

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, OCTOBER 17, 2022 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 Joe McTarsney, Calvary Montclair**, gave the invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Johnson led meeting participants in the Pledge.

IV. ROLL CALL

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

City Manager/Executive Director Starr; Director of Community Development Diaz; Assistant City Manager/Director of Human Services Richter; Director of Finance Kulbeck; Executive Director of Public Safety/Police Chief Avels; City Attorney Robbins; City Clerk Myrick

V. PRESENTATIONS

A. **Proclamation Declaring November 1, 2022 as “Family Literacy Day” in the City of Montclair**

Mayor Dutrey declared November 1, 2022 as “Family Literacy Day” in the City of Montclair, and presented a proclamation to **Ms. Kathy Holloway**, Regent, **Daughters of the American Revolution – San Antonio Chapter**.

B. **Proclamation Declaring November 2022 as “Family Court Awareness Month” in the City of Montclair**

Mayor Dutrey declared November 2022 as “Family Court Awareness Month” in the City of Montclair, and presented a proclamation to **Ms. Sandy Ross**, Executive Director and Chief Operations Officer, **Family Court Awareness Month Committee**.

VI. PUBLIC COMMENT

The following individuals spoke in opposition to the proposed installation of a new public restroom on the **Pacific Electric Trail** by the **San Bernardino County Transportation Authority**:

- **Al Villanueva**, founder of the **Arbol Verde Preservation Committee**
- **Lorraine Campos**, resident
- **Steve Shulz**, resident
- **Vera Wilson**, resident
- **Florencia Garcia**, resident
- **Mohammad Nash**, resident

**Pat Westrope**, resident, asked when drainage pipes would be repaired on Rudisill street, and reported parking violations near her home.

**Janine Boscoe-Ohoiner**, and **Janice Boscoe**, residents, voiced their concerns regarding the homeless population.

**Bruce Culp**, resident, proposed alternative locations for a public restroom on the **Pacific Electric Trail**; spoke in support of renewing City Manager Starr’s contract; and requested an update on costs related to harassment allegations against Council Member Lopez.

**VII. PUBLIC HEARINGS — None**

**VIII. CONSENT CALENDAR**

The motion to adopt the Consent Calendar was made by Council Member Johnson and seconded by Council Member Lopez.

Support for the motion was recorded electronically as follows:

AYES: Lopez, Martinez, Johnson, Ruh, Dutrey

NOES: None

ABSTAIN: None

ABSENT: None

Mayor Dutrey declared the motion carried 5-0.

**A. Approval of Minutes**

**1. Regular Joint Meeting — October 3, 2022**

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 October 3, 2022 regular joint meeting.

**B. Administrative Reports**

**1. Receiving and Filing of City Treasurer's Report**

The City Council received and filed the City Treasurer's Report for the month ending September 30, 2022.

**2. Approval of City Warrant Register and Payroll Documentation**

The City Council approved the Warrant Register dated October 17, 2022, totaling \$1,472,906.07; and the Payroll Documentation dated September 25, 2022, amounting to \$754,960.36 gross, with \$526,882.93 net being the total cash disbursement; and the Payroll Documentation dated October 9, 2022, amounting to \$723,119.40, with \$507,343.24 net being the total cash disbursement.

**3. Receiving and Filing of Successor Agency Treasurer's Report**

The City Council acting as successor to the Redevelopment Agency Board received and filed the Successor to the Redevelopment Agency Treasurer's Report for the month ending September 30, 2022.

**4. Approval of Successor Agency Warrant Register**

The City Council acting as successor to the Redevelopment Agency Board approved the Successor to the Redevelopment Agency Warrant Register dated 09.01.22-09.30.22 in the amounts of \$14,417.15 for the Combined Operating Fund and \$0.00 for the Redevelopment Obligation Retirement Funds.

**5. Receiving and Filing of MHC Treasurer's Report**

The MHC Board received and filed the MHC Treasurer's Report for the month ending September 30, 2022.

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 09.01.22-09.30.22 in the amount of \$34,954.56.

**7. Receiving and Filing of MHA Treasurer's Report**

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending September 30, 2022.

**8. Approval of MHA Warrant Register**

The MHA Commissioners approved the MHA Warrant Register dated 09.01.22-09.30.22 in the amount of \$0.00.

**9. Authorizing the Receipt of \$9,878.76 from the Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership Program to Assist with the Purchase of Ballistic Vests**

The City Council authorized the receipt of \$9,878.76 from the Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership Program to assist with the purchase of ballistic vests.

**10. Approving the Purchase of Shopping Carts, Whole Turkeys, and Assorted Items for the Montclair Holiday Food and Toy Basket Program**

The Montclair Community Foundation Board of Directors approved the purchase of shopping carts, whole turkeys, and assorted items for the Montclair Holiday Food and Toy Basket Program.

**C. Agreements**

**1. Approval of Amendment No. 1 to Agreement No. 22-58 and Amendment No. 1 to Agreement No. 22-59 with the Ontario-Montclair School District for the Montclair After-School Program and Summer Expanded Learning Program to Remove the Vaccine Verification and Testing Policy**

The City Council approved Amendment No. 1 to *Agreement No. 22-58* and Amendment No. 1 to *Agreement No. 22-59* with the Ontario-Montclair School District for the Montclair After-School Program and Summer Expanded Learning Program to remove the Vaccine Verification and Testing Policy.

**D. Resolutions**

**1. Adoption of Resolution No. 22-3384 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of October 17, 2022, through November 17, 2022**

The City Council adopted Resolution No. 22-3384 making factual findings in compliance with AB 361 for the continuation of public meeting teleconferencing during public health emergencies for the period of October 17, 2022, through November 17, 2022.

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

**X. BUSINESS ITEMS**

**A. Consider Authorizing the Preparation of Action Minutes as the Official Record of City Council and Commission Meetings**

**Consider Revising the Retention Period for Video/Audio Recordings of Meetings to “Permanent” for Those with Action Minutes Prepared**

City Clerk Myrick presented the report and fielded questions about the item.

Mayor Pro Tem Ruh received clarification of how residents currently access the minutes and audio from meetings.

Council Member Lopez expressed concerns that residents may not understand why decisions were made if the discussions are not summarized in the minutes, and that comments made by Council Members “for the record” would not be provided in the minutes.

City Manager Starr advised audio of the meetings would be retained as a permanent record should anyone want to hear the full discussion that led to a decision.

Council Member Johnson suggested a hybrid of summary and action minutes, where the discussion summaries are not as detailed.

The motion was made to continue this item to the next meeting by Mayor Dutrey and seconded by Council Member Johnson. With no opposition to the motion, Mayor Dutrey declared the motion carried 5-0.

## XI. COMMUNICATIONS

### A. Department Reports

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

Assistant City Manager/Director of Human Services Richter advised the Candidate's Forum held last week is now available to view on the City's YouTube and Facebook pages; provided information about youth basketball sign-ups; announced that appointments must be made by Friday to sign up for receiving a Holiday Food and Toy Basket; stated the Montclair After-School Program's Lights On After School will take place this Thursday in the Community Center at 6:30 p.m.; and noted this year's Halloween Spooktacular event will take place at **Montclair Place** on Saturday, October 29th, from 5:00 to 8:00 p.m.

### B. City Attorney

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

#### 1. Closed Session Pursuant to Government Code Section 54956.9(d)(1) Regarding Pending Litigation

*Garcia v. Lopez, City of Montclair, et al.*

*Fuentes v. Lopez, City of Montclair, et al.*

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

### D. Mayor/Chair

Mayor/Chair Dutrey noted staff made recommendations to SBCTA to ease traffic congestion; reported an upcoming 55-hour weekend closure of three lanes on the westbound side of the I-10 Freeway from Monte Vista Avenue starting November 4th; and announced the City would be funding the purchase of a new fire truck because he was just informed by staff the City was not successful in obtaining a grant from the state for the purchase.

### E. Council Members/Directors

1. Mayor Pro Tem/Vice Chair Ruh reported his attendance at the Gold Line Joint Powers Authority meeting last week and complained of traffic congestion caused by the construction on Monte Vista and Central Avenues.

2. Council Member/Director Lopez reported he attended the **Sroptimist** Casino Night event and the **Montclair Chamber of Commerce** monthly networking breakfast; noted the **I-10 Towing & Recovery** ribbon cutting event is this Thursday; requested vintage car owners to participate in the upcoming family festival and antique car show hosted by **Hasco Outlet** on November 5th; commented on his own observance of homeless in the community; received information about the City's ban on livestock; and requested residents be notified before alleyway construction begins.

3. Council Member/Director Johnson stated voters should have received their mail-in ballots and encouraged them to vote early if they cannot on Election Day; announced the Chamber of Commerce is hiring an event planner; and invited the community to attend the **I-10 Towing & Recovery** grand opening event this Thursday.

4. Council Member/Director Martinez encouraged the community to support the **Montclair High School** water polo team at its upcoming game tomorrow; wished Assistant City Manager/Director of Human Services Richter an early "Happy Birthday; and announced a Women's Health Fair will be hosted by **Assemblymember Freddie Rodriguez** in Pomona on Saturday, October 29th from 10:00 a.m. to 1:00 p.m.

**F. Committee Meeting Minutes**

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

**1. Minutes of Personnel Committee Meeting of October 3, 2022**

**XII. CLOSED SESSION**

The City Council entered closed session at 8:28 p.m. to discuss pending litigation.

**XIII. CLOSED SESSION ANNOUNCEMENTS**

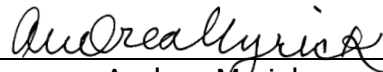
The City Council returned from closed session at 9:00 p.m.

Mayor Dutrey announced the City Council met in closed session to discuss pending litigation; information was received and direction given to staff; and no further announcements would be made at this time.

**XIV. ADJOURNMENT**

At 9:00 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