

MINUTES OF THE REGULAR JOINT MEETING OF THE  
MONTCLAIR CITY COUNCIL AND REDEVELOPMENT  
AGENCY AND MONTCLAIR HOUSING CORPORATION  
BOARDS HELD ON MONDAY, DECEMBER 4, 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**

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; Acting Director of Administrative Services Beltran; 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 - None**

**VI. PUBLIC COMMENT - None**

**VII. PUBLIC HEARINGS**

**A. First Reading - Adoption of Ordinance No. 06-888 Amending the Existing Prezone Designation for Approximately 2.31 Acres Within the City's Sphere of Influence**

Mayor Eaton declared it the time and place set for public hearing to consider Ordinance No. 06-888 amending the existing prezone designation for approximately 2.31 acres in the City's Sphere of Influence and invited comments from the public.

**Mr. Terry Kent**, Director of Marketing, Crestwood Corporation, 510 West Citrus Edge Street, Glendora, requested the Council consider maintaining the existing residential prezone designation for the subject site. He advised that Crestwood Communities began developing its 25-lot Madison at the Crossing single-family residential subdivision just north of the site as well as an additional 105 single-family residential lots in the immediate area under the assumption that the zoning of that site would remain residential, as it was originally prezoned, should the property be annexed to the City. He expressed his understanding that prezone designations are potentially subject to amendment.

Mayor Eaton thanked **Mr. Kent** for his comments.

**Mr. Mike Palmer**, 5276 Phillips Boulevard, Chino, commented as follows:

1. He expressed his support for the proposed prezone amendment to "C-2."
2. He complained that the air circulation around his property has become obstructed by the Madison at the Crossing project.
3. He complained about the health risks of the pooling water from the Madison at the Crossing project irrigation drainage that drains south to Phillips Boulevard through his property instead of east from the project as it should have been engineered to do. He expressed his understanding that the proposed commercial development would divert the drainage east of the residential subdivision.

Mayor Eaton thanked **Mr. Palmer** for his comments.

There being no one else 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 Paulitz inquired as follows:

1. What was the plan behind the original residential rezoning of the subject site?

Director of Community Development Clark advised that the site was rezoned R-1(11) at a time when there was no real direction as to how the corner was going to be assembled and developed.

2. Is the City's prezone designation equivalent to San Bernardino County's land-use designation of the site?

City Planner Lustro responded that the existing County land-use designation for all three parcels is "CN (Neighborhood Commercial)."

Council Member Paulitz noted the proposed use would be consistent with the current County land-use designation as well as the irony of the residents' opposition to annexation to the City when the subject site was rezoned.

Mayor Pro Tem Dutrey inquired as follows:

1. What are the current County land-use designations of the parcels to the west of subject site?

City Planner Lustro replied that the parcels west of the subject site on the north side of Mission Boulevard to Fremont Avenue are designated "RS-1 (SFR Minimum 1 Acre Lot Area).

2. What property does the applicant own?

City Planner Lustro answered, "The applicant is the owner of the vacant one-acre property at 11296 Central Avenue.

3. Is he purchasing 5246 Phillips Boulevard?

City Planner Lustro answered, "No."

4. What is the applicant proposing to develop?

City Planner Lustro responded that the conceptual proposal is for an approximately 12,000-square-foot one-story multi-tenant commercial development. He noted the proposal is only being considered conceptually and that plans cannot be reviewed while the property remains within County boundaries.

5. What is the lot size of 5276 Phillips Boulevard?

Director of Community Development Clark answered, "Approximately one acre."

6. What uses are allowed at the 5276 Phillips Boulevard property?

City Planner Lustro advised that staff recommended in discussions with the applicant that the site layout of its proposed development be oriented so the storefronts would face south in the event the property owners of 5246 and 5276 Phillips Boulevard decide to build commercial developments.

Mayor Pro Tem Dutrey suggested that all three parcels could possibly be linked with consistent developments having reciprocal driveways and parking.

City Planner Lustro stated that the applicant and its architect have been more than cooperative in revising the site plans to potentially accommodate such future development.

Mayor Pro Tem Dutrey received clarification that the applicant's proposal could conceivably include four or five individual storefronts. He asked what uses are permitted in a "C-2" zone.

City Planner Lustro replied that a "C-2" zone is limited to commercial or retail establishments in which the businesses operate within an enclosed building and would not include more intense uses, such as automotive. He noted a convenience store (with or without alcohol) of under 8,000 square feet in floor area would be permitted in that zone under a Conditional Use Permit (CUP).

Mayor Pro Tem Dutrey asked if the applicant would be presenting its proposal to the Planning Commission should the proposed amendment of the existing prezone designation for the site be approved.

City Planner Lustro responded that the proposal would be presented to the Planning Commission strictly as a Precise Plan of Design unless there were some uses proposed in the development that require a CUP.

Mayor Pro Tem Dutrey noted the Madison at the Crossing residents could comment during such a public hearing.

City Planner Lustro stated, "That is correct."

Mayor Pro Tem Dutrey thanked City Planner Lustro for the information.

Council Member Ruh asked if the zoning of the subject site has always been commercial.

City Planner Lustro advised that the County's land-use designation for the site has been "Neighborhood Commercial" for at least the last six years.

Council Member Ruh received clarification that the proposed amendment of the prezone designation from R-1(11) to C-2 relates to City zones. He asked if Crestwood Corporation realized that the prezone designation for the subject site could change.

City Planner Lustro noted **Mr. Kent** indicated there is always the potential that a prezone designation could change. He advised

that at the time Crestwood Corporation began its Madison at the Crossing project, the subject site was rezoned residential.

Council Member Ruh asked if Crestwood Corporation was aware that the County's land-use designation for the site is commercial.

City Planner Lustro indicated he did not know.

Council Member Ruh noted the buyers of Madison at the Crossing homes are doing so under the assumption that the property to the south is rezoned residential.

Director of Community Development Clark advised that those who perform due diligence prior to purchasing homes in the project would know that the County's land-use designation for the site is "Neighborhood Commercial."

Council Member Ruh asked if staff informs developers of the disparity in City and County zoning in such cases.

Director of Community Development Clark responded that staff expects that developers would perform due diligence prior to purchasing and developing property.

Council Member Ruh reiterated that the buyers of Madison at the Crossing homes are doing so under the assumption that the property to the south is rezoned residential.

City Manager McDougal suggested the buyers presume the property will remain vacant.

Director of Community Development Clark noted a buyer expressed his concern at the Planning Commission hearing that only a wrought-iron/pilaster retaining wall separates the Madison at the Crossing subdivision from the subject site. He stated that further separation of the two uses would take place at the time the site is developed.

Council Member Ruh noted this issue would be confusing to new homebuyers.

Mayor Eaton thanked City Planner Lustro for the information

Mayor Pro Tem Dutrey commented as follows:

1. He noted an effective commercial center could be developed if the owners of 11296 Central Avenue and 5246 and 5276 Phillips Boulevard combined their properties. He noted that corner would be a good location for such a use.
2. He spoke in support of the item, noting the importance of staff's advising the applicant of the variety of conditions that might be imposed on the proposed commercial development to reduce impacts on neighboring residences. He reiterated that all three parcels could possibly be linked with consistent developments into one effective retail strip center having reciprocal driveways and parking.
3. He noted all development proposals for the site would be carefully reviewed by the Planning Commission and the Council.
4. He noted there have been several zone changes on Central Avenue to allow residential subdivisions to be developed and asked if a lot on Central Avenue between Phillips Boulevard and Howard Street was once zoned commercial.

Director of Community Development Clark advised that at one point there was quite a bit of commercial zoning on the corner of Howard Street and Central Avenue.

5. He noted the Council took action in March 2006 to establish prezone designations for approximately 370 acres within the City's Sphere of Influence, including the subject site, advising that it would revisit the prezoned areas in the future if it becomes necessary, as it is in this case. He indicated the Council would be open to further changes to established prezone designations in the future if the need arises.

Moved by Mayor Pro Tem Dutrey and seconded by Council Member Paulitz that Ordinance No. 06-888, entitled "**An Ordinance of the City Council of the City of Montclair Amending the Adopted Prezone Designation of R-1(11) (Single-Family Residential, Minimum 11,000-Square-Foot Lot Area) to C-2 (Restricted Commercial) 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. 06-888 was adopted by the following vote:

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

## VIII. CONSENT CALENDAR

Mayor Eaton requested that Item C-1 be removed from the Consent Calendar for a presentation at the end of Section IX, "Pulled Consent Calendar Items."

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

Mayor Pro Tem Dutrey requested that Item C-6 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 November 20, 2006

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 November 20, 2006.

### B. Administrative Reports

#### 1. Setting a Public Hearing to Consider Resolution No. 06-2673 Approving the Following:

**Tentative Tract Map No. 18286 Subdividing a 6.95-Acre Parcel Into 13 Numbered Lots and 3 Lettered Lots for Condominium Purposes**

**Conditional Use Permit to Allow 46 Live-Work Units in the Corridor Residential" Land-Use District of the North Montclair Downtown Specific Plan**

**Precise Plan of Design for a 184-Unit Mixed-Use Development Within the North Montclair Downtown Specific Plan**

The City Council set a public hearing for Monday, December 18, 2006, at 7:00 p.m. in the City Council Chambers to consider Resolution No. 06-2673 approving the following:

- (a) Tentative Tract Map No. 18286 subdividing a 6.95-acre parcel into 13 numbered lots and 3 lettered lots for condominium purposes.
- (b) A Conditional Use Permit to allow 46 live-work units in the "Corridor Residential" land-use district of the North Montclair Downtown Specific Plan.
- (c) A Precise Plan of Design for a 184-unit mixed-use development within the North Montclair Downtown Specific Plan.

**3. Authorization to Advertise for Bid Proposals for the Foundation Area 12 Alley Improvement Project**

The City Council and Redevelopment Agency Board authorized staff to advertise for bid proposals for the Foundation Area 12 Alley Improvement Project.

**4. Authorization to Change the Regular Meeting Day of the Community Action Committee**

The City Council authorized changing the regular meeting day of the CAC to the first Wednesday of each month from September through June.

**5. Approval of City Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated December 4, 2006, totaling \$980,399.47 and the Payroll Documentation dated October 1, 2006, amounting to \$695,783.51 with \$478,688.52 being the total cash disbursement.

**C. Agreements**

**2. Approval of Agreement No. 06-175 With the County of San Bernardino for Lease of a City Building to Provide County Library Services**

The City Council approved *Agreement No. 06-175* with the County of San Bernardino for lease of 12,275 square feet of building, real property, courtyard, and improvements located at 9955 Fremont Avenue, Montclair, to provide County library services.

**3. Approval of Agreement No. 06-176 Amending Agreement No. 02-22 With Monte Vista Water District for Purchase of Recycled Water**

The City Council approve *Agreement No. 06-176* amending *Agreement No. 02-22* with the Monte Vista Water District for the purchase of recycled water.

**4. Approval of Agreement No. 06-177 With Mel Smith Electric, Inc., and Premier Commercial Bank for Establish-**

**ment of an Escrow Account in Lieu of the City Withholding a 10 Percent Retention Associated With Construction of the New City of Montclair Police Department Facility**

The City Council approve *Agreement No. 06-177* with Mel Smith Electric, Inc., and Premier Commercial Bank for establishment of an escrow account in lieu of the City withholding a 10 percent retention associated with construction of the new City of Montclair Police Department facility.

**5. Redevelopment Agency Board of Directors' Approval of Agreement Nos. 06-178 Through 06-180, Rehabilitation Grant Agreements by and Between the City of Montclair Redevelopment Agency and Exterior Housing Improvement Program (EHIP) Participants**

The Redevelopment Agency Board approved *Agreement Nos. 06-178 through 06-180, Rehabilitation Grant Agreements* by and between the City of Montclair Redevelopment Agency and the three EHIP participants listed on Exhibit A to the agenda report on this item.

**7. Approval of Agreement No. 06-183 With All Cities Youth Baseball for Use of Essex Park Ball Field Facilities**

The City Council approve *Agreement No. 06-183* with All Cities Youth Baseball for use of Essex Park ball field facilities.

**D. Resolutions - None**

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

**2. Setting a Public Hearing to Consider Ordinance No. 06-889 Amending the Penalty Provisions of the Montclair Municipal Code**

Council Member Paulitz requested the second reading of Ordinance No. 06-889 be scheduled after the Code Enforcement Committee meeting of Monday, January 15, 2007.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Dutrey, and carried unanimously that the City Council set a public hearing for Monday, December 18, 2006, in the City Council Chambers to consider Ordinance No. 06-889 amending the penalty provisions of the Montclair Municipal Code.

**C. Agreements**

**6. Award of Bid Package No. 3 for Construction of New Police Department Facility to Rossi Concrete, Inc., in the Amount of \$551,706 and Approval of Agreement No. 06-181 With Rossi Concrete, Inc.**

**Award of Bid Package No. 10 for Construction of New Police Department Facility to Best Roofing & Waterproofing, Inc., dba Best Contracting Services, Inc., in the Amount of \$1,486,168 and Approval of Agreement No. 06-182 With Best Roofing & Waterproofing, Inc., dba Best Contracting Services, Inc.**

**Authorization of a Combined \$200,000 Construction Contingency for Both Contracts**

Mayor Pro Tem Dutrey noted that staff's changes to bid package Nos. 3 and 10 have resulted in a net savings for bid package No. 3 of \$780,000 and approximately \$415,000 for

bid package No. 10. He thanked staff for revising the bid packages to reflect the true value of the work to be done.

Moved by Mayor Pro Tem Dutrey, seconded by Council Member Paulitz, and carried unanimously that the City Council take the following actions regarding construction of the new Police Department facility:

- (a) Award bid package No. 3 to Rossi Concrete, Inc., in the amount of \$551,706 and approve *Agreement No. 06-181* with Rossi Concrete, Inc.
  - (b) Award bid package No. 10 to Best Roofing & Waterproofing, Inc., dba Best Contracting Services, Inc., in the amount of \$1,486,168 and approve *Agreement No. 06-182* with Best Roofing & Waterproofing, Inc., dba Best Contracting Services, Inc.
  - (c) Authorize a combined \$200,000 construction contingency for both contracts.
1. **Approval of *Agreement No. 06-174* With The NTI Group, Inc., in the Amount of \$16,882 Annually for Emergency Telephone-Notification Services to Montclair Residents, Businesses, and Select Groups**

City Manager McDougal noted he had an opportunity to experiment with the proposed system several weeks ago and was quite impressed with its potential. He advised that an official City notification can be recorded by any authorized individual and transmitted to residents or businesses via telephone, cell phone, and/or email. He noted the simplicity of the system's use for public hearing notification.

**Mr. Chad Castruita**, Regional Director, The NTI Group, Inc., 15301 Ventura Boulevard, Sherman Oaks, gave a comprehensive presentation and demonstration of the Connect-CTY emergency management system that is capable of rapidly communicating with residents and businesses on time-sensitive issues and during emergencies through standard telephone connections. He noted that the system could be used to notify the public of Amber Alerts, storm warnings, earthquake responses, hazardous materials spills and cleanup schedules, public works detours and roadblocks, and so forth.

Council Member Ruh inquired as follows:

1. How are residents notified who are not at home and have no telephone answering machine, cell phone, or email?

**Mr. Castruita** responded that most residents have either a residence or business telephone contact number. He added that the system addresses the needs of the hearing impaired using text telephone (TTY) and/or telecommunications device for the deaf (TDD) services. He added that emergency notifications are simultaneously sent to business and residence telephone numbers, cell phone numbers, and email addresses, whereas community-awareness notifications are only sent to primary telephone contacts.

2. Is the system to be used primarily for emergencies? What is the definition of "emergency"?

**Mr. Castruita** advised that an emergency would be defined by the client; The NTI Group only provides the service. He noted other clients use the system for

notification of fires, hazardous materials-related issues, power failures, hurricane updates (typically on the East Coast), and Amber Alerts.

Council Member Ruh noted the importance of carefully defining and differentiating between emergency bulletins and community-awareness announcements.

**Mr. Castruita** concurred, advising that emergency notifications would be made to both listed and unlisted telephone numbers. He added that all "do not call" numbers would be red flagged, and informational-type announcements would not be sent to those individuals.

Council Member Ruh expressed his hope that the proposed system would not be used for "inane" community announcements.

City Manager McDougal indicated that should the Council approve the item, the plan is for staff to develop a policy about the use of the proposed telephone-notification service system. He advised that the policy would limit access to the system password to ensure the system is used responsibly to notify residents of important City-related matters.

Council Member Ruh reiterated that it is important to define what an "emergency" is. He expressed the importance of having policy guidelines in place at the same time the item is approved.

City Manager McDougal clarified that he would be presenting the policy on use of the proposed system to the Council before the system's implementation.

Council Member Paulitz inquired as follows:

1. Is the cost of the system based on an annual fee or the \$2 per address as indicated in the agenda report?

City Manager McDougal answered, "It's an annual fee" and that the system may be used on an unlimited basis.

2. How are the contact telephone numbers derived?

**Mr. Castruita** replied that The NTI Group has partnerships with aggregators and local telephone companies to extract 911 or 411 numbers and billing telephone and white page information to find the most current phone number for the residences and businesses.

3. How is an emergency notification made?

**Mr. Castruita** replied that one would just need to select "Priority Communication" on The NTI Group website, record the message, and execute the call, which would automatically go out to every number in the system.

4. How are email addresses derived?

**Mr. Castruita** responded that all residents are sent a contact sheet template requesting they provide any additional contact numbers or email addresses at their discretion.

Council Member Paulitz received clarification that the annual contract fee allows for an unlimited use of the system.

Moved by Council Member Paulitz and seconded by Mayor Pro Tem Dutrey that the City Council approve *Agree-*

ment No. 06-174 with The NTI Group, Inc., in the amount of \$16,882 annually for emergency telephone-notification services to Montclair residents, businesses, and select groups.\*

Council Member Raft inquired as follows:

1. Do telephone companies release unlisted numbers for emergency notification purposes?

**Mr. Castruita** replied that individuals having unlisted telephone numbers can provide them on the template sent to all residents for inclusion of their contact numbers in the emergency-notification system.

2. How long does it take to implement the system?

**Mr. Castruita** responded that it takes a maximum of three days to extract the data to be used in the system; it is then up to the client to develop a policy for its use. He added that The NTI Group provides support services on a 24/7 basis.

Mayor Pro Tem Dutrey expressed his support of the item as an adjunct means of communicating emergency information to the public.

Mayor Eaton expressed his opinion that the proposed emergency-notification service will prove to be invaluable to the community. He thanked City Manager McDougal for bringing this item to the Council's attention and **Mr. Castruita** for his presentation.

\*Motion carried as follows:

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

## X. RESPONSE

### A. Medical Marijuana Dispensaries

Mayor Pro Tem Dutrey expressed his opinion that the City should follow the examples set by other California cities and adopt an Ordinance prohibiting the sale of medical marijuana in retail/commercial areas. Realizing that voters approved **Proposition 215**, the **Compassionate Use Act of 1996**, he noted the abuses of the law that have occurred because of its minimal regulation.

Council Member Paulitz concurred.

Moved by Council Member Paulitz and seconded by Mayor Pro Tem Dutrey to have City Attorney Robbins prepare an Ordinance prohibiting medical marijuana dispensaries within City limits.\*

Council Member Ruh suggested meeting with our state legislators to recommend "closing up some of the loopholes" in the state law regulating the use of marijuana for medicinal purposes.

Mayor Pro Tem Dutrey concurred.

Mayor Eaton requested clarification on the law regulating medical marijuana.

City Attorney Robbins advised that "certainly this area is still evolving, and there are a lot of gray areas." She expressed her

understanding that the Council's direction is simply to prohibit medical marijuana dispensaries, which would not prohibit an individual from cultivating or possessing marijuana for medical purposes as defined under the **Compassionate Use Act**. She noted the challenge presented by California law allowing such use while the same clearly remains illegal under federal law.

Mayor Eaton thanked City Attorney Robbins for the information.

Council Member Raft requested further clarification of the inconsistency between state and federal laws regulating medical marijuana.

City Attorney Robbins clarified that federal law expressly prohibits the cultivation, possession, and use of medical marijuana that is allowed in California pursuant to the **Compassionate Use Act**. She cited the precedent set in June 2005 by the **U.S. Supreme Court's** decision in *Gonzalez v. Raich* that Congress has the power under the Commerce clause of the **United States Constitution** to prohibit the distribution and manufacture of marijuana, thus upholding its 2001 ruling in *United States v. Oakland Cannabis Buyers' Cooperative and Jeffery Jones* that no medical necessity defense is allowed under federal law.

Mayor Pro Tem Dutrey noted that the inconsistency between state and federal law on this matter reinforces the need for the City to adopt an Ordinance prohibiting medical marijuana dispensaries. He cited the City's difficulty in regulating massage parlors as an example.

\*Motion carried unanimously as follows:

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

## XI. COMMUNICATIONS

- A. **City Attorney/Agency Counsel** - No comments
- B. **City Manager/Executive Director** - No comments
- C. **Mayor/Chairman**

1. Mayor/Chairman Eaton commented as follows:

- (a) He noted his attendance at the **Montclair Chamber of Commerce**-hosted *Annual Firefighter Recognition Breakfast* last Wednesday at which Acting Fire Engineer/Paramedic Ed Cook and Chief Dan Tapia were respectively presented the Montclair Firefighter of the Year and Montclair Fire Department Employee of the Year awards.
- (b) He noted Mayor Pro Tem Dutrey, Council Member Raft, and he attended the swearing-in ceremony today of reelected **San Bernardino County Fourth District Supervisor Gary Ovitt** at the **County Government Center**, San Bernardino. He noted he was pleased to represent the City at the ceremony and looks forward to supporting **Supervisor Ovitt** in his future endeavors.

### D. **City Council/Agency Board**

- 1. Council Member/Director Raft asked that this evening's meeting be adjourned in memory of **Mr. Lawrence Yepes** who owned and operated **Larry's Carburetor Services** in Montclair for twenty years.

2. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
  - (a) He thanked the **Chamber** for hosting the *Annual Firefighter Recognition Breakfast* last week.
  - (b) He noted expressing his hope to a parishioner at his church that the veterans' banners would again be flown in the new year.
  - (c) He noted his daughter, **Janine**, and he, along with Mayor Eaton, attended the festive **10th Annual Metrolink Holiday Toy Express Train** stage show last night at the Montclair Metrolink station. He thanked the **Southern California Regional Rail Authority** for once again sponsoring this seasonal event.

Mayor Eaton noted there were about three hundred attendees at the event.

3. Council Member/Director Ruh commented as follows:
  - (a) He likewise noted his attendance at the **Chamber's** well-attended *Firefighter Recognition Breakfast*, noting the attendance of representatives of the **Governor's** Office, **Representative Dreier**, **Senator Soto**, and **Assembly Member McLeod** to recognize Acting Fire Engineer/Paramedic Cook and Chief Tapia.
  - (b) Noting he was unable to attend **Supervisor Ovitt's** swearing-in ceremony because of a business conflict, he wished **Supervisor Ovitt** well, adding that "he does a good job for our community."
  - (c) He noted a report given at an earlier adjourned joint meeting reviewed the ten years the **Montclair Community Collaborative (MCC)** has been working with many different community families on vital programs to increase school attendance, assist families with healthy living practices, reactivate students for school, help with financial aid, and in many other programs. He cited a *Los Angeles Times* article of a study done by **Mr. Joel Kotkin**, Irvine Senior Fellow, **New America Foundation**, which revealed that although California is home to one of the world's wealthiest populations, one in five children lives in poverty; in Los Angeles County, 20 percent of the population controls about 55 percent of the region's income (similar to during the Great Depression). He recalled a statistic he reported several years ago that on any given night in California, 50 percent of those living in homeless shelters are working on a regular basis. He advised that the **MCC** is "really trying to break those barriers" in an effort to end "the demonization of poverty, which has, unfortunately, become a hallmark of the Inland Empire." He further discussed the problem of "influenza"—an epidemic of stress, waste, overconsumption, and environmental decay. He applauded the **MCC** for the progress being made in the community as a result of its excellent programs and expressed his hope that successful program participants will return to support others who are actively involved in programs.

## E. Committee Meeting Minutes

### 1. Minutes of Code Enforcement Committee Meeting of November 20, 2006

The City Council received and filed the Code Enforcement Committee meeting minutes of November 20, 2006, for informational purposes.

**2. Minutes of Personnel Committee Meeting of November 20, 2006**

The City Council received and filed the Personnel Committee meeting minutes of November 20, 2006, for informational purposes.

Mayor Eaton advised all attending students to write today's date and the time Council Members will be signing their attendance forms before presenting them for signature.

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

At 8:12 p.m., Mayor/Chairman Eaton adjourned the City Council and Redevelopment Agency and Montclair Housing Corporation Boards of Directors in memory of **Mr. Lawrence Yepes**, owner, **Larry's Carburetor Services**, 5438 Holt Boulevard, #14, Montclair.

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

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Yvonne L. Smith  
Transcribing Secretary