

MINUTES OF THE REGULAR JOINT MEETING OF THE  
MONTCLAIR CITY COUNCIL AND REDEVELOPMENT  
AGENCY AND MONTCLAIR HOUSING CORPORATION  
BOARDS HELD ON MONDAY, FEBRUARY 5, 2007,  
AT 6:58 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 6:58 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

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 **Ms. Debbie Martinez**, who was appointed to the position of Community Health Education Coordinator effective January 8, 2007. He noted Community Health Education Coordinator Martinez was previously employed by **Presbyterian Intercommunity Hospital** in Whittier.

Mayor Eaton welcomed Community Health Education Coordinator Martinez to the Montclair City family and presented her with a City pin.

Mayor Eaton introduced **Ms. Rose Torres**, who was appointed to the position of Recreation Coordinator effective January 22, 2007. He noted Recreation Coordinator Torres began her career with the City in 2002 as Playground Director facilitating the Summer Camp, youth and adult sports, and teen volunteer programs as well as assisting with special events. He added that in 2005, Recreation Coordinator Torres received her bachelor's degree in Human Services from **California State University, Fullerton**.

Mayor Eaton congratulated Recreation Coordinator Torres on her new appointment and presented her with a City pin.

Mayor Eaton introduced **Ms. Dorothy Botana**, who was appointed to the position of After-School Program Office Specialist effective December 11, 2006. He noted Office Specialist Botana was

previously employed by the **County of Los Angeles Community Development Commission**.

Mayor Eaton welcomed Office Specialist Botana to the Montclair City family and presented her with a City pin.

**B. Proclamation Declaring February 12-16, 2007, as "National Child Passenger Safety Week" in the City of Montclair**

Mayor Eaton presented a proclamation to **Ms. Melanie Kent**, Health Education Assistant, **San Bernardino County Child and Family Health Services**, declaring February 12-16, 2007, as "National Child Passenger Safety Week" in the City of Montclair.

Noting it is the mission of the **San Bernardino County Department of Public Health** to promote and improve the health, well being, and quality of life for all San Bernardino County residents and visitors, **Ms. Kent** announced that this year's **National Child Passenger Safety Week** would be held from February 12 through February 16, 2007. She sadly reported that 86 percent of children under five years of age who are involved in fatal vehicle crashes in San Bernardino County are not properly restrained in appropriate child passenger safety restraint systems (car seats) in the rear seats of the vehicles. She stated that the **California Child Passenger Safety Law** requires children to be properly restrained in child car seats positioned in the vehicles' rear seats until they are at least six years of age or weigh up to 60 pounds. Noting that in terms of injury prevention, child passenger safety must remain an ongoing mission for all responsible parents and caregivers, she advised that this year, the focus of **National Child Passenger Safety Week** will be on vehicle booster seats, which are recommended by the **National Highway Traffic Safety Administration** and the **Centers for Disease Control and Prevention** for children aged four to eight who weigh at least forty pounds and are under 4 feet 9 inches tall.

**Ms. Kent** indicated she would be leaving some literature about **National Child Passenger Safety Week** and other **County** programs with staff.

Mayor Eaton thanked **Ms. Kent** for her comments.

**C. Presentation of Plaques to Local Businesses and Organizations for Their Generous Donations to the 2006 Holiday Food and Toy Program**

Mayor Eaton recognized the following three local agencies with plaques for their significant contributions to the City's **2006 Holiday Food and Toy Program**. He noted that without the outstanding support from these organizations, we would never have been able to serve over 750 needy Montclair children, their families, and senior residents over the holiday season.

**Montclair Chamber of Commerce** Executive Director **Kelly Johnson** and Ambassador Chair **Sue Stedman** accepted a plaque for the service organization's extensive efforts to coordinate substantial donations of food, toys, and funds from community businesses.

**Ms. Johnson** stated that it is always a pleasure to coordinate the **Chamber's** participation in this charitable program each year and credited the **Chamber** ambassadors for doing the legwork in the community to obtain donations to the program.

**Jimmy So**, OD, **Dr. So Optometry**, was awarded a plaque in absentia for his generous and unprecedented \$2,000 donation.

**Mr. Robert Yanik, Landmark Fence Co.**, was awarded a plaque in absentia for his generous \$2,000 donation.

Mayor Eaton expressed the City's sincere appreciation for these and all contributions to the City's **2006 Holiday Food and Toy Program**. He stated, "We hope we can count on your support in 2007. It's people like you who make the holidays brighter for those in need. Thank you."

**D. Video Presentation by Mr. Durand Rall on Omnitrans' 30th Anniversary**

Mayor Eaton introduced **Mr. Durand Rall**, General Manager, **Omnitrans**.

**Mr. Rall** played a "30 Years of Miles and Smiles" public-service video highlighting **Omnitrans'** services over its 30-year history and featuring interviews of five employees who have worked for the organization for that entire time.

**Omnitrans** Director of Marketing **Wendy Williams** outlined **Omnitrans'** services in Montclair. As an aside, she noted five **Omnitrans** employees reside in Montclair.

Council Member Ruh spoke of the excellent service provided by **Omnitrans**, advising that he enjoys taking the bus whenever possible because he is able to use the travel time to catch up on some work. He noted being told by **Chaffey College** students how valuable the service is in their commutes to and from school. He recalled taking the original 16-passenger diesel-powered **Omnitrans** shuttle from the bus stop at the northeast corner of Central Avenue and Palo Verde Street to the **Montclair Plaza** or the **Sears** store in Pomona and paying a fare of only 35 cents. He noted that as Southern California becomes increasingly more mass-transit dependent, these types of services will become even more valuable to commuters.

**Ms. Williams** thanked Council Member Ruh for his kind comments.

Mayor Pro Tem Dutrey noted he began taking **Omnitrans** buses in the early 1980s and that he commuted exclusively by bus while attending **Chaffey College**. He noted he is pleased with how much the service has grown over the years and inquired as to the amount of current ridership.

**Ms. Williams** responded that there has been growth in the service area west of the **I-15 Freeway** and that, unfortunately, the ridership in the older higher use San Bernardino/Colton service area has declined. Overall, she indicated that service has remained constant since last year and that services will be restructured in the future to shift resources where they are needed, such as in this service area.

Mayor Pro Tem Dutrey further inquired as follows:

1. What is the future of the SBX (Bus Rapid Transit) Pilot Program covering the service area between San Bernardino and Loma Linda?

**Ms. Williams** advised that seven different corridors have been identified for future expansion including Foothill Boulevard and Central Avenue. She noted E Street in San Bernardino has been included in the SBX Pilot Program because it stands a good chance of receiving federal funding.

2. Is Montclair being considered for inclusion in the program?

**Ms. Williams** replied that she would expect that it would be with bus connections made at the Montclair Transcenter.

Council Member Paulitz mentioned he served on the **Omnitrans** Board for a number of years and spoke highly of **Mr. Rall's** dedicated service to the organization. Notwithstanding two controversies in the past involving supposed compressed natural gas (CNG) odor in San Bernardino and the revamping of the Montclair CNG facility, he stated he appreciates the service **Omnitrans** provides in the community. He noted the **Omnitrans** fueling and maintenance facility on Arrow Highway is named the **Hayes Transit Center** after **Mayor Emeritus Harold M. Hayes**, a transportation innovator in the region. He thanked **Mr. Rall** for the service provided by **Omnitrans**.

Mayor Eaton noted he has served on the **Omnitrans** Board for many years, some of that time as president, and that he is very proud of its excellent service to the community. He thanked **Mr. Rall** and **Ms. Williams** for their presentations, stating, "Let's look forward to what happens in the next 30 years."

## VI. PUBLIC COMMENT

- A. **Mr. Don Vodvarka**, 10202 Columbine Avenue, Montclair, commented as follows:

1. Noting in five days all residential and cellular telephone numbers will be released to telemarketing companies, he advised that those interested in blocking telemarketers should register at the **National Do Not Call Registry** by calling (888) 382-1222 from the telephone they wish blocked.

Council Member Ruh suggested individuals owning pagers might want to register their pager numbers as well.

2. He spoke in support of the service **Omnitrans** provides, noting his father worked as a streetcar operator in Chicago and his brother is a retired Superintendent of Transportation for the **City of Chicago**.
3. He thanked the City Council for appointing him eleven years ago to serve on the Planning Commission, noting he is pleased to serve a city he helped to incorporate.

- B. **Mr. Keith Ealy**, 10747 Monte Vista Avenue, Montclair, complained about the noise generated by **Revelation Raceway**, 4871 West State Street, Ontario, and related nuisances. He gave the Council and staff copies of his written complaint to Code Enforcement Division along with copies of a noise report from **Ellwyn Brickson & Associates** proving that the noise generated by the raceway exceeds the maximum legal limit. He requested that Code Enforcement Division investigate and follow up on his complaint.

Council Member Paulitz noted he and Mayor Pro Tem Dutrey, as members of the Code Enforcement Committee, brought **Mr. Ealy's** complaint to the Committee's attention at its last meeting. He thanked **Mr. Ealy**, a property owner in the newly annexed area of South Montclair, for alerting the Council of these illegal activities. He advised that Fire Chief Tapia and Police Chief Thompson would be following up on respective Health Code and parking violations.

Council Member Ruh suggested staff work with **San Bernardino County Fourth District Supervisor Gary Ovitt's** office regarding follow up on this matter as it concerns a business in County

territory, advising that **Supervisor Ovitt** has a very strong commitment to County residents. He empathized with **Mr. Ealy** as he has heard the excessive noise while driving past the raceway.

Mayor Pro Tem Dutrey asked that staff discuss the conditions regulating the raceway use with **San Bernardino County**, follow up on the Health Code and parking violations, and bring their findings to the next Code Enforcement Committee meeting to effectively resolve this matter.

Mayor Eaton thanked **Mr. Ealy** for his comments. He stated he would hand deliver **Mr. Ealy's** complaint to a County staff member following tonight's meeting.

Mayor Pro Tem Dutrey told **Mr. Ealy**, "Welcome to the City of Montclair."

- C. **Ms. Mary Ann Melleby**, Public Affairs Manager, **Monte Vista Water District**, 10575 Central Avenue, Montclair, advised that the **Metropolitan Water District (MWD)** is asking Inland Empire residents and businesses to reduce water usage over the next seven days (February 5 through 12, 2007) while **MWD** performs necessary repairs and upgrades to the Rialto Feeder pipeline, a primary source of water for Montclair, Ontario, Chino, Chino Hills, and Fontana. She advised that such voluntary reductions in water use will help prevent the draining of local supplies. She thanked the City for complying with the **District's** request to reduce irrigation over the next week, noting the **Ontario-Montclair School District** has also agreed to do so.

Mayor Eaton thanked **Ms. Melleby** for her comments.

Council Member Ruh asked if there are suggestions for reducing water usage during peak times.

**Ms. Melleby** advised that under normal conditions, it is best to water landscaping and lawns in the early morning hours as demand increases later during the day. She noted she has left some water-reduction notices that contain water-saving measures on the counter at the entrance to the Council Chambers.

- D. **Mrs. Anne Dutrey**, 11187 Carriage Avenue, Montclair, spoke as a member of the **Ontario-Montclair YMCA** Board. She announced that the **YMCA** is conducting its nationwide annual program fundraiser in support of athletic, childcare, and drug-rehabilitation programs for youth. She stated that donations to this year's "Strong Kids Campaign 2007"-themed fundraiser may be made to the **Ontario-Montclair YMCA**, 215 West C Street, Ontario (909) 986-5847.

Noting she has received donation pledges from two members of the Council and from City Manager McDougal, **Mrs. Ginger Eaton** challenged the Council, staff, and elected officials in area cities to donate to the **YMCA**.

Mayor Eaton thanked **Mrs. Dutrey** and his wife, noting he has pledged to donate \$500. He wished them luck and stated, "It is a great, great program."

## VII. PUBLIC HEARINGS - None

## VIII. CONSENT CALENDAR

Mayor Pro Tem Dutrey requested that Item B-1 be removed from the Consent Calendar for comment.

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

Moved by Council Member/Director Paulitz, seconded by Council Member/Director Raft, and carried to approve the following Consent Items as presented:

**A. Approval of Minutes**

**1. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of January 16, 2007**

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 January 16, 2007.

**B. Administrative Reports**

**2. Setting a Public Hearing to Consider an Amendment to Tentative Tract Map No. 18286 Revising the Number of Numbered Lots from 13 to 6**

The City Council set a public hearing for Tuesday, February 20, 2007, at 7:00 p.m. in the City Council Chambers to consider an amendment to Tentative Tract Map No. 18286 reducing the number of numbered lots from 13 to 6.

**3. Setting a Public Hearing to Prioritize Funding for Fiscal Year 2007-08 Community Development Block Grant Projects**

The City Council set a public hearing for Tuesday, February 20, 2007, at 7:00 p.m. in the City Council Chambers to prioritize funding for Fiscal Year 2007-08 Community Development Block Grant projects.

**4. Setting a Public Hearing to Consider Approval of *Agreement No. 07-14, a Purchase and Sale Agreement* by and Between the City of Montclair Redevelopment Agency and Honda Trading America Corporation**

The Redevelopment Agency Board set a public hearing for Tuesday, February 20, 2007, at 7:00 p.m. in the City Council Chambers to consider approval of *Agreement No. 07-14, a Purchase and Sale Agreement* by and between the City of Montclair Redevelopment Agency and Honda Trading America Corporation.

**5. Authorization to Change the Name of Antigua Garden to Memorial Garden**

The City Council authorized changing the name of Antigua Garden located directly south of the City Council Chambers to Memorial Garden.

**6. "No Action" on Alcoholic Beverage Permit Application - Express Liquor**

The City Council voted "No action" on the "Off-Sale General" license application of Bedi Harsimran Singh and Bedi Satinder Singh for Express Liquor, 5436 Arrow Highway, Suite E, Montclair, California.

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

The City Council approved the City Warrant Register dated February 5, 2007, totaling \$1,214,127.25 and the Payroll Documentation dated November 26, 2006, amounting to \$570,128.30, with \$396,553.59 being the total cash disbursement.

**C. Agreements**

**1. Approval of Agreement No. 07-10 With the City of Ontario for the Provision of Fire Dispatch and Communication Services**

The City Council approved *Agreement No. 07-10* with the City of Ontario to provide fire dispatch and communication services.

**2. Redevelopment Agency Board of Director's Approval of Agreement No. 07-13 With Bonadiman McCain, Inc., and Citizens Business Bank for Establishment of an Escrow Account in Lieu of the City Withholding a 10 Percent Retention Associated With Construction of the Palo Verde Street Storm Drain Project**

The Redevelopment Agency Board approved *Agreement No. 07-13* with Bonadiman McCain, Inc., and Citizens Business Bank for establishment of an escrow account in lieu of the City withholding a 10 percent retention associated with construction of the Palo Verde Street Storm Drain Project.

**3. Award of Contract to Nobest Incorporated in the Amount of \$155,233 for the Phase One Infrastructure Concrete Project**

**Approval of Agreement No. 07-16 With Nobest Incorporated for the Phase One Concrete Infrastructure Project**

**Authorization of a \$15,000 Construction Contingency**

The City Council took the following actions regarding the Phase One Infrastructure Concrete Project:

- (a) Awarded a contract to Nobest Incorporated in the amount of \$155,233.
- (b) Approved *Agreement No. 07-16* with Nobest Incorporated.
- (c) Authorized a \$15,000 construction contingency.

**4. Approval of Agreement No. 07-17 With the Ontario-Montclair School District to Provide After-School Programs**

The City Council approved *Agreement No. 07-17* with the Ontario-Montclair School District to provide after-school programs.

**D. Resolutions**

**2. Adoption of Resolution No. 07-2680 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Accounts**

The City Council adopted Resolution No. 07-2680 authorizing placement of liens for delinquent sewer and trash charges on the 92 properties listed on Exhibit A to Resolution

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

**1. Adoption of Resolution No. 07-2681 Establishing Proposed Schedules of Total Monthly Rates for Refuse and Sewer Program Services Subject to the Proposition 218 Notification, Protest, and Public Hearing Process**

**Pursuant to Proposition 218 Requirements, Authorizing Staff to Send Notices of Public Hearing Regarding Total Monthly Rates for Refuse and Sewer Program Services to Property Owners of Record Upon Whom Proposed Fees Would Be Imposed**

**Setting a Public Hearing for Monday, April 16, 2007, to Receive Public Comment Related to Proposed Refuse and Sewer Services**

**Authorizing a \$9,500 Transfer From the General Fund Contingency Account to the Administrative Services Department to Print and Mail Notifications of a Public Hearing on Proposed Sewer and Refuse Rates**

Mayor Pro Tem Dutrey inquired as follows:

- (a) What is the balance in the Sewer Maintenance Fund?

Director of Administrative Services Starr responded that at the end of this fiscal year, the Sewer Maintenance Fund will have a balance of approximately \$1.1 million.

- (b) Will increasing the total monthly equivalent dwelling unit (EDU) rate as proposed on Table 5 have a positive effect on the reserve fund?

Director of Administrative Services Starr replied that the infrastructure replacement/rehabilitation component of the EDU rate would set aside moneys in a reserve fund to replace/rehabilitate the City's aging sewer system within the next ten years.

Mayor Pro Tem Dutrey received clarification that the proposed annual adjustments to the EDU rate are needed to offset sewage treatment, sewer maintenance, and infrastructure replacement/rehabilitation costs. He asked about the public workshop proposed for Tuesday, April 10, 2007.

Director of Administrative Services Starr advised that a public workshop for property owners is proposed to be scheduled for Tuesday, April 10, 2007, and a public hearing is proposed to be set for Monday, April 16, 2007; both would be held in the City Council Chambers.

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

- (a) **That Resolution No. 07-2681, entitled "A Resolution of the City Council of the City of Montclair Establishing Proposed Schedules of Total Monthly Rates for Refuse and Sewer Program Services Subject to the Proposition 218 Notification, Protest, and Public Hearing Process and in Compliance With that Process Directing that Notice Thereto Be Provided to Property**

**Owners of Record Upon Which Proposed Fees Would Be Imposed and Further Directing that a Public Hearing on Such Proposed Fees Shall Be Set for April 16, 2007, in the Montclair City Council Chambers,"** be read by number and title only, further reading be waived, and it be declared adopted.

- (b) That pursuant to Proposition 218 requirements, staff be authorized to send notices of public hearing regarding total monthly rates for refuse and sewer services to property owners of record upon whom proposed fees would be imposed.
- (c) That a public hearing be set for Monday, April 16, 2007, at 7:00 p.m. in the City Council Chambers to receive public comment related to proposed refuse and sewer services.
- (d) That \$9,500 be authorized for transfer from the General Fund Contingency Account to the Administrative Services Department to print and mail notices of a public hearing on proposed sewer and refuse rates.

The City Council unanimously waived the reading of the Resolution.

Resolution No. 07-2681 was unanimously adopted; staff was authorized to send notices of public hearing regarding total monthly rates for refuse and sewer services to property owners of record upon whom proposed fees would be imposed; a public hearing was set for Monday, April 16, 2007, at 7:00 p.m. in the City Council Chambers to receive public comment related to proposed refuse and sewer services; and \$9,500 was authorized for transfer from the General Fund Contingency Account to the Administrative Services Department to print and mail notices of public hearing on proposed sewer and refuse rates by the following vote:

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

#### **D. Resolutions**

##### **1. Adoption of Resolution No. 07-2679 Rescinding Resolution No. 05-2613 Designating Restricted Parking on Public Streets**

Council Member Ruh clarified for the public that parking is restricted between 7:00 a.m. and 2:00 p.m. in designated areas.

Police Chief Thompson concurred, advising that parking is allowed in designated areas during restricted hours once the streets in those areas have been swept.

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

- (a) Though skeptical of it at first, he congratulated the City Council and City for building the Montclair Skate Park, noting it seems to be in constant use.
- (b) He asked why the west side of Camulos Avenue between Benito and Orchard Streets is not being designated for

street sweeping as it once was, noting that side of the street has not been swept since the sign was removed.

City Manager McDougal advised that he would look into the matter and report back to **Mr. Martens**.

**Mr. Martens** thanked City Manager McDougal.

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

Moved by Council Member Paulitz, seconded by Council Member Raft, and carried unanimously that the City Council adopt Resolution No. 07-2679 rescinding Resolution No. 05-2613 designating restricted parking on public streets.

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

**A. City Attorney/Agency Counsel**

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

*Property: 4991 Richton Street (Montclair Transcenter)*

*Negotiating Parties: City of Montclair Redevelopment Agency and Carol DeVorkin, State of California Department of Transportation*

*Negotiators: Executive Director McDougal, Agency Planner Clark, Director of Redevelopment/Public Works Staats, and Agency Engineer Hudson*

*Under Negotiation: Recommendations Regarding Acquisition and Price of Subject Property in Conjunction with San Bernardino Associated Governments*

Agency Counsel Robbins withdrew her request for a Closed Session on the above matter pursuant to Section 54956.8 of the Government Code

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

		<u>Property</u>	
		<u>Assessor's Parcel No.</u>	<u>Address</u>
		1012-111-03	4871 State Street, Montclair
<i>Negotiating Parties:</i>	<i>City of Montclair and Miguel A. and Maribel Barco</i>		
		1011-301-04	10751 Monte Vista Avenue, Montclair
		1011-301-05	" " "
<i>Negotiating Parties:</i>	<i>City of Montclair and Keith Allen Ealy</i>		
		1011-012-04	10625 Monte Vista Avenue, Montclair
<i>Negotiating Parties:</i>	<i>City of Montclair and Delbert Darrell Foreman</i>		
		1012-111-04	10788 Monte Vista Avenue, Montclair
<i>Negotiating Parties:</i>	<i>City of Montclair and Greystone Dr. Ontario Properties, LLC, and RRAP, LLC</i>		

- 1012-111-02 4790 Mission Boulevard, Montclair
- Negotiating Parties:* City of Montclair and Robert D. Kessler and Waneta G. Kessler, as Trustees of the Kessler Family
- 1011-301-24 10763-10771 Monte Vista Avenue, Montclair
- Negotiating Parties:* City of Montclair and Harold W. McCoy and Peggy C. McCoy as to an undivided 1/2 interest and Carl L. McCoy as to an undivided 1/2 interest
- 1011-301-01 10807 Monte Vista Avenue, Montclair  
1011-301-28 " " "
- Negotiating Parties:* City of Montclair and Tim and Shelly J. McDaniel
- 1011-012-03 10635 Monte Vista Avenue, Montclair
- Negotiating Parties:* City of Montclair and C. R. Moore and Janice Moore, Trustees of the Moore Family Declaration of Trust
- 1012-101-11 10632 Monte Vista Avenue, Montclair
- Negotiating Parties:* City of Montclair and Wells Lloyd Trust
- 1011-301-02 10777-10787 Monte Vista Avenue, Montclair  
1011-301-25 " " "
- Negotiating Parties:* City of Montclair and Dempsey & Sons Concrete Pumping
- Negotiators:* Director of Redevelopment/Public Works Staats and City Engineer Hudson
- Under Negotiation:* Recommendations Regarding Acquisition of Easements and Fee Title on Subject Properties in Conjunction With the Monte Vista Avenue/Union Pacific Grade Separation Project

City Attorney Robbins requested a Closed Session pursuant to Section 54956.8 of the Government Code regarding real property negotiations on the above ten matters.

## **B. City Manager/Executive Director**

1. City Manager/Executive Director McDougal stated that he is delighted to contribute to the **Ontario-Montclair YMCA "Strong Kids Campaign 2007"** fundraiser and extended a challenge to **Ontario City Manager Greg Devereaux** that he will personally match **City Manager Devereaux's** donation one for two.

## **C. Mayor/Chairman**

1. Mayor/Chairman Eaton commented as follows:
  - (a) He noted his attendance on January 24, 2007, at the very well-attended *Montclair Police Officers and Employees' Appreciation & Recognition Luncheon* honoring Officer of the Year Jason Reed and the Communications Division (Wendy Vlasak, Kristi Hernandez, Sheena Hubert, Teri Bolke, Deidre Cook, and Eloise Tankersley) received the Annual Achievement award.
  - (b) He noted his attendance at recent **Metrolink and Southern California Association of Governments**

Board meetings and a ribbon cutting at **Bristol Home Loans** on January 17, 2007.

- (c) He recognized the following Code Enforcement Division and Fire Department employees who work hard at the **C.A.U.T.I.O.N.** cleanups held every few months: Code Enforcement Officers Gabe Fondario, Scott Sherwood, and Richard Rivera, who are responsible for organizing the cleanups; Reserve Code Enforcement Officer Robert Hargett; Deputy Fire Marshal Tim Bissett, Administrative Assistant Marci Butler, Receptionist/Office Specialist Katrina Caballero, Acting Deputy Fire Marshal Layne Shiba, Chief Dan Tapia, Division Chief Jeff Myers, Engineers Tom Dowser and Steve Hall, Acting Engineer Greg Poupard, and Firefighter/Paramedics Ben Garcia and Jeremy Pendergraft. He asked Chief Tapia to relay the Council's gratitude to these dedicated employees "for the great help that they give us in these **C.A.U.T.I.O.N.** cleanups."

#### D. City Council/Agency Board

- 1. Council Member/Director Paulitz noted he very much enjoyed attending the Police Officers and employees' recognition luncheon and expressed his appreciation of those honored for their hard work throughout the year. He noted **John's Incredible Pizza** was filled to capacity with participants and that the luncheon might be held at an alternate location next year.

City Manager McDougal advised that staff is working with the **Chamber** to hold a weekend celebration at the new Police facility in April 2008 to include a luncheon on Thursday, an open house for former Police Department employees and area Police Departments on Friday, and a community open house on Saturday. The State of the City Address would as a result be held in February 2008, he noted.

- 2. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
  - (a) He recognized **Montclair Chamber** Executive Director **Kelly Johnson** for once again doing an outstanding job in organizing the Police Officers and employees' recognition luncheon. He noted she would also be facilitating the 2007 State of the City Address in March.
  - (b) He recognized Mayor Eaton for operating the tractor at the **C.A.U.T.I.O.N.** cleanups. The **C.A.U.T.I.O.N.** program is unique to Montclair, he added, in terms of the extent of the projects and professionalism involved, the equipment used, and the participation of Fire safety staff.

Mayor Eaton thanked Mayor Pro Tem Dutrey for all that he does to assist in the cleanups.

- 3. Council Member/Director Ruh commented as follows:
  - (a) He noted his attendance at the Police Officers and employees' recognition luncheon.
  - (b) He noted the **Montclair Chamber** participated in a Multi-Chamber Mixer on February 1, 2007, held at **OPARC**, 9029 Vernon Avenue, and attended by **Supervisor Ovitt** and representatives from the Offices of **Representative Dreier**, **Senator McLeod**, and **Assembly Member Soto**.
  - (c) He noted the **Montclair High School We the People Club** is seeking donations for a trip to Sacramento

tomorrow; those interested in donating may call **Mr. Anthony Escalera** at 621-6781.

- (d) He noted his attendance on January 28, 2007, at a well-attended ceremonial swearing-in luncheon for new **California State Controller John Chang** held at **Union Station** at which he outlined some new ideas he will be proposing.
- (e) He noted he met with local **Representatives Dreier, Grace Napolitano** (Pomona), and **Hilda L. Solis** (Covina) and with new **Speaker of the House Nancy Pelosi** while he was in Washington D.C. on business early last month. He also noted meeting with **Ohio Representative Steve Chabot, Nebraska Senator Benjamin Nelson, and Connecticut Senator Joseph Lieberman**. He advised that health care was the primary topic addressed by everyone. He commended **Governor Schwarzenegger** for taking a leadership role on this very complicated issue.
- (f) He noted we all look forward to that time in the near future when the new Police facility will be completed, agreeing that it is a good idea to hold next year's Police Officers and employees' recognition luncheon there. He added that he has been receiving a lot of positive feedback from residents about the new facility.

#### **E. Committee Meeting Minutes**

##### **1. Minutes of Code Enforcement Committee Meeting of January 16, 2007**

The City Council received and filed the Code Enforcement Committee meeting minutes of January 16, 2007, for informational purposes.

##### **2. Minutes of Personnel Committee Meeting of January 16, 2007**

The City Council received and filed the Personnel Committee meeting minutes of January 16, 2007, for informational purposes.

#### **XII. COUNCIL/AGENCY/MHC WORKSHOP**

##### **A. Midyear Budget Review**

Moved by Council Member/Director Paulitz, seconded by Mayor Pro Tem/Vice Chairman Dutrey, and carried unanimously to continue this item to an adjourned joint meeting on Tuesday, February 20, 2007, at 5:45 p.m. in the City Council Chambers.

#### **XIII. ADJOURNMENT OF REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS**

At 8:15 p.m., Chairman Eaton adjourned the Redevelopment Agency and Montclair Housing Corporation Boards of Directors to Tuesday, February 20, 2007, at 5:45 p.m. in the City Council Chambers.

At 8:15 p.m., the City Council went into Closed Session regarding real property negotiations pursuant to Government Code Section 54956.8.

#### **XIV. CLOSED SESSION ANNOUNCEMENTS**

At 8:53 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding real

property negotiations, information was received and direction given to staff, and no further announcements would be made at this time.

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

At 8:54 p.m., Mayor Eaton adjourned the City Council to Tuesday, February 20, 2007, at 5:45 p.m. in the City Council Chambers.

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

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Yvonne L. Smith  
Transcribing Secretary