

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, JANUARY 17, 2023 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 Roger Vega, Montclair Christian Church, gave the invocation.

**III. PLEDGE OF ALLEGIANCE**

Mayor Pro Tem/Vice Chair Johnson led meeting participants in the Pledge.

**IV. ROLL CALL**

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

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

Absent: Council Member Lopez (excused)

**V. PRESENTATIONS**

**A. Community Activities Commission (CAC) Presentation Military Banner Presentation**

Community Activities Commission (CAC) Chair Diane Wells stated that fifteen years ago, the CAC began sponsoring a military street banner program to recognize Montclair residents currently serving in the **U.S. Armed Forces**. She advised that in 2022, 43 military banners and two banners honoring "all Veterans" were proudly displayed throughout Montclair.

As CAC Chair Wells introduced and summarized the service of each military veteran, Mayor Dutrey, Mayor Pro Tem Johnson, and Council Members Ruh and Martinez congratulated and presented each honoree or their family member(s) with their military banner. The six honorees were:

- **Andrew David Beltran Jr.**, Navy, 2016-2022
- **Esmeralda Bocardo**, Marine Corps, 2018-2022
- **Mark Koeller**, Army, 2018-2022
- **Stephanie Mejia**, Navy, 2015-2022
- **Jakob Ryan Plant**, Marine Corps, 2019-2022
- **Christopher G. Taffoya**, Army, 2001-2022

Mayor Dutrey thanked CAC Chair Wells for her presentation, and thanked the honorees for their service. He stated, "Montclair is honored to have residents like you."

**B. Introduction of New Police Department Employees**

**Executive Director of Public Safety/Police Chief Avels** introduced four recently hired Police Officers: Ivan Oseguera, Ruby Rubalcava, Natalia Magana, and Jimmy Rodriguez.

Mayor Dutrey, Mayor Pro Tem Johnson, and Council Members Ruh and Martinez welcomed Officers Oseguera, Rubalcava, Magana, and Rodriguez to the Montclair City family.

**VI. PUBLIC COMMENT**

- **Jordi Ubaldo**, Event Coordinator, **Montclair Chamber of Commerce**, invited the City Council to ribbon cutting events occurring this week: **Chino Basin Water Conservation District’s** grand opening of Montclair Spillway #2, and the grand opening of **Dignity Adult Healthcare and Day Care Center**.
- **Kristine Scott**, Public Affairs Manager, **SoCalGas**, provided an update and notice about an increase in the wholesale cost of natural gas, resulting in residential gas bills for the month of January projected to be double last year’s bills. She advised income qualified customers can apply to receive discounts on their gas bills.

**VII. PUBLIC HEARINGS**

- A. Second Reading — Consider Ordinance No. 23-1003 Modifying the Zoning Designation of 27.74 Acres of Land at the Northwest Corner of Mission Boulevard and Ramona Avenue from “C3 – General Commercial,” “MIP – Manufacturing Industrial,” and “M1 – Limited Manufacturing,” to “M1 – Manufacturing Industrial” (North Side of Third Street Extension) and “MIP – Manufacturing Industrial” (South Side of Third Street Extension) (Planning Case No. 2021-07), Contingent on the City Council Certifying the EIR for the Mission and Ramona Business Park Project**

Mayor Dutrey opened the public hearing.

City Clerk Myrick stated no written comments were received in relation to this item, and no members of the public requested to speak on the item.

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

<b>ACTION – Public Hearings – Item A</b>	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Conduct the second reading of Ordinance No. 23-1003 by number and title only, waive further reading, and adopt Ordinance No. 23-1003.
<b>MADE BY:</b> <b>SECOND BY:</b>	Mayor Pro Tem Johnson Council Member Ruh
<b>AYES:</b> <b>NOES:</b> <b>ABSTAIN:</b> <b>ABSENT:</b>	Martinez, Ruh, Johnson, Dutrey None None Lopez
<b>RESULT:</b>	Motion carried 4-0-1.

**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>MOTION:</b>	Approve the Consent Calendar as presented.
<b>MADE BY:</b>	Council Member/Director Ruh

<b>ACTION - Consent Calendar</b>	
<b>SECOND BY:</b>	Mayor Pro Tem/Vice Chair Johnson
<b>AYES:</b> <b>NOES:</b> <b>ABSTAIN:</b> <b>ABSENT:</b>	Martinez, Ruh, Johnson, Dutrey None None Lopez
<b>RESULT:</b>	Motion carried 4-0-1.

**A. Approval of Minutes**

**1. Special Meeting — December 15, 2022**

<b>ACTION - Consent Calendar - Item A-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**2. Regular Joint Meeting — December 19, 2022**

<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 4-0-1 (Lopez absent).

**B. Administrative Reports**

**1. Consider Receiving and Filing City Treasurer's Report - December 2022**

<b>ACTION - Consent Calendar - Item B-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**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 4-0-1 (Lopez absent).

**3. Consider Receiving and Filing SA Treasurer's Report - December 2022**

<b>ACTION - Consent Calendar - Item B-3</b>	
<b>ACTING:</b>	Successor Agency Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**4. Consider Approval of SA Warrant Register – December 2022**

<b>ACTION – Consent Calendar – Item B-4</b>	
<b>ACTING:</b>	Successor Agency Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**5. Consider Receiving and Filing MHC Treasurer's Report – December 2022**

<b>ACTION – Consent Calendar – Item B-5</b>	
<b>ACTING:</b>	Montclair Housing Corporation Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**6. Consider Approval of MHC Warrant Register – December 2022**

<b>ACTION – Consent Calendar – Item B-6</b>	
<b>ACTING:</b>	Montclair Housing Corporation Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**7. Consider Receiving and Filing of MHA Treasurer's Report – December 2022**

<b>ACTION – Consent Calendar – Item B-7</b>	
<b>ACTING:</b>	Montclair Housing Authority Commissioners
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**8. Consider Approval of MHA Warrant Register – December 2022**

<b>ACTION – Consent Calendar – Item B-8</b>	
<b>ACTING:</b>	Montclair Housing Authority Commissioners
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**9. Consider Authorizing an Additional \$26,002.44 Appropriation for the Purchase of a Diesel Generator and a 1000 Amp Transfer Switch from Generac**

<b>ACTION – Consent Calendar – Item B-9</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**10. Consider Authorizing a \$43,286 Appropriation from the Building Maintenance Reserve Fund to Cover Remediation Costs Incurred as Part of the City Hall Flooring Services Project**

<b>ACTION - Consent Calendar - Item B-10</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**11. Consider Approval of Tract Map No. 20503 for Condominium Purposes**

<b>ACTION - Consent Calendar - Item B-11</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**12. Consider Authorizing the Use of 2017 Justice Assistance Grant Funds Toward the Cost of Transitioning to a Records Management System Compliant with the National Incident-Based Reporting System**

<b>ACTION - Consent Calendar - Item B-12</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**C. Agreements**

**1. Consider Approval of Agreement Nos. 23-01 and 23-02 with the County of San Bernardino Related to Distribution and Receipt of 2022 Justice Assistance Grant Program Award Funds**

**Consider Authorizing City Manager Edward C. Starr to Sign Said Agreements**

<b>ACTION - Consent Calendar - Item C-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**2. Consider Approval of Agreement No. 23-03 with TKE Engineering, Inc. for Engineering Design Services for the Mills Avenue Street Rehabilitation Project, Subject to Any Revisions Deemed Necessary by the City Attorney**

**Consider Authorizing a \$146,000 Appropriation from 2021 Lease Revenue Bond Proceeds for Costs Related to Agreement No. 23-03**

**Consider Authorizing a \$13,197 Design Services Contingency for the Project**

<b>ACTION - Consent Calendar - Item C-2</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

3. **Consider Authorizing a \$139,465 Appropriation from 2021 Lease Revenue Bond Proceeds for Construction Administration Services for the Reeder Ranch Park Project**

**Consider Approval of Agreement No. 23-04 with EPT Design for Construction Administration Services for the Reeder Ranch Park Project, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-3</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

4. **Consider Approval of Agreement No. 23-05 with CIM Management to Provide Space at Montclair Place for the Human Services Department's Montclair Walkers Program, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-4</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

**D. Resolutions**

1. **Consider Adoption of Resolution No. 23-3395 Making Factual Findings in Compliance with AB 361 for the Continuation of Public Meeting Teleconferencing During Public Health Emergencies for the Period of January 17, 2023, through February 16, 2023**

<b>ACTION - Consent Calendar - Item D-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

2. **Consider Adoption of Resolution No. 23-3396 Authorizing Salaries and Classification Titles for City Employees on a Consolidated Salary Schedule**

<b>ACTION - Consent Calendar - Item D-2</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 4-0-1 (Lopez absent).

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

**X. COUNCIL WORKSHOP**

**A. Local Road Safety Plan**

The City Council continued this item to an adjourned meeting on Monday, February 6, 2023, at 5:45 p.m. in the City Council Chambers.

**XI. COMMUNICATIONS**

**A. Department Reports — None**

**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.*

*Hickerson v. City of Montclair*

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

**D. Mayor/Chair**

Mayor Dutrey noted Council Members should review the current City Council Committee/Liaison Assignments and decide for the next meeting whether they would like to request new assignments; and reminded Council Members to complete their biannual Ethics and Sexual Harassment Prevention trainings if they are due.

Mayor Dutrey advised the following special meetings are tentatively scheduled:

- General Plan Workshop — Thursday, January 19, 2023, at 6:00 p.m. in the City Council Chambers.
- Midyear Budget Review Workshop — Wednesday, February 22, 2023, at 6:00 p.m. in the City Council Chambers.

He reported the San Bernardino County Transportation Authority has eliminated the restroom that was planned to be added to the Pacific Electric Trail near Montclair's segment. In closing, he recognized **Dr. Martin Luther King, Jr.** as a great American in observance of **Martin Luther King, Jr. Day.**

**E. Council Members/Directors**

1. Council Member/Director Ruh commended **Dr. King's** legacy for standing up to the power structure with influential, peaceful means in the face of violent opposition. He noted on February 11th, the **Christian Development Center** will be holding its first annual Black History festival. He wished everyone a happy Lunar New Year, which starts on January 22nd.
2. Mayor Pro Tem/Vice Chair Johnson encouraged the community to attend the **Christian Development Center's** Black History festival for educational activities, entertainment, and a gospel choir. She wished condolences to the coworkers, friends, and family of **G. Keith Alber**, who worked in the Senior Lunch Program and passed away suddenly earlier this month. She recognized **The Tint Guys**, a local business in Montclair that was recognized during a presentation about **Dr. King** she attended. She spoke in admiration of **Dr. King's** bravery, persistence, and advancement of civil rights despite his young age.
3. Council Member/Director Martinez asked everyone to consider how civil rights are being impacted today and stand up for those rights in honor of **Dr. King.**

**F. Committee Meeting Minutes**

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

1. Personnel Committee – December 19, 2022

**XII. CLOSED SESSION**

The City Council entered closed session at 7:53 p.m. to discuss pending litigation.

**XIII. CLOSED SESSION ANNOUNCEMENTS**

The City Council returned from closed session at 8:32 p.m.

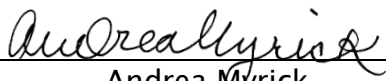
Mayor Dutrey announced the City Council met in closed session to discuss pending litigation; information was received and direction given to staff; and no further announcements would be made at this time.

**XIV. ADJOURNMENT**

At 8:32 p.m., the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board were adjourned.

At 8:32 p.m., the City Council was adjourned to Monday, February 6, 2023 at 5:45 p.m. in the City Council Chambers for a workshop presentation on the Local Road Safety Plan.

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

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

*The meeting was adjourned in memory of two Deputies of the Riverside County Sheriff's Department: **Darnell Calhoun** and **Isiah Cordero**; and **G. Keith Alber**, a cherished Montclair Senior Center employee and friend of the Montclair community.*