\_\_\_\_\_  
Andrea Myrick,  
City Clerk