

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS HELD ON MONDAY, DECEMBER 20, 2004, AT 6:58 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 6:58 p.m.

II. INVOCATION

Mayor/Chairman Eaton gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Ruh 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

V. PRESENTATIONS

A. Introduction of New Employees

Mayor Eaton introduced City employee **Mr. Jim Darplee**, who was appointed to the position of Lead Mechanic in the Public Works Department effective November 1, 2004. He noted Lead Mechanic Darplee began his career with the City as an Equipment Mechanic on March 3, 2003, and that he has over 37 years experience in the automotive industry.

Mayor Eaton congratulated Lead Mechanic Darplee on his new appointment and presented him with a City pin.

Mayor Eaton introduced **Mr. Wyatt Reneer**, who was appointed to the position of Maintenance Worker effective December 13, 2004. He noted Maintenance Worker Reneer previously delivered construction materials for the **Whitecap Company**. He stated Maintenance Worker Reneer serves in the **United States Marines Corps (USMC)**, currently as a Reserve, and participated in the Iraqi Freedom Campaign last year.

Mayor Eaton welcomed Maintenance Worker Reneer to the Montclair City family presented him with a City pin.

Mayor Eaton introduced City employee **Mr. Joe Rosales**, who was appointed to the position of NPDES Coordinator for the Public Works Department effective November 29, 2004. He noted NPDES Coordinator Rosales began his career with the City in 1989 as a Maintenance Worker in the Public Works Department, assisting the custodial staff when needed, and served as a Reserve Code Enforcement Officer for over three years.

Mayor Eaton congratulated NPDES Coordinator Rosales on his new appointment and presented him with a City pin.

B. Presentation of 2004 Holiday Home Decoration Contest Winners

Mayor Eaton introduced Community Action Committee (CAC) Chairperson Darleen Hartman.

CAC Chairperson Hartman, assisted by CAC Vice Chairperson Manny Martinez, presented the following eighth annual Holiday Home Decoration Contest 2004 winners with framed *Award of Merit* certificates:

Mr. David Moose, 10037 Fremont Street
Mr. Frank Ramirez, 5587 Berkeley Street
Sergio and Yolanda Rubio, 11378 Ramona Avenue
Raphael Lopez, 9030 Ramona Avenue
Rueben and Yesenia Rodriguez, 4564 Olive Street
Ms. Pauline Cullers, 9919 Amherst Avenue

The following three finalists were recognized with framed *Award of Excellence* certificates and \$25 Montclair Plaza gift cards:

<i>Category</i>	<i>Winner(s)</i>
Religious:	Mr. Jorge Barraza , 4896 El Morado Street
Imaginative	Mr. William Koning , 9022 Geneva Avenue
Unique:	Ms. Irene Saavedra , 11134 Fremont Avenue

Chairperson Hartman congratulated all nominees and winners and thanked them for sharing their creativity with the community. She encouraged everyone to visit these homes and view the beautiful decorations and holiday spirit exhibited by Montclair residents. She noted copies of the list of all winners are available this evening and at City Hall.

At this time, CAC Chairperson Hartman presented **Mrs. Maria Sanchez**, 5111 Orchard Street, with a framed *Award of Merit* certificate.

Mrs. Sanchez accepted the certificate and thanked Mayor Eaton and the City Council.

On behalf of the City Council, Mayor Eaton thanked all residents who have contributed to the holiday cheer through the festive decoration of their homes. He encouraged everyone to visit the homes honored this evening and wished all a "Merry Christmas."

Council Member Ruh commented as follows:

1. He thanked all CAC members for all their efforts and involvement to organize and facilitate this time-consuming program.
2. He noted his appreciation in the attendance at tonight's meeting of **Mr. Tom Deslauriers**, Field Representative, **Assembly Member McLeod's Office**.
3. He asked that the Community Action Committee consider honoring **USMC Lance Corporal David Battle** at the City's **Memorial Day 2005** ceremony and suggested **Mr. Battle** be a guest speaker at the event.

Mayor Pro Tem Dutrey likewise recognized the CAC for its outstanding job in facilitating the 2004 Holiday Home Decoration Contest.

Mayor Eaton expressed his appreciation of the CAC's hard work to organize this event.

VI. PUBLIC COMMENT

Mayor/Chairman Eaton reminded those audience members desiring to address the Council and Redevelopment Agency/Montclair Housing Corporation Boards to submit a *Speaker Information Card*, and they would be afforded five minutes each to speak on subjects that do not appear on tonight's agenda.

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

1. He thanked **Mr. Deslauriers** for his attendance at this meeting.
2. He apologized to **Senator Soto** for failing to publicly recognize her field representative at the last meeting.
3. He expressed his opinion that the comments made by Council Member Paulitz at a prior meeting related to withdrawal of a state grant allocation to the Montclair Skate Park because of budget constraints were "irresponsible."
4. He reiterated his comments related to the supposed unconstitutionality of **Mr. Baer's** being ruled out of order at a prior meeting. He noted he has filed a complaint with the **State Bar of California** related to City Attorney Robbins' failure to intercede in the action.
5. He reiterated his comments related to the example set by these meetings for community youth.
6. He noted a survey conducted by **Assembly Member McLeod's Office** related to public meeting attendance.
7. He noted he has not received any public dissent to his comments at these meetings and that he would continue to exercise his constitutional right to comment at future meetings.

At this time, Mayor Eaton presented a 2004 Holiday Home Decoration Contest framed *Award of Excellence* certificate and \$25 **Montclair Plaza** gift card to the family of **Mrs. Reba Riggle**, 4423 Harvard Street, for winning in the category of "Children's Fantasy."

The **Riggle** family accepted their certificate and prize and thanked Mayor Eaton and the City Council.

B. **Ms. Regina Howerton**, Montclair, commented as follows:

1. In follow-up to Mayor Eaton's statement at a prior meeting related to **Mr. Baer's** commentary at these meetings, she asked Mayor Eaton why he feels **Mr. Baer** "shouldn't have the right to come to these meetings and express his opinion whether he lives in Montclair or not." She noted that right is guaranteed by the **Ralph M. Brown Act**.
2. She suggested there be consistency in how these meetings are run, specifically related to the public comment time allotment.
3. Because of Mayor Pro Tem Dutrey's comment at a prior meeting that family is his first priority while his wife fulfills her active military duty requirements, she expressed her hope that he would not continue to serve as Mayor Pro Tem as a result of

the Council's Mayor Pro Tem/Vice Chairman selection process this evening.

4. She noted Mayor Pro Tem Dutrey's vision for the City at the last meeting "didn't include any plans to beautify the south side of Montclair, such as the areas between Mission and San Bernardino" Street. She reiterated that she has never seen Mayor Pro Tem Dutrey campaigning in her neighborhood.

VII. PUBLIC HEARINGS

A. Adoption of Resolution No. 04-08, a Resolution of the City of Montclair Redevelopment Agency Adopting the Implementation Plan for City of Montclair Redevelopment Project Area Nos. I, II, III, IV, and V

Chairman Eaton declared it the time and place set for public hearing to consider adoption of Resolution No. 04-08 related to adoption of the Implementation Plan for City of Montclair Redevelopment Project Area Nos. I, II, III, IV, and V and invited comments from the public.

There being no one in the audience wishing to speak, Chairman Eaton closed the public hearing and returned the matter to the Redevelopment Agency Board for its consideration.

Vice Chairman Dutrey asked about the status of a merger of all Redevelopment Project Areas.

Director of Redevelopment/Public Works Staats advised that a consultant was retained to study different methods of a project merger, including increasing individual project debt limits or merging the different project areas. She reported the consultant has recommended increasing project debt limits and that staff is currently deliberating over the correct method with which to proceed. She indicated that staff needs to confer with the San Bernardino County Board of Supervisors on the proposal.

Vice Chairman Dutrey noted being impressed with the scope of all the projects completed by the Redevelopment Agency in his review of the proposed five-year *Implementation Plan*. In response to **Ms. Howerton's** comments concerning the City's housing efforts in South Montclair, he reported that in the last ten years, the Redevelopment Agency has participated in the acquisition of 3 mobile home parks by a nonprofit housing corporation, for a total of approximately 300 affordable units, and the acquisition and renovation of 13 single-family homes along Central Avenue and five apartment buildings on Amherst Avenue that have affordability rental restrictions. He advised that a 75-unit multi-family housing project and 100-unit senior housing project in the San Antonio Gateway development bounded by Kingsley Street and Holt Boulevard and Ramona and Mills Avenues is in the planning stages, noting all units will be deed-restricted to very low-income households.

Director Ruh commented as follows:

1. He noted it is his understanding that all redevelopment agencies in the state will sunset either in 2020 or 2025 and advised he will research the issue.
2. He noted the Redevelopment Agency has done an excellent job in providing affordable rental housing units, though, in his opinion, an ownership component is lacking in the City.

Director Paulitz discussed the first three Redevelopment Project Areas in the City, the adoption of which served to greatly enhance

the formerly blighted sites they occupy. He asked if the *Implementation Plan* includes the Mission Boulevard Joint Redevelopment Project Area.

Director of Redevelopment/Public Works Staats responded that the *Implementation Plan* for that Project Area was adopted as a part of the Redevelopment Plan-adoption procedures and will remain effective until 2008.

Discussion centered on the average 30-year life of Redevelopment Plans and the advantage of a project merger to utilize tax increment from all Project Areas to fulfill public improvements where needed, such as the Ramona and Monte Vista Avenue grade separation projects. Clarification was made on the need to renegotiate tax-sharing agreements with the taxing agencies should a project merger take place, with the possible resulting disadvantage of the Agency not receiving its present share of tax increment revenues.

Director Paulitz credited Director of Redevelopment/Public Works Staats for her outstanding work to develop the comprehensive Redevelopment Project Area Implementation Plan.

Moved by Vice Chairman Dutrey and seconded by Director Ruh that Resolution No. 04-08, entitled "**A Resolution of the City of Montclair Redevelopment Agency Adopting the Implementation Plan for Redevelopment Project Area No. I, Redevelopment Project Area No. II, Redevelopment Project Area No. III, Redevelopment Project Area No. IV, and Redevelopment Project Area No. V,**" be read by number and title only, further reading be waived, and it be declared adopted.

The Redevelopment Agency Board unanimously waived the reading of the Resolution.

Resolution No. 04-08 was unanimously adopted by the following vote:

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

B. Adoption of Resolution No. 04-2557 Amending the Master User Fee Schedule

Mayor Eaton declared it the time and place set for public hearing to consider adoption of Resolution No. 04-2557 amending the Master User Fee Schedule 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.

Mayor Pro Tem Dutrey asked if the lawsuit contesting the City of Upland's paramedic fee might affect the City's Emergency Medical Services (EMS) Subscription Program.

Fire Chief Turner noted his attendance at the oral arguments in the case against the City of Upland. He clarified that the opt-out method by which Upland collects its paramedic program subscription fee and the fact that the fee is opt-in for renters and mobile home park residents is being challenged. He advised that the decision on the case would not affect the City's voluntary opt-in EMS Subscription Program.

Council Member Raft noted the majority of proposed fee increases are very minimal and the purpose of the annual review of user fees is to ensure the associated costs for the delivery of specified services are appropriately charged to consumers to limit cost burdens on the City's General Fund.

Council Member Ruh pointed out for the benefit of residents that the \$24 cost to subscribe to the City's Emergency Medical Services program is quite nominal and affordable compared to the fee increases proposed for nonsubscribers, which are \$299 per call for basic life support service and \$387 per call for advanced life support services. He asked for clarification on the proposed doubling of the lot merger/parcel merger fee and the lot line adjustment fee.

City Engineer Hudson responded that the fee increases are based on actual costs for plan checking consultants retained by the City to process lot mergers/parcel mergers and lot line adjustments. He noted he has been tracking these costs for the past five years and that the proposed fees represent an average of the costs for these services.

Council Member Ruh asked if the City could retain more reasonably priced consultants.

City Engineer Hudson advised that the City's consultants are locally based and very familiar with City standards and are qualified to process a variety of plans.

Council Member Paulitz spoke in support of the item, noting he has urged a periodic review of City fees be performed so costs can be recovered pursuant to state law. He indicated that in many cases, the City has not charged enough in fees to effectively recoup costs for services. He indicated that an annual fee review will enable City fees to effectively represent costs for services and the rate of inflation.

Moved by Council Member Paulitz and seconded by Council Member Raft that Resolution No. 04-2557, entitled "**A Resolution of the City Council of the City of Montclair Amending the Master User Fee Schedule,**" 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 Resolution.

Resolution No. 04-2557 was unanimously adopted by the following vote:

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

VIII. CONSENT CALENDAR

Council Member Paulitz requested that Item C-3 be removed from the Consent Calendar for comment.

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

Moved by 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 Regular Joint Council/Agency/Montclair Housing Corporation Meeting of December 6, 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 December 6, 2004.

B. Administrative Reports

1. Setting a Public Hearing to Consider Resolution No. 05-01, a Resolution of the City of Montclair Redevelopment Agency Approving Agreement No. 05-01, a Disposition and Development Agreement by and Between the City of Montclair Redevelopment Agency and Southern California Housing Development Corporation, Inc., and Making Certain Findings in Connection Therewith

The Redevelopment Agency Board set a public hearing for Tuesday, January 18, 2005, at 7:00 p.m. in the City Council Chambers to consider Resolution No. 05-01, a Disposition and Development Agreement by and between the City of Montclair Redevelopment Agency and Southern California Housing Development Corporation, Inc., and making certain findings in connection therewith.

3. Authorize Amendment of the Fiscal Year 2003-2007 Capital Improvement Program to Include the Pedestrian Signal Head Replacement Project

Authorize Staff to Advertise for Bid Proposals for the Pedestrian Signal Head Replacement Project

The City Council authorized the following actions related to the Pedestrian Signal Head Replacement Project:

- (a) Amendment of the Fiscal Year 2003-2007 Capital Improvement Program to include the project.
- (b) Staff to advertise for bid proposals for the project.

4. Authorization to Purchase Two Chevrolet 3/4-Ton Pickup Trucks From Richard Hibbard Chevrolet

The City Council authorized purchase of two Chevrolet 3/4-ton pickup trucks from Richard Hibbard Chevrolet.

5. "No Action" on Alcoholic Beverage Permit Application - Central Avenue Market

The City Council voted "No action" on the "Off-Sale Beer and Wine" license application of Mr. Alpeshkumar Rameshchandra Patel for Central Avenue Market, 10132 Central Avenue, Montclair, California.

6. Receiving and Filing of City Treasurer's Report

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

7. Approval of City Warrant Register and Payroll Documentation

The City Council approved the Warrant Register dated December 20, 2004, totaling \$364,545.75, and the Payroll

Documentation dated November 14, 2004, amounting to \$498,227.78, with \$339,428.36 being the total cash disbursement.

8. 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 November 30, 2004.

9. Approval of Agency Warrant Register

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 11/01/2004-11/30/2004 in the amounts of \$9,592.34 for Project I; \$1,179.63 for Project II; \$166,392.56 for Project III; \$82,695.23 for Project IV; and \$2,349,132.07 for Project V.

10. 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 November 30, 2004.

11. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 11/01/2004-11/30/2004 in the amount of \$42,264.43.

C. Agreements

1. Approval of *Agreement No. 04-158* With the State of California Office of Emergency Services, Fire and Rescue Branch, Superseding *Agreement No. 90-41* for the Temporary Transfer of Vehicular Equipment

The City Council approved *Agreement No. 04-158* with the State of California Office of Emergency Services, Fire and Rescue Branch, superseding *Agreement No. 90-41* for the temporary transfer of vehicular equipment.

2. Approval of *Agreement Nos. 04-162* and *04-163* With Montclair Little League and *Agreement Nos. 04-164* and *04-165* With Montclair Golden Girls Softball League and Quad Cities Little League, Respectively, for Use of Ball Field Facilities

The City Council approved *Agreement Nos. 04-162* and *04-163* with Montclair Little League and *Agreement Nos. 04-164* and *04-165* with Golden Girls Softball League and Quad Cities Little League, respectively, for use of ball field facilities.

D. Resolutions - None

IX. PULLED CONSENT CALENDAR ITEMS

B. Administrative Reports

2. Authorize Amendment of the Fiscal Year 2003-2007 Capital Improvement Program to Include the Lehigh Avenue and Kingsley Street Sidewalk Improvement Project

Authorize Advertisement of Bid Proposals for the Lehigh Avenue and Kingsley Street Sidewalk Improvement Project

Council Member Ruh asked if staff has explored the use of Safe Routes to Schools Program funds for this project.

City Engineer Hudson advised that grant funds in the amounts of \$200,000 each from the Safe Routes to Schools and Pedestrian Safety Programs were used to fund the recently completed Montclair Sidewalk Construction Project. He indicated this project does not qualify for the two state grant programs, which will be used for qualifying future projects.

Council Member Ruh spoke in support of this item, noting the sidewalks are very much needed in that area.

Moved by Council Member Ruh and seconded by Mayor Pro Tem Dutrey that the City Council authorize the following actions related to the Lehigh Avenue and Kingsley Street Sidewalk Improvement Project:*

- (a) Amendment of the Fiscal Year 2003-2007 Capital Improvement Program to include the project.
- (b) Advertisement of bid proposals for the project.

Mayor Eaton noted the following correction to this item in the summary agenda:

- 2. Consider Amending Fiscal Year 2003-~~2007~~ Capital Improvement Program Adding Lehigh Avenue and Kingsley Street Sidewalk Improvement Project

Deleted: 3

*Motion carried unanimously as follows:

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

C. Agreements

3. Approval of *Agreement No. 04-166 With Fleener Associates to Conduct Single-Family Neighborhood Survey*

Authorization of a \$30,000 Appropriation From the Contingency Account to Fund the Survey

Council Member Paulitz noted the City conducted surveys of all single-family neighborhoods in 1986, 1991, and 1997 to record current housing conditions and to document the progress of improving neighborhoods. He advised that the Code Enforcement Committee has requested another survey be conducted to provide an update of current housing conditions in the City and to document what he believes are a tremendous amount of home improvements in those areas. He indicated the survey would consist of a random sampling of single-family neighborhoods to document the types of improvements that have been made in an effort to continue improving single-family neighborhoods. He expressed his opinion that doing so is key to the economic health of the community because if the City maintains an attractive housing base, shoppers will feel comfortable to patronize the Montclair Plaza. He noted he supported the *City of Montclair Redevelopment Agency Residential Purchase and Rehabilitation Program Policy*, which was established for the purpose of

beautifying and maintaining the appearance of Central Avenue, the main thoroughfare through the City, and to provide pleasant aesthetics for Montclair Plaza shoppers traveling that route. He advised that the proposed survey will show both the degree of single-family home improvements and deficiencies.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Dutrey, and carried unanimously that the City Council take the following actions:*

- (a) Approve *Agreement No. 04-166* with Fleener Associates to conduct a single-family neighborhood survey of housing conditions during summer 2005.
- (b) Authorize a \$30,000 appropriation from the Contingency Account to fund the survey.

Council Member Ruh asked how the proposed survey of a random scientific sampling of 15 percent of all single-family residences would be conducted.

Director of Community Development Clark responded that a "windshield" (driving and walking) survey is being proposed to update the 1997 study, noting the random sample of 15 percent of the single-family residences would be developed between staff and the consultants.

Council Member Ruh received confirmation that the actual addresses comprising the 15 percent of single-family residences would be contained in the survey results.

Council Member Paulitz noted the 1997 survey included digital photographs of every home in the City. He noted he originally supported another such survey be conducted, though he realized it would be costly and the random sampling would offer sufficient data of current housing conditions.

Council Member Ruh received additional confirmation that the actual addresses comprising the 15 percent of single-family residences would be contained in the survey results. He inquired if property owners would be approached with any deficiencies noted at their properties.

Director of Community Development Clark responded that the survey would be conducted for documentation of current housing conditions in the cross-section sampling that would be done, adding that deficiencies would be addressed by the Code Enforcement Committee.

Council Member Ruh noted he would not want residents' privacies invaded on any level.

Mayor Pro Tem Dutrey commented as follows:

- (a) He noted improvement of the City's housing stock has remained his primary ongoing campaign issue since he was first elected to the Council. He noted his support at that time of the City implementing home-improvement programs and that Council Member Paulitz had suggested a survey of single-family housing conditions first be conducted. He noted the results of the 1997 single-family housing survey showed roof and landscape deficiencies and that the Redevelopment Agency implemented the Exterior Housing Improvement Program for qualifying households to address these

issues. He reiterated that the Redevelopment Agency has acquired and restored 13 single-family residences along Central Avenue and 5 apartment buildings on Amherst Avenue.

- (b) He spoke in support of this item, noting the importance of conducting the proposed follow-up comparison survey of a random sampling of single-family residences to determine if Redevelopment Agency home-improvement programs are working. He expressed his opinion the programs are working, adding that much of the dramatic improvement in housing conditions can be attributed to residents' pride in ownership. He emphasized that the survey would not be used as a Code Enforcement tool.

*Motion unanimously carried as follows:

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

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

- 1. City Attorney/Agency Counsel Robbins wished everyone a Merry Christmas.

B. City Manager/Executive Director

- 1. City Manager/Executive Director McDougal wished everyone a happy and safe holiday.

C. Mayor/Chairman

1. Selection of Mayor Pro Tem/Vice Chairman

Council Member/Director Paulitz nominated Mayor Pro Tem/Vice Chairman Dutrey to continue serving as Mayor Pro Tem of the Montclair City Council and Vice Chairman of the Boards of the Redevelopment Agency and Montclair Housing Corporation.

Council Member/Director Ruh nominated Council Member/Director Raft to serve as Mayor Pro Tem of the Montclair City Council and Vice Chairman of the Boards of the Redevelopment Agency and Montclair Housing Corporation, noting she received the majority of votes in the recent election.

There being no further nominations, the nominations were closed.

Mayor Pro Tem/Vice Chairman Dutrey's nomination, being the first on the floor, was voted upon first as follows:

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

The second nomination was not voted upon because the first nomination received a majority affirmative vote.

Council Member/Director Raft stated she supports Mayor Pro Tem/Vice Chairman Dutrey's continuing to serve in such capacity, noting he was a big help to her in her reelection campaign. She stated that she would like all members of the City Council and Redevelopment Agency and Montclair Housing Corporation Boards to have the opportunity and experience of serving as Mayor Pro Tem/Vice Chairperson.

Council Member/Director Ruh concurred, noting such was his reason in nominating Council Member/Director Raft. He noted many California cities rotate the Office of the Mayor Pro Tem every year and suggested the Council consider a similar process.

Mayor Pro Tem/Vice Chairman Dutrey thanked the Council for its support, noting he has enjoyed serving in such capacity for the last two years. He noted the importance of such service in the absence of the Mayor at regular joint meetings as well as at regional meetings.

2. Reorganization of 2004-06 City Council Committee/Liaison Assignments

Mayor Eaton advised that this item would be continued to the next meeting to allow all requests to be received.

3. Announcement of Community Action Committee Appointment

Mayor Eaton stated that the Montclair Community Action Committee (CAC) Interview Panel interviewed two candidates to fill the unexpired term of CAC Member Charlene Kusick who has moved. He announced the CAC Interview Panel has made its selection; and with the consensus of the Council, he would like to appoint **Mr. George Tellez** to the CAC.

It was the consensus of the Council to appoint **Mr. George Tellez** to the CAC.

4. Mayor Eaton wished everyone a Merry Christmas and Happy New Year.

D. City Council/Agency Board

1. Council Member/Director Paulitz commented as follows:

(a) He noted his attendance at the Montclair Fire Fighters Association (MFFA) annual Christmas party last week and that he regrets missing the Montclair City Employees Association (MCEA) party on Saturday.

(b) He updated the Council on the following Code Enforcement Committee items:

(1) A new software package has been purchased to allow for a comprehensive monthly status report of all Code Enforcement activities, which should be in use by February 2005.

(2) With the recent hiring of an additional Code Enforcement Officer, the City has been divided into two sections, with Benito Street as the dividing line. Enforcement activities continue throughout the weekend.

(c) He wished everyone a Merry Christmas.

2. Council Member/Director Raft commented as follows:
 - (a) She asked that this evening's meeting be adjourned in the memory of her dear friend and 27-year Montclair resident **Mr. James V. Pohle**, who passed away December 4, 2004. She noted facts from **Mr. Pohle's** relatively short life, including that he served in the **United States Marine Corps** in Vietnam, was well educated, and worked in the aerospace industry for 31 years.
 - (b) She wished everyone a happy and safe holiday.
3. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
 - (a) He wished everyone a Merry Christmas, Happy Hanukah, and Happy New Year on behalf of his wife and him. He thanked everyone for their prayers on his family's behalf.
 - (b) He thanked the City employees for their hard work in 2004, noting his attendance at a number of employee association holiday events.
4. Council Member/Director Ruh commented as follows:
 - (a) He likewise noted his attendance at the MFFA holiday party, at which Fire Chief Turner was honored with a plaque commemorating his great grandfather who heroically lost his life in the performance of his duties with the Los Angeles Fire Department and whose name is inscribed on the **California Firefighters Memorial** in Sacramento.
 - (b) He noted he was unable to attend the MCEA Christmas party because he was out of town that evening.
 - (c) He noted **Robbins Brothers** jewelers in Montclair offered **Marine Lance Corporal David Battle** any ring in the store to replace the ring he lost with his ring finger when his left hand was mangled in a firefight in Fallujah, Iraq, on November 13, 2004. He expressed his desire that **Mr. Battle** be honored at the City's **Memorial Day** ceremony this year and asked that the **Robbins** brothers, owners of **Robbins Brothers** jewelers, be recognized at a future meeting for their benevolence.

Mayor Pro Tem Dutrey suggested that all Montclair residents serving overseas should also be honored at the 2005 **Memorial Day** ceremony.

Council Member Ruh concurred, noting such is the practice at the City's **Memorial Day** event.

- (d) He cited a recent *Inland Valley Daily Bulletin* article related to **Moreno Elementary School** students' participation in the Chino Basin Green Tree Planting Program by planting Sycamore trees on school grounds, noting the great opportunity the program affords its young participants. He noted the program is sponsored by **Lewis Operating Corp., Inland Empire Utilities Agency, Monte Vista Water District, and Inland Empire Resource Conservation District** and teaches students about native trees and the Chino Basin ecosystem.
- (e) He wished everyone a happy holiday season with their families: Merry Christmas, Happy Hanukah, and Happy Kwanzaa. He asked that in the spirit of the

season, everyone think about those in our community who are less fortunate.

- (f) He read the following Christmas prayer that he wrote several years ago that captures the true spirit of the season:

This is for lives forgotten on Christmas Eve. As we wrap presents and sing carols and gaze at the glitter of boxes brave with bows under the glow of a well-trimmed tree, let's pause and see all those down on their luck in a different light.

Give the gift of recognition to the unappreciated.

Cherish forgotten heroes who are mistaken for losers.

Let dreams come true for all those who need a break.

Let there be laughter in all this country's poor neighborhoods and forsaken places.

And please, let nobody go to bed hungry or cold on this holiday.

Let no policeman be shot, no child abused, no woman battered, and no infant born addicted to drugs.

Write a song for all the anonymous hard-working people with grueling jobs who obey the law, pay their taxes, educate their children, never get into trouble, and just struggle to make ends meet.

Let no parent feel the torment of not being able to afford toys for the children.

Give a second chance to somebody in trouble.

Hire the guy who once went to jail, for Christ would have done that.

Tell those in public service that their trust is to empower the weakest and least in our nation and that our poor families are not a liability—that they are an asset. Remind them that theirs is duty and honor before self-gain. Encourage the good ones to stay in public life and keep telling the truth.

You should light a candle and honor all the victims of hate crimes and then commit to work against intolerance based on race and religion.

If you run into an old friend, tell him about the times you won and came out on top, not the times you lost.

Let some child who survived the foster care system grow up and write a novel about the coldest and dumbest of all bureaucracies.

Remember the Holy Family and their flight into Egypt.

Make this the miracle Christmas for somebody in a homeless shelter and for the immigrant family just here from the Middle East, Africa, Mexico, or some other distant homeland. Remember, they, too, are a stranger in a strange land.

Most of all on this holiday, let the timid find confidence, the lost find a direction, the lonely find love.

- (g) He bid peace to everyone and congratulated **Assembly Member McLeod**, who was just named Chair of the State Assembly Business and Professions Committee.

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of December 6, 2004

The City Council received and filed the Personnel Committee meeting minutes of December 6, 2004, for informational purposes.

XII. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS

At 8:17 p.m., Mayor/Chairman Eaton adjourned the City Council and Redevelopment Agency and Montclair Housing Corporation Boards of Directors in memory of 27-year Montclair resident **Mr. James V. Pohle**.

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

Yvonne L. Smith
Recording Secretary