

MINUTES OF THE REGULAR JOINT MEETING OF THE
MONTCLAIR CITY COUNCIL, REDEVELOPMENT
AGENCY BOARD, AND MONTCLAIR HOUSING
CORPORATION BOARD HELD ON MONDAY,
APRIL 15, 2002, AT 7:00 P.M. IN THE CITY
COUNCIL CHAMBERS, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor/Chairman Eaton called the meeting to order at 7:00 p.m.

II. INVOCATION

Pastor Rudy Lolowang, First Indonesian Assembly of God Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member Dutrey led those assembled in the Pledge.

IV. ROLL CALL

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairman Paulitz; Council Members/Directors Raft, Dutrey, and Ruh; City Manager/Executive Director McDougal; Director of Administrative Services Starr; Director of Redevelopment/Public Works Staats; Director of Community Development Clark; City/Agency Engineer Hudson; City Attorney/Agency Counsel Robbins; City Clerk/Agency Secretary Crawford

V. PRESENTATIONS

A. Introduction of New Employee

Mayor Eaton introduced **Mr. Steve Cano**, who began his duties as a Maintenance Worker in the Public Works Department on April 8, 2002.

Mayor Eaton presented Steve with a City pin and welcomed him to the City of Montclair.

B. Introduction of New Promotee

Mayor Eaton introduced **Mr. Jim Diaz**, who was promoted to the position of Public Works Inspector after serving as a Maintenance Worker since January 1998.

Mayor Eaton congratulated Jim on his promotion, presented him with a City pin, and wished him continued success in his career.

At this time, Tom Stout, President, Montclair Firefighters' Association, made the following presentation:

Montclair Firefighters' Association President, Tom Stout, presented **Dave and Barbara Pennell**, Owners, **Pomona Valley Harley Davidson**, with a plaque for their outstanding dedication, loyalty, and support to the MFFA, Local 3608.

Mr. Dave Pennell accepted the plaque and thanked Mr. Stout, stating that he appreciates the work of the Fire and Police Departments and is glad to be able to give something back to those agencies.

C. Proclamation Declaring April 19, 2002, as "Arbor Day" in the City of Montclair

Mayor Eaton presented a proclamation to Marilyn Staats, Director of Redevelopment/Public Works, declaring April 19, 2002, as "Arbor Day" in the City of Montclair.

D. Proclamation Declaring April 14–21, 2002, as "Volunteer Appreciation Week" in the City of Montclair

Mayor Eaton presented a proclamation to **Charlene Kusick, Chairperson, Community Action Committee**, declaring April 14–21, 2002, as "Volunteer Appreciation Week" in the City of Montclair.

E. Presentation of "Volunteer of the Year" Award

Mayor Eaton announced that **Community Action Committee Chair Charlene Kusick** would be assisting him in the presentation of awards this evening for the 2002 *Volunteer of the Year* program.

Mayor Eaton presented *Volunteers of Distinction* awards to the following nominees:

Por La Vida volunteers, husband and wife, **Maria Elena and Juan Carlos Alvarado** for their strength, dedication, and enthusiasm.

Meals on Wheels volunteer **Ms. Peggy Banas** for her warmth, thoughtfulness, wonderful spirit, and commitment to those who are homebound.

Soroptimist International of Montclair/Inland Valley volunteer **Ms. Olivia Sevilla** for her commitment, support, outstanding leadership, and professional expertise.

Senior Nutrition Program volunteer **Ms. Stella Stephens** for her warmth, commitment, and dedication.

San Bernardino County Library, Montclair Branch volunteer **Mr. Roman Garcia** for his dependability, caring, and commitment.

Youth Basketball Program volunteer **Rene Williams** for 12 years of dedicated service, knowledge of the game, and for setting an example of proper behavior as a basketball coach.

Mayor Eaton presented the following *2002 Volunteer of the Year* awards:

Second Runner Up: **Ms. Gabriela Layseca**, nominated by the **Montclair/Ontario Junior Women's Club**, for "jumping in with both feet" and helping with fundraising projects, revitalizing the scholarship program, and most of all, for her caring and commitment to the community.

First Runner Up: **Mr. Walter Wojciechowski**, nominated by the **Montclair Human Services Division**, for his kindness, inspiration, dedication, and commitment to the many Human Services Division programs and activities.

First Place: **Pastor Neal Froese**, nominated by the **Montclair Police Department**, for his dedicated service to the Department by volunteering to ride with a Police Officer on each shift, once a week; responding to calls for help; serving as the City's Police Chaplain, and comforting and supporting the employees and citizens of our community.

Pastor Froese stated that he appreciates the opportunity to be involved with what he feels is one of the finest Police Departments in the State of California. He added that he respects, admires, and supports each and every one of the officers.

Council Member Ruh presented **Pastor Froese** with a *Certificate of*

Recognition provided this evening on behalf of **State Senator Nell Soto (D-32nd District)**.

Mayor Eaton presented **Pastor Froese** with a **Certificate of Recognition** provided this evening on behalf of **Assembly Member Gloria Negrete McLeod (D-61st District)**.

Mayor Eaton presented **Pastor Froese** with a **Certificate of Recognition** provided this evening on behalf of **San Bernardino County Fourth District Supervisor Fred Aguiar**.

Mayor Eaton, on behalf of **San Bernardino County Fourth District Supervisor Fred Aguiar**, presented **Certificates of Recognition** to the first- and second-runners up.

Ms. Pat Rees, President, **Montclair Chamber of Commerce**, presented **Pastor Froese** with a **plaque** provided this evening on behalf of the **Chamber**.

VI. PUBLIC COMMENT

A. **Ms. Pat Rees**, President, **Montclair Chamber of Commerce**, announced the following **Chamber** activities for the months of April and May:

1. April 24, 2002 – Administrative Professionals Day Luncheon, **The Crescent City Creole Restaurant**, 9395 Monte Vista Avenue, Montclair, cost: \$25 per person, or sponsor a table of eight for \$195.
2. April 30, 2002 – Good Morning Montclair Breakfast, **Los Portales Mexican Grill and Seafood Restaurant**, cost: \$10.
3. May 2, 2002 – Women's Seminar and Business Expo, **Pomona Valley Mining Company**, 8:30 a.m. to 4:00 p.m. Various speakers, a luncheon, and a fashion show will be included.

B. **Montclair Firefighters' Association President**, Tom Stout, thanked City Manager McDougal and Fire Chief Turner for attending the dedication ceremony of the California Firefighters' Memorial in Sacramento, California, on Saturday, April 5, 2002. He stated that it was an honor to have the City of Montclair represented by both the City Manager and the Fire Chief.

Mr. Stout also thanked Mayor Eaton, the City Council, and City Manager McDougal for inviting him to join them on a recent trip to Sacramento where they met with State representatives, including **State Senator Nell Soto (D-32nd District)**, and **Assembly Member Gloria McLeod (D-61st District)**. He stated that he found the

meetings to be very educational and informative.

- C. **Mr. Thomas J. Fitzpatrick** expressed his dissatisfaction with the Montclair Police Department.
- D. **Mr. Ronald Armstrong**, 5601 Deodar Street, Montclair, commented as follows:
 - 1. Concerning his request at the last meeting for a copy of an e-mail message from counsel, **Mr. Armstrong** noted that he received a letter from Executive Director McDougal and expressed his dissatisfaction that the information was not available.
 - 2. He again requested information related to the City's sale of the **1995 Chrysler LHS**.

VII. PUBLIC HEARINGS

- A. **First Reading – Adoption of Ordinance No. 02–818 Amending Section 9.20.460 of the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value**

Mayor Eaton declared it the time and place set for public hearing to consider Ordinance No. 02–818 amending Section 9.20.460 of the Montclair Municipal Code related to the equivalent dwelling unit value.

There being no one in the audience wishing to speak, Mayor Eaton closed the public hearing and returned the matter to the City Council for its consideration.

Moved by Council Member Dutrey and seconded by Mayor Pro Tem Paulitz that Ordinance No. 02–818 entitled "**An Ordinance of the City Council of the City of Montclair Amending Section 9.20.460 of the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value,**" be read by number and title only, further reading be waived, and this be considered its first reading.

The City Council unanimously waived the reading of the Ordinance.

First Reading of Ordinance No. 02–818 was unanimously adopted by the following vote:

AYES:	Ruh, Dutrey, Raft, Paulitz, Eaton
NOES:	None
ABSTAIN:	None
ABSENT:	None

VIII. CONSENT CALENDAR

Mayor Pro Tem/Vice Chairman Paulitz requested that Items B-3, C-1, D-1, D-2, and D-3 be removed from the Consent Calendar for comment.

Council Member /Director Ruh requested that Item B-2 be removed from the Consent Calendar for comment.

Moved by Council Member/Director Dutrey, seconded by Council Member/Director Ruh, and carried to approve the following Consent Items as presented:

A. Approval of Minutes

1. Minutes of Adjourned Joint Council/Agency Meeting of April 1, 2002

The City Council and Redevelopment Agency Board approved the minutes of the Adjourned Joint City Council/Redevelopment Agency Board meeting of April 1, 2002.

2. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of April 1, 2002

The City Council and Redevelopment Agency and Montclair Housing Corporation Boards approved the minutes of the Regular Joint City Council/Redevelopment Agency Board/Montclair Housing Corporation Board meeting of April 1, 2002.

B. Administrative Reports

1. Setting a Public Hearing to Consider Ordinance No. 02-819 Authorizing an Amendment to the Contract with the California Public Employees' Retirement System (CalPERS)

The City Council set a public hearing for Monday, May 6, 2002, at 7:00 p.m. in the City Council Chambers to consider Ordinance No. 02-819 authorizing an amendment to the contract with the California Public Employees' Retirement System (CalPERS).

4. Approval of Recommendations from the March 26, 2002 Real Estate Committee Meeting

The City Council approved recommendations from the March 26, 2002 Real Estate Committee meeting as listed on the agenda report on this item.

5. "No Action" on Alcoholic Beverage Permit Application – Miller's Liquor

The City Council voted "No action" on the "Off-Sale General" license application of Miller's Liquor, 5436 Arrow Highway, Montclair, California.

6. Receiving and Filing of Treasurer's Report

The City Council received and filed the City's Treasurer's Report for the month ending March 31, 2002.

7. Approval of City Warrant Register and Payroll Documentation

The City Council approved the Warrant Register dated April 15, 2002, totaling \$824,469.29; and the Payroll Documentation dated March 10, 2002, amounting to \$440,732.62, with \$299,878.56 being the total cash disbursement.

8. Receiving and Filing of Redevelopment Agency Treasurer's Report

The Redevelopment Agency Board received and filed the Redevelopment Agency Treasurer's Report for the month ending March 31, 2002.

9. Approval of Redevelopment Agency Warrant Register

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 3/01/02 – 3/31/02 in the amounts of \$17,339.62 for Project I, \$101.47 for Project II, \$792,337.88 for Project III, \$105,971.95 for Project IV, and \$514,500.24 for Project V.

10. Receiving and Filing of Montclair Housing Corporation Treasurer's Report

The Montclair Housing Corporation Board received and filed the Montclair Housing Corporation Treasurer's Report for the month ending March 31, 2002.

11. Approval of Montclair Housing Corporation Warrant Register

The Montclair Housing Corporation Board approved the Warrant Register dated 3/01/02 – 3/31/02 in the amount of \$26,209.93.

D. Resolutions

- 4. Adoption of Resolution No. 02-2385 Authorizing the Submittal of a Funding Request Form for Beverage Container Recycling and Litter Cleanup to the Department of Conservation, Division of Recycling**

The City Council adopted Resolution No. 02-2385, entitled "A Resolution of the City Council of the City of Montclair Authorizing the Submittal of a Funding Request Form for Beverage Container Recycling and Litter Cleanup to the Department of Conservation, Division of Recycling."

IX. PULLED CONSENT CALENDAR ITEMS

B. Administrative Reports

- 2. Setting a Public Hearing to Consider Ordinance No. 02-820 Establishing a Pre-Zone Designation of R-1 for Approximately 22 Acres Within the City's Sphere of Influence**

Council Member Ruh asked how many residents will be notified of this action and how such notice will be made.

Community Development Director Clark stated that notification has been expanded to both residents and property owners and it will be provided in Spanish as well as English.

Ms. Nancy Gulizia, 4375 Monte Verde Avenue, Pomona, stated that she supports the annexation.

Ms. Maryann White, 4433 Monte Verde Avenue, Pomona, asked if her property is zoned for R-1 and will it be annexed at the next meeting?

Community Director Clark responded that the property in question is County property and is zoned RS-10M. He explained the annexation process, noting that the pre-zoning is a precursor to possible annexation.

Mr. Jack Stone, 4351 Monte Verde Avenue, Pomona, asked for the definition of a single-family unit as it relates to the R-1 designation.

Community Development Director explained that it would be more appropriate to discuss details at the hearing on May 6, 2002.

Mr. Joseph Lund, 4387 Monte Verde Avenue, Pomona, stated that he's lived in the City for 30 years, and that he supports the annexation. Mr. Lund asked if postal delivery would be affected should annexation take place.

Community Development Director Clark stated that the Post Office has incorporated the newly developed areas into the 91763 zip code; however, they don't guarantee incorporation of future annexations.

Ms. Nora Carrillo, 4395 Monte Verde Avenue, Pomona, stated that her questions have been answered.

Ms. Josie Cund spoke on behalf of **Ms. Maria de Lourdes de C. Vennel**, 4383 Monte Verde Avenue, Pomona, stating that **Ms. Vennel** supports the annexation.

Ms. Josie Lund, 4387 Monte Verde Avenue, Pomona, stated that she supports the annexation.

Ms. Patty Canales, 4378 Monte Verde Avenue, Pomona, stated that she supports the annexation and is concerned about noise in the area caused by the high number of residents per household. She asked how the determination on annexation would be made.

Community Development Director Clark responded that it depends on the method by which annexations are conducted. He stated that the rules are governed by the Local Agency Formation Commission (LAFCO) and annexation would be based on the result of an election by the registered voters in the area proposed for annexation.

Mr. Don Hostetter, 11366 Norton Avenue, Pomona, stated that he opposes the annexation. He noted that there are 89 houses in the proposed annexation area, stating that City Planner Lustro conducted a survey of these households. He pointed out that only 40 percent of the households returned the survey, and 58 percent of those stated that they favored annexation.

Mayor Pro Tem Paulitz gave a historical perspective of the development of the sewer system. He asked that staff provide a chart at the next meeting on the annexation process as defined by LAFCO and the state.

Council Member Ruh asked that the May 6, 2002 City Council Agenda be light to enable those on both sides of the issue to fully express themselves, and asked that a representative from LAFCO attend the meeting.

Council Member Dutrey stated that the annexation proposal did not come from the City, it came from the residents.

Community Development Director Clark stated that the City has not initiated an annexation; it has initiated a pre-zoning process.

Moved by Mayor Pro Tem Paulitz, seconded by Council Member Dutrey, and carried unanimously to set a public hearing for Monday, May 6, 2002, at 7:00 p.m. in the City Council Chambers to consider Ordinance No. 02-820 establishing a pre-zone designation of R-1 for approximately 22 acres within the City's sphere of influence.

3. Selecting and Prioritizing Sites for a Senior Citizens Center, Police Department, and Soccer Fields

Mayor Eaton stated that he recommends the remodel of the existing Police Department building for the Senior Citizens Center; Monte Vista Avenue and Arrow Highway for the Police Department facility; and co-location with Ontario-Montclair School District (OMSD) for the soccer fields.

Mayor Pro Tem Paulitz stated that he supports the remodel of the existing Police Department building once vacated for the Senior Citizens Center, and Monte Vista Avenue and Arrow Highway for the Police Department facility, because we own it and it's close to the Fire Department and the I-10 Freeway. Regarding the soccer fields, he prefers to co-locate with OMSD or utilize the City-owned property on Vernon Avenue, south of Mission Boulevard. He stated that we need to structure this plan at the lowest possible cost.

Council Member Raft stated that she supports the Senior Citizens Center being close to City Hall, adding that she supports the remodel of the existing Police Department building for the Center. She indicated that she also approves of the Police Department being close to the Fire Department and concurs with Mayor Eaton and Mayor Pro Tem Paulitz to co-locate with OMSD for the soccer fields. She noted that another option would be to expand the Police Department into the existing Community Center.

Council Member Dutrey supports the existing Police Department facility for the Senior Citizens Center. He asked City Manager McDougal if the consultant was going to be looking at five sites.

City Manager McDougal replied, "Yes."

Council Member Dutrey agreed that the former park-and-ride facility is probably the best site for the Police Department facility, but is concerned that we may be narrowing ourselves to one particular site when there are other options. He stated that he feels more than one site should be looked at for the Police Department facility, noting the sites at 5091 Holt Boulevard, vacant RDA property on the corner of Ramona Avenue and State Street, and the former Chrysler dealership are additional options.

Regarding soccer fields, Council Member Dutrey supports co-location with OMSD or utilization of the City-owned property on Vernon Avenue, south of Mission Boulevard. He stated that the Margarita School site is also a possibility.

Council Member Dutrey asked if staff would be conducting a study to see if there is any community support for the proposed projects and how much they are willing to pay for the projects.

City Manager McDougal stated that we would propose a study be done in June or July.

Council Member Dutrey stated that he supports remodeling the existing Police Department building once vacated for the Senior Citizens Center. Regarding the Police Department facility, Council Member Dutrey supports the former park-and-ride facility at Monte Vista Avenue and Arrow Highway; the vacant property on the south side of Holt Boulevard, at approximately 5101 Holt Boulevard; and vacant RDA-owned property on Ramona Avenue and State Street. Council Member Dutrey stated that he agrees on co-location with OMSD at the proposed elementary school at Bandera Street and Monte Vista Avenue, and/or other school sites for the soccer fields, but would also like to include the former Margarita School site and the City-owned property on Vernon Avenue, south of Mission Boulevard as potential sites.

Council Member Ruh stated that he believes we need to recommend five or six priorities to the consultant. He noted that he was unaware that we have settled on a bond measure.

Mayor Eaton replied, "That is not true."

City Manager McDougal clarified that a bond issue is only one option and that there are other viable options that may work depending on what is ultimately decided by the Council.

Council Member Ruh stated that he has difficulty supporting the former park-and-ride facility because he believes the Police Department is an intricate part of the Civic Center. He added that we need to look at ways to expand the existing Police Department, without the encroachment to Alma Hofman Park, perhaps by relocating and remodeling the Library for the Police Department, and utilizing the United Artists Cinema building. He concurred with the RDA-owned site.

Council Member Ruh talked about police facilities visited on a recent tour, noting some extravagant amenities, such as marble and etched glass that should not be considered for the proposed facility in Montclair.

He stated that we need to look at what other local cities are proposing for their Police facilities, adding that our facility should remain in the Civic Center complex.

Regarding the Senior Citizens Center, Council Member Ruh concurred that we need to find a way to keep it at the Civic Center complex.

Council Member Ruh stated that he supports co-location with OMSD at the school site at the proposed elementary school at Bandera Street and Monte Vista Avenue. He noted that liability issues would need to be addressed.

City Manager McDougal noted that regarding the UA Theater, he believes escrow closed today on that property and that it is now owned by First Baptist Church.

Regarding the amenities at the Santa Anita and Orange County Police Department facilities, City Manager McDougal stated that these sites were not selected because of such features, but because the sites reflected the difference in functionality of the two designs. He noted the facility that is five years old looks like new, while the other facility is 12 years old and looks like it is 40 years old.

Regarding the schedule, Mayor Pro Tem Paulitz asked City Manager McDougal for the timeline regarding prioritization.

City Manager McDougal stated that the consultant would like up to five sites for evaluation by April 22, 2002.

Moved by Mayor Pro Tem Paulitz, and seconded by Council Member Dutrey that the City Council include the following sites as described in the agenda for recommendation to the consultant.*

Senior Citizens Center

4. Remodel the existing Police Department Building once vacated

Police Department

1. Park-and-ride facility at Monte Vista and Arrow Highway
4. Vacant property on the south side of Holt Boulevard, at approximately 5091 Holt Boulevard
8. Vacant RDA-owned property on Ramona Avenue at State Street

Soccer Fields

2. Co-locate with OMSD at the proposed elementary school at Bandera Street and Monte Vista Avenue, and/or other school sites
4. Utilize the City-owned property on Vernon Avenue, south of Mission Boulevard

Council Member Ruh stated that he feels the Margarita School site should be included as one of the potential Police Department sites and asked if it's still being considered. Mayor Eaton responded that the Margarita School site is not included in the motion.

Council Member Ruh stated he would like to look at other options, including conversion of the library. He stated that he would also like to see Option No. 12 "Other" included in the motion, and also asked if the Lehigh property could be considered.

City Manager McDougal responded that the Lehigh property (Sunset Park) was mentioned in a report presented to Council, which would place the soccer field on Kingsley Street. He noted that the property owners on Kingsley have been promised that there would be no such activity at Sunset Park.

Mayor Pro Tem Paulitz noted that both Upland and Rancho Cucamonga have Police Departments away from their Civic Centers. He stated that it is important for the Library and Senior Citizens Center to remain at the Civic Center Complex.

Council Member Raft asked that Option No. 11 "Remodel and Expand (2nd floor) the Existing Police Department" be added

to the motion.

City Manager McDougal noted that if Option No. 11 were selected, it would be necessary to close and relocate the Police Department for approximately one year during construction.

*Motion carried as follows:

AYES: Ruh, Dutrey, Raft, Paulitz, Eaton
NOES: None
ABSTAIN: None
ABSENT: None

Council Member Ruh stated that he voted for the motion because "we need to move forward," but indicated that "we may regret some of these decisions in 15 years."

C. Agreements

1. **Approval of *Agreement No. 02-58* Amending *Agreement No. 01-101* with Nestor Traffic Systems, Inc., to Add One Intersection Approach for Enforcement of Red Signal Light Violations**

Mayor Pro Tem Paulitz asked when will the cameras be installed and has there been a delay on the Moreno Street/Central Avenue location?

Captain Piper replied that the construction of the new Target store would be requiring signal changes at that intersection, delaying the installation of cameras at that location.

Mayor Pro Tem Paulitz inquired as to why we don't do all of Holt Boulevard at one time.

Captain Piper stated that the phasing of the improvements of Holt Boulevard is based on the cost.

City Manager McDougal stated that the program is based on an estimate of the number of violations per day, week, and month, and there is a revenue stream generated from those violators that pay, with that money being used to pay our obligation to Nestor. He stated that if additional cameras cost more than they generate in revenue, the additional cost would come out of the General Fund.

Council Member Raft stated that the light at the intersection of Central Avenue and Holt Boulevard does not stay green

long enough, allowing only three to five cars to pass. She suggested that we change the timing at that light.

City Engineer Hudson stated that we have looked at that intersection, noting that the signal operates on a 90-second cycle. He stated that one option being looked at by the traffic engineer would be to increase the cycling from 90 seconds to 120 seconds. City Engineer Hudson added that it would be done in conjunction with a regional study that is being conducted by Albert Grover and Associates under contract with SANBAG through federal grant monies. If the cycle length gets increased to 120 seconds, City Engineer Hudson stated that there would be ramifications along Central Avenue, with some of the delay time for cross streets in excess of one minute.

Council Member Raft asked about changing the green light from the left-hand turn to turning after the through traffic?

City Engineer Hudson stated that it is a possibility, noting he would talk to the traffic engineer regarding that change.

Mayor Pro Tem Paulitz asked when are we going to cut the island off going to Monte Vista Water District?

City Engineer Hudson replied that a design has been completed and the cost is considerably more prohibitive and he is looking at an alternative to the design, primarily to reduce the construction cost.

Regarding traffic movement, Council Member Ruh asked if anyone from the Montclair Plaza has been included in discussions about traffic control.

Council Member Dutrey stated that the objective of this project is public safety, noting that transportation issues continue to be challenging.

Moved by Mayor Pro Tem Paulitz, seconded by Council Member Dutrey, and carried that the City Council approved *Agreement No. 02-58* amending *Agreement No. 01-101* with **Nestor Traffic Systems, Inc.**, to add one intersection approach for enforcement of red signal light violations.

D. Resolutions

1. **Adoption of Resolution No. 02-03, a Resolution of the City of Montclair Redevelopment Agency Approving the Preliminary Report for the Proposed Mission Boulevard Joint**

Redevelopment Project and Directing the Transmittal of the Preliminary Report to the Affected Taxing Agencies

Adoption of Resolution No. 02-04, a Resolution of the City of Montclair Redevelopment Agency Approving the Draft Redevelopment Plan for the Mission Boulevard Joint Redevelopment Project Area, and Authorizing Transmittal of the Proposal Redevelopment Plan to Affected Taxing Agencies and Persons and Organizations Within the Project Area, and Submittal to the Planning Commission for Report and Recommendation

Adoption of Resolution No. 02-05, a Resolution of the City of Montclair Redevelopment Agency Approving Draft Owner Participation Rules Governing Participation and Reentry Preferences by Property Owners, Operators of Businesses, and Business Tenants in the Mission Boulevard Joint Redevelopment Project, and Directing that Such Rules be Made Available for Public Inspection, Review, and Comment

Adoption of Resolution No. 02-06, a Resolution of the City of Montclair Redevelopment Agency Accepting and Approving a Draft General Relocation Rules (Method of Relocation) Pursuant to Section 33411 of the California Redevelopment Law for the Mission Boulevard Joint Redevelopment Project

Referring to the Draft Owner Participation Rules, Mayor Pro Tem Paulitz asked, "Who does the property owner bargain with if he is in the County?"

Redevelopment/Public Works Director Staats responded that that issue would be discussed and agreed upon with County staff.

Regarding zonings, Mayor Pro Tem Paulitz stated that it should be noted that City standards should prevail.

City Manager McDougal stated that the County officials, including our supervisor, want to retain planning rights to the property. Regarding the capital improvements on Mission Boulevard, City Manager McDougal stated that the County has allowed us to be the lead agency, but whatever is developed would have to be approved by the County as well as the City Council. He stressed that the County is very cooperative and he is confident that any issues related to street improvements could be worked out.

Mayor Pro Tem Paulitz asked if a proposed annexation is on hold?

City Manager McDougal stated it would not be wise for the City to initiate an annexation at this time, in this area.

Council Member Dutrey, referring to tax increment, asked how realistic are the figures of \$26 million over a 45-year period?

City Manager McDougal responded that this is an estimate, and actual revenue will be affected by various factors, including the economy and inflation.

Moved by Director Dutrey and seconded by Vice Chairman Paulitz to adopt the following Resolutions:

- (a) Resolution No. 02-03, entitled **“A Resolution of the City of Montclair Redevelopment Agency Approving the Preliminary Report for the Proposed Mission Boulevard Joint Redevelopment Project and Directing the Transmittal of the Preliminary Report to the Affected Taxing Agencies,”** be read by number and title only, further reading be waived, and it be declared adopted.
- (b) Resolution No 02-04, entitled **“A Resolution of the City of Montclair Redevelopment Agency Approving the Draft Redevelopment Plan for the Mission Boulevard Joint Redevelopment Project Area, and Authorizing Transmittal of the Proposal Redevelopment Plan to Affected Taxing Agencies and Persons and Organizations Within the Project Area, and Submittal to the Planning Commission for Report and Recommendation,”** be read by number and title only, further reading be waived, and it be declared adopted.
- (c) Resolution No 02-05, entitled **“A Resolution of the City of Montclair Redevelopment Agency Approving Draft Owner Participation Rules Governing Participation and Reentry Preferences by Property Owners, Operators of Businesses, and Business Tenants in the Mission Boulevard Joint Redevelopment Project, and Directing that Such Rules be Made Available for Public Inspection, Review, and Comment,”** be read by number and title only, further reading be waived, and it be declared adopted.
- (d) Resolution No 02-06, entitled, **“A Resolution of the City of Montclair Redevelopment Agency Accepting and Approving a Draft General Relocation Rules (Method of**

Relocation) Pursuant to Section 33411 of

the California Redevelopment Law for the Mission Boulevard Joint Redevelopment Project,” be read by number and title only, further reading be waived, and it be declared adopted.

The City Council unanimously waived the reading of the above Resolutions.

Resolution Nos. 02-03, 02-04, 02-05, and 02-06 were unanimously adopted by the following vote:

AYES: Ruh, Dutrey, Raft, Paulitz, Eaton
NOES: None
ABSTAIN: None
ABSENT: None

2. Adoption of Resolution No. 02-2382 Related to an Application for State Funds Under the Safe Routes to Schools Program

Mayor Pro Tem Paulitz asked if this is an addition to the one at Vernon Middle School?

City Engineer Hudson responded that we are reapplying for it at this time.

At 9:09 p.m., Council Member Dutrey left the dais.

Moved by Mayor Pro Tem Paulitz and seconded by Council Member Ruh that Resolution No. 02-2382, entitled "**A Resolution of the City Council of the City of Montclair identifying Areas for Participation in the State's Safe Routes to Schools Program for Fiscal Year 2002-03,**" be read by number and title only, further reading be waived, and it be declared adopted.

The City Council waived the reading of the above Resolution.

Resolution No. 02-2382 was adopted by the following vote:

AYES: Ruh, Raft, Paulitz, Eaton
NOES: None
ABSTAIN: None
ABSENT: Dutrey

3. Adoption of Resolution No. 02-2383 Giving Notice of the Intention to Authorize and Amendment to the Contract with

the Board of Administration of the California Public Employees' Retirement System (CalPERS)

Mayor Pro Tem Paulitz asked if proposed enhancements for general employees are the same as for public safety employees?

City Manager McDougal noted that the proposed formula for general employees is 3% @ 60, while public safety is currently at 3% @ 55, and that will go to 3% @ 50 in 2005.

At 9:12 p.m., Council Member Dutrey returned to the dais.

Moved by Mayor Pro Tem Paulitz and seconded by Council Member Ruh that Resolution No. 02-2383, entitled "**A Resolution of the City Council of the City of Montclair Giving Notice of the Intention to Authorize an Amendment to the Contract with the Board Of Administration of the California Public Employees' Retirement System,**" be read by number and title only, further reading be waived, and it be declared adopted.

The City Council unanimously waived the reading of the above Resolution.

Resolution No. 02-2385 was unanimously adopted by the following vote:

AYES:	Ruh, Dutrey, Raft, Paulitz, Eaton
NOES:	None
ABSTAIN:	None
ABSENT:	None

X. RESPONSE

A. Update Regarding Heritage Park Senior Apartments

Director of Community Development Clark stated that the meeting held on April 3, 2002, was very informative.

Mayor Pro Tem Paulitz mentioned that he was in the process of writing a letter to his colleagues, City Manager McDougal, and Community Development Director Clark regarding his impressions of that meeting and recommendations he would like to make. He also thanked staff for arranging the meeting.

Council Member Dutrey stated that he was glad the meeting finally took place.

Council Member Ruh stated that the meeting was well attended and stated that he suggested to the on-sight manager that monthly or bi-monthly meetings be held between the managers and residents to discuss issues of mutual concern.

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel – No Comments

B. City Manager/Executive Director

1. City Manager/Executive Director McDougal stated that the City Council/Redevelopment Agency/Montclair Housing Corporation meetings of May 20, 2002, would not be held due to the lack of a quorum.
2. City Manager/Executive Director McDougal stated that Community Development Director Clark and Director of Redevelopment/Public Works Staats met with the new manager of the Montclair Plaza, **Ms. Donna Jarrell**. He noted that the Plaza agreed to pay for a portion of the traffic study.

City Engineer Hudson stated that staff negotiated the price with the traffic engineer, resulting in the Plaza agreeing to pay for one-half of the project.

C. Mayor/Chairman

1. Mayor/Chairman Eaton commented as follows:
 - (a) He noted his attendance at recent **Omnitrans** and **San Bernardino Associated Governments (SANBAG)** meetings on April 3, 2002.
 - (b) He noted that he, his colleagues, staff, and bargaining group representatives visited Sacramento last week and met with several state legislators and representatives. He stated that AB 680, the redistribution of sales tax, was discussed, noting legislators are aware of Montclair's opposition to AB-680.

D. City Council/Agency Board

1. Mayor Pro Tem/Vice Chairman Paulitz commented as follows:
 - (a) He congratulated two of this evening's ***Volunteer of the Year*** recipients:
 1. **Ms. Stella Stevens**, noting that she is always

cheerful.

2. **Mr. Walter Wojciechowski**, noting that he should be commended for all his work.

(b) He noted that the Code Enforcement Committee has developed a new form, entitled, "Notice to Correct."

(c) He asked if the timing on the light at Central and Orchard has been changed?

City Engineer Hudson responded that there may be a detection problem and that we will have it checked out.

2. Council Member/Director Raft congratulated all of the volunteers on their awards and thanked them for their service to the community.

3. Council Member/Director Dutrey commented as follows:

(a) He thanked the **Community Action Committee** for this evening's successful awards program.

(b) He noted that the trip to Sacramento was very successful and stated work still needs to be done to hopefully defeat AB 680.

(c) He noted his attendance at the International Conference of Shopping Centers Luncheon, held at the Sierra Lake Golf Course, on Thursday, April 11, 2002. He reported that five projects were discussed – Colonies Project in Upland, Victoria Gardens in Rancho Cucamonga, and three smaller shopping centers.

(d) He noted that the Code Enforcement Committee approved a guideline information sheet that will be given to the residents by the Code Enforcement officers when discussing violation issues.

4. Council Member/Director Ruh commented as follows:

(a) He noted that he received a complaint from a resident who stated that the fields at Saratoga Park are in bad condition due to the "phantom" soccer leagues that continue to use the park, and that there is poor lighting in the parking lot at that park.

Council Member Ruh stated that the resident is also concerned about the children's safety at Monte Vista Avenue and Palo Verde Street because there are no rails along the sidewalk.

Mayor Eaton responded that the Public Works Committee is working on these issues.

- (b) He commended local Soroptomist members Donna James, Diane Wells, Virginia Riley, and Laurie Milhiser for sponsoring a youth forum that took place last weekend.
- (c) He noted the recent passing of Ms. Maggie Stamm, stating that she served in many capacities in the area, including her service on the Grand Jury.
- (d) He noted that Mr. Wayne Bickel, former Community Action Committee member and long-time Montclair resident had also passed away. He extended his sympathy, on behalf of the Council, to **Mr. Bickel's** family and friends.

E. Committee Meeting Minutes

1. Minutes of Real Estate Committee Meeting of March 26, 2002

The City Council received and filed the Code Enforcement Committee meeting minutes of March 26, 2002, for informational purposes.

2. Minutes of Personnel Committee Meeting of April 1, 2002

The City Council received and filed the Personnel Committee meeting minutes of April 1, 2002, for informational purposes.

At this time, Mayor Eaton made the following announcements:

- ✓ Applications are now being accepted through Thursday, May 9, 2002, to fill the forthcoming two vacancies on the Planning Commission when Commissioners Luis Flores's and Sergio Sahagun's terms expire on June 30, 2002.
- ✓ Applications will be available in all City offices beginning Tuesday, April 2, 2002, to fill the forthcoming four vacancies on the Community Action Committee (CAC) when Members Javier Courtney's, Darleen Hartman's, Manny Martinez's, and Billy Summers' terms expire on June 30, 2002. Applications will be accepted through Thursday, May 9, 2001.

XII. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AGENCY AND

MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS

At 9:24 p.m., Mayor/Chairman Eaton adjourned the City Council and Redevelopment Agency and Montclair Housing Corporation Boards of

Directors in memory of former Community Action Committee member and long-time Montclair resident, **Mr. Wayne Bickel**.

Submitted for City Council/Redevelopment Agency Board/Montclair Housing Corporation Board approval,

Donna M. Jackson
Deputy City Clerk