

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, FEBRUARY 4, 2019, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

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**I. CALL TO ORDER**

Mayor/Chairperson Dutrey called the meeting to order at 7:00 p.m. and asked that everyone please silence their electronic devices as a courtesy to others while the meeting is in session.

**II. INVOCATION**

Council Member Ruh gave the Invocation.

**III. PLEDGE OF ALLEGIANCE**

Council Member/Director Martinez led those assembled in the Pledge.

**IV. ROLL CALL**

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

City Manager/Executive Director Starr; Director of Administrative Services and Human Resources Hamilton; City Planner/Planning Manager Diaz; Assistant Director of Housing/Planning Manager Caldwell; Finance Director Parker; Public Works Director/City Engineer Castillo; City Attorney Robbins; City Clerk Phillips

**V. PRESENTATIONS**

**VI. PUBLIC HEARINGS**

**A. First Reading — Introduction of Ordinance No. 19-981 updating Section 8.32.010 of the Montclair Municipal Code Relating to Maximum Speed Limits in the City and Setting a Public Hearing for Second Reading and Adoption of Ordinance No. 19-981 for Tuesday, February 19, 2019, at 7:00 p.m. in the City Council Chambers**

Mayor Dutrey declared it the time and place set for public hearing to consider Ordinance No. 19-981 updating Section 8.32.010 of the Montclair Municipal Code relating to maximum speed limits in the City and invited comments from the audience.

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 its consideration.

Moved by Council Member Ruh and seconded by Mayor Pro Tem Raft that Ordinance No. 19-981, entitled "**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR REPLACING SECTION 8.32.010 OF TITLE 8 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO MAXIMUM SPEED LIMITS,**" be read by number and title only, further reading be waived, and this be declared its first reading; and that the City Council set a public hearing to consider the second reading and adoption of Ordinance No. 19-981 for Tuesday, February 19, 2019, at 7:00 p.m. in the City Council Chambers.

The City Council unanimously waived the reading of the Ordinance.

First reading of Ordinance No. 19-981 was unanimously adopted by the following vote:

AYES: Martinez, Ruh, Raft, Dutrey  
NOES: None  
ABSTAIN: None  
ABSENT: None

**VII. PUBLIC COMMENT — None**

**VIII. CONSENT CALENDAR**

Mayor Dutrey requested that item B-2 be pulled from the Consent Calendar for comment.

Moved by Council Member/Director Ruh, seconded by Council Member/Director Martinez, and carried unanimously 4-0 that the City Council approve the remainder of the Consent Calendar:

**A. Approval of Minutes**

**1. Adjourned City Council Meeting of January 22, 2019**

The City Council approved the minutes of the January 22, 2019 adjourned meeting.

**2. Regular Joint City Council/Successor Agency Board/MHC Board/MHA Commission/MCF Board Meeting of January 22, 2019**

The City Council, Successor Agency Board of Directors, Montclair Housing Corporation Board of Directors, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board of Directors approved the minutes of the January 22, 2019 regular joint meeting.

**B. Administrative Reports**

**1. Setting a Public Hearing to Consider Prioritization of Funding for Fiscal Year 2019-2020 Community Development Block Grant Projects on Tuesday, February 19, 2019, at 7:00 p.m. in the City Council Chambers**

The City Council set a Public Hearing to consider prioritization of funding for Fiscal Year 2019-2020 Community Development Block Grant Projects on Tuesday, February 19, 2019, at 7:00 p.m. in the City Council Chambers.

**3. Approval of Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated February 4, 2019, totaling \$989,863.98; and the Payroll Documentation dated January 20, 2019, totaling \$617,292.44 gross, with \$437,889.56 net being the total cash disbursement.

**C. Agreements**

**1. Approval of Agreement No. 19-07, the Second Amendment to Agreement No. 98-50 with STC One LLC, a Communications Site Ground Lease Regarding MacArthur Park**

The City Council approved *Agreement No. 19-07*, the second amendment to *Agreement No. 98-50* with STC One LLC, a communications site ground lease regarding MacArthur Park.

**2. Approval of Agreement No. 19-11 with Graffiti Tracker Inc. for Continued use of its Database to Track and Analyze Graffiti**

**Authorizing a \$3,300 Appropriation from the Prop 30/AB 109 Fund to Pay the Costs Associated with Agreement No. 19-11**

The City Council took the following actions:

- (a) Approved *Agreement No. 19-11* with Graffiti Tracker Inc. for continued use of its database to track and analyze graffiti.
- (b) Authorized a \$3,300 appropriation from the Prop 30/ AB 109 Fund to Pay the Costs Associated with *Agreement No. 19-11*.

**D. Resolutions**

**1. Adoption of Resolution No. 19-3225 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

The City Council adopted Resolution No. 19-3225 authorizing placement of liens on certain properties for delinquent sewer and trash charges.

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

**2. Receiving and Filing a Status Report on Emergency Contracting Procedures Related to Wood Floor Restoration in the Community Center Gymnasium**

**Consider Making the Determination that there is a Need to Continue the Action**

Mayor Dutrey requested to know the extent of the damage to the floor and asked how long it would take before the repair work is completed and the gym can be opened again.

Director of Public Works/City Engineer Castillo stated the damage was minimal because the wood floor is slightly elevated and the flooding occurred underneath, and the repair work should be completed in about two weeks.

Moved by Mayor Dutrey, seconded by Council Member Ruh, and carried unanimously that the City Council take the following actions:

- (a) Receive and filed a status report on emergency contracting procedures related to wood floor restoration in the Community Center gymnasium.
- (b) Make the determination that there is a need to continue the action.

**X. BUSINESS ITEMS**

**A. Consider Making an Appointment to Fill the Vacancy on the City Council for a Term Ending in December 2020**

**B. Consider Determining the Applicants to be Interviewed at a Special Meeting of the City Council Scheduled for 5:30 p.m. on Tuesday, February 5, 2019, in the City Council Chambers for Appointment to Fill a Vacancy on the City Council**

**Consider Directing the City Clerk to Randomly Determine the Order in Which Applicants will be Interviewed**

**Consider Adjourning Meeting to 5:30 p.m. on Tuesday, February 5, 2019, to Conduct Interviews and to Consider Nominees to Fill a Vacancy on the City Council**

Mayor Dutrey stated he would again like the Council to discuss and consider items A and B simultaneously.

City Manager Starr outlined the proposed process for conducting interviews of Council applicants as follows:

- City Council Interviews
  - At tonight’s meeting, the City Council should determine which of the 13 applicants are to be interviewed.
  - Staff recommends the City Council proceed as follows:
  - Allow the 13 applicants, who have all met the minimum requirements of being a registered voter at their residence in Montclair, to participate in City Council interviews.
  - Direct the City Clerk to determine the random order in which the City Council will interview the applicants.
  - Conduct interviews of the candidates at special meetings scheduled as needed beginning at 5:30 p.m. on any or all of the following dates: February 5, 6, and/or 8, 2019
    - Allow each candidate to take up to five (5) minutes to provide an opening statement, and allot no more than 20 minutes per candidate for the interview.
  - After concluding the interviews, consider asking additional follow-up questions for a narrowed list of interviewees and/or consider moving to nominations.
- City Council Vacancy Appointment
  - The City Council may vote on each nominee until a nominee receives a majority consensus (3 votes) for appointment to the vacancy. If there is no consensus on a nominee, the City Council may consider a motion to agendaize the calling of a special mail-only ballot election on August 27, 2019, or a special polling place election on November 5, 2019; and may additionally consider a motion to agendaize the adoption of an urgency ordinance to make a temporary appointment to the vacancy until such a special election is held to fill the vacancy.

Mayor Dutrey requested comments from the public.

**Ms. Remoushell Henry**, resident, stated she was a candidate in the 2018 General Municipal Election and did not receive a letter about this application process and was not aware that she could apply until it was too late. She asked if any letters were mailed regarding the application process.

Mayor Dutrey stated staff made every effort to advertise the week-long application period in an expedient manner, which included posting the notice in various locations on bulletin boards and public areas of City facilities and on the City’s website and social media pages. He noted staff was also directed to email the application to all Planning and Community Activities Commissioners, as well as candidates of Montclair’s 2018 General Municipal Election.

**Ms. Henry** stated she did not receive an email.

Council Member Martinez advised she spoke with **Mrs. Henry** in person just after the application process was approved, and invited her and her son, **Mr. Kelly Thomas Smith, Jr.**—who was also a candidate in the prior election—to apply.

**Ms. Henry** stated she feels she should have been sent a letter on official City stationery to be appropriately notified.

Mayor Dutrey stated that directing staff to contact candidates of the 2018 Election was a courtesy and not a legal requirement. He apologized that **Ms. Henry** felt she was not properly notified.

Mayor Dutrey made a motion to move forward with the interview process as presented beginning on February 5, 2019, at 5:30 p.m. in the City Council Chambers. Council Member Ruh seconded the motion. With no opposition, the motion passed 4 to 0.

Mayor Dutrey directed City Clerk Phillips to determine the random order in which applicants would be interviewed.

City Clerk Phillips stated the order of applicants would be randomized a certain number of times determined by a physical dice roll, and then using an online List Randomizer, located at <https://www.random.org/lists>. She stated the list of applicants was entered into the online List Randomizer in alphabetical order by last name. She rolled a 12-sided dice, resulting in a 10. After randomizing the list of names 10 times, the resulting order was as follows:

- |                            |                            |
|----------------------------|----------------------------|
| 1. Victor Mendez           | 8. Laura Page Milhiser     |
| 2. Charles F. Krewina II   | 9. Benjamin Lopez          |
| 3. Josie Garcia            | 10. Carolyn Tenice Johnson |
| 4. Virginia Eaton          | 11. Edgar Gallegos         |
| 5. Cinty Katherine Sanchez | 12. Joseph A. Nicoara      |
| 6. Sousan D. Elias         | 13. Sergio Sahagun, Sr.    |
| 7. Loren Robert Martens    |                            |

Mayor Dutrey announced the City Clerk would post the order of interviews on the City's website by noon tomorrow.

**XI. RESPONSE — None**

**XII. COMMUNICATIONS**

**A. City Department Reports**

**1. Police Department — Battle of the Badges Blood Drive**

Executive Director of Public Safety/Police Chief Avels invited the City Council, staff, and the community to participate in the Montclair Police Department's third ***Battle of the Badges Blood Drive*** in partnership with the **American Red Cross** on Tuesday, February 19, 2019, from 2:00 p.m. to 8:00 p.m. in the Senior Center.

**B. City Attorney — None**

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

**D. Mayor/Chair**

Mayor/Chair Dutrey made the following comments:

1. He stated he would like tonight's meeting to be adjourned in memory of **Mr. Bill Alexander**, who served as Mayor and as a Council Member of the City of Rancho Cucamonga for most of the past three decades, and was a former resident of Montclair who graduated from **Montclair High School**.
2. He commended the *Montclair After-School Program's Geek Squad* dance crew for its recent performance at the **Agua Caliente Clippers** basketball game.
3. He stated the next focus group meeting, *Our Active and Creative Community*, is scheduled for this Thursday, February 7, 2019, at 6:00 p.m. in the Senior Center. He encouraged all to attend.
4. He announced the opening of a new restaurant in Montclair, **Pancakes R' Us**, which is located on Central Avenue at the former **Anna's** location. He noted he had breakfast there last week and was pleased to see how busy it was.
5. He stated the Planning Commission will soon consider a proposal for a new **Lazy Dog** restaurant to be built on the east side of the **Montclair Place** property.

**E. City Council/Successor Agency Board/MHC Board/MHA Board/MCF Board**

Council Member/Director Martinez made the following comments:

1. She thanked City Clerk Phillips for the extra work she has done to assist the City Council with this process.
2. She congratulated Assistant Director of Housing/Planning Manager Caldwell for recently graduating from a certificate program at the **University of Southern California** and welcomed her to the Trojan family.

Council Member/Director Ruh stated the **Metropolitan Transportation Authority** recently approved the additional funding needed to build the **Gold Line** to Pomona, but noted funding is still needed for additional extensions to Claremont and Montclair. He stated his hopes that both **Los Angeles** and **San Bernardino Counties** can come together to address the **Gold Line's** extension to Montclair as a regional issue, not a separate County issue. He stated many elected officials representing **Los Angeles County** seem to understand the importance and were impressed by the coordinated efforts made by the extension cities to support and promote the completion of the project to Montclair.

Mayor Dutrey stated he intends to meet with **Pomona Mayor Tim Sandoval** to discuss these issues.

**F. Committee Meeting Minutes**

**1. Minutes of Personnel Committee Meeting of January 22, 2019**

The City Council received and filed the minutes of the Personnel Committee meeting of January 22, 2019, for informational purposes.

**XIII. ADJOURNMENT**

Mayor Dutrey advised the City Council will meet tomorrow evening for a special meeting at 5:30 p.m. to conduct interviews of City Council applicants.

At 7:47 p.m., Mayor/Chair Dutrey adjourned the City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board, in memory of **Mr. Bill Alexander**.

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



Andrea M. Phillips  
City Clerk