

**MINUTES OF THE REGULAR JOINT MEETING OF
THE MONTCLAIR CITY COUNCIL AND REDEVEL-
OPMENT AGENCY AND MONTCLAIR HOUSING
CORPORATION BOARDS HELD ON MONDAY,
DECEMBER 3, 2007, AT 7:00 P.M. IN THE CITY
COUNCIL CHAMBERS, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Mayor/Chairman Eaton called the meeting to order at 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.

Mayor Eaton advised attending **Montclair High School** students that they will be given an opportunity to present their attendance forms for signature at the conclusion of tonight's meeting. He asked that they write today's date and the time Council Members or staff would be signing their forms before presenting them for signature once the meeting is adjourned.

II. INVOCATION

Mayor/Chairman Eaton gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Raft 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 - None

VI. PUBLIC COMMENT

A. Mr. Roger Lambert, 4861 Fauna Street, Montclair, praised the "very professional" paramedic care he received during

two incidents within a two-week period last month. He noted his only issue with the service is that he presumed ambulance transport was included in the City's Emergency Medical Services and Paramedic Subscription Program, suggesting such clarification be made to new applicants to the program to eliminate any confusion.

Mayor Eaton thanked **Mr. Lambert** for the compliment. He advised that Fire Chief Ament would follow up on Mr. Lambert's suggestion.

VII. PUBLIC HEARINGS

A. Adoption of Resolution No. 07-2718 Adjusting Transportation Development Impact Fees

Mayor Eaton declared it the time and place set for public hearing to consider Resolution No. 07-2818 adjusting transportation development impact fees.

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.

Council Member Ruh requested clarification regarding the proposed transportation development impact fee increase.

City Manager McDougal explained that the proposed fee increase is a direct result of the voters' approval in November 2004 of continuation of the Measure I one-half of 1 percent retail transactions and use tax for countywide transportation improvements. He advised that development impact fees are required to be adjusted annually to reflect changes in construction costs for the projects listed in Resolution No. 07-2718, which serves as the basis for the proposed increase.

Council Member Ruh thanked City Manager McDougal for the clarification.

Moved by Council Member Paulitz and seconded by Council Member Raft that Resolution No. 07-2718, entitled, "**A Resolution of the City Council of the City of Montclair Rescinding Resolution No. 06-2653 Effective January 1, 2008, and Setting Revised Transportation Development Impact Fees,**" 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. 07-2718 was unanimously adopted by the following vote:

AYES: Ruh, Raft, Paulitz, Dutrey, Eaton

NOES: None

ABSTAIN: None

ABSENT: None

B. First Reading – Adoption of Ordinance No. 07-901 Amending the Montclair Municipal Code Regarding Procedures Regulating the Application and Abatement of Graffiti

Mayor Eaton declared it the time and place set for public hearing to consider the first reading of Ordinance No. 07-901 amending the Montclair Municipal Code regarding procedures regulating the application and abatement of graffiti 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.

Council Member Raft commented as follows:

1. She spoke in support of proposed Ordinance No. 07-901 that would enable the City to effectively combat the growing graffiti nuisance in the community and reduce its abatement costs by devolving such costs to parents of convicted violators.
2. She recognized Graffiti Abatement Workers Hank Merenda and Dave Bostic for the "wonderful" job they do to immediately abate graffiti vandalism and the Crime Suppression Unit (CSU) for "doing a great job" to capture graffiti vandalism suspects.
3. She spoke in support of the provisions in the proposed Ordinance to hold parents or legal guardians of convicted unemancipated minors liable for up to \$25,000 in civil damages for each offense, as well as the additional civil penalties of suspension or delay for up to one year in issuance of minors' drivers' licenses and forfeiture of personal property as ordered by the court.
4. She stated that the City must do "everything in our power" to suppress and eradicate the growing social graffiti ailment because "it's just getting worse and worse." She expressed her opinion that the proposed Ordinance is certainly "a step in the right direction."

Director of Administrative Services Starr responded to Council Member Raft's comments as follows:

1. He reported that a recent court ruling has called into question the forfeiture of a violator's property. He noted staff would continue to monitor a potential property forfeiture civil penalty and return it to the Council for consideration should it become available.
2. He advised that with the recent establishment of the CSU, comprised of a Police Sergeant and three Officers, whose focus is graffiti among other quality-of-life crimes, in addition to the two Graffiti Abatement Workers and all materials and supplies, the annual cost to suppress and eradicate graffiti in Montclair runs between \$400,000 and \$500,000, a "significant cost to our budget for a problem that we should not have to deal with."

Council Member Raft concurred, noting "the burden is on our taxpayers." She inquired concerning the feasibility of receiving up to \$25,000 in civil damages from convicted offenders' parents or legal guardians for each offense.

Director of Administrative Services Starr answered, "Well, the fines would, of course, be up to the court. It is up to \$25,000, but the court would have a lot to say as to what the fine is based on the nature of the graffiti and the case that we can present." He noted the CSU has attempted to pursue the issue as a felony by accumulating the number of incidents in which a particular violator becomes involved. In addition, the purpose of the newly established Graffiti Tracker program is to collect enough evidence against a particular offender to pursue a felony conviction thereby garnering the highest fine, he added.

Council Member Raft inquired as to the number of graffiti vandalism arrests that have been made.

Director of Administrative Services Starr responded that Police Chief Thompson has advised him that in excess of eighty-nine warrants have been issued.

Council Member Raft stated, "That's great."

Council Member Ruh inquired as follows:

1. What is the definition of "graffiti implement"?

Director of Administrative Services Starr replied that pursuant to the proposed Ordinance, graffiti implement "shall mean an aerosol paint container; a felt-tip marker; gum label; paint

stick; crayon; etching tool capable of scarring glass, metal, concrete, wood, or other surface; etching cream or other such solvent; adhesive label; or any other device capable of being used to leave a visible mark.

2. Would permanent felt-tip markers or construction nails be prohibited for sale at yard sales?

Director of Administrative Services Starr advised that the proposed Ordinance defines a "felt-tip marker" as a graffiti implement, ergo it would not be allowed to be sold at a yard sale. He stated that construction nails or similar items are not normally or reasonably considered etching devices or graffiti implements, so they would not be prohibited for sale at a yard sale.

3. Would a Wagner paint sprayer be allowed to be sold at a yard sale?

Director of Administrative Services Starr noted it would be overexpansive to include an implement requiring an electric source, advising that the proposed Ordinance would include aerosol spray paint or pump devices that allow paint to be sprayed at extreme heights.

4. Would private property homeowners and business owners be prohibited from maintaining any graffiti visible on their properties?

Director of Administrative Services Starr answered, "Yes."

5. What would be the outcome if the graffiti occurs while the property owner is away on vacation?

Director of Administrative Services Starr advised that reason would be applied in such instances so long as the owner could establish his absence during the specific timeframe. He indicated the *Perpetual Consent* process would authorize the City to abate the graffiti whether or not the property owner is home.

6. What if other code violations exist at the property?

Director of Administrative Services Starr noted inspection of other code violations would not be under the purview of the Graffiti Abatement Workers assigned to remove the graffiti; although if they observe code violations that are detrimental to the health, safety, and welfare of the property owner or community, they would have a reasonable responsibility to report them.

Council Member Ruh emphasized that the City needs to be sensitive to owners' rights regarding their properties and to give owners authorizing the City access to their properties for graffiti abatement an assurance that the Graffiti Abatement Workers would only enter their properties to abate graffiti and essentially ignore obvious code violations.

City Manager McDougal stated, "No, that's not going to happen." He advised that Graffiti Abatement Workers who observe a code violation on private property "that may even be a health and safety issue or life and death issue" would not ignore it. He postulated that there is only a small number of single-family homes, perhaps fifty out of ten thousand residences in the City, which might have a graffiti issue and even a smaller number of property owners of those properties who would authorize the City access to their properties for graffiti abatement.

Council Member Ruh emphasized that property owners should study the *Perpetual Consent* process before allowing the City access to abate graffiti on their properties.

7. What would be the disposition of a *Notice to Abate Graffiti* issued during a weekend?

City Manager McDougal replied that in the past thirty years, the Code Enforcement Unit has been flexible and reasonable in working with property owners who are in contact with staff regarding hardships in meeting abatement deadlines, even so far as granting extensions when appropriate. He stated, "We have worked with property owners in the past, and we will continue to do so."

Council Member Ruh noted the City's being "flexible and reasonable" with business owners/operators is key to avoiding conflict.

8. Why is the City Council not included in the appeal process?

Emphasized that an appeal to the Planning Commission only pertains to determining solutions other than graffiti eradication, Director of Administrative Services Starr advised that normally the appeal process would end with the City Manager because the Council would, potentially, adopt the proposed Ordinance approving the program and all policies and procedures implemented thereto. Maintenance of graffiti in the community has a negative impact; and the City's desire is to eradicate the problem as quickly as possible, he added. He emphasized that the City has assumed the responsibility for graffiti abatement without cost up to now, and the proposal is

to devolve the process in part to property owners. He advised that unlimited appeals, if allowed, would result in graffiti being maintained in the community for months at a time to the detriment of the community.

Council Member Ruh suggested an appeal to the Planning Commission could be ongoing as well.

Director of Administrative Services Starr indicated that the Planning Commission would only be consulted to assist in alleviating graffiti vandalism in high-target areas.

7. What is the procedure for assessing fines In high-target areas?

Director of Administrative Services Starr stated that pursuant to the recommended Graffiti Abatement Protocols/Policy, in extenuating circumstances in high-profile areas of heavy graffiti vandalism, the City, with the cooperation and consent of the property owner, will simply assume the responsibility of eradicating the graffiti without necessarily assessing a fee against the property owner.

Council Member Ruh noted such practice would alleviate his concern on behalf of owners of repeatedly targeted businesses and residences.

Council Member Ruh expressed his support of proposed Ordinance No. 07-901. He suggested Montclair property owners who have questions or concerns about this item attend the December 17, 2007 regular joint meeting.

Mayor Pro Tem Dutrey commented as follows:

1. He noted this is the third meeting at which this subject has been addressed in the recent past.
2. He noted graffiti suppression/abatement is the No. 1 issue of residents that he can recall being ongoing since 1990, at which time former Mayor Rhinehart established a reward program for information leading to the arrest of graffiti vandals and the Public Works Department implemented the Graffiti Abatement Program with one Graffiti Abatement Worker, Hank Merenda. He reported that the City experienced a steady increase of graffiti in the community and that in 1996, Council Member Paulitz and he, as members of the Public Works Committee, recommended add-ing another Graffiti Abatement Worker to the program. Since then, he noted graffiti abatement has been included in the City Manager's goals and objectives and that last year, the Police

Department established the CSU comprised of one Sergeant and three Police Officers whose primary focus is graffiti suppression/abatement. He noted there has been a reduction in graffiti vandalism in the community in the last six months as a result of the efforts of the new CSU, Code Enforcement, and the Graffiti Abatement Workers.

3. He advised that adoption of the proposed Ordinance would give the City the authority to abate graffiti on private property in certain circumstances and effectively prosecute the offenders.
4. He stated he would like staff to market the *Perpetual Consent* process to owners of properties in high-target areas.
5. He spoke in support of holding parents and legal guardians of unemancipated minors responsible for their crimes.

Council Member Paulitz commented as follows:

1. Should anyone wonder why he did not ask questions regarding this item, he advised that studying the agenda report, proposed Ordinance, and backup attachments thoroughly prior to the meeting answered all his questions.
2. Concerning the comment that Graffiti Abatement Workers should ignore code violations in the performance of their duties, he stated that he has urged City Manager McDougal for a number of years to coordinate City departments' enforcement actions, noting the urgent need for such coordination in Montclair so these problems can be abated collectively.

Moved by Mayor Pro Tem Dutrey and, seconded by Council Member Paulitz that Ordinance No. 07-901 entitled, "**An Ordinance of the City Council of the City of Montclair Amending the Montclair Municipal Code Regarding Procedures Regulating Graffiti and Graffiti Abatement,**" be read by number and title only, further reading be waived, and this be declared its first reading.

Mayor Pro Tem Dutrey called for the question.

Mayor Eaton spoke in complete support of this item to implement a more aggressive graffiti vandalism enforcement and abatement policy. He strongly stated that offenders must be apprised that "we are going to be very proactive. We are going to find you, prosecute you, and your parents are not going to be happy."

The City Council unanimously waived the reading of the Ordinance.

First Reading of Ordinance No. 07-901 was unanimously adopted by the following vote:

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

VIII. CONSENT CALENDAR

Council Member Paulitz requested that Items B-1 and C-1 be removed from the Consent Calendar for comment.

Mayor Pro Tem Dutrey requested that Item C-4 be removed from the Consent Calendar for comment.

City Manager McDougal requested the withdrawal of Item C-4, entitled, "Consider Approval of Agreement No. 07-134 with L. D. King, Inc., for \$22,700 for Engineering and Design Services for Phases 5 and 6, Mission Boulevard Corridor Enhancement Project; and Consider Authorizing City Manager to Amend Agreement Scope of Services as May be Necessary for a Total Increase Not to Exceed \$15,000," from the Consent Calendar to be returned at a later date.

Council Member Ruh requested that Item C-5 be removed from the Consent Calendar for comment.

Moved by Mayor Pro Tem Dutrey, seconded by Council Member Raft, and carried unanimously to approve the following Consent Items as presented:

A. Approval of Minutes

1. Approval of Special Joint Council/Agency Meeting of October 15, 2007

The City Council and Redevelopment Agency/Montclair Housing Corporation Boards approved the minutes of the Special Joint City Council/Redevelopment Agency Board meeting of October 15, 2007.

2. Approval of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of November 19, 2007

The City Council and Redevelopment Agency/Montclair Housing Corporation Boards approved the minutes of the Regular Joint City Council/Redevelopment Agency Board/Montclair Housing Corporation Board meeting of November 19, 2007.

B. Administrative Reports

2. Approval of Fiscal Year 2007-08 Recommendations for the Schedule of Community Benefits Funding

The City Council approved the following recommendations for Fiscal Year 2007-08 Community Benefits funding:

FISCAL YEAR 2007-08 COMMUNITY BENEFITS ASSISTANCE PROGRAM FUNDING SCHEDULE

<i>Program</i>	<i>FY 2007-08 Recommendations</i>
Community Senior Services	\$ 1,500
Boy Scouts of America	600
D.D.A.D.	675
House of Ruth	1,525
Inland Hospice Association	1,000
John Wooton Scholarship Foundation	500
Montclair Community Collaborative	1,000
Montclair Meals on Wheels	1,500
Pomona Valley Workshop	1,500
Project Sister	1,000
Visiting Nurse Association	<u>1,700</u>
TOTAL	<u>\$12,500</u>

3. Approval of Filing of *Notice of Completion*, Reduction of *Faithful Performance Bond*, and Retention of *Payment Bond* for Six Months for Completion of the Foundation Area 11 Phase A Landscape Improvement Project

Authorization of Additional \$13,750.78 Appropriation From the Redevelopment Agency 1995 Tax Allocation Bond Proceeds Fund for the Foundation Area 11 Phase A Landscape Improvement Project

The City Council approved the following regarding completion of the Foundation Area 11 Phase A Landscape Improvement Project:

- (a) Filing of a *Notice of Completion*.
- (b) Reduction of the *Faithful Performance Bond* to 10 percent.

(c) Retention of the *Payment Bond* for six months.

The Redevelopment Agency Board authorized an additional \$13,750.78 appropriation from the Redevelopment Agency 1995 Tax Allocation Bond Proceeds Fund to make up the shortfall in payment for the above project.

4. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated December 3, 2007, totaling \$693,300.90 and the Payroll Documentation dated September 30, 2007, amounting to \$636,323.83, with \$471,097.06 being the total cash disbursement.

C. Agreements

2. Approval of Agreement No. 07-131 Superseding Agreement No. 04-158 With the State of California, Office of Emergency Services, Fire and Rescue Branch, for the Temporary Transfer of Vehicular Equipment

The City Council approved *Agreement Nos. 07-131* superseding *Agreement No. 04-158* with the State of California, Office of Emergency Services, Fire and Rescue Branch, for the replacement of OES Fire Engine No. 222 with OES Fire Engine No. 331 in the Fire Department's fleet.

3. Approval of Agreement No. 07-133 With Mt. San Antonio Community College District to Provide a Comprehensive Fitness Program for the Fire Department

The City Council approved *Agreement Nos. 07-133* with Mt. San Antonio Community College District to provide a comprehensive fitness program for the Fire Department.

D. Resolutions - None

IX. PULLED CONSENT CALENDAR ITEMS

B. Administrative Reports

1. Authorization for Mayor to Sign Grant of Easement for San Antonio Channel Recycled Water Facilities

Council Member Paulitz asked if the Inland Empire Utilities Agency is proposing to pipe wastewater into the San Antonio Channel.

City Engineer Hudson responded that the IEUA is proposing that wastewater treated in a tertiary process at various treatment plants, rendering it far cleaner than wastewater though not quite drinking water quality, would be used for irrigation of parks and schools in addition to being conveyed into the San Antonio Channel, which would deliver it to the Brooks Street Basin to be used for groundwater recharge.

Council Member Paulitz expressed concern that the treated water would be recharged and/or used.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Dutrey, and carried unanimously that the City Council authorize Mayor Paul M. Eaton to sign the Grant of Easement to convey a portion of Sunset Park to the IEUA for installation and maintenance of recycled water facilities within the lease area at the northwest corner of the park adjacent to the east side of the San Antonio Channel, south of Orchard Street.

C. Agreements

1. **Approval of *Agreement No. 07-130* With MuniFinancial, Inc., for a Fiscal Impact Study of Proposed Annexation Areas**

Concerning the case study approach defined in Exhibit "A" of proposed *Agreement No. 07-130*, Council Member Paulitz asked for confirmation that sales tax revenue figures would be determined on businesses in the area proposed to be annexed.

City Manager McDougal answered, "Correct."

Council Member Paulitz expressed his opinion that the proposed study of transient occupancy tax may not be relevant to the areas that might be annexed, suggesting, instead, that property and utility users taxes would be more pertinent to the case study.

Director of Community Development Clark advised that those taxes are included for study in other sections of the proposal.

Council Member Paulitz noted he did not want an analysis of those taxes overlooked. Concerning costs, he pointed out that fire protection is already being provided in the Sphere of Influence and that "libraries" and "community centers" would not be applicable because residents in the Sphere of Influence are allowed to use the Montclair Branch Library and the Montclair Community Center regardless, suggesting instead

that street sweeping and code enforcement should be included. He emphasized that he wants to ensure that the project approach to fiscal impact analysis is complete as to what it will cover and that it would not be superficial.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Dutrey, and carried unanimously that the City Council approve *Agreement No. 07-130* with MuniFinancial, Inc., for a fiscal impact study of proposed annexation areas.

4. Approval of *Agreement No. 07-134* With L. D. King, Inc., for Engineering and Design Services in the Amount of \$221,700 for Phases 5 and 6, Mission Boulevard Corridor Enhancement Project

Authorization for City Manager to Amend Agreement Scope of Services as May be Necessary for a Total Increase Not to Exceed \$15,000

Mayor Pro Tem Dutrey asked if the Phases 5 and 6 improvements would extend to Central Avenue.

City Engineer Hudson advised that the Central Avenue intersection improvements are basically complete, with only drainage changes outstanding. He noted the County of San Bernardino recently completed work on the turn pockets and that improvements to date have ended at the Ada Avenue centerline intersection.

Mayor Pro Tem Dutrey asked if landscape improvements have been included in the proposed Agreement.

City Engineer Hudson answered, "There will be landscape improvements on these two phases." He noted the median from Ada Avenue to Central Avenue is not included, though the median west of that point would be landscaped.

Moved by Mayor Pro Tem Dutrey, seconded by Council Member Raft, and carried unanimously that the City Council remove this item from the agenda.

5. Approval of *Agreement Nos. 07-135* and *07-136* With Montclair Plaza LLC for Landscape Improvements at the Respective Intersections of Monte Vista Avenue/San Jose Street and Central Avenue/Moreno Street

Authorization to Advertise for Bid Proposals for the Montclair Plaza Landscape Improvement Project

Considering current drought conditions and the significant water-supply challenges facing Southern California and the region, Council Member Ruh asked if xeriscape, drought-tolerant landscaping, or synthetic turf is being considered for the proposed landscaping improvements.

City Manager McDougal answered, "No," advising that turf similar to the Redevelopment Agency's landscaping improvements at some of the vacant lots on Holt Boulevard is being planned for the subject sites.

Council Member Ruh asked why the Agency is not considering drought-tolerant landscaping or synthetic turf.

City Manager McDougal replied that cost is a factor, explaining that synthetic turf is more expensive than carpet and is long-lasting. He advised that a consensus has been reached among General Growth Properties, the Agency, and legal counsel that temporary landscaping be installed and maintained until the two sites are developed.

Council Member Ruh stated that he would oppose this item because of the current "water crisis," suggesting the Agency should come up with an innovative alternative to turf to set an example for the public.

Moved by Mayor Eaton and seconded by Council Member Paulitz that the City Council and Redevelopment Agency Board take the following actions:*

- (a) City Council and Redevelopment Agency Board approval of *Agreement Nos. 07-135 and 07-136* with Montclair Plaza LLC for landscape improvements at the respective intersections of Monte Vista Avenue/San Jose Street and Central Avenue/Moreno Street.
- (b) City Council authorization for staff to advertise for bid proposals for the Montclair Plaza Landscape Improvement Project.

Council Member Paulitz commented that drought-tolerant landscaping would be much more expensive and difficult to maintain on the berms at the subject sites than traditional turf. As pointed out by City Manager McDougal, the proposed landscaping would be temporary; so installing the more expensive and long-lasting synthetic turf would be impractical, he added. Though he agreed that the possibility exists for a "water crisis," he stated that two or three good

rainstorms would resolve the issue. He added that engineered properly, turf could be watered in a conservative manner.

Noting the care of drought-tolerant landscaping "is rather easy" and that the Metropolitan Water District has indicated that any number of rainstorms this winter will not affect the drought, Council Member Ruh reiterated that he is opposed to this item because "water conservation starts with us."

*Motion carried as follows:

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

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel - No comments

B. City Manager/Executive Director

1. City Manager/Executive Director McDougal gave a tribute to his "close friend and colleague" Director of Community Development Rob Clark for his more than twenty-seven years of distinctive service to the City of Montclair, announcing that **Mr. Clark** would be retiring effective December 17, 2007.

Mayor Eaton thanked Director of Community Development Clark for his service to the community.

C. Mayor/Chairman

1. Mayor/Chairman Eaton commented as follows:
 - (a) He noted he was in **New Orleans** during the first part of November 2007 and witnessed first hand that city's destruction from **Hurricane Katrina**. He noted he was quite moved to see that the reconstruction of homes there is happening very slowly and asked that everyone keep those homeowners in their thoughts and prayers.
 - (b) He noted his attendance at the **Montclair Chamber of Commerce**-hosted *Annual Firefighter Recognition Breakfast* last Wednesday and congratulated Fire Engineer/Paramedic Jerod Blomberg and Division Chief Layne Shiba on receiving the respective Montclair Firefighter of

the Year and Montclair Fire Department Employee of the Year awards.

- (c) He announced the following two seasonal events:
 - (1) The CAC's 2007 Christmas Tree Lighting Ceremony and Visit With Santa and Mrs. Claus will be held Thursday at 7:00 p.m. at the Starlite Patio Theater. **Santa** and **Mrs. Claus** will arrive via fire truck to light the tree and be available for photographs, the Montclair Walkers Choral will lead everyone in a holiday sing-along, and complimentary refreshments will be provided. Children who mail letters to **Santa** in a specially marked mailbox will receive personalized responses. In addition, the CAC, **Montclair-Ontario Junior Women's Club**, and **Montclair Vista Women's Club** will sell \$10 gift lights that would be placed on the tree in honor or memory of loved ones, all the proceeds of which will benefit community youth programs.
 - (2) Entry forms for the CAC-sponsored annual Holiday Home Decoration Contest may be obtained at the Human Services Division or online at www.ci.montclair.ca.us. All entries are due by Friday, December 7, 2007; with judging to take place on Monday, December 10, 2007; and the winners announced at the December 17, 2007 regular joint meeting.

D. City Council/Agency Board

- 1. Council Member/Director Paulitz noted that within minutes of his son-in-law sustaining an injury while walking at the **Montclair Plaza** on Black Friday, a Patrol Officer responded to assist followed by a security officer to administer first aid. Shortly thereafter, he noted the paramedics and ambulance arrived. He added that hospital staff told him they were pleased with the services provided by Montclair safety employees.
- 2. Council Member/Director Raft also congratulated Engineer/Paramedic Blomberg and Division Chief Shiba on their awards and told them, "Keep up the great work."
- 3. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
 - (a) He also congratulated Engineer/Paramedic Blomberg and Division Chief Shiba on their awards.

- (b) He noted participating in a Fire Department ride-along and training exercise on November 26, 2007 and discussed the difficulty of the rigorous training exercise. He thanked Fire Chief Ament for allowing him to participate.
- (c) He noted his participation - in a C.A.U.T.I.O.N cleanup in the 4100-4100 blocks of Third Street and the 10700-10800 blocks of Silicon Avenue last Saturday, adding that it is encouraging to see the participation of so many youth in the neighborhood cleanup program.
- (d) He noted the attendance of Mayor Eaton and himself at the funeral of former **Council Member Walter H. Hackett, Jr.**, last Friday.
- (e) He recognized Director of Community Development Rob Clark on his impending retirement this month. He noted the first time he met **Mr. Clark** in 1990 he told **Mr. Clark** he was considering becoming a Planning Commissioner and that it was his dream to one day be elected to serve on the City Council, which elicited a chuckle from **Mr. Clark**. Mayor Pro Tem Dutrey stated, "Rob has been a great Community Development Director" who "has played a very instrumental role in the planning of this City and, obviously, he will be sorely missed when he leaves."
- (f) He again recognized and congratulated City Manager McDougal for his record 15 1/2 years of service as Montclair City Manager.

Mayor Eaton likewise congratulated City Manager McDougal.

4. Council Member/Director Ruh commented as follows:

- (a) He noted he was, unfortunately, unable to attend former **Council Member Walter Hackett's** funeral because of a work commitment. He stated that **Mr. Hackett** served this City "by speaking his mind and standing up for the things he believed in." He asserted that "quite often in politics, we need people to be outspoken and sometimes run against the grain in order to get things done."
- (b) He extended the Council's sympathy to **U.S. Representative Gary Miller** on the unexpected passing of his

33-year-old daughter, **Elizabeth**, on November 24, 2007. He noted **Representative Miller** represented the City for a short period.

- (c) He noted he participated in the **Assistance League of the Foothill Communities'** Christmas Tree Dinner/Dance fundraiser last Saturday evening and 28th Annual Christmas Tree Brunch fundraiser the following Sunday, adding that the event raised ample funds for several of the organization's philanthropies. He noted **Mrs. Anne Dutrey** and **Mrs. Ginger Eaton** participated in the Sunday fundraiser. He thanked the **Assistance League of the Foothill Communities** for all its hard work to benefit the region.
- (d) He noted his attendance at the **25th Annual Christmas on Euclid** nativity display and encouraged everyone to take part in this free event.
- (e) He encouraged residents to tour the community to see the festively decorated homes.
- (f) He announced that the **Inland Pacific Ballet** would begin its performances of *The Nutcracker* on December 8, 2007, advising that tickets are quite reasonable, particularly for students.
- (g) He encouraged families to participate in however many Christmas activities they possibly can including the CAC's 2007 Christmas Tree Lighting Ceremony and Visit With Santa and Mrs. Claus to further enjoy the season.

E. Committee Meeting Minutes

1. Minutes of Code Enforcement Committee Meeting of November 19, 2007

The City Council received and filed the Code Enforcement Committee meeting minutes of November 19, 2007, for informational purposes.

2. Minutes of Personnel Committee Meeting of November 19, 2007

The City Council received and filed the Personnel Committee meeting minutes of November 19, 2007, for informational purposes.

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

At 8:06 p.m., Mayor Eaton adjourned the City Council and Redevelopment Agency and Montclair Housing Corporation Boards of Directors in memory of longtime Montclair resident, mail carrier, and friend **Walter H. Hackett, Jr.**, who passed away November 21, 2007. He noted **Mr. Hackett** faithfully served on the Montclair City Council from 1980 to 1992 in the capacities of Mayor Pro Tem and Council Member.

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

Yvonne L. Smith
Transcribing Secretary