

MINUTES OF THE REGULAR JOINT MEETING OF THE  
MONTCLAIR CITY COUNCIL AND REDEVELOPMENT  
AGENCY AND MONTCLAIR HOUSING CORPORA-  
TION BOARDS HELD ON MONDAY, AUGUST 7,  
2006, AT 7:00 P.M. IN THE CITY COUNCIL  
CHAMBERS, 5111 BENITO STREET, MONTCLAIR,  
CALIFORNIA

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I. CALL TO ORDER

Mayor/Chairman Eaton called the meeting to order at 7:00 p.m. and asked that everyone please silence their cell phones, pagers, and other electronic devices as a courtesy to others while the meeting is in session.

II. INVOCATION

Pastor Mark Schipul, Bethany Baptist 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; Acting Director of Community Development/Agency Planner Lustro; City/Agency Engineer Hudson; City Attorney/Agency Counsel Robbins; City Clerk/ Agency Secretary Jackson

V. PRESENTATIONS

A. Introduction of New Employees

Mayor Eaton introduced **Mr. Andrew Reyes**, who was appointed to the position of Police Officer effective July 17, 2006. He noted Officer Reyes previously worked as a Reserve Officer at the Montclair Police Department.

Mayor Eaton welcomed Officer Reyes to the Montclair City family and presented him with a City pin.

Mayor Eaton introduced **Ms. Melisa Gonzales**, who was appointed to the position of Police Services Specialist effective July 31, 2006.

Mayor Eaton welcomed Police Services Specialist Gonzales to the Montclair City family and presented her with a City pin.

Mayor Eaton introduced **Ms. Kristi Hernandez**, who was appointed to the position of Police Dispatcher effective June 26, 2006. He noted Police Dispatcher Hernandez previously worked as a Police Dispatcher at the Montclair Police Department until she relocated to South Carolina a few years ago.

Mayor Eaton welcomed Police Dispatcher Hernandez to the Montclair City family and presented her with a City pin.

VI. PUBLIC COMMENT

A. **Mr. Don Vodvarka**, 10202 Columbine Avenue, Montclair, noted he very much enjoyed listening to performances of Irish band **Paddy**

Doyle's Boots and Something Diff'rent-Emmet Mixon & Co. at the Starlight Patio Theater last week.

## VII. PUBLIC HEARINGS

### A. First Reading - Adoption of Ordinance No. 06-886 Adding Sections 9.24.410 Through 9.24.480 to Title 9 of the Montclair Municipal Code Related to the City Storm Drain System

Mayor Eaton declared it the time and place set for public hearing to consider Ordinance No. 06-886 adding Sections 9.24.410 through 9.24.480 to Title 9 of the Montclair Municipal Code related to the City Storm Drain System 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.

Noting the South Coast Air Quality Management District mandates that construction sites be maintained using proper watering and street sweeping practices, Council Member Paulitz asked how the City controls the amount of dirt runoff from the sites into the City Sewer System.

City Engineer Hudson advised that construction sites are required to be watered regularly to control airborne dust and erosion runoff into the streets, which are required to be swept to prevent dirt from entering the sewer system. He noted a number of varied best-management practices are employed to control the amount of air-blown and erosion runoff including shaker plates installed at the subdivision entry/exit points, sandbags, silt fences, and dust palliatives.

Council Member Paulitz thanked City Engineer Hudson for the information.

Moved by Mayor Pro Tem Dutrey and seconded by Council Member Raft that Ordinance No. 06-886, entitled "**An Ordinance of the City Council of the City of Montclair Adding Sections 9.24.410 Through 9.24.480 to Title 9 of the Montclair Municipal Code Related to the City Storm Drain System,**" 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. 06-886 was unanimously adopted by the following vote:

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

## VIII. CONSENT CALENDAR

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 July 17, 2006

The City Council and Redevelopment Agency, Montclair Housing Corporation, and Montclair Financing Authority Boards approved the minutes of the Regular Joint City Council/

**B. Administrative Reports**

**1. Setting a Public Hearing to Consider Ordinance No. 06-887 Adding Chapter 3.18 to Title 3 of the Montclair Municipal Code Related to Transportation Development Impact Fees**

The City Council set a public hearing for Monday, August 21, 2006, at 7:00 p.m. to consider Ordinance No. 06-887 adding Chapter 3.18 to Title 3 of the Montclair Municipal Code related to Transportation Development Impact Fees.

**2. Authorization to Allocate Interest Earned on a 2002 Supplemental Law Enforcement Services Fund Grant to Purchase 11 Gun Vaults**

The City Council authorized the allocation of \$1,712 in interest earned on a \$100,000 2002 Supplemental Services Law Enforcement Services Fund grant to purchase 11 gun vaults for newly hired Police Officers to secure their department-issued weapons at home.

**3. Authorization to Purchase 22 Bushmaster A2 Tactical Rifles With Upgraded Slings From Pro-Force Law Enforcement**

**Authorization to Purchase 18 Mounting Brackets From Woodcrest Vehicle Center**

The City Council authorized the following:

- (a) Purchase of 22 Bushmaster A2 Tactical Rifles with tactical slings costing \$17,402 from Pro-Force Law Enforcement.
- (b) Purchase and installation of 18 mounting brackets costing \$5,850 from Woodcrest Vehicle Center.

**4. Approval to Purchase Supplemental Medical Equipment for the Montclair Medical Clinic With Funding Provided by the San Bernardino County Department of Aging and Adult Services (DAAS)**

The City Council approved the purchase of supplemental medical equipment for the Montclair Medical Clinic with funding provided by DAAS.

**5. Authorization to Purchase Two Chevrolet 3/4-Ton Pickup Trucks From Rotolo Chevrolet in Fontana**

**Authorization for a \$26,771.65 Appropriation From the Equipment Replacement Fund**

The City Council authorized the following:

- (a) Purchase of two 3/4-ton pickup trucks costing \$55,271.65 from Rotolo Chevrolet, Fontana, for use by Public Works personnel.
- (b) A \$26,771.65 appropriation from the Equipment Replacement Fund.

**6. Designation of Voting Delegate and Alternate Voting Delegate to the League of California Cities Annual Conference, September 6-9, 2006, San Diego, California**

The City Council designated Mayor Eaton as Montclair's voting delegate and Mayor Pro Tem Dutrey as alternate at the 2006 League of California Cities Annual Business Meeting to be held Saturday, September 9, 2006, at the San Diego Convention Center.

**7. Approval of City Warrant Register and Payroll Documentations**

The City Council approved the City Warrant Register dated August 7, 2006, totaling \$1,921,641.62 and the Payroll Documentations dated May 28, 2006, amounting to \$550,157.74, with \$383,518.01 being the total cash disbursement and June 11, 2006, amounting to \$550,575.09, with \$380,241.56 being the total cash disbursement.

**C. Agreements**

**1. Approval of *Agreement No. 06-107* With Cost Recovery Systems, Inc., for State Mandate Reimbursement Claiming Services**

The City Council approved *Agreement No. 06-107* with Cost Recovery Systems, Inc., for state mandate reimbursement claiming services.

**2. Redevelopment Agency Board of Directors' Award of Contract to Floor Covering Unlimited, Inc., in the Amount of \$34,126**

**Approval of *Agreement No. 06-108* With Floor Covering Unlimited, Inc., for the Kids Station Flooring Replacement Project at the Montclair Transcenter**

**Authorization of an \$3,500 Construction Contingency**

The Redevelopment Agency Board took the following actions related to the Kids Station Flooring Replacement Project:

- (a) Awarded a contract to Floor Covering Unlimited, Inc., in the amount of \$34,126.
- (b) Approved *Agreement No. 06-108* with Floor Covering Unlimited, Inc.
- (c) Authorized an \$3,500 construction contingency.

**3. Approval of *Agreement No. 06-109* With San Bernardino County for the Signal Upgrades at Roswell Avenue and Mission Boulevard Project**

**Authorization of a \$29,862.74 Appropriation From the Gas Tax Fund**

The City Council took the following actions regarding the Signal Upgrades at Roswell Avenue and Mission Boulevard Project:

- (a) Approved *Agreement No. 06-109* with San Bernardino County.
- (b) Authorized a \$29,862.74 appropriation from the Gas Tax Fund to complete the project.

**D. Resolutions**

**1. Adoption of Resolution No. 06-2652 Supporting the Tobacco Tax Act of 2006**

The City Council adopted Resolution No. 06-2652 supporting the Tobacco Tax Act of 2006.

**2. Adoption of Resolution No. 06-2654 Authorizing Placement of Assessments on Certain Properties for Delinquent Sewer and Trash Accounts**

The City Council adopted Resolution No. 05-2654 authorizing placement of tax roll assessments for delinquent sewer and trash charges on the 194 properties listed on Exhibit A to Resolution No. 05-2654, which represent the balance of properties from which liens have not been cleared since October 3, 2005.

**3. Adoption of Resolution No. 06-2656 Superseding Resolution No. 06-2632 Authorizing Submission of the Fiscal Year 2006-07 Used Oil Recycling Block Grant Application to the California Integrated Waste Management Board**

The City Council adopted Resolution No. 06-2656 superseding Resolution No. 06-2632 authorizing submission of the Fiscal Year 2006-07 Used Oil Recycling Block Grant application to the California Integrated Waste Management Board.

**IX. PULLED CONSENT CALENDAR ITEMS – None**

**X. RESPONSE – None**

**XI. COMMUNICATIONS**

**A. City Attorney/Agency Counsel**

**1. Closed Session Pursuant to Section 54956.8 of the Government Code Related to Conference With Real Property Negotiators**

*Property: House/Office Located at 9916 Central Avenue, Montclair*

*Negotiating Parties: City of Montclair Redevelopment Agency, as Potential Buyer, and Neighborhood Partnership Housing Services, as Potential Seller*

*Agency's Negotiators: Executive Director McDougal, Director of Redevelopment/Public Works Staats, and Assistant Director of Redevelopment Caldwell*

*Under Negotiation: Price and Terms Related to Potential Agency Acquisition of the Property. The Purpose of the Closed Session is to Seek Agency Board Direction Regarding Initiating Negotiations to Acquire the Property and Parameters for Price and Terms Related to Such Real Property Negotiations.*

Agency Counsel Robbins requested a Closed Session pursuant to Section 54956.8 of the Government Code related to conference with real property negotiators on the above matter.

**B. City Manager/Executive Director – No comments**

**C. Mayor/Chairman**

**1. Mayor/Chairman Eaton commented as follows:**

- (a) He noted Council Member Ruh's and his attendance last Friday at a very nice dinner honoring the following Fire Department retirees: Captains Don Crouch, Mike Harden, and Layne Shiba; Division Chief Steve Shull; and

EMS Coordinator Tom Stoudt. He added that the honored guests were pleased with the impressive turnout at the dinner.

- (b) He expressed his appreciation of City Manager McDougal for attending tonight's meeting despite having recently undergone surgery. He stated, "We know you are recovering well; good luck to you."

City Manager McDougal thanked Mayor Eaton for his concern.

#### D. City Council/Agency Board

1. Council Member/Director Paulitz noted he enjoyed attending the **Montclair Walkers** 20th Anniversary Celebration luncheon held Wednesday, July 19, 2006, at the Community Center. He expressed his appreciation to staff for organizing the well-attended event.
2. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
  - (a) Noting it has been a month since he last attended a Council meeting, he stated it is nice to know that one can take some time off and depend upon the leadership skills of the other Council Members and City Manager McDougal.
  - (b) He noted he was unable to attend the **Montclair Chamber of Commerce** Installation and Awards Luncheon on June 27, 2006 and congratulated incoming President **Dana Cox** on her appointment.
  - (c) He noted the Montclair Community Collaborative would be celebrating its 10th Anniversary celebration this year and that this is also the first year that the **Online to College** participants would be attending their first year at **Chaffey College**. He noted he is acquainted with two families that have children who are fortunate enough to be taking advantage of the program.
  - (d) He recognized the **Montclair Walkers** on their 20th anniversary and expressed his disappointment that he was unable to attend the luncheon celebration.
  - (e) He noted he is busy working on a project in his employment with the **City of Rialto** until after Labor Day, at which time his goal will be to increase his presence here in Montclair.
3. Council Member/Director Ruh commented as follows:
  - (a) He noted the importance of the **Online to College** program for so many families in Montclair. He related that one family told him their child was the first person in their family ever to graduate from high school much less have the opportunity to attend college. Noting the cost to attend college has increased dramatically over the years, he advised that the latest California budget contains reductions to community college tuitions. He noted his admiration of some students' determination and willingness to want to do something with their futures.
  - (b) He noted the unexpected passing on August 1, 2006, of Montclair resident **Mr. Willie L. Hurd**, a dedicated volunteer coach of the Montclair Youth Basketball

League and **Ontario-Montclair YMCA** basketball program. He extended the Council's and his sympathy to the **Hurd** family in their loss.

**E. Committee Meeting Minutes**

**1. Minutes of Code Enforcement Committee Meeting of July 17, 2006**

The City Council received and filed the Code Enforcement Committee meeting minutes of July 17, 2006, for informational purposes.

**2. Minutes of Personnel Committee Meeting of July 17, 2006**

The City Council received and filed the Personnel Committee meeting minutes of July 17, 2006, for informational purposes.

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

At 7:17 p.m., Mayor/Chairman Eaton adjourned the City Council and Montclair Housing Corporation Board of Directors.

At 7:17 p.m., the Redevelopment Agency Board went into Closed Session regarding conference with real property negotiators pursuant to Government Code Section 54956.8.

**XIII. CLOSED SESSION ANNOUNCEMENTS**

At 7:40 p.m., the Redevelopment Agency Board returned from Closed Session. Chairman Eaton announced the Redevelopment Agency Board met in Closed Session regarding conference with real property negotiators, 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 7:41 p.m., Chairman Eaton adjourned the Redevelopment Agency Board of Directors.

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

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Yvonne L. Smith  
Transcribing Secretary