

**MINUTES OF THE REGULAR JOINT MEETING OF  
THE MONTCLAIR CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS HELD ON MONDAY, NOVEMBER 3, 2008, AT 7:00 P.M. IN THE POLICE DEPARTMENT BRIEFING ROOM, 4870 ARROW HIGHWAY, MONTCLAIR, CALIFORNIA**

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**I. CALL TO ORDER**

Mayor/Chairman Eaton called the meeting to order at 7:00 p.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; Deputy City Manager/Director of Administrative Services Starr; Director of Redevelopment/Public Works Staats; Director of Community Development/Agency Planner Lustro; City/Agency Engineer Hudson; City Attorney/Agency Counsel Robbins; City Clerk/Agency Secretary Jackson

**V. PRESENTATIONS - None**

**VI. PUBLIC COMMENT - None**

**VII. PUBLIC HEARINGS - None**

**VIII. CONSENT CALENDAR**

Mayor Eaton requested that Item D-1 be removed from the Consent Calendar for staff comment.

Moved by Mayor Pro Tem/Vice Chairman Dutrey, seconded by Council Member/Director Paulitz, and carried unanimously to approve the following Consent Items as presented:

**A. Approval of Minutes**

**1. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of October 20, 2008**

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 October 20, 2008.

**B. Administrative Reports**

**1. Authorizing the Mayor to Sign Cooperative Work Agreement Cycle 6 Budget Authority Extension Request Associated With the North Montclair Traffic Signal Interconnect Project**

The City Council authorized Mayor Paul M. Eaton to sign the Cooperative Work Agreement Cycle 6 extension request attached to the agenda report on this item to extend all funding for the North Montclair Signal Interconnect Project through June 2010.

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

The City Council approved the City Warrant Register dated November 3, 2008, totaling \$2,842,004.29; the Payroll Documentation dated August 17, 2008, amounting to \$632,012.02, with \$467,898.13 being the total cash disbursement; and the Payroll Documentation dated August 31, 2008, amounting to \$678,674.19, with \$523,616.97 being the total cash disbursement.

**C. Agreements - None**

**IX. PULLED CONSENT CALENDAR ITEMS**

**D. Resolutions**

**1. Adoption of Resolution No. 08-2778 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

Deputy City Manager/Director of Administrative Services Starr advised that the owner of 5634 Alamos Street paid his delinquency before tonight's meeting.

It was the consensus of the Council to adopt Resolution No. 08-2778 authorizing the placement of liens for delin-

quent sewer and trash charges on 245 of the 246 accounts listed on Exhibit A to the Resolution, noting the removal of the 5634 Alamos Street delinquency that has been cleared.

X. **RESPONSE** - None

XI. **COMMUNICATIONS**

A. **City Attorney/Agency Counsel**

1. **Closed Session Pursuant to Section 54956.9(c) of the Government Code Regarding Anticipated Litigation**

*1 Potential case*

Agency Counsel Robbins requested a Closed Session pursuant to Government Code Section 54956.9(c) on the above matter.

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

C. **Mayor/Chairman**

1. Mayor/Chairman Eaton commented as follows:

(a) He noted his attendance at recent **San Bernardino Associated Governments** Commuter Rail Committee and **Metrolink** Board meetings.

(b) He noted he thoroughly enjoyed attending the "just outstanding" **Inland Pacific Ballet's** opening night gala/preview performance of Bram Stoker's **Dracula** on October 24, 2008.

D. **City Council/Agency Board**

1. Council Member/Director Ruh commented as follows:

(a) He also noted his attendance at the "very well done" **Inland Pacific Ballet (IPB)** performance of **Dracula**. He noted how truly wonderful it is to have a professional ballet company and academy in Montclair that regularly performs at **Bridges Auditorium**, Claremont. He added that **IPB** "does a lot of work within the community with many of our students and youth."

(b) He noted his attendance at the City's Halloween party last Friday, which had a turnout of approximately

400 parents and children. He noted staff did an "out-standing" job of coordinating many different party activities. He thanked the **Montclair High School** students who assisted at the event and suggested they be invited to a future meeting to be formally recognized.

- (c) He emphasized the historical aspects of the 2008 Presidential Election, which notably features the following first-time Presidential candidates: a 72-year-old, a Latino, and an African-American as well as a female Vice Presidential candidate. He noted this election signifies only the second time in our nation's history that a female could potentially be elected to the office of Vice President. He emphasized that it has not been without a struggle "how far we as a country have come." He cited the **Supreme Court's** decision in 1967 to overturn the overwhelming majority vote on **California Proposition 14** in the 1964 Presidential Election, which amended the **California Constitution** to nullify the 1963 **Rumford Fair Housing Act** that helped end racial discrimination, declaring the amendment unconstitutional and in violation of the **Fourteenth Amendment** to the **United States Constitution**. He stated, "It's a historic time; and I hope that everybody, after all this is over, will pause to take time to reflect on how good our nation is that we've been able to overcome so many of these divides to bring us to where we are today. Please get out and vote if you haven't already, and don't let long lines deter you. Just bear it out because it's worth it. Thank you."

2. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:

- (a) He recognized Human Services Division for doing a "great job" of organizing and facilitating the Halloween party that his daughter Janine and he enjoyed attending.
- (b) He inquired concerning the closure of Ramona Avenue while the Ramona Avenue/Union Pacific Railroad Grade Separation Project is underway.

City Engineer Hudson replied that Ramona Avenue would be closed to through traffic from the end of January to the first part of February.

Mayor Pro Tem Dutrey advised that a "loop road" is currently being constructed that will allow access between State Street and Ramona Avenue.

- (c) He asked if the intersection repairs would be completed this week.

City Engineer Hudson replied that the paving is expected to be completed by the end of the week and that the signal loop and striping restoration would be completed by the end of next week.

- (d) He asked if the improvements to the City Council Chambers would be completed in time for the November 17, 2008 regular joint meeting to be held there.

City Manager McDougal assured Mayor Pro Tem Dutrey that they would.

- (e) He stated that tomorrow will be a historical election for many generations of Americans. He emphasized the importance of all American citizens exercising their constitutional right to vote, noting the disenfranchised state of so many countries around the world. He advised that the democracy of our country—the ability to choose our elected officials—is one of the reasons the United States is so great. Noting elected officials represent the citizenry, he stated, "Tomorrow you will decide who will be working for you."

Mayor Pro Tem Dutrey encouraged everyone to vote tomorrow in the 2008 Presidential Election.

- (f) He noted that because Council Member Raft and he ran for reelection this year unopposed, they are both "very happy" they were relieved of all the work involved in the campaign process. He stated that he is proud of the residents' confidence in their abilities to lead the City for four more years.

3. Council Member/Director Raft commented as follows:

- (a) She noted she very much enjoyed attending a recent performance of **IPB's Dracula** and encouraged everyone to attend the upcoming production of **The Nutcracker**.
- (b) She encouraged everyone to vote in tomorrow's historic Presidential Election and that she is "very grateful" that she ran for reelection unopposed.

4. Council Member/Director Paulitz commented as follows:
  - (a) He announced that the Montclair Community Health Fair would be held on Election Day (Tuesday, November 4, 2008) between 9:00 a.m. and 12:00 p.m. in the Community Center auditorium and would feature 40 agencies to answer health-related questions and provide certain screenings. He advised that participants must first register to attend the fair and that flu shots would be available to seniors aged 50 and older for a cost of \$2.
  - (b) He noted he was fortunate two years ago to run for reelection unopposed, stating, "It is a good feeling."
  - (c) He noted it has always been his belief that "you should always know what you're voting for and what you're doing" with regard to elections. He stated, "If you're not an informed voter, I think you're better off not voting. You have a right not to vote if you don't want to. But I think you should inform yourself and vote accordingly."

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

1. **Minutes of Code Enforcement Committee Meeting of October 20, 2008**

The City Council received and filed the Code Enforcement Committee meeting minutes of October 20, 2008, for informational purposes.

2. **Minutes of Personnel Committee Meeting of October 20, 2008**

The City Council received and filed the Personnel Committee meeting minutes of October 20, 2008, for informational purposes.

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

At 7:15 p.m., Mayor/Chairman Eaton adjourned the City Council and the Montclair Housing Corporation Board of Directors.

At 7:15 p.m., the Redevelopment Agency Board went into Closed Session regarding anticipated litigation pursuant to Government Code Section 54956.9(c).

**XIII. CLOSED SESSION ANNOUNCEMENTS**

At 7:28 p.m., the Redevelopment Agency returned from Closed Session. Chairman Eaton announced that the Redevelopment Agency Board of Directors met in Closed Session regarding anticipated litigation, information was received and direction given to City staff, and no further announcements would be made at this time.

**XIV. ADJOURNMENT OF REDEVELOPMENT AGENCY BOARD OF DIRECTORS**

At 7:29 p.m., Chairman Eaton adjourned the Redevelopment Agency Board of Directors.

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

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Yvonne L. Smith  
Transcribing Secretary