

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, JUNE 5, 2023, 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

**Montclair Police Chaplain/Pastor Josh Matlock, Bethany Baptist Church,** gave the invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Lopez 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. **Metropolitan Water District Water Conservation Presentation**

**Luis Cetina, Metropolitan Water District,** gave a PowerPoint presentation titled *Supply: Conditions, Concerns and Developments*, which gave an update on the water supply in the state of California.

B. **Police Department Medal of Valor Award Presented to Two Montclair Police Officers**

Acting Police Chief Reed presented the Police Department Medal of Valor Award to Officers Travis Mondrala and Dailynn Santoro for their life-saving efforts during a January 7, 2023 incident in which a resident was saved from a burning home. The City Council thanked the officers for protecting the community.

Mayor Dutrey presented the officers with Certificates of Recognition from the City, and Mayor Pro Tem Johnson presented certificates from the office of **Congresswoman Norma Torres**.

VI. PUBLIC COMMENT

- **Bill Kaufman** provided an update on his unsuccessful attempts to get a business license from City Hall for a commercial cannabis business. He also distributed to the City Council copies of an AI-generated essay regarding the benefits of legalizing commercial cannabis in the City.
- **Jordi Ubaldo**, Event Coordinator, **Montclair Chamber of Commerce**, announced the Chamber's networking breakfast that will be held on Thursday, June 15th at the Waterwise Community Center. The Chamber will also hold its annual luncheon for the Board of Directors Installation Ceremony on Thursday, June 22nd at the same location. They will be hosting a grand opening event for **Montclair Express Car Wash** on Friday, June 23rd.
- **Joe Monteleone, Stotz Equipment**, stated his business, located in southern Montclair along the railroad tracks for twenty years, has been burglarized on a weekly basis. He requested support from the

City Council to allow electrified fences, which are currently not allowed in Montclair. The safety concerns for his employees have him contemplating relocating his business.

- **Luis Farias, Amarok LLC**, stated his company is **Stotz Equipment’s** fence contractor and requested assistance to find a solution.
- **Carolyn Raft** congratulated Officers Mondrala and Santoro and thanked them for their dedication to the residents of Montclair.

**VII. PUBLIC HEARINGS — None**

**VIII. CONSENT CALENDAR**

Council Member/Director Lopez declared his abstention on Item A-1.

<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> <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 Lopez abstained on A-1. None
<b>RESULT:</b>	Motion carried 5-0.

**A. Approval of Minutes**

**1. Regular Joint Meeting — May 15, 2023**

<b>ACTION – Consent Calendar – Item A-1</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 abstained).

**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.

**2. Consider Authorizing the Use of \$8,000 in State Asset Forfeiture Funds to Host the 2023 National Night Out Event**

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

**3. Consider Declaring Certain City Property as Surplus and Available for Auction or Destruction**

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

**4. Consider Authorizing the Destruction of Certain Obsolete Public Records Pursuant to the City of Montclair Records Retention Schedule**

<b>ACTION - Consent Calendar - Item B-4</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**C. Agreements**

**1. Consider Approval of Amendment No. to Agreement No. 20-89 with the County of San Bernardino for the Ada Avenue and Howard Street Rehabilitation Project, Subject to Any Revisions Deemed Necessary by the City Attorney**

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

**2. Consider Approval of Amendment No. 1 to Agreement No. 21-42 with the San Bernardino County Department of Aging and Adult Services to Accept Additional Funding to Support Senior Center Activities and the Senior Transportation Program**

**Consider Authorizing Assistant City Manager/Director of Human Services Richter to Execute All Agreements and Any Amendments Thereto with San Bernardino County Department of Aging and Adult Services, Senior Supportive Services Program**

The City Council received clarification that the additional funding would be for existing staff salaries.

<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 Amendment No. 3 to Agreement No. 22-59 to Accept Additional Funding from the Ontario-Montclair School District to Support the Montclair After-School Program Summer Session at Montera Elementary School**

<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 Amendment No. 1 to Agreement No. 22-100 with the San Bernardino County District Attorney's Office to Station a Victim's Advocate at the Police Department Through the 2023-24 Fiscal Year, Subject to Any Revisions Deemed Necessary by the City Attorney**

The City Council received clarification that the Victim's Advocate works 40 hours a week and is stationed in the Detective Bureau at the Montclair Police Department. They were also informed that the Victim's Advocate is a County employee, and that the program may go away in the future, which is up to the County to decide.

<b>ACTION - Consent Calendar - Item C-4</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

5. **Consider Approval of Agreement No. 23-34 with All City Management Services, Inc. for School Crossing Guard Services for Fiscal Year 2023-24, Subject to Any Revisions Deemed Necessary by the City Attorney**

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

6. **Consider Approval of Agreement No. 23-35 with Chaffey Joint Union High School District for Specialized Law Enforcement Services During Fiscal Year 2023-24, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-6</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

7. **Consider Approval of Agreement No. 23-36 with West Coast Arborists for Tree Maintenance Services, Subject to Any Revisions Deemed Necessary by the City Attorney**

<b>ACTION - Consent Calendar - Item C-7</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

8. **Consider Approval of Agreement No. 23-38 to Accept Funding from the City of Hope Healthy Living Grant to Support Healthy Montclair Activities to Enhance the Community Garden**

Vice Chair Johnson asked for clarification on programs for the community garden. Assistant City Manager/Human Services Director Richter clarified this would be for nutrition and organic gardening education at the community garden.

<b>ACTION - Consent Calendar - Item C-8</b>	
<b>ACTING:</b>	Montclair Community Foundation
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

**9. Consider Approval of Agreement No. 23-39 with Catering Systems, Inc. to Provide Meals for the City’s Senior Citizen Nutrition Program**

<b>ACTION - Consent Calendar - Item C-9</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. 23-3405 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

<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. 23-3406 Approving a List of Projects to be Funded in FY 2023-24 by Senate Bill 1, the California Road Repair and Accountability Act of 2017**

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

**3. Consider Adoption of Resolution No. 23-3407 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service**

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

**4. Consider Adoption of Resolution No. 23-3408 Ordering the Vacation of a Portion of the North Side of Arrow Highway Near Fremont Avenue**

<b>ACTION - Consent Calendar - Item D-4</b>	
<b>ACTING:</b>	City Council
<b>RESULT:</b>	Approved on Consent Calendar; motion carried 5-0.

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

**X. COMMUNICATIONS**

**A. Department Reports — None**

**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)(4) Regarding Potential Litigation**

*1 Potential Case*

**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*

**3. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations**

*Property: APN 1010-28-111-0000*  
*Negotiating Parties: City of Montclair and FYAD Enterprises Inc.*  
*Agency Negotiator: Edward C. Starr, City Manager*  
*Under Negotiations: Recommendations Regarding Purchase Price*

**C. City Manager/Executive Director**

1. Commercial cannabis businesses are not currently legal in the City and until there is an ordinance in place, business applications will not be accepted. It is likely there will be a vetting process for applicants for this type of business. There has been a request for the City to change their ordinance relating to electric fencing, and it is thought it would be of a great assist in certain areas of the community, specifically along the Union Pacific Railroad track corridor. Community Development Director Diaz is looking at a redraft of the ordinance relating to electric fencing.

**D. Mayor/Chair**

Mayor/Chair Dutrey made the following announcements:

1. He will not be attending the June 19, 2023 regular meeting because he will be out of town with family.
2. There will be a Preliminary Budget Review Workshop held on Thursday, June 22nd, and a special meeting to adopt the City's 2023-24 Budget on Thursday, June 29th.

He also made the following comments:

1. He thanked staff for their hard work on the Memorial Day and Country Fair Jamboree events, noting both were great successes.
2. He recognized the month of June for the following: Cancer Survival Day, D-Day, Philippine Independence Day, Flag Day, Father's Day, Juneteenth, LGBTQIA+ Pride, and Caribbean American Heritage Month.
3. He attended the City-County Conference in Lake Arrowhead, and the closing ceremonies for **Montclair Little League**.
4. He recognized the **Women's Club of Montclair** for donating a bench at Sunset Park.

**E. Council Members/Directors**

1. Council Member/Director Martinez commended the Country Fair Jamboree event and acknowledged June as Pride Month, noting there will be a free community Pride event in Downtown Pomona on June 9, 2023.
2. Mayor Pro Tem/Vice Chair Johnson commended City staff member Fernando Saltos for his efforts to make the Country Fair Jamboree a success. She stated she would like the City Council to explore local rent control measures, and other ways to help residents who are financially struggling to afford basic housing.

3. Council Member/Director Lopez requested consistent updates on playground inspections at City parks. He announced that **Shoe City**, located on Moreno Street and Central Avenue, is now officially open for business. He offered his condolences to City Attorney Robbins on the recent passing of her mother.
4. Council Member/Director Ruh also gave condolences for the passing of the mother of City Attorney Robbins. Additionally, he conveyed his sympathies for Community Activities Commissioner Darlene Ferraro and the family of **Rick Ferraro**. He commended the beautiful Memorial Day event that the City held, as well as the Country Fair Jamboree.

**F. Committee Meeting Minutes**

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

1. Public Works Committee - March 16, 2023
2. Personnel Committee - May 15, 2023

**XI. CLOSED SESSION**

At 8:40 p.m., the City Council went into closed session to discuss potential litigation, labor negotiations, and real property negotiations.

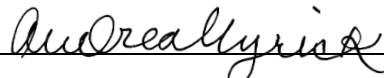
**XII. CLOSED SESSION ANNOUNCEMENTS**

At 9:10 p.m., the City Council returned from closed session. Mayor Dutrey announced that the City Council met in closed session to discuss potential litigation, labor negotiations, and real property negotiations; information was received and direction given to staff on all three items; and no further announcements would be made at this time.

**XIII. ADJOURNMENT**

At 9:11 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 **Rick Ferraro**, husband of Community Activities Commissioner Darlene Ferraro.*