

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS HELD ON MONDAY, MAY 17, 2004, 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 Benny Nicholas, First United Methodist Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem/Vice Chairman Dutrey led those assembled in the Pledge.

IV. ROLL CALL

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

Mayor Eaton recognized **City of Ontario** Council Member **Alan D. Wapner's** attendance at the meeting and welcomed him.

V. PRESENTATIONS - None

VI. PUBLIC COMMENT

A. Mr. Ronald Armstrong, 5601 Deodar Street, Montclair, commented as follows:

1. He noted he purposefully misquoted certain Red Light Camera Enforcement Program citation revenue figures at the last meeting to determine, on behalf of certain residents, whether the Council pays attention to his comments at these meetings.
2. He asked for clarification regarding the recent voluntary resignation of a Montclair Police Officer.
3. He noted certain residents' disappointment over the ruling of justifiable homicide in the **Jeffrey Watts** case. He added that certain witnesses were not contacted in the case.
4. He noted the horror facing American prisoners of war in Iraq.
5. He reiterated his opinion that the Council is setting a bad example for community youth.

VII. PUBLIC HEARINGS

A. Adoption of Resolution No. 04-2507 Authorizing Recovery of Abatement Costs Incurred by the City Related to Property Owned by John and Jennifer I. Rund and Located at 5579 Denver Street, Montclair, California

Mayor Eaton declared it the time and place set for public hearing to consider Resolution No. 04-2507 authorizing recovery of abatement costs incurred by the City related to property owned by John and Jennifer I. Rund located at 5579 Denver Street, Montclair, California, and invited comments from the public.

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.

Council Member Ruh asked for confirmation that staff was unable to contact the property owners.

City Manager McDougal answered, "That is correct."

Council Member Ruh inquired as follows:

1. Has the property been abandoned?

Mayor Eaton answered, "That is correct."

2. How does staff expect to recoup the \$608.52 nuisance-abatement cost if the property owners are either inaccessible and/or unresponsive to staff's contact efforts?

City Manager McDougal responded that staff would follow standard procedure to contact the property owners in this case. He advised that policy dictates that if the nuisance-abatement payment is not received by the due date, a lien would be placed against the property; and the City would receive payment once the property transfers ownership.

Council Member Ruh noted he wanted to make the process on such cases clear for the information of the public.

Moved by Mayor Pro Tem Dutrey and seconded by Council Member Paulitz that the following actions be taken:

1. That Resolution No. 04-2507, entitled "**A Resolution of the City Council of the City of Montclair Declaring the Findings of the City Council Related to the Cost of Abatement Report for Property Located at 5579 Denver Street, Montclair, California,**" be read by number and title only, further reading be waived, and it be declared adopted.
2. That the Council determine that the \$608.52 reimbursement amount be paid to the City of Montclair within ten calendar days of the adoption of Resolution No. 04-2507.

The City Council unanimously waived the reading of Resolution No. 04-2507.

Resolution No. 04-2507 was unanimously adopted and the Council determined that the \$608.52 reimbursement amount be paid to the City of Montclair within ten calendar days of adoption of Resolution No. 04-2507 by the following vote:

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

B. Adoption of Resolution No. 04-2508 Authorizing Recovery of Abatement Costs Incurred by the City Related to Property Owned by Mr. Thomas Rees and Located at 10170 Columbine Avenue, Montclair, California

Mayor Eaton declared it the time and place set for public hearing to consider Resolution No. 04-2508 authorizing recovery of abatement costs incurred by the City related to property owned by Mr. Thomas Rees located at 10170 Columbine Avenue, Montclair, California, and invited comments from the public.

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.

Council Member Ruh inquired as follows:

1. Did the property owner respond either in person or by mail to the Notice to Correct?

City Manager McDougal answered, "He did not."

2. Was the property occupied at the time action was taken?

Fire Division Chief Tapia responded that the property was originally cited for violations in 1999 and has since been boarded up. He advised that staff has received no cooperation from the property owners to abate the violations.

Council Member Paulitz advised that this item was addressed several times by the Code Enforcement Committee and the property has been abandoned for two or three years and is now up for tax auction.

Mayor Pro Tem Dutrey noted he has received several complaints about the property in the past. He thanked Code Enforcement staff for their efforts to abate these cases, noting the appreciation of the neighbors of these neglected properties.

Moved by Mayor Pro Tem Dutrey and seconded by Council Member Paulitz that the following actions be taken:

1. That Resolution No. 04-2508, entitled "**A Resolution of the City Council of the City of Montclair Declaring the Findings of the City Council Related to the Cost of Abatement Report for Property Located at 10170 Columbine Avenue, Montclair, California,**" be read by number and title only, further reading be waived, and it be declared adopted.
2. That the Council determine that the \$575.52 reimbursement amount be paid to the City of Montclair within ten calendar days of the adoption of Resolution No. 04-2508.

The City Council unanimously waived the reading of Resolution No. 04-2508.

Resolution No. 04-2508 was unanimously adopted and the Council determined that the \$575.52 reimbursement amount be paid to the City of Montclair within ten calendar days of adoption of Resolution No. 04-2508 by the following vote:

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

C. First Reading - Ordinance No. 04-848 Establishing a Prezone Designation of R-1(20) to Approximately 11.60 Acres and a

Prezone Designation of R-1(11) to Approximately 1.95 Acres Within the City's Sphere of Influence

Mayor Eaton declared it the time and place set for public hearing to consider Ordinance No. 04-848 establishing a prezone designation of R-1(20) to approximately 11.60 acres and a prezone designation of R-1(11) to approximately 1.95 acres within the City's Sphere of Influence and invited comments from the public.

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 Paulitz and seconded by Mayor Pro Tem Dutrey that Ordinance No. 04-848, entitled "**An Ordinance of the City Council of the City of Montclair Approving Prezone Designations of R-1(20) (Single-Family Residential, Minimum 20,000-Square-Foot Lot Area) and R-1(11) (Single-Family Residential, Minimum 11,000-Square-Foot Lot Area) Within the City's Sphere of Influence,**" be read by number and title only, further reading be waived, and this be declared its first reading.

The City Council unanimously waived the reading of the Ordinance.

First Reading of Ordinance No. 04-848 was unanimously adopted by the following vote:

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

VIII. CONSENT CALENDAR

Council Member Paulitz requested that Item C-2 be removed from the Consent Calendar for comment.

Director Raft requested that Item C-3 be removed from the Consent Calendar for comment.

Council Member Ruh requested that Item B-1 be removed from the Consent Calendar for comment.

Mayor Pro Tem/Vice Chairman Dutrey, seconded by Council Member/Director Raft, and carried unanimously to approve the following Consent Items as presented:

A. Approval of Minutes

1. Minutes of Adjourned Joint Council/Agency Meeting of May 3, 2004

The City Council and Redevelopment Agency Board approved the minutes of the Adjourned Joint City Council/Redevelopment Agency Board meeting of May 3, 2004.

2. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of May 3, 2004

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 May 3, 2004.

B. Administrative Reports

2. Approval to Purchase a Fuel-Management/Gate-Entry System From Rapac Network International, Inc.

Authorizing a \$3,645 Appropriation From the Contingency Account

The City Council took the following actions:

- (a) Approved the purchase of a fuel-management/gate-entry system from Rapac Network International, Inc., for the City Corporate Yard facility.
- (b) Authorized a \$3,645 appropriation from the Contingency Account.

3. Acceptance of Irrevocable Offers to Dedicate Street Right-of-Way for Future Extension of Harvard Street and Additional Parkland for Sunrise Park Pursuant to Parcel Map No. 15006 Condition of Approval Requirement

The City Council accepted irrevocable offers to dedicate street right-of-way for future extension of Harvard Street and additional parkland for Sunrise Park pursuant to Parcel Map No. 15006 condition of approval requirement.

4. Approval of Parcel Map No. 16571 Located on the South Side of Brooks Street, West of Rose Avenue

Authorizing Parcel Map No. 16571 to be Recorded by the Office of the San Bernardino County Recorder

The City Council took the following actions:

- (a) Approved Parcel Map No. 16571 located on the south side of Brooks Street, west of Rose Avenue.
- (b) Authorized Parcel Map No. 16571 to be recorded by the Office of the San Bernardino County Recorder.

5. Authorize Amendment of the Traffic Signal Upgrade Project to Include Addition of Protected Left-Turn Phasing for the Traffic Signal at the Intersection of Holt Boulevard and Vernon Avenue

The City Council authorized amendment of the Traffic Signal Upgrade Project to include the addition of protected left-turn phasing for the traffic signal at the intersection of Holt Boulevard and Vernon Avenue.

6. Approval of Filing of *Notice of Completion*, Reduction of *Faithful Performance Bond* to 10 Percent, and Six-Month Retention of *Payment Bond* Related to Completion of the Sunrise Park Block Wall Reconstruction Project

The City Council approved the following actions related to completion of the Sunrise Park Block Wall Reconstruction Project:

- (a) The filing of a *Notice of Completion* with the Office of the San Bernardino County Recorder.
- (b) Reduction of the *Faithful Performance Bond* to 10 percent.
- (c) Retention of the *Payment Bond* for six months.

7. Receiving and Filing of City Treasurer's Report

The City Council received and filed the City Treasurer's Report for the month ending April 30, 2004.

8. Approval of City Warrant Register and Payroll Documentation

The City Council approved the Warrant Register dated May 17, 2004, totaling \$460,723.55, and the Payroll Documentation dated April 4, 2004, amounting to \$503,017.36, with \$347,599.63 being the total cash disbursement.

9. Receiving and Filing of Agency Treasurer's Report

The Redevelopment Agency Board received and filed the Redevelopment Agency Treasurer's Report for the month ending April 30, 2004.

10. Approval of Agency Warrant Register

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 4/01/2004-4/30/2004 in the amounts of \$223.05 for Project I; \$1,449.00 for Project II; \$283,369.51 for Project III; \$2,217.46 for Project IV; and \$163,839.47 for Project V.

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

The Montclair Housing Corporation (MHC) Board received and filed the MHC Treasurer's Report for the month ending April 30, 2004.

12. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 4/01/2004-4/30/2004 in the amount of \$18,290.37.

C. Agreements

1. Approval of Agreement No. 04-45 With Duthie Power Services to Provide Annual Service and Maintenance to Fire and Police Department Emergency Generators

The City Council approved *Agreement No. 04-45* with Duthie Power Services to provide annual service and maintenance to Fire and Police Department emergency generators.

D. Resolutions

1. Adoption of Resolution No. 04-2514 Approving the Measure I Expenditure Plan for Revenues Expected to be Derived From the Proposed Continuation of Measure I, San Bernardino County's One Half of 1 Percent Retail Transactions and Use Tax for Transportation Improvements

The City Council adopted Resolution No. 04-2514 approving the Measure I Expenditure Plan for revenues expected to be derived from the proposed continuation of Measure I, San Bernardino County's one half of 1 percent retail transactions and use tax for transportation improvements.

2. Adoption of Resolution No. 04-2515 Authorizing Submission of a 2004-2005 Used Oil Recycling Block Grant

Application to the California Integrated Waste Management Board

The City Council adopted Resolution No. 04-2515 authorizing submission of a 2004-2005 Used Oil Recycling Block Grant Application to the California Integrated Waste Management Board.

IX. PULLED CONSENT CALENDAR ITEMS

B. Administrative Reports

1. Setting a Public Hearing in Compliance With Environmental Law for Consideration of the Foothill Extension of the Metro Gold Line-Gold Line Phase II

Council Member Ruh spoke in support of the Foothill Extension of the Metro Gold Line and the further extension of the light rail project to other points east of Montclair in the ongoing establishment of Southern California's comprehensive mass transit network. He asked if to date staff has received any complaints, public comment, or opposition regarding the proposed project.

City Engineer Hudson responded that an Upland resident has expressed a preference for a northerly alignment of the Metro Gold Line Foothill Extension.

Council Member Ruh reiterated his support of the project and encouraged residents to attend the public hearing proposed for June 7, 2004, at 7:00 p.m.

Mayor Eaton advised that an open house would be held at 5:00 p.m. in the City Council Chambers.

Council Member Ruh advised that a listing of future public hearings, including those to be held in the cities of San Dimas, La Verne, and Pomona, on the Metro Gold Line Foothill Extension project would be posted at the public hearing proposed to be held on June 7.

Moved by Council Member Ruh, seconded by Council Member Paulitz, and carried unanimously that the City Council set a public hearing for Monday, June 7, 2004, at 7:00 p.m. in the City Council Chambers in compliance with environmental law for consideration of the Draft Environmental Impact Statement/Draft Environmental Impact Report related to the Foothill Extension of the Metro Gold Line-Gold Line Phase II project.

C. Agreements

2. Authorizing Amendment of the Capital Improvement Program to Include the Montclair Skate Park Project at Alma Hofman Park

Authorizing a \$131,019 Appropriation From the Park Development Fund and Designating \$27,705 in Private Donations From the Skate Park Fundraiser Account to Assist in Financing the Skate Park Project

Approval of \$123,545 Loan From the General Fund to the Park Development Fund

Award of Contract to California Skateparks in the Amount of \$409,095

Approval of *Agreement No. 04-62* With California Skateparks for the Montclair Skate Park Project at Alma Hofman Park

Authorizing a \$41,000 Construction Contingency

Noting his reservations about the proposed project, Council Member Paulitz expressed his concerns for the record as follows:

- (a) Public donations toward the project are nowhere near the agreed-upon amount of 20 percent of project costs.
- (b) The project's escalating costs.
- (c) Will there be a plan in place to address ongoing park-monitoring and liability issues.

City Manager McDougal advised that a clause related to one year's maintenance of the park is included in the bid documents for the project. He clarified that maintenance includes daily monitoring and opening and closing of the facility. He postulated that it would cost no less than \$25,000/year to maintain the facility after the one-year period.

Council Member Paulitz reiterated his concern about effective monitoring of the park to enforce participants' safety gear use.

City Manager McDougal advised that signs would be posted at the facility legally waiving major City liability for potential injuries sustained at the park. He noted his observation of prevalent safety gear use by participants at skate parks having a police presence.

Moved by Council Member Paulitz and seconded by Council Member Ruh that the City Council take the following actions related to the Montclair Skate Park project at Alma Hofman Park:*

- (a) Authorize amendment of the Capital Improvement Program to include the project.
- (b) Authorize a \$131,019 appropriation from the Park Development Fund and designate \$27,705 in private donations from the Skate Park Fundraiser Account to assist in financing the project.
- (c) Approve a \$123,545 loan from the General Fund to the Park Development Fund.
- (d) Award a contract to California Skateparks in the amount of \$409,095.
- (e) Approve *Agreement No. 04-62* with California Skateparks.
- (f) Authorize a \$41,000 construction contingency.

Council Member Ruh expressed his complete support of the item, noting the tremendous success of skate parks in other cities. He stated the cost of skateboarding damages to public and private facilities in the community would be far more than the suggested \$25,000/year cost of maintaining the skate park. He stated the City needs to have such diversions for our youth.

Mayor Pro Tem Dutrey expressed his opinion that our youth are very important to the community and should have such opportunities for socialization and recreation. Concerning the higher cost of the project, he advised that costs could be offset with park-development funds to be derived from the North Montclair Downtown Plan project. He expressed his hope that security would not be an issue with effective monitoring of the park and that park users would wear their safety gear. He congratulated the Community Action Committee for its development of the project and thanked CAC Chair Darleen Hartman and Member Charlene Kusick for their hard work.

Council Member Raft expressed her full support of the project for the benefit of community youth.

Mayor Eaton noted the City's commitment over the past several years to provide a skate park for the enjoyment of community youth. He expressed his support of the project.

*Motion carried unanimously as follows:

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

3. Redevelopment Agency Board of Directors' Approval of Agreement Nos. 04-64 Through 04-70, Rehabilitation Grant Agreements by and Between the City of Montclair Redevelopment Agency and Exterior Housing Improvement Program Participants

Director Raft expressed her full support of the Exterior Housing Improvement Program (E-HIP) as a means of assisting low- to moderate-income families in improving the exteriors of their homes. She asked for clarification on the funding for E-HIP.

Executive Director McDougal clarified that each year the Redevelopment Agency allocates \$350,000 to the program and provides rehabilitation grants of \$7,000 for residents who own their homes and \$3,000 to residents who rent their homes. He added that requests for funding typically exceed the funding that is available, noting there is usually a waiting list of between 20 and 50 applicants. He advised that a portion of program funds are reserved for needy Code Enforcement cases. He stated the program has been very successful in improving the aesthetics of the community.

Moved by Director Raft, seconded by Director Ruh, and carried unanimously that the Redevelopment Agency Board approve *Agreement Nos. 04-64 through 04-70, Rehabilitation Grant Agreements* by and between the City of Montclair Redevelopment Agency and the seven E-HIP participants listed on Exhibit A to the agenda report on this item.

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

1. Closed Session Pursuant to Section 54956.8 of the Government Code Regarding Real Property Negotiations

Property: Vacant Property Located on South Side of Holt Boulevard West of Ramona Avenue (APN 1012-051-04)

Negotiating Parties: City of Montclair Redevelopment Agency and Shyh-Hau Leu and Huey-Meei Leu

Negotiators: Director of Redevelopment/Public Works Staats and Assistant Director of Redevelopment Caldwell

Under Negotiation: Recommendations Regarding Purchase Price

Agency Counsel Robbins requested a Closed Session pursuant to Section 54956.8 of the Government Code regarding real property negotiations on the above matter.

B. City Manager/Executive Director

1. City Manager/Executive Director McDougal asked that the Council consider scheduling Tuesday, June 15, Wednesday, June 16, or Thursday, June 17, 2004, for review of the Fiscal Year 2004-05 Preliminary Budget.

It was the consensus of the Council to schedule Tuesday, June 15, 2004, at 5:30 p.m. for review of the Fiscal Year 2004-05 Preliminary Budget.

C. Mayor/Chairman

1. Mayor/Chairman Eaton commented as follows:
 - (a) He noted his attendance at recent **San Bernardino Associated Governments** and **Omnitrans** board meetings.
 - (b) He noted the Regional Sewer Policy Committee would again be meeting in Montclair beginning July 2004. He noted he has been appointed to chair the committee for the next two years.
 - (c) He noted his participation in the **C.A.U.T.I.O.N.** cleanup last Saturday at the 10300 block of Kimberly and Lehigh Avenues. He thanked Code Enforcement staff and Firefighters from Fire Station No. 2 for their hard work and gave a special thanks to the Firefighters for quickly extinguishing a small grass fire in the neighborhood that day.
 - (d) He invited the public to attend the Community Action Committee's **Memorial Day** event on Monday, May 31, 2004, at 6:00 p.m. at the City Hall Veteran's Memorial Courtyard to honor the veterans who gave their lives for our freedom.

D. City Council/Agency Board

1. Council Member/Director Paulitz requested clarification on the status of the *Local Taxpayers and Public Safety Protection Act* for constitutional protection of local revenues that will appear on the November 2004 ballot and the Governor's proposed alternative that would provide similar or better protection of local revenues in exchange for a two-year contribution by local governments to solving the state's budget crisis.

City Manager McDougal stated that the **League of California Cities**-sponsored *Local Taxpayers and Public Safety Protection Act* will appear on the November 2004 ballot. He advised that the Board has been in recent negotiations with the Governor's Office on another initiative that thus far provides essentially the same measure of protection contained in the **League**-sponsored initiative. He added that the Governor indicated he would not campaign against the **League**-sponsored initiative in exchange for the **League's** support of his initiative. City Manager McDougal reported that pursuant to the Governor's proposal, cities and special districts would relinquish \$350 million from a combination of property tax, sales tax, and vehicle license fees over the next two years as part of a \$1.5 billion restructuring package, with most cities to be made whole after the two-year period. He noted that Montclair stands to lose \$1.6 million over two years and would recoup \$650,000 at the end of the two-year period.

Council Member Paulitz asked which initiative would be placed on the November 2004 ballot.

Mayor Pro Tem Dutrey clarified that the *Local Taxpayers and Public Safety Protection Act* will appear on the November 2004 ballot as will the compromised initiative between the Governor and the **League** if passed by a two-thirds majority of the State Legislature. He added that if the Governor's initiative is passed by the Legislature, the **League** would campaign on its behalf instead of the *Local Taxpayers and Public Safety Protection Act*.

Council Member Ruh asked if the City would come out ahead under the *Local Taxpayers and Public Safety Protection Act*.

Director of Administrative Services Starr advised that California cities' revenues would be protected from the state under the *Local Taxpayers and Public Safety Protection Act*; under the Governor's plan, cities would experience a revenue loss during the first two years. He indicated that if the Legislature is successful in coming to terms with the Governor's proposal, then the **League** would decertify its *Local Taxpayers and Public Safety Protection Act* petition for the November 2004 ballot.

Mayor Pro Tem Dutrey cautioned that if the Governor does not support an initiative, it is not likely to pass. He noted that certain labor unions do not support the *Local Taxpayers and Public Safety Protection Act*. He stated that much work lies ahead to ensure the passage of either initiative.

Council Member Ruh noted that neither proposal protects special districts. He advised that special districts, particularly enterprise special districts, need to be kept whole and protected from state raids.

Mayor Pro Tem Dutrey noted that **L.O.C.A.L. (Leave Our Community Assets Local)**, a coalition of special districts, local governments, certain labor unions, and other groups, was instrumental in having the *Local Taxpayers and Public Safety Protection Act* initiative certified for placement on the ballot. He asserted that it is by virtue of **L.O.C.A.L.'s** efforts at doing so that the group's demands are being taken seriously by the Governor and Legislature.

2. Council Member/Director Raft advised that an article entitled "Older Cars Might Lose Smog Test Exemption" in the April 13, 2004 edition of the *Inland Valley Daily Bulletin* contained misleading information. She stated that pursuant to

Assembly Bill 2683, vehicles older than 1976 have no smog equipment and are exempt from smog test requirements.

3. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
 - (a) He also noted his participation in the **C.A.U.T.I.O.N.** cleanup last Saturday on Kimberly and Lehigh Avenues. He thanked Code Enforcement staff for their hard work.
 - (b) He congratulated his parents on behalf of the City Council on their 40th wedding anniversary this Sunday.
4. Council Member/Director Ruh commented as follows:
 - (a) He reminded residents to attend the CAC-sponsored **Memorial Day** event on Monday, May 31. He noted the new **National World War II Memorial** would be dedicated that day in Washington, D.C., followed by a veterans' reunion.

Mayor Eaton noted reading recently that **World War II** veterans are dying at a rate of 1056 a day.

Council Member Ruh noted that soldiers who died during the war are automatically registered at the memorial and that soldiers who survived the war can be registered upon their passing. He described an area of the memorial featuring a field of gold stars honoring the more than 400,000 lives lost during the war.

- (b) He noted today commemorates the 50th anniversary of the ruling by nine **U. S. Supreme Court** justices in *Oliver L. Brown et. al. v. Board of Education of Topeka, Kansas et. al.* that overturned the **Supreme Court's** endorsement in 1896 of "separate but equal" racial segregation with its *Plessy v. Ferguson* decision. He spoke in support of the landmark decision to end government-sanctioned racial discrimination in public schools that served as a catalyst for the modern equal rights movement in America, inspiring education reform everywhere and forming the legal means of challenging segregation in all areas of society.

Council Member Ruh stated that this "historic day in America...deserves more recognition than it's getting, and I hope that our schools in the future will teach this important decision so that in the future we don't ever go back to those days."

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of May 3, 2004

The City Council received and filed the Personnel Committee meeting minutes of May 3, 2004, for informational purposes.

XII. ADJOURNMENT OF CITY COUNCIL AND MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS

At 7:52 p.m., Mayor/Chairman Eaton adjourned the City Council and Montclair Housing Corporation Board of Directors.

At 7:52 p.m., the Redevelopment Agency Board of Directors went into Closed Session regarding real property negotiations pursuant to Section 54956.8 of the Government Code.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 8:04 p.m., the Redevelopment Agency Board of Directors returned from Closed Session. Vice Chairman Dutrey announced the Redevelopment Agency Board met in Closed Session regarding real property negotiations, information was received and direction given to staff, and no further announcements would be made at this time.

XIV. ADJOURNMENT OF REDEVELOPMENT AGENCY BOARD OF DIRECTORS

At 8:05 p.m., Vice Chairman Dutrey adjourned the Redevelopment Agency Board of Directors.

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

Yvonne L. Smith
Transcribing Secretary