

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 21, 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 7:01 p.m.

II. INVOCATION

Fire Department Chaplain **Jimmy Crowell** 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 Public Works/City Engineer Heredia; Acting Police Chief Reed; City Attorney Robbins; Deputy City Clerk Walker

V. PRESENTATIONS

A. **Certificate of Recognition Presented to Jorge Grajeda for Courageous Actions**

Acting Police Chief Reed provided background information on the incident that led to **Jorge Grajeda** notifying law enforcement of occupants in a burning building, resulting in their rescue. Mayor Dutrey presented him with a Certificate of Recognition.

VI. PUBLIC COMMENT

- **Bill Kaufman** expressed frustration that the City continues to prevent his efforts to open a cannabis dispensary in the City and requested an update from the City regarding legalizing commercial cannabis within the City.
- **Tiffany Ramos** requested the City provide reserved field use for her nonprofit travel baseball team similar to the contracts in place with **Montclair Little League** and **Golden Girls Softball League**.
- **John Davis** spoke regarding the traveling baseball team and wanted the Council's support in finding a safe space for their team to practice.
- **Joana Lubmann**, speaking on behalf of businesses on Brooks Street, provided updates on the police response to crimes targeting the businesses and new incidents that have taken place since last month. She expressed her disappointment that the individuals arrested in connection to the crimes were released shortly after and the area is still being targeted, leaving employees feeling threatened.

VII. PUBLIC HEARINGS

A. **Consider Adoption of Resolution No. 23-3404 Declaring the City's Intent to Become Subject to the Uniform Public Construction Cost Accounting Act [CC]**

First Reading — Consider Ordinance No. 23-1004 Amending Section 3.08.010 of the Montclair Municipal Code to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act [CC]

Consider Setting a Public Hearing for Second Reading and to Consider Adoption of Ordinance No. 23-1004 on Monday, September 18, 2023, at 7:00 P.M. in the City Council Chambers

Mayor Dutrey opened the public hearing.

Deputy City Clerk Walker 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.

Mayor Dutrey proposed adding a requirement for staff to produce a quarterly report to the City Council containing projects awarded by the City Manager.

Finance Director Kulbeck advised the Purchasing Manual will be undergoing an update shortly, and verified that the requested reporting requirement could be included in the section for this new contract award process. She noted the purchasing manual would be presented to the City Council later this year or early next year.

ACTION 1 - Public Hearings - Item A	
ACTING:	City Council
MOTION:	Adopt Resolution No. 23-3404 and direct staff to provide the City Council with a quarterly report of projects awarded using informal bidding procedures prescribed by the Uniform Construction Cost Accounting Act.
MADE BY: SECOND BY:	Mayor Dutrey Council Member Lopez
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
RESULT:	Motion carried 5-0.
ACTION 2 - Public Hearings - Item A	
ACTING:	City Council
MOTION:	Conduct the first reading of Ordinance No. 23-1004 by number and title only, waive further reading, and set a public hearing for second reading and adoption of Ordinance No. 23-1004 on Monday, September 18, 2023 at 7:00 p.m. in the City Council Chambers.
MADE BY: SECOND BY:	Mayor Pro Tem Johnson Council Member Lopez
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
RESULT:	Motion carried 5-0.

VIII. CONSENT CALENDAR

ACTION - Consent Calendar	
ACTING:	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
MOTION:	Approve the Consent Calendar as presented.
MADE BY: SECOND BY:	Mayor Pro Tem/Vice Chair Johnson Council Member Martinez
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
RESULT:	Motion carried 5-0.

A. Approval of Minutes

1. Regular Joint Meeting — August 7, 2023

ACTION - Consent Calendar - Item A-1	
ACTING:	City Council Successor Agency Board Montclair Housing Corporation Board Montclair Housing Authority Commissioners Montclair Community Foundation Board
RESULT:	Approved on Consent Calendar; motion carried 5-0.

B. Administrative Reports

1. Consider Receiving and Filing City Treasurer's Report - July 2023

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

2. Consider Approval of City Warrant Register and Payroll Documentation

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

3. Consider Receiving and Filing SA Treasurer's Report - July 2023

ACTION - Consent Calendar - Item B-3	
ACTING:	Successor Agency Board
RESULT:	Approved on Consent Calendar; motion carried 5-0.

4. Consider Approval of SA Warrant Register – July 2023

ACTION – Consent Calendar – Item B-4	
ACTING:	Successor Agency Board
RESULT:	Approved on Consent Calendar; motion carried 5-0.

5. Consider Receiving and Filing MHC Treasurer's Report – July 2023

ACTION – Consent Calendar – Item B-5	
ACTING:	Montclair Housing Corporation Board
RESULT:	Approved on Consent Calendar; motion carried 5-0.

6. Consider Approval of MHC Warrant Register – July 2023

ACTION – Consent Calendar – Item B-6	
ACTING:	Montclair Housing Corporation Board
RESULT:	Approved on Consent Calendar; motion carried 5-0.

7. Consider Receiving and Filing of MHA Treasurer's Report – July 2023

ACTION – Consent Calendar – Item B-7	
ACTING:	Montclair Housing Authority Commissioners
RESULT:	Approved on Consent Calendar; motion carried 5-0.

8. Consider Approval of MHA Warrant Register – July 2023

ACTION – Consent Calendar – Item B-8	
ACTING:	Montclair Housing Authority Commissioners
RESULT:	Approved on Consent Calendar; motion carried 5-0.

9. Consider Authorizing a \$33,812.14 Allocation from the General Fund for the Purchase of a 2023 Nissan Rogue from Metro Nissan Montclair for Use by the Human Services Department

ACTION – Consent Calendar – Item B-9	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

10. Consider Approval of a Policy for Use of City-Owned and Controlled Electronic Message Boards

ACTION – Consent Calendar – Item B-10	
ACTING:	City Council
RESULT:	Approved on Consent Calendar; motion carried 5-0.

C. Agreements

1. Consider Approval of Agreement Nos. 23-61, 23-62, and 23-63 with Montclair Little League and Golden Girls Softball League for Use of Ball Field Facilities

Karrina Quijada requested that the City consider allowing travel ball teams to have reserved park use time.

Council Member Lopez spoke in favor of extending a similar contract to travel ball teams.

Mayor Dutrey requested staff research what surrounding cities charge travel ball teams for field use.

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

2. Consider Approval of Agreement No. 23-67 with Epic Land Solutions to Provide Right-of-Way Consulting Services on an As-Need Basis, Subject to Any Revisions Deemed Necessary by the City Attorney

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

D. Resolutions

1. Consider Adoption of Resolution No. 23-3418 Authorizing the Submission of an Application for Grant Funds for the Community Resilience Centers Program from the Strategic Growth Council and Authorizing the Execution of Application-Related Documents by the City Manager or Their Designee

Mayor Pro Tem Johnson received clarification that staff is seeking funds to construct a new facility in another area of town that can be used for community programming and as an emergency cooling center.

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

IX. PULLED CONSENT CALENDAR ITEMS — None

X. BUSINESS ITEMS

A. Consider Providing Direction to Staff Related to a Request by the Jewish Federation of the Greater San Gabriel and Pomona Valleys for the City Council to Adopt a Resolution Denouncing Anti-Semitism and All Forms of Hatred

Jason Moss representing **Jewish Federation of the Greater San Gabriel and Pomona Valleys** asked the City Council to strongly consider adopting a resolution denouncing anti-Semitism and all forms of hatred.

The City Council discussed in detail the types of hatred they would like included in the City of Montclair's Resolution. They requested that the City of Upland's Resolution be used as a guide in drafting the one for Montclair.

ACTION – Business Items – Item A	
ACTING:	City Council
MOTION:	Direct staff to draft a Resolution for City Council consideration using the City of Upland’s resolution as a guide, but expanding on the forms of hate to be condemned to include gender, gender expression, age, and veteran status.
MADE BY: SECOND BY:	Mayor Dutrey Council Member Lopez
AYES: NOES: ABSTAIN: ABSENT:	Lopez, Martinez, Ruh, Johnson, Dutrey None None None
RESULT:	Motion carried 5-0.

XI. COUNCIL WORKSHOP

A. North Montclair Street Improvement Master Plan Presentation

The City Council continued this presentation to an adjourned meeting to be held on Monday, September 18, 2023, at 5:45p.m. in the City Council Chambers.

XII. 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 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

City Manager Starr announced Benson Avenue will re-open to traffic under the I-10 freeway on August 25, 2023 at 9:00 p.m.

D. Mayor/Chair

1. Notice of Cancellation of September 4, 2023 Regular Joint Meeting

Mayor/Chair Dutrey announced the September 4, 2023 regular joint meeting is cancelled due to the anticipated lack of pressing business.

2. Mayor/Chair Dutrey reported the old Islands building on Moreno Street has been demolished to make way for a new Panera Bread that is coming to the City, and commended the Montclair Chamber of Commerce’s first annual A Night Under the Stars event that was held at the Chino Basin Water Conservation District on Thursday.

E. Council Members/Directors

1. Council Member/Director Ruh reminded the public that children should exit the car on the curbside in order to stay safe; noted August 14th was the anniversary of women being given the right to vote, 103 years ago; and acknowledged the anniversary of Victory over Japan Day, marking the conclusion of World War II.
2. Council Member/Director Lopez commented on the success of the **Chamber's Night Under the Stars**. He requested an updated on Saratoga Park improvements.

City Manager Starr advised the City's planning consultant **L.D. King** is currently working on the design.
3. Mayor Pro Tem/Vice Chair Johnson reported she attended an event held by **Senator Susan Rubio's** Office and learned about services offered by her office; she reminded the community to dump any standing water after the recent rain showers to prevent mosquito eggs from being laid; and she thanked Montclair restaurants who provided food for the **Montclair Chamber's Night Under the Stars** and also Councilmember Martinez who helped to set up for the event.
4. Council Member/Director Martinez stated she was glad to hear the *Night Under the Stars* event was successful, and was sad she was not able to attend although she did assist with set-up. She further commented that she would love to see more farmer markets and art walks in the City; and she reminded the public that blood donations are needed and encouraged residents to find places to donate.

F. Committee Meeting Minutes

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

1. Personnel Committee - August 7, 2023

XIII. CLOSED SESSION

At 9:09 p.m., the City Council went into closed session to discuss labor negotiations.

XIV. CLOSED SESSION ANNOUNCEMENTS

At 9:36 p.m., the City Council returned from closed session. Mayor Dutrey announced that the City Council met in closed session to discuss labor negotiations; information was received and direction given to staff on the item; and no further announcements would be made at this time.

XV. ADJOURNMENT

At 9:37 p.m., the Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation Board were adjourned.

At 9:37 p.m., the City Council was adjourned to Monday, September 18, 2023, at 5:45 p.m. in the City Council Chambers.

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



Andrea Myrick,
City Clerk