

MINUTES OF THE ADJOURNED SPECIAL MEETING OF THE
MONTCLAIR CITY COUNCIL HELD ON WEDNESDAY,
FEBRUARY 6, 2019, AT 5:30 P.M. IN THE CITY COUNCIL
CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Dutrey called the meeting to order at 5:30 p.m.

II. ROLL CALL

Present: Mayor Dutrey; Mayor Pro Tem Raft; Council Members Ruh and Martinez

City Manager Starr; City Attorney Robbins; City Clerk Phillips

III. PUBLIC COMMENT

A. **Mr. Benjamin Lopez** stated that he has several documents proving he is referred to as a Commissioner by the office of **Fourth District San Bernardino County Supervisor Curt Hagman**, including a press release dated August 14, 2017 and an email dated May 18, 2018 that begins, "Dear Commissioner," and added he was invited to an event for **Supervisor Hagman's** appointees called a Commissioner's Reception. He stated he would like for this issue to be put to rest and that he is willing to move forward. He added he feels it would have been fair to simply appoint him to the vacancy due to him being the next highest vote-getter from the November election, and he hopes the Council takes this into consideration.

IV. INTERVIEW APPLICANTS TO BE CONSIDERED TO FILL AN UNEXPIRED TERM ON THE CITY COUNCIL ENDING IN DECEMBER 2020

Mayor Dutrey asked the City Clerk to determine which applicants were not present.

City Clerk took roll call of all applicants and it was determined that all applicants were in attendance at that time except for **Mr. Edgar Gallegos**.

Mayor Dutrey asked if there are follow-up questions members of the Council wish to ask of any or all the applicants.

No requests for additional interview questions were put forward by the City Council.

V. CONSIDER MAKING AN APPOINTMENT TO FILL THE VACANCY ON THE CITY COUNCIL ENDING IN DECEMBER 2020

Council Member Martinez stated she feels the "round robin" nomination method proposed by Mayor Dutrey at the meeting last evening would lead to a deadlock, and proposed all Council Members provide a list of their top three candidates whose nominations they would support to the City Clerk and from there determine if there are any candidates who appear on at least three Council Members' lists.

City Attorney Robbins advised providing information to the City Clerk before making it known could be considered a secret ballot and recommended that, if the City Council agrees to use this procedure, they should announce the names verbally themselves.

Council Member Martinez stated she would be fine with announcing top candidates and feels will still be more productive than throwing out nominations at random. She requested the Mayor provide his top candidates first.

Council Member Ruh stated he is fine with that method.

Mayor Dutrey stated he appreciates all applicants and stated that, because he is appreciative of their service, would give his top three consideration

to the City's Commissioners who applied: **Mrs. Laura Page Milhiser, Mrs. Carolyn Tenice Johnson, and Mr. Sergio Sahagun Sr.** He added he would support a fourth candidate's nomination, **Mr. Benjamin Lopez**, due to his persistence in running for the City Council, his community involvement, and his understanding of the City's operations.

Council Member Martinez listed her top three candidates as **Mrs. Virginia Eaton, Mrs. Johnson, and Mrs. Josie Garcia.**

Mayor Pro Tem Raft stated she would support nominations for **Mrs. Eaton, Mr. Loren Martens, and Ms. Sousesan Elias.**

Council Member Ruh stated his top three would be **Mrs. Milhiser, Mr. Martens, and Mr. Lopez**, but that if he could nominate a fourth he would support the appointment of **Mr. Edgar Gallegos** due to his passion and ideas, despite being a fairly new resident.

Mayor Dutrey stated there does not appear to be a three-member consensus on any candidate, and noted the following candidates have the support of two Council Members:

1. Laura Page Milhiser
2. Benjamin Lopez
3. Loren Martens
4. Virginia Eaton
5. Carolyn Tenice Johnson

Mayor Dutrey suggested continuing on to nominations to see if any consensus can be reached.

Council Member Martinez's nomination of **Mrs. Virginia Eaton** was voted upon as follows:

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

Council Member Martinez's nomination of **Mrs. Eaton** was defeated by a tie vote of 2-2.

Mayor Pro Tem Raft's nomination of **Mrs. Virginia Eaton** was voted upon as follows:

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

Mayor Pro Tem Raft's nomination of **Mrs. Eaton** was defeated by a tie vote of 2-2.

Mayor Dutrey's nomination of **Mrs. Laura Page Milhiser** was voted upon as follows:

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

Mayor Dutrey's nomination of **Mrs. Milhiser** was defeated by a tie vote of 2-2.

Council Member Ruh's nomination of **Mrs. Laura Page Milhiser** was voted upon as follows:

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

Council Member Ruh's nomination of **Mrs. Milhiser** was defeated by a tie vote of 2-2.

Council Member Martinez's nomination of **Mrs. Carolyn Tenice Johnson** was voted upon as follows:

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

Council Member Martinez's nomination of **Mrs. Johnson** was carried by a vote of 3-1, resulting in the successful appointment of **Mrs. Johnson** to the vacancy on the City Council for a term ending in December 2020.

Mrs. Johnson expressed her disbelief and accepted the appointment.

At 5:56 p.m., Mayor Dutrey called for a recess to allow the City Clerk to get the proper paperwork in order.

At 6:10 p.m., Mayor Dutrey called the meeting to order with all four members of the City Council in attendance.

City Clerk Phillips administered the Oath of Office to **Mrs. Johnson**.

Council Member Johnson took a seat at the dais.

Mayor Dutrey congratulated Council Member Johnson on her appointment and thanked all of the applicants for participating in this process, and encouraged them to stay involved. He noted Council Member Johnson's seat on the Planning Commission is not vacant and advised unsuccessful Council applicants that they could apply for the appointment to that vacancy, or the one that exists on the Community Activities Commission, when those processes begin in the spring.

Council Member Martinez stated that in honor of Black History Month, she wanted to congratulate Council Member Johnson for making history in Montclair as the City's first African-American Council Member.

Mayor Pro Tem Raft welcomed Council Member Johnson, adding it is nice to finally have a full Council again.

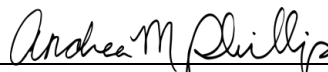
Council Member Ruh stated he has had the pleasure of serving with Council Member Johnson on Montclair's now-dissolved Successor Agency Oversight Board, and he believes she will do a good job as a Council Member.

City Manager Starr advised staff is familiar with Council Member Johnson's quality of service based on her service on the Planning Commission and to the Chamber, and while the Planning Commission will be feeling her absence, he is confident the Council will appoint a deserving person to fill her seat.

VI. ADJOURNMENT

At 6:17 p.m., Mayor Dutrey adjourned the City Council.

Submitted for City Council approval,



Andrea M. Phillips
City Clerk