

MINUTES OF THE REGULAR JOINT MEETING OF THE  
MONTCLAIR CITY COUNCIL AND REDEVELOPMENT  
AGENCY AND MONTCLAIR HOUSING CORPORATION  
BOARDS HELD ON MONDAY, DECEMBER 18, 2006,  
AT 7:01 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 7:01 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. He announced that the regular joint meetings are now available in audio format on the City's website and can be accessed the day following the meeting after 10:00 a.m.

II. INVOCATION

**Pastor Paul M. Eaton Jr.** 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

V. PRESENTATIONS

A. Introduction of New Employees/Promotee

Mayor Eaton introduced Montclair resident **Ms. Deborah Carcuz**, who was appointed to the position of Police Dispatcher effective December 11, 2006.

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

Mayor Eaton introduced **Mr. Matthew Trotter**, who was appointed to the position of Police Dispatcher effective December 11, 2006. He noted Dispatcher Trotter is majoring in Communications at **California Polytechnic University, Pomona**, on a full scholarship.

Mayor Eaton welcomed Dispatcher Trotter to the Montclair City family and presented him with a City pin.

Mayor Eaton introduced **Mr. Jacob Riedell**, who was appointed to the position of Reserve Police Officer effective December 4, 2006. He noted Reserve Officer Riedell graduated from **Riverside County Sheriff's Academy** on December 6, 2006, after serving four years in Turkey with the **United States Army**.

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

Mayor Eaton introduced **Ms. Laura Wilson**, who was appointed to the position of Police Dispatcher effective December 11, 2006. He noted Dispatcher Wilson is presently attending **Citrus College** with aspirations of completing her bachelor's degree.

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

Mayor Eaton introduced Acting Fire Engineer/Paramedic Ed Cook, who was promoted to his new position effective December 4, 2006. He noted Acting Fire Engineer/Paramedic Cook began his career with the Montclair Fire Department as a Firefighter in 1992. As one of the department's first five paramedics, he serves on the Emergency Medical Services Committee, the Urban Search and Rescue Team, and the Fire Apparatus Committee, in addition to instructing Emergency Medical Technician trainees and serving on the Community Action Committee (CAC), as the Political Action Committee Treasurer of the Montclair Fire Fighters Association, and as an Assistant Coach for the **Montclair High School** wrestling team.

Mayor Eaton congratulated Acting Fire Engineer/Paramedic Cook on his promotion and presented him with a City pin.

**B. Presentation of 2006 Holiday Home Decoration Contest Winners**

Mayor Eaton announced that the Montclair CAC has once again sponsored the Holiday Home Decoration Contest as part of the City's ongoing efforts to encourage community pride and spirit. He introduced CAC Chairperson Darleen Hartman.

CAC Chairperson Hartman invited **Assembly Member Nell Soto** to come forward at this time to comment.

Noting she is pleased to be back in Montclair to see the Council again, **Assembly Member Soto** congratulated all the 2006 Holiday Home Decoration Contest winners for "truly capturing and expressing the most valuable essence of the City and its spirit. I encourage others to follow in your path." She also congratulated recently reelected Mayor Eaton and Council Members Paulitz and Ruh.

Chairperson Hartman announced the following tenth annual Holiday Home Decoration Contest 2006 winners as they were each presented with a framed *Award of Excellence* certificate and **Montclair Plaza** gift card by Mayor Eaton and a **California State Assembly Certificate of Recognition** by **Assembly Member Soto**:

<i>Category</i>	<i>Winner(s)</i>
Most Unique:	<b>Richard and Barbara Rhetmiller</b> , 5525 La Denev Street
Lights, Lights, and More Lights:	<b>José and Alisa Garcia</b> , 9970 Santa Anita Avenue
Children's Fantasy:	<b>Brad and Marcia Ray</b> , 9611 Camulos Avenue
Winter Wonderland:	<b>Carl and Darlene Paulson</b> , 4860 Rosewood Street
	<b>Ed and Joyce Sokolowski</b> , 4850 Rosewood Street

Chairperson Hartman congratulated all winners and thanked them for sharing their creativity with the community. She encouraged everyone to visit these beautifully decorated homes to share in the joy and spirit of Christmas, noting copies of the list of winners are

available in the Council Chambers and at City Hall. She wished everyone a "Merry Christmas!"

On behalf of the City Council, Mayor Eaton thanked Chairperson Hartman and CAC Members for their efforts to organize and facilitate this event each year. He further 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.

## VI. PUBLIC COMMENT

A. **Mr. Loren Martens**, 4285 Benito Street, Montclair, commented as follows:

1. He complained about the following City street locations:
  - (a) Ramona Avenue between Benito Street and Holt Boulevard - 14 to 16 areas in need of pavement repair.
  - (b) Mills Avenue between Benito Street and Holt Boulevard - Four to six areas in need of pavement repair.
  - (c) Orchard Street between Monte Vista and Ramona Avenues - At least four to six areas where the pavement has dropped below the gutter edge.
  - (d) North side of Orchard Street just east of Ramona Avenue - Curb and gutter has fallen away from the sidewalk, leaving a low spot that is always full of water.
2. He expressed his opinion that the \$16,882 the City spent on emergency telephone notification services would have been better spent on pavement repairs in the City and stated, "I think this is a very poor expenditure of funds."

Mayor Eaton thanked **Mr. Martens** for his comments and advised that staff would follow up on his complaint.

## VII. DECLARATION OF ELECTION RESULTS

A. **Adoption of Resolution No. 06-2674 Reciting the Fact of the General Municipal Election Held on Tuesday, November 7, 2006, Declaring the Results and Such Other Matters as Provided by Law**

Moved by Mayor Pro Tem Dutrey and seconded by Council Member Ruh that Resolution No. 06-2674, entitled "**A Resolution of the City Council of the City of Montclair, California, Reciting the Fact of the General Municipal Election Held on Tuesday, November 7, 2006, Declaring the Results and Such Other Matters as Provided by Law,**" 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. 06-2674 was unanimously adopted by the following vote:

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

## VIII. SWEARING IN OF REELECTED MEMBERS OF THE CITY COUNCIL

**Assembly Member Nell Soto** and **Senator Gloria Negrete McLeod** administered the Oath of Office in turn to reelected Council Member **Bill Ruh**.

**Assembly Member Soto** presented Council Member Ruh with a **California State Assembly Certificate of Recognition**.

**Ronald Cunning**, DDS, administered the Oath of Office to reelected Council Member **Leonard Paulitz**.

**Pastor Eaton Jr.** administered the Oath of Office to his father, reelected Mayor **Paul M. Eaton**.

**Assembly Member Soto** presented Mayor Eaton and Council Member Paulitz with **California State Assembly Certificates of Recognition**.

Mayor Eaton thanked the community for reelecting him to the Mayor's seat, stating, "I'm very proud to be the Mayor of this City, and I will continue to work hard and see that we do all of the things that we need to do keep this a warm and viable community." He particularly thanked those who assisted him in his reelection campaign.

Council Member Ruh likewise thanked "the residents who returned me to office" for their support over the last several years of his candidacy and his campaign, **Assembly Member Soto** and **Senator McLeod** for their advice on the pertinent issues, and his family for their unwavering support of his political involvements. He introduced his sister **Mindy** and nephew **Nicholas** who represented his family and presented **Mindy** with a bouquet of flowers "to thank you for all your support."

Mayor Eaton introduced his son and daughter-in-law, **Paul Jr.** and **Debbie**; his eldest and youngest daughters **Paulette** and **Annette**; grandsons **Will** and **Caleb**; "three very special friends, **Supervisor Gary Ovitt** and his wife, **Sue**, and **Pastor Larry Enriquez**; and last but certainly not least, my wife Ginger is here. I thank all of you for being here this evening."

## **IX. SELECTION OF MAYOR PRO TEM/VICE CHAIRPERSON**

Council Member/Director Paulitz nominated Mayor Pro Tem/Vice Chairman Dutrey to serve another four-year term as Mayor Pro Tem of the Montclair City Council and Vice Chairman of the Boards of the Redevelopment Agency and Montclair Housing Corporation.

There being no further nominations, the nominations were closed.

Mayor Pro Tem/Vice Chairman Dutrey's nomination was voted upon as follows:

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

Mayor Eaton invited the public to attend a reception following the meeting.

## **X. PUBLIC HEARINGS**

### **A. Adoption of 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**

Mayor Eaton declared it the time and place set for public hearing to consider Resolution No. 06-2673 approving Tentative Tract Map

No. 18286 subdividing a 6.95-acre parcel into 13 numbered lots and 3 lettered lots for condominium purposes, a Conditional Use Permit (CUP) to allow 46 live-work units in the "Corridor Residential" land-use district of the North Montclair Downtown Specific Plan (NMDSP), and a Precise Plan of Design (PPD) for a 184-unit mixed-use development within the NMDSP the and invited comments from the public.

**Mr. David Gaulton**, President, **Pacific Development Services**, 21515 Vanowen Street, Suite 101, Canoga Park, thanked City Manager McDougal, Director of Community Development Clark, City Planner Lustro, City Engineer Hudson, and NPDES Coordinator Rosales for their assistance in developing a collaborative vision for the proposed project. He noted **Pacific Development Services** faithfully followed the NMDSP in developing of the proposed project and is prepared to comply with the required 56 conditions of approval. He noted the sponsor of the project, **LaingUrban**, is a lifestyle division of **John Laing Homes**, named "Builder of the Year" in 2005 and No. 1 in customer satisfaction across the country, and that **LaingUrban** specializes in infill urban condominium projects such as the project being proposed. He added that the company has a great deal of experience creating homeowner associations and Conditions, Covenants, and Restrictions (CC&Rs) that protect the homeowners and the community. He respectfully requested the Council's approval of the proposed project.

**Mr. Rick Aiken**, Principal, **William Hezmalhalch Architects, Inc.**, 2850 Red Hill Avenue, Suite 200, Santa Ana, thanked Director of Community Development Clark for the City's cooperation on the proposed project. He reviewed the configuration and design of the three product types proposed to comprise the 184-unit mixed-use development proposed to be built on 6.95 acres in the "Corridor Residential" land-use district of the NMDSP at 4952-4974 Arrow Highway.

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 Raft inquired as follows:

1. Would the seemingly very small live-work units' work area square footage be used as office space?

**Mr. Aiken** replied that a trend in the industry is for multilevel live-work units with an office space on the lower level, which activates an opportunity for a "doorbell" home business that would either cater to an open-door or appointment-only approach.

2. Could any of the acreage along Arrow Highway be developed into retail businesses?

**Mr. Aiken** responded that at present, the potential exists for development of smaller more intimate retail uses (accounting, attorney, and brokerage firms; artists; and music instructors), advising that Arrow Highway would not support more intensified retail uses requiring more storage space.

Mayor Pro Tem Dutrey inquired if the applicant would also be subject to the special tax to finance construction and maintenance of the public improvements with regard to the Community Facilities District (CFD) that will be created pursuant to condition of approval No. 8 as required under the proposed Precise Plan of Design for the mixed-use development.

Director of Community Development Clark answered, "Correct." He noted the list of public improvements is still being developed

and, unfortunately, the applicant would be obligated to some or all of the public improvements indicated in condition of approval No. 8.

Mayor Pro Tem Dutrey received clarification that the City would receive CC&Rs for the condominium subdivision at least 30 days prior to the anticipated recordation of Tract Map No. 18286. He asked if there would be an onsite manager at the new condominium complex.

Director of Community Development Clark stated, "I don't know if that's been decided yet."

**Mr. Gaulton** advised that the homeowners association (HOA) would decide whether a full-time manager is needed at the complex, adding that office space is being allocated in the recreational building should the HOA choose to provide one.

Mayor Pro Tem Dutrey commented that the proposed project is in keeping with the vision of the NMDSP adopted earlier this year after a nearly three-year process. He noted the significance of ensuring that this first project "is done correctly to set the tone for future projects" in a mixed-use setting.

Council Member Ruh inquired as follows:

1. How many cars are anticipated per unit?

**Mr. Gaulton** answered, "We've provided two (garage) parking spaces within the units themselves" as well as guest parking.

Council Member Ruh expressed his opinion that the proposed square footage of the units would denote larger families requiring parking for two or three cars, which would be at cross-purposes with the traditional definition of a transit-oriented development.

Noting public transportation is a future trend, **Mr. Gaulton** advised that **Pacific Development Services'** market studies of focus groups concluded that providing the more traditional number of parking spaces per unit was essential to market the units successfully. That said, he indicated residents of the units would be encouraged to take advantage of the transit system.

2. Was there a reason for including a number of facilities in the proposed project that would create an inward-looking rather than an outward-looking perspective?

**Mr. Gaulton** noted "it is **Pacific Development Services'** and the City's vision that over time, the North Montclair area will be developed so that there will be a desire and opportunity to travel amongst the different portions of the community along Arrow Highway and take advantage of the local retail and other opportunities. Again, in the current state, we're not really mature enough to count on that. We are trying to provide the pedestrian pathways for the future while being realistic about the needs of the current homebuyer."

3. What is the projected family size for these units?

**Mr. Gaulton** answered, "There is no way to calculate in advance how many children will reside in the units."

4. How are school fees calculated?

**Mr. Gaulton** responded that school fees are paid on a square-foot basis for the entire project regardless of whether children occupy the units. He suggested that in that regard, LaingUrban might be overpaying such fees.

Council Member Ruh expressed his opinion that the units seem rather large for a transit-oriented development type of lifestyle and that a future underground pedestrian tunnel to existing Metrolink loading platforms would not be used. He asked approximately how much the CFD costs would add to the mortgage payments.

**Mr. Gaulton** responded that the City has yet to calculate CFD costs.

Council Member Ruh expressed his concern that the costs would substantially increase mortgage payments for the units, thereby affecting their affordability. He generally spoke in support of the proposed project while expressing his hope that future developments in the NMDSP would better contribute to and expand the concept of urban living.

Council Member Paulitz noted he has generally been opposed to high-density housing, though he is supportive of the proposed project because the units will be owner occupied and the project "is well done." Expressing his concern that the Unit A floor plan only offers a one-car garage, he asked how many Unit A floor plans are included in the proposed condominium complex.

**Mr. Gaulton** answered, "There will be 18 of the smaller one-bedroom units that will have a one-car garage."

Council Member Paulitz further inquired as follows:

1. Why is metal is being proposed for all building downspouts rather than vinyl which won't rust?

**Mr. Gaulton** answered, "That was a City-imposed condition."

**Mr. Aiken** responded that building downspouts and rain gutters could be articulated with paint if made with metal, "so we as architects welcome it."

2. What parking will be provided for the 46 live-work units?

**Mr. Gaulton** answered, "There will be street parking immediately in front of all live-work units, which is part of the profile for the Specific Plan for Arrow Highway that we're following faithfully. And we're continuing that on the main street leading into the project where the balance of the live-work units are."

3. Why wouldn't the naming of the internal streets of the subdivision be consistent with the street plan (if any) for that part of town?

Director of Community Development Clark responded that staff would review the developer's proposal for street names. He advised that at least one new street that would not align with existing streets would need to be named, and staff would ensure that the name is "as consistent and recognizable with existing City streets as possible."

Council Member Paulitz received clarification on garage access for the end Unit H floor plan. He expressed his opinion that "this is a viable product, and I wish it all success" because it would be the first project in the NMDSP. Inasmuch as the introduction of urban-style residential products to the area will begin the process of creating a downtown environment with walkable neighborhoods, local-serving retail and service businesses, and convenient access to rail transit, he noted the unlikelihood of having every amenity available for area residents and, therefore, the need to provide adequate parking for residents.

Council Member Raft stated she is "really excited about this project. I think it's something that nobody in the area has." She inquired as to unit prices.

**Mr. Gaulton** answered, "The pricing of the units has not been determined." He noted it would be some time before the units will be marketed and that generally prices would be set at that time.

Mayor Eaton stated, "Well, we've been waiting a long time to see this project come together, and we're very pleased with it.

Moved by Mayor Pro Tem Dutrey and seconded by Council Member Raft that Resolution No. 06-2673 entitled, "**A Resolution of the City Council of the City of Montclair Approving Tentative Tract Map No. 18286, a Conditional Use Permit to Allow 46 Live-Work Units, and a Precise Plan of Design for a 184-Unit Mixed-Use Development Within the North Montclair Downtown Specific Plan,**" 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. 06-2673 was unanimously adopted by the following vote:

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

**B. Second 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.

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 Mayor Pro Tem Dutrey and seconded by Council Member Raft 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 second reading.

The City Council unanimously waived the reading of the Ordinance.

Second Reading of Ordinance No. 06-888 was adopted by the following ROLL CALL vote:

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

**C. First Reading – Adoption of Ordinance No. 06-889 Amending the Penalty Provisions of the Montclair Municipal Code**

Mayor Eaton declared it the time and place set for public hearing to consider Ordinance No. 06-889 amending the penalty provi-

sions of the Montclair Municipal Code 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 Council Member Raft that Ordinance No. 06-889, entitled "**An Ordinance of the City Council of the City of Montclair Amending the Penalty Provisions of the Montclair Municipal Code,**" be read by number and title only, further reading be waived, this be declared its first reading, and the second reading be held on Tuesday, January 16, 2007.

The City Council unanimously waived the reading of the Ordinance.

First Reading of Ordinance No. 06-889 was adopted by the following vote:

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

## **XI. 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 Adjourned Joint Council/Agency Meeting of December 4, 2006**

The City Council and Redevelopment Agency and Montclair Housing Corporation Boards approved the minutes of the Adjourned Joint City Council/Redevelopment Agency Board meeting of December 4, 2006.

#### **2. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of December 4, 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 December 4, 2006.

### **B. Administrative Reports**

#### **1. 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, 2006.

#### **2. Approval of City Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated December 18, 2006, totaling \$748,473.82 and the Payroll Documentation dated October 15, 2006, amounting to \$592,310.56, with \$414,687.50 being the total cash disbursement.

**3. 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, 2006.

**4. Approval of Agency Warrant Register**

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 11/01/06-11/30/06 in the amounts of \$578.62 for Project I; \$1,358.43 for Project II; \$153,107.80 for Project III; \$22,917.37 for Project IV; and \$18,741.43 for Project V.

**5. 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, 2006.

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 11/01/06-11/30/06 in the amount of \$55,553.72.

**7. Acceptance of Grant Deed Nos. 1644-1646, Easements for Construction of Phase 2 of the Huntington Drive to Arrow Highway Sewer Project**

**Authorizing Grant Deeds to be Recorded with the Office of the San Bernardino County Recorder**

The City Council took the following actions:

- (a) Accepted Grant Deed Nos. 1644-1646, easements for construction of Phase 2 of the Huntington Drive to Arrow Highway Sewer Project.
- (b) Authorizing Grant Deeds to be recorded with the Office of the San Bernardino County Recorder.

**8. Approval of Lot Line Adjustment No. 2006-1 Affecting Two Parcels Located on the East Side of Central Avenue Between Kingsley and Orchard Streets**

The City Council approved Lot Line Adjustment No. 2006-1 to increase the size of the residential property owned by Ms. June Morrison directly north and adjacent to the Redevelopment Agency-owned property located at 10215 Central Avenue on the east side of Central Avenue between Kingsley and Orchard Streets.

**9. Approval of Updated Listing of Designated Employees required to File Statements of Economic Interests**

The City Council approved the updated listing of designated employees required to file Statements of Economic Interests attached as Exhibit A to the City of Montclair Conflict of Interest Code.

**10. Authorization to Advertise for Bid Proposals for the Signalization of the Arrow Highway and Police Department Intersection Project**

The City Council authorized staff to advertise for bid proposals for the Signalization of the Arrow Highway and Police Department Intersection Project.

**11. Declaring Unclaimed Property in Police Custody as Surplus and Available for Auction**

The City Council declared the unclaimed property in Police custody listed on an attachment to this agenda report as surplus and available for auction.

**C. Agreements**

**1. Approval of Agreement No. 06-184-I-77, an Irrevocable Annexation Agreement With Miguel and Cecilia Aguirre for 11158 Roswell Avenue**

The City Council approved *Agreement No. 06-184-I-77*, an *Irrevocable Annexation Agreement* with Miguel and Cecilia Aguirre for emergency connection of their two single-family residences at 11158 Roswell Avenue in unincorporated County territory to the City Sewer System.

**2. Approval of Agreement No. 06-185 Amending Agreement No. 06-80, a Disadvantaged Business Enterprise Race-Neutral Implementation Agreement for Local Agencies for Federal Fiscal Year 2006-07**

The City Council approved *Agreement No. 06-185* amending *Agreement No. 06-80*, a *Disadvantaged Business Enterprise Race-Neutral Implementation Agreement* for local agencies for Federal Fiscal Year 2006-07.

**D. Resolutions - None**

**XII. PULLED CONSENT CALENDAR ITEMS - None**

**XIII. RESPONSE - None**

**XIV. COMMUNICATIONS**

**A. City Attorney/Agency Counsel - No comments**

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

**C. Mayor/Chairman**

1. Mayor/Chairman Eaton wished everyone a "Merry Christmas and Happy New Year."

**D. City Council/Agency Board**

1. Council Member/Director Paulitz likewise wished everyone a "Merry Christmas."
2. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
  - (a) He wished everyone a "Merry Christmas."
  - (b) He thanked his Council colleagues for reselecting him to serve as Mayor Pro Tem of the City Council and Vice Chairman of the Redevelopment Agency and Montclair Housing Corporation for the next two years.

**E. Committee Meeting Minutes**

**1. Minutes of Personnel Committee Meeting of December 4, 2006**

The City Council received and filed the Personnel Committee meeting minutes of December 4, 2006, for informational purposes.

**XV. COUNCIL/AGENCY WORKSHOP**

**A. Progress Report on Construction of New Police Facility**

Moved by Council Member/Director Ruh, seconded by Council Member/Director Raft, and carried unanimously to continue this item to an adjourned joint meeting on Tuesday, January 2, 2006, at 5:45 p.m. in the City Council Chambers.

Mayor Eaton invited the public to attend tonight's reception in the East Lobby. He 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.

**XVI. 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 **Matthew John Chulla**, 12-year-old son of Detective Dave Magsam's fiancée, **Ms. Danita Chulla**, who sadly passed away December 11, 2006, following a tragic skateboarding accident.

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

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Yvonne L. Smith  
Transcribing Secretary