



**SPECIAL MEETING OF THE CITY COUNCIL AND  
MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS**

to be held in the Council Chambers located at  
5111 Benito Street, Montclair, California

Thursday, June 29, 2023  
6:00 p.m.

*Remote Participation Information:*

Zoom Link: <https://zoom.us/j/93717150550>  
Dial Number: 1-(669)-900-6833  
Meeting ID: 937-1715-0550

*Comments on non-agenda items are not permitted at special meetings [Government Code Section 54954.3(a)]. To comment on an agenda item, please complete a Speaker Request Card in the Council Chambers or submit online at least one hour before the meeting starts at <https://www.cityofmontclair.org/public-comment/>. The Mayor/Chair (or the meeting's Presiding Officer) will call on those who submitted requests to speak at the appropriate times during the meeting. Each speaker is given up to five minutes. The meeting's presiding officer may provide more or less time to accommodate speakers with special needs or a large number of speakers waiting in line. Those who did not submit a request to speak who are present at the meeting location may raise their hand during Public Comment to request to speak. Those participating remotely may request speak using the "raise hand" function in Zoom or may dial \*9 if on the phone, and then \*6 to unmute when called on to speak. Written comments (200-word limit per agenda item) and requests to speak can also be emailed at least one hour before the meeting begins to [cityclerk@cityofmontclair.org](mailto:cityclerk@cityofmontclair.org).*

*Audio recordings of Council meetings are available on the City's website at <https://www.cityofmontclair.org/council-meetings/> and can be accessed by the end of the next business day following the meeting.*

## **AGENDA**

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. COMMISSION APPOINTMENTS**

- A. Consider Making Appointments to Three (3) Scheduled Vacancies on the Planning Commission for Full Four-Year Terms Ending June 30, 2027 [CC]

**V. CONSENT CALENDAR**

Page No.

A. Resolutions

1. Consider Adoption of Resolution No. 23-3410 Authorizing Approval of the Change in Population in San Bernardino County During 2022 for the Purpose of Calculating the Gann Spending Limit for Fiscal Year 2023-24 [CC] 3
2. Consider Adoption of Resolution No. 23-3411 Establishing an Appropriations Limit for Fiscal Year 2023-24 Pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code [CC] 5
3. Consider Adoption of Resolution No. 23-3412 Adopting the City of Montclair Fiscal Year 2023-24 Annual Budget [CC] 7
4. Consider Adoption of Resolution No. 23-02 Adopting the Fiscal Year 2023-24 Budget for the Montclair Housing Corporation [MHC] 9

**VI. PULLED CONSENT CALENDAR ITEMS**

**VII. ADJOURNMENT**

*Reports, backup materials, and additional materials related to any item on this Agenda distributed to the meeting bodies after publication of the Agenda packet are available for public inspection in in the Office of the City Clerk between 7:00 a.m. and 6:00 p.m., Monday through Thursday. Please call the City Clerk's Office at (909) 625-9416 or send an e-mail to [cityclerk@cityofmontclair.org](mailto:cityclerk@cityofmontclair.org) to request documents via e-mail.*

*If you need special assistance to participate in this meeting, please contact the City Clerk's Office at (909) 625-9416 or e-mail [cityclerk@cityofmontclair.org](mailto:cityclerk@cityofmontclair.org). Notification prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)*

*I, Andrea M. Myrick, City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 24 hours prior to this meeting on the City's website at <https://www.cityofmontclair.org/departments/public-meetings/> and on the bulletin board adjacent to the north door of Montclair City Hall at 5111 Benito Street, Montclair, CA 91763 on Tuesday, June 27, 2023.*



# CITY COUNCIL AGENDA REPORT

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**DATE:** JUNE 29, 2023

**FILE I.D.:** FIN225

**SECTION:** CONSENT - RESOLUTIONS

**DEPT.:** FINANCE

**ITEM NO.:** 1

**PREPARER:** J. KULBECK

**SUBJECT:** CONSIDER ADOPTION OF RESOLUTION NO. 23-3410 AUTHORIZING APPROVAL OF THE CHANGE IN POPULATION IN SAN BERNARDINO COUNTY DURING 2022 FOR THE PURPOSE OF CALCULATING THE GANN SPENDING LIMIT FOR FISCAL YEAR 2023-24

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**REASON FOR CONSIDERATION:** The City Council is requested to consider adoption of Resolution No. 23-3410 pursuant to Government Code Section 7901, requiring each city to annually adopt a resolution selecting the change in population factor for purposes of calculating the Gann Spending Limit.

A copy of proposed Resolution No. 23-3410 is attached for the City Council's review and consideration.

**BACKGROUND:** The passage of Proposition 111 in June 1990 requires cities to annually select a change-in-population factor for the purpose of calculating the Gann Spending Limit. For this purpose, Government Code Section 7901 permits cities to select either the change in population within their jurisdictions or within the county in which they are located. This selection must be done by a recorded vote of the governing body of each city.

The change in population in San Bernardino County during 2022 as reported by the State Department of Finance was 0.12 percent. Because it is in the City's best interest to establish the highest possible Gann Spending Limit, and the County change is usually larger than the change in the City, staff suggests the City Council choose the percentage change in population in San Bernardino County during 2022 as the change-in-population factor to be used in calculating the limit.

**FISCAL IMPACT:** There would be no fiscal impact to the City's General Fund should the City Council adopt proposed Resolution No. 23-3410 authorizing approval of the change in population in San Bernardino County during 2022 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2023-24.

**RECOMMENDATION:** Staff recommends the City Council adopt Resolution No. 23-3410 authorizing approval of the change in population in San Bernardino County during 2022 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2023-24.

**RESOLUTION NO. 23-3410**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AUTHORIZING APPROVAL OF THE CHANGE IN POPULATION IN SAN BERNARDINO COUNTY DURING 2022 FOR THE PURPOSE OF CALCULATING THE GANN SPENDING LIMIT FOR FISCAL YEAR 2023-24**

**WHEREAS**, California Government Code Section 7901 requires a city to calculate its Gann Spending Limit by choosing either the change in population within its jurisdiction or the change in population within the county in which it is located; and

**WHEREAS**, the selection of the change in population must be accomplished by a recorded vote of the governing body; and

**WHEREAS**, the change in population in the San Bernardino County during 2022 was 0.12 percent and that change has historically been higher than the change within the City of Montclair.

**WHEREAS**, it is in the City's best interest to establish the highest possible Gann Spending Limit.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Montclair hereby approves the change in population in San Bernardino County during 2022 as its change-in-population factor to be used in calculating the Gann Spending Limit for Fiscal Year 2023-24.

**APPROVED AND ADOPTED** this XX day of XX, 2023.

**ATTEST:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

I, Andrea M. Myrick, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 23-3410 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2023, and that it was adopted by the following vote, to-wit:

AYES: XX  
NOES: XX  
ABSTAIN: XX  
ABSENT: XX

\_\_\_\_\_  
Andrea M. Myrick  
City Clerk



# CITY COUNCIL AGENDA REPORT

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**DATE:** JUNE 29, 2023

**FILE I.D.:** FIN225

**SECTION:** CONSENT - RESOLUTIONS

**DEPT.:** FINANCE

**ITEM NO.:** 2

**PREPARER:** J. KULBECK

**SUBJECT:** CONSIDER ADOPTION OF RESOLUTION NO. 23-3411 ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-24 PURSUANT TO ARTICLE 13-B OF THE CALIFORNIA CONSTITUTION AND TO SECTION 7910 OF THE GOVERNMENT CODE

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**REASON FOR CONSIDERATION:** The City Council is requested to consider adoption of Resolution No. 23-3411 establishing an appropriations limit for Fiscal Year 2023-24.

A copy of proposed Resolution No. 23-3411 is attached for the City Council's review and consideration.

**BACKGROUND:** Government Code Section 7910 requires a city council to establish, by resolution, the city's appropriations limit (Gann Spending Limit) for the following fiscal year pursuant to Article 13-B of the California Constitution. The limit, which restricts the amount of tax revenues spent during the year, is based upon the limit for the preceding year, as adjusted for changes in population and cost of living.

The passage of Proposition 111 in June 1990 requires each city to choose either the percentage change in population within its jurisdiction as its change-in-population factor, or the percentage change in population within the county in which it is located. The City of Montclair elects to use the percentage change in California's per capita personal income, which is available in May of each year, as its change in cost-of-living factor.

Earlier this evening, the City Council adopted Resolution No. 23-3410 approving the change in population in San Bernardino County during 2022 as the change-in-population factor to be used in calculating the Fiscal Year 2023-24 appropriations limit.

The change in population in San Bernardino County during 2022 was 0.12 percent. The change in California per capita personal income during 2022 was 4.44 percent. Based on these adjustment factors, the City's appropriations limit for Fiscal Year 2023-24 is \$525,656,351 as established by proposed Resolution No. 23-3411.

**FISCAL IMPACT:** The City would be authorized to spend all tax revenues received up to \$525,656,351 should the City Council adopt proposed Resolution No. 23-3411.

**RECOMMENDATION:** Staff recommends the City Council adopt Resolution No. 23-3411 establishing an appropriations limit for Fiscal Year 2023-24 pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code.

**RESOLUTION NO. 23-3411**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-24 PURSUANT TO ARTICLE 13-B OF THE CALIFORNIA CONSTITUTION AND TO SECTION 7910 OF THE GOVERNMENT CODE**

**WHEREAS**, Article 13-B of the California Constitution limits the appropriations budget of a local government, which is financed by taxes to the appropriations limit (Gann Spending Limit) of the prior fiscal year as adjusted by the change in population and the change in cost of living; and

**WHEREAS**, Government Code Section 7910 requires that the governing body of each local jurisdiction shall, by resolution, annually establish its appropriations limit for the following fiscal year pursuant to Article 13-B of the California Constitution; and

**WHEREAS**, at a meeting held on June 29, 2023, the City Council selected the change in cost of living and change in population factors to be used in determining the appropriations limit for Fiscal Year 2023-24; and

**WHEREAS**, the City of Montclair has determined that said appropriations limit for Fiscal Year 2023-24 is \$525,656,351, and documentation supporting calculation of the limit is available to the public as required by Government Code Section 7910.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Montclair hereby establishes an appropriations limit in the amount of \$525,656,351 for Fiscal Year 2023-24 pursuant to Article 13-B of the Constitution of the State of California and Government Code Section 7910.

**BE IT FURTHER RESOLVED** that said appropriations limit herein established may be changed as deemed necessary by resolution of the City Council.

**APPROVED AND ADOPTED** this XX day of XX, 2023.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

I, Andrea M. Myrick, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 23-3411 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2023, and that it was adopted by the following vote, to-wit:

AYES: XX  
NOES: XX  
ABSTAIN: XX  
ABSENT: XX

\_\_\_\_\_  
Andrea M. Myrick  
City Clerk



# CITY COUNCIL AGENDA REPORT

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<b>DATE:</b>	JUNE 29, 2023	<b>FILE I.D.:</b>	FIN240
<b>SECTION:</b>	CONSENT - ADMIN. REPORTS	<b>DEPT.:</b>	FINANCE
<b>ITEM NO.:</b>	3	<b>PREPARER:</b>	J. KULBECK
<b>SUBJECT:</b>	CONSIDER ADOPTION OF RESOLUTION NO. 23-3412 ADOPTING THE CITY OF MONTCLAIR FISCAL YEAR 2023-24 ANNUAL BUDGET		

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**REASON FOR CONSIDERATION:** The California Government Code requires that the governing body of a local government agency annually adopt an Operating Budget. The City Council is requested to consider adoption of Resolution No. 23-3412, formally adopting the City of Montclair Fiscal Year 2023-24 Budget.

A copy of proposed Resolution No. 23-3412 is attached for City Council review and consideration.

**BACKGROUND:** The City Council reviewed the proposed Fiscal Year 2023-24 Budget on June 22, 2023, at an adjourned joint meeting.

In addition to providing a formal means to adopt the Budget, proposed Resolution No. 23-3412 includes the following fiscal-control provisions:

- The automatic reappropriation of funds into the Fiscal Year 2023-24 Budget to finance outstanding encumbrances as of June 30, 2023.
- The automatic reappropriation of funds into the Fiscal Year 2023-24 Budget to finance capital improvement projects and grants that were not completed during Fiscal Year 2022-23.

The City Council's adoption of Resolution No. 23-3412 would provide for a total Estimated Revenue Budget, including transfers-in, of \$73,076,915, and a total Appropriations Budget, including transfers-out, of \$61,661,505. The General Fund has estimated revenues/transfers-in of \$38,711,863, and appropriation budget/transfers-out of \$39,469,327, leaving an excess of \$3,828,320 allocated to the Special Reserve Funds and the General Fund Unassigned Reserve Fund, which brings the Unassigned Reserve Fund Balance Ratio to approximately 22.45% of General Operating Fund Budget Appropriations — achieving an Unassigned Reserve Fund Balance Ratio of 25% is an annual policy objective of the City Council.

**FISCAL IMPACT:** It is estimated that the Fiscal Year 2023-24 Budget, as presented, provides for an overall increase in total unassigned fund balances/reserve fund balances/retained earnings of \$11,415,410 when considering all funds and operations of the City.

**RECOMMENDATION:** Staff recommends the City Council adopt Resolution No. 23-3412 adopting the City of Montclair Fiscal Year 2023-24 Annual Budget.

**RESOLUTION NO. 23-3412**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MONTCLAIR ADOPTING THE  
FISCAL YEAR 2023-24 BUDGET**

**WHEREAS**, the City Manager submitted to the City Council of the City of Montclair the proposed budget for Fiscal Year 2023-24 including all proposed expenditures, estimated revenues, and estimated fund balances; and

**WHEREAS**, a copy of the proposed budget is on file in the City Clerk's office for inspection by the public; and

**WHEREAS**, the City Council duly reviewed the proposed budget at a meeting open to the public on June 22, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Montclair hereby adopts the proposed budget as the Annual Budget for Fiscal Year 2023-24.

**BE IT FURTHER RESOLVED** that funds are automatically reappropriated into Fiscal Year 2023-24 for all outstanding purchase orders and unexecuted contracts as of June 30, 2023, for which a valid appropriation exists.

**BE IT FURTHER RESOLVED** that funds are automatically reappropriated into Fiscal Year 2023-24 for all capital improvement projects included in the adopted budget that have not been completed as of June 30, 2023.

**BE IT FURTHER RESOLVED** that funds are automatically reappropriated into Fiscal Year 2023-24 for all grants included in the adopted budget that have not been completed as of June 30, 2023.

**BE IT FURTHER RESOLVED** that department heads and their designees are authorized to transfer funds between object codes within the Services and Supplies Budget provided the funding source remains the same.

**BE IT FURTHER RESOLVED** that except for personnel cost-of-living adjustments, which are governed by approved Memorandums of Understanding and Agreements, all expenditures from the General Reserve Funds must be expressly authorized by the City Council.

**APPROVED AND ADOPTED** this XX day of XX, 2023.

**ATTEST:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

I, Andrea M. Myrick, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 23-3412 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2023, and that it was adopted by the following vote, to-wit:

AYES: XX  
NOES: XX  
ABSTAIN: XX  
ABSENT: XX

\_\_\_\_\_  
Andrea M. Myrick  
City Clerk





# CITY COUNCIL AGENDA REPORT

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<b>DATE:</b>	JUNE 29, 2023	<b>FILE I.D.:</b>	FIN220
<b>SECTION:</b>	CONSENT - RESOLUTIONS	<b>DEPT.:</b>	MHC
<b>ITEM NO.:</b>	4	<b>PREPARER:</b>	T. MARTIN
<b>SUBJECT:</b>	CONSIDER ADOPTION OF RESOLUTION NO. 23-02 ADOPTING THE FISCAL YEAR 2023-24 BUDGET FOR THE MONTCLAIR HOUSING CORPORATION		

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**REASON FOR CONSIDERATION:** Pursuant to state law, the governing body of a local government agency is required to annually adopt an Operating Budget. The Montclair Housing Corporation Board of Directors is requested to consider adoption of Resolution No. 23-02, formally adopting the Montclair Housing Corporation Budget for Fiscal Year 2023-24.

**BACKGROUND:** The Fiscal Year 2023-24 Preliminary Budget for the Montclair Housing Corporation was submitted to the respective Board of Directors on June 22, 2023.

The Montclair Housing Corporation Board of Directors is requested to approve the Annual Budget for the Montclair Housing Corporation. The expenses related to the Montclair Housing Corporation involve operation and maintenance of 35 properties. The Montclair Housing Corporation manages 21 single-family homes and 80 multifamily units pursuant to a long-term lease with the Montclair Housing Authority.

**FISCAL IMPACT:** It is estimated the proposed Montclair Housing Corporation Budget would provide for an increase in total balance of \$14,600 during Fiscal Year 2023-24.

**RECOMMENDATION:** Staff recommends the Montclair Housing Corporation Board of Directors adopt Resolution No. 23-02 adopting the Montclair Housing Corporation Fiscal Year 2023-24 Annual Budget.

**RESOLUTION NO. 23-02**

**A RESOLUTION OF THE MONTCLAIR HOUSING CORPORATION ADOPTING THE FISCAL YEAR 2023-24 BUDGET FOR THE MONTCLAIR HOUSING CORPORATION**

**WHEREAS**, the President has submitted to the Board of Directors of the City of Montclair Housing Corporation the Preliminary Budget for Fiscal Year 2023-24 including all proposed expenditures, estimated revenues, and estimated fund balances; and

**WHEREAS**, a copy of the Preliminary Budget is on file in the Montclair Housing Corporation Secretary's office for inspection by the public; and

**WHEREAS**, the Montclair Housing Corporation has duly reviewed the Preliminary Budget at an adjourned joint meeting open to the public held on June 22, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Montclair Housing Corporation hereby adopts the Preliminary Budget as the Annual Budget for Fiscal Year 2023-24.

**BE IT FURTHER RESOLVED** that funds are automatically reappropriated into the Fiscal Year 2023-24 Budget for all outstanding purchase orders and unexecuted contracts as of June 30, 2023, for which a valid appropriation exists.

**BE IT FURTHER RESOLVED** that funds are automatically reappropriated into the Fiscal Year 2023-24 Budget for all capital improvement projects included in the adopted Budget that have not been completed as of June 30, 2023.

**APPROVED AND ADOPTED** this XX day of XX 2023.

**ATTEST:**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

I, Andrea M. Myrick, Secretary of the Montclair Housing Corporation, DO HEREBY CERTIFY that Resolution No. 23-02 was duly adopted by the Montclair Housing Corporation Board of Directors at a special meeting thereof, held on the XX day of XX, 2023, and that it was adopted by the following vote, to-wit:

AYES: XX  
NOES: XX  
ABSTAIN: XX  
ABSENT: XX

\_\_\_\_\_  
Andrea M. Myrick  
Secretary