

**MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS HELD ON MONDAY, MAY 18, 2009, AT 6:59 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA**

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**I. CALL TO ORDER**

Council Member/Director Paulitz called the meeting to order at 6:59 p.m.

**II. INVOCATION**

**Pastor Doris Hampton, Brighter Day Ministries**, gave the Invocation.

**III. PLEDGE OF ALLEGIANCE**

Council Member/Director Ruh led those assembled in the Pledge.

**IV. ROLL CALL**

City Clerk Jackson noted for the record that Mayor/Chairman Eaton and Mayor Pro Tem/Vice Chairman Dutrey are not in attendance at tonight's meeting.

Present: 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

Absent: Mayor/Chairman Eaton (excused); Mayor Pro Tem/Vice Chairman Dutrey (excused)

**V. PRESENTATIONS - None**

**VI. PUBLIC COMMENT - None**

**VII. PUBLIC HEARINGS - None**

## **VIII. CONSENT CALENDAR**

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

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

### **A. Approval of Minutes**

#### **1. Minutes of Adjourned Joint Council/Agency Meeting of May 4, 2009**

The City Council and Redevelopment Agency/Montclair Housing Corporation Boards approved the minutes of the Adjourned Joint City Council/Redevelopment Agency Board meeting of May 4, 2009.

#### **2. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of May 4, 2009**

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 May 4, 2009.

### **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 April 30, 2009.

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

The City Council approved the City Warrant Register dated May 18, 2009, totaling \$1,720,972.73 and the Payroll Documentation dated March 15, 2009, amounting to \$616,086.39, with \$465,080.44 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 April 30, 2009.

**4. Approval of Agency Warrant Register**

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 4.01.09-4.30.09 in the amounts of \$4,467.78 for Project I; \$1,072.52 for Project II; \$428,390.48 for Project III; \$96,707.25 for Project IV; \$196,070.65 for Project V, and \$71,032.42 for the Mission Boulevard Joint Redevelopment Project.

**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 April 30, 2009.

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 4.01.09-4.30.09 in the amount of \$16,363.35.

**7. Approval of the Filing of a *Notice of Completion*, Reduction of *Faithful Performance Bond* to 10 Percent, and Retention of *Payment Bond* for Six Months Related to Completion of the Montclair Police Department Facility Bid Package No. 7-Masonry and Reinforcement**

**Release of Retention 30 Days After Recordation of *Notice of Completion***

The City Council approved the following related to completion of the Montclair Police Department Facility Bid Package No. 7-Masonry and Reinforcement:

- (a) Filing of a *Notice of Completion* with the Office of the San Bernardino County Recorder.
- (b) Reduction of the *Faithful Performance Bond* to 10 percent.
- (c) Retention of the *Payment Bond* for six months.
- (d) Release of retention 30 days after recordation of *Notice of Completion*.

**8. Approval of the Filing of a *Notice of Completion*, Reduction of *Faithful Performance Bond* to 10 Percent, and Retention of *Payment Bond* for Six Months Related to Completion of the Montclair Police Department Facility Bid Package No. 18-Fire Protection**

**Release of Retention 30 Days After Recordation of *Notice of Completion***

The City Council approved the following related to completion of the Montclair Police Department Facility Bid Package No. 10-Fire Protection:

- (a) Filing of a *Notice of Completion* with the Office of the San Bernardino County Recorder.
- (b) Reduction of the *Faithful Performance Bond* to 10 percent.
- (c) Retention of the *Payment Bond* for six months.
- (d) Release of retention 30 days after recordation of *Notice of Completion*.

**9. Authorization to Transfer After-School Program Personnel Grant Funds to After-School Program Supplies, Contracts, and Consultant Accounts**

The City Council authorized the transfer of \$94,000 from the After-School Program Personnel grant funds to the After-School Program Supplies, Contract, and Consultant Accounts.

**10. "No Action" on Alcoholic Beverage Permit Application – Stop 'N Go**

The City Council voted "No action" on the "On-Sale General" license application of Haris and Uzra Hamid for Stop 'N Go, 4545 Mission Boulevard, Suite A, Montclair, California.

**D. Resolutions – None**

**IX. PULLED CONSENT CALENDAR ITEMS**

**C. Agreements**

**1. Approval of *Agreement No. 09-35* With First 5, the Children and Families Commission for San Bernardino County, to Continue Case Management and Mental Health Services**

**Approval of *Agreement No. 09-36* With Bilingual Family Counseling Services to Provide Case Management and Mental Health Services**

Council Member Ruh asked if the City's First 5 grant funding for case management and mental health services would be

affected should Proposition 1D be passed at the May 15, 2009 Statewide Special Election.

Assistant Director of Human Services Richter expressed her understanding that state funding cuts would result in cancellation of both contracts.

Moved by Council Member Ruh, seconded by Council Member Raft, and carried that the City Council approve the following:

- (a) *Agreement No. 09-35* with First 5, the Children and Families Commission for San Bernardino County, to continue case management and mental health services.
- (b) *Agreement No. 09-36* with Bilingual Family Counseling Services to provide case management and mental health services.

**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**

<i>Property</i>	
<i>Assessor's Parcel No.</i>	<i>Address</i>
<i>1011-301-04</i>	<i>10751 Monte Vista Avenue, Montclair</i>
<i>1011-301-05</i>	<i>" " "</i>

*Negotiating Parties: City of Montclair and Keith Allen Ealy*

*Negotiators: Director of Redevelopment/Public Works Staats and City Engineer Hudson*

*Under Negotiation: Recommendations Regarding Acquisition of 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 Government Code Section 54956.8 regarding real property negotiations on the above matter.

Council Member Paulitz announced that Council Member Raft would be serving along with Council Member Ruh on the Personnel Committee this evening.

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

**C. Mayor/Chairman** – Absent

**D. City Council/Agency Board**

1. Council Member/Director Ruh noted he just returned from a seven-day Congressional conference in Washington, D.C., at which a panel of top economists from across the country discussed the future of the nation's economy, with some regions having very dire forecasts while others, including California, were projected to be much improved over the next few years. He advised that the panel suggests California's housing market is near the bottom and that foreclosures are in remission. He expresses hope that "in the next 12 months, we might be seeing the light at the end of the tunnel."
2. Council Member/Director Paulitz reminded everyone that the Statewide Special Election is tomorrow.

**E. Committee Meeting Minutes**

**1. Minutes of Personnel Committee Meeting of May 4, 2009**

The City Council received and filed the Personnel Committee meeting minutes of May 4, 2009, for informational purposes.

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

At 7:04 p.m., Director Paulitz adjourned the Redevelopment Agency and Montclair Housing Corporation Boards of Directors.

At 7:04 p.m., the City Council went into Closed Session regarding real property negotiations pursuant to Government Code Section 54956.8.

## **XIII. CLOSED SESSION ANNOUNCEMENTS**

At 7:14 p.m., the City Council returned from Closed Session. Council Member Paulitz announced the City Council met in Closed Session regarding real property negotiations, information was received and direction given to staff, and no further announcements on this matter would be made at this time.

**XIV. ADJOURNMENT OF CITY COUNCIL**

At 7:15 p.m., Council Member/Director Paulitz adjourned the City Council.

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

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Yvonne L. Smith  
Transcribing Secretary