

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, AUGUST 7, 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 7:02 p.m.

II. INVOCATION

Father Remi, Our Lady of Lourdes Parish Catholic Church, 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, Lopez, and Martinez

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

V. PRESENTATIONS

A. Southern California Edison Wildfire Mitigation Efforts Presentation

Melissa Boyd, Government Relations Manager for Southern California Edison, gave a PowerPoint presentation titled *Our Commitment to California: Keeping Our Communities Safe from Wildfires*, which gave an update on SCE's efforts to reduce wildfire risk in the community.

VI. PUBLIC COMMENT

- **Ruby Long**, Field Representative for **San Bernardino County Fourth District Supervisor Curt Hagman**, announced the County's **Land Use Services Department** would be holding an open house event at the Chino Hills Library on August 9th, where County representatives can answer questions regarding: building permits, land use, plan checks, zoning, and code enforcement. **Supervisor Hagman's** office will also host a free document shredding event at Memorial Park in Upland from 9:00 a.m. to noon on September 30th.
- **Joan Lindhorst**, resident, commended the fast response from Code Enforcement after she spoke at the last meeting voicing her concerns.
- **Bill Kaufman**, expressed frustration that the City continues to prevent his efforts to open a cannabis dispensary in the City.
- **Herman Janssen** expressed support for **Bill Kaufman** operating a cannabis dispensary in the City.
- **Kiara Valdez**, thanked the City Council on behalf of **Safe Routes to School Ontario and Montclair** for repairing side walks around schools, adding flashing stop signs, and understanding the importance of keeping students safe in the City.

VII. PUBLIC HEARINGS — None

**VIII. CONSENT CALENDAR**

Mayor Dutrey pulled Item B-2 from the Consent Calendar for discussion.

<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>	Remove Item B-2; amend action for Item C-1; and approve the remainder of the Consent Calendar, as presented.
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member/Director Ruh Mayor Pro Tem/Vice Chair Johnson
<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.

**A. Approval of Minutes**

**1. Adjourned Meeting — June 22, 2023**

<b>ACTION - Consent Calendar - Item A-1</b>	
<b>ACTING:</b>	City Council Montclair Housing Corporation Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**2. Special Meeting — June 29, 2023**

<b>ACTION - Consent Calendar - Item A-2</b>	
<b>ACTING:</b>	City Council Montclair Housing Corporation Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**3. Regular Joint Meeting — July 17, 2023**

<b>ACTION - Consent Calendar - Item A-3</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 Approval of City Warrant Register and Payroll Documentation**

<b>ACTION - Consent Calendar - Item B-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**C. Agreements**

- 1. Consider Approval of Agreement No. 23-51 with Christian Development Center to Provide Case Management Services for the City’s Homeless Outreach and Assistance Program, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-1</b>	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Approve with requirement that CDC provides ongoing reporting to City staff.
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member Ruh Mayor Pro Tem Johnson
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

- 2. Consider Approval of Agreement No. 23-56 with Revenue and Cost Specialists, LLC (RCS) to Conduct a Development Impact Fee Nexus Study, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-2</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

- 3. Consider Approval of Agreement No. 23-57 with Mobile Screening Solutions for Department of Transportation (DOT) Random Employee Drug and Alcohol Screening Services**

Council Member Lopez received clarification from City Manager Starr on the types of positions that would be tested, what they would be tested for, and the outcomes of failed tests.

<b>ACTION - Consent Calendar - Item C-3</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

- 4. Consider Approval of Agreement No. 23-58 Amending Agreement No. 06-175 with the County of San Bernardino for the Lease of a City-Owned Facility to Provide County Library Services, 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 5-0.

**D. Resolutions**

- 1. Consider Adoption of Resolution No. 23-3413 Authorizing Placement of Assessments on Certain Properties for Delinquent Sewer and Trash Accounts**

<b>ACTION - Consent Calendar - Item D-1</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

2. **Consider Adoption of Resolution No. 23-3416 Declaring that Certain Real Property Located at 9729 Ramona Avenue, Montclair, is Exempt Surplus Land Pursuant to Government Code Section 54221 and Finding that Such Declaration is Exempt from Environmental Review Under the California Environmental Quality Act**

**Consider Adoption of Resolution No. 23-3417 Approving Agreement No. 23-59, an Affordable Housing Agreement with the Montclair Housing Authority and the Montclair Housing Corporation; Authorizing the Transfer of 9729 Ramona Avenue, Montclair, to the Montclair Housing Authority for Use as Affordable Housing Units**

Council Member Lopez received clarification that those who qualify for Section 8 housing can apply to rent this unit.

<b>ACTION - Consent Calendar - Item D-2</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**Consider Adoption of MHC Resolution No. 23-04 Approving Agreement No. 23-59, an Affordable Housing Agreement with the City of Montclair and the Montclair Housing Authority**

<b>ACTION - Consent Calendar - Item D-2</b>	
<b>ACTING:</b>	Montclair Housing Corporation Board
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**Consider Adoption of MHA Resolution No. 23-03 Approving Agreement No. 23-59, an Affordable Housing Agreement with the City of Montclair and the Montclair Housing Corporation, and Accepting the Transfer of Certain Real Property from the City of Montclair**

**Consider Authorizing a \$20,000 Appropriation from the Housing Trust Fund for Rehabilitation of the Property Located at 9729 Ramona Avenue, Montclair**

<b>ACTION - Consent Calendar - Item D-2</b>	
<b>ACTING:</b>	Montclair Housing Authority Commissioners
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

2. **Consider Implementing a Temporary, 18-Month Montclair Hiring Bonus Incentive Program Focusing on Recruitment of Lateral Police Officers and Police Officer Trainees Funded by Personnel Savings in the Montclair Police Department Budget Related to Current Police Officer Classification Vacancies**

**Consider Authorizing the Following Elements of the Montclair Hiring Bonus Incentive Program: a Lateral Police Officer Hiring Incentive Bonus Program, Providing a \$30,000 Bonus to Each New Hire; a Police Officer Trainee Hiring Incentive Bonus Program, Providing a \$10,000 Bonus to Each Newly Hired, Unsponsored Police Academy Trainee; and a Montclair Employee Police Recruitment Referral Bonus Program, Which May be Terminated at Any Time Prior to the End of the 18-Month Montclair Hiring Bonus Incentive**

**Program, Providing a \$2,500 Bonus to Each City of Montclair Employee Referring a Person who is Successfully Hired and Completes Probation as a Montclair Police Officer**

**Consider Authorizing the City Manager to Make Adjustments and Modifications to the Montclair Hiring Bonus Incentive Program, and to the Amount of the Hiring Incentive Bonus on a Case-By-Case Basis, Subject to Approval by the Montclair Personnel Committee to Ensure Success of the Program**

**Bruce Culp**, resident, spoke in support of the program. He suggested hiring incentive bonuses be offered for all positions because he believes attracting and retaining good employees in all departments is important to the City functioning well.

Council Member Lopez stated he would be in favor of increasing the bonus incentive amount higher than the current amounts, noting the average cost to train a new officer is \$198,538 from hiring to completion of probation. He requested the City Council have authority to make changes to the program if necessary, rather than the Personnel Committee.

Council Member Ruh expressed reluctant support of the program, stating his concern that this type of program will lead to a competition with other agencies for providing the largest bonus.

Council Members Martinez and Johnson spoke in support of the program and other efforts to fully staff the Police Department.

Mayor Dutrey emphasized the importance of Public Safety to the community, especially now with the effects of the Great Resignation being felt, and agreed the City Council should have the authority to amend the program.

<b>ACTION - Consent Calendar - Item B-2</b>	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Take recommended actions, with the following change: <b>Subject to Approval by the Montclair Personnel Committee City Council to Ensure Success of the Program</b>
<b>MADE BY:</b> <b>SECOND BY:</b>	Council Member Lopez Council Member Martinez
<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.

**X. COMMUNICATIONS**

**A. Department Reports**

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

Assistant City Manager/Director of Human Services Richter provided information on upcoming programs and events: Youth Volleyball registration is open from August 7th to the 25th for girls and boys from 5th to 8th grades; Montclair Youth Center will be open Monday through Friday beginning August 9th; Montclair After-School Program begins on August 9th, and registration can be done online; a Food Distribution event will be held in the Community Center on August 17th, and **Feeding America** will host another on August 23rd in the Recreation Center Courtyard.

## 2. Police Department— National Night Out

Acting Chief Reed reported on the success of the City’s National Night Out event that was held on August 1st. He stated over 400 attended and the Department made valuable connections with the community, potentially inspiring children who may become the law enforcement professionals of the future.

## B. City Attorney

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

### 1. Request for City Council to Meet in Closed Session Pursuant to Government Code §54956.9(d)(1) Regarding Pending Litigation

*Godoy v. City of Montclair*

City Attorney Robbins pulled the following from the agenda, stating there is no longer a need to discuss in closed session:

### 2. Request for City Council to Meet in Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr

*Agency: City of Montclair*

*Employee Management*

*Associations: Montclair City Confidential Employees Association*

*Montclair General Employees Association*

*Montclair Fire Fighters Association*

*Montclair Police Officers Association*

## C. City Manager/Executive Director — None

## D. Mayor/Chair

Mayor/Chair Dutrey made the following comments:

1. He stated tonight’s meeting would be adjourned in memory of the victims of the helicopter crash that occurred in Cabazon: **California Department of Forestry and Fire Protection (CAL FIRE) Assistant Chief Josh Bischof and Captain Tim Rodriguez**, and pilot **Tony Sousa**. He added the meeting would also be adjourned in memory of **Americo “Nick” Manuel Luis**, a longtime Montclair resident. He expressed condolences to the families and friends of these individuals.
2. He noted that the flashing stop signs recently installed throughout the City are getting overwhelmingly positive feedback from the community.
3. He commended staff for addressing the concerns brought up at the July 17th meeting regarding Brooks Street and the Community Garden.
4. He recognized the following upcoming notable dates: Victory in Japan Day (August 15th) and Women’s Equality Day (August 26th).

## E. Council Members/Directors

1. Council Member/Director Martinez encouraged senior residents who are 65 or older and struggling financially to contact the Finance Department about receiving discounted trash services.
2. Mayor Pro Tem/Vice Chair Johnson requested an update on improvements planned for Alma Hofman, Saratoga, and Sunset Parks. City Manager Starr advised that they are waiting for information for the Parks Master Plan Update in order to move forward with determining park improvements, and that some supplies needed for repairs at Alma Hofman Park are not available due to a supply chain shortage.

3. Council Member/Director Lopez updated the community on the current status of the I-10 freeway construction, stating the Express Lanes are 75 percent completed. He brought to Council’s attention a July 17th letter from the **Jewish Federation** requesting a resolution condemning antisemitism and all forms of hate, and recommended the Council adopt a resolution such as those adopted by neighboring cities.

ACTION	
<b>ACTING:</b>	City Council
<b>MOTION:</b>	Place on the August 21, 2023 City Council meeting agenda for discussion, a request from the <b>Jewish Federation</b> for a resolution condemning antisemitism and all forms of hate.
<b>MADE BY:</b> <b>SECOND BY:</b>	Mayor Dutrey Council Member Lopez
<b>RESULT:</b>	Motion carried 5-0.

4. Council Member/Director Ruh emphasized the importance for children to exit cars from the curbside of a vehicle, and not the street side, so that they can get to school safely. He suggested the City send a letter of support for the Housing Trust Fund to the office of **Senator Susan Rubio**, since her previous bill was not successful. He stated he will be donating a full set of educational books to the Montclair After-School Program.

**F. Committee Meeting Minutes**

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

1. Public Works Committee – June 15, 2023
2. Personnel Committee – July 17, 2023

**XI. CLOSED SESSION**

At 8:52 p.m., the City Council went into closed session to discuss pending litigation.

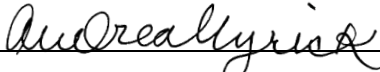
**XII. CLOSED SESSION ANNOUNCEMENTS**

At 9:05 p.m., the City Council returned from closed session. Mayor Dutrey announced that the City Council met in closed session to discuss pending litigation; information was received and direction given to staff on the item; and no further announcements would be made at this time.

**XIII. ADJOURNMENT**

At 9:06 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

*The meeting was adjourned in memory of **Americo “Nick” Manuel Luis, CAL FIRE Assistant Chief Josh Bischof and Captain Tim Rodriguez, and pilot Tony Sousa.***