

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS HELD ON MONDAY, AUGUST 17, 2009, AT 6:59 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 6:59 p.m. and asked that cell phones, pagers, and other electronic devices be silenced as a courtesy to others while the meeting is in session.

II. INVOCATION

Pastor Josh Matlock, Bethany Baptist Church, 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; 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; Deputy City Attorney/Agency Counsel Holdaway; City Clerk/Agency Secretary Jackson

V. PRESENTATIONS

A. Proclamation Declaring September 2009 as "L.A. County Fair Month" in the City of Montclair

Mayor Eaton presented a proclamation to **Ms. Shanell Santee**, FairKids Coordinator, **Fairplex/L.A. County Fair**, declaring September 2009 as "L.A. County Fair Month" in the City of Montclair.

Ms. Santee accepted the proclamation and thanked Mayor Eaton.

VI. PUBLIC COMMENT

- A. **Mr. Roger Lambert**, 4861 Fauna Street, Montclair, encouraged the City Council to retain a different animal-control provider for Montclair. He advised that he was unsuccessful in eliciting a response from the **Inland Valley Humane Society & S.P.C.A. (IVHS)** to care for an ill/injured dog lying on his driveway last Wednesday after reporting the dog at approximately 5:00 p.m. He noted he spoke to an **IVHS** representative the following day, after which he received a telephone apology from another representative for the lack of response as well as a promise to patrol his neighborhood for the dog. Concerned and unsure as to the dog's fate, he asserted that if "these people don't care enough about sick or injured animals to come out, then we need to find somebody who does."

Mayor Eaton thanked **Mr. Lambert** for bringing the issue to the City's attention, advising that staff would follow up on the matter.

VII. PUBLIC HEARINGS - None

VIII. 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 Regular Joint Council/Agency/Montclair Housing Corporation Meeting of August 3, 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 August 3, 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 July 31, 2009.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated August 17, 2009, totaling \$1,899,240.91 and the Payroll Documentation dated June 10, 2009, amounting to

\$632,299.63, with \$474,915.94 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 July 31, 2009.

4. Approval of Agency Warrant Register

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 7.01.09-7.31.09 in the amounts of \$5,696.26 for Project I; \$153.78 for Project II; \$650,682.26 for Project III; \$48,281.86 for Project IV; \$117,275.92 for Project V, and \$12,000.00 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 July 31, 2009.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 7.01.09-7.31.09 in the amount of \$17,188.25.

7. Declaring Unclaimed Bicycles in Police Custody as Surplus and Available for Donation to the California Institution for Women

The City Council declared the unclaimed bicycles in Police custody contained in the attachment to this agenda report as surplus and available for donation to the California Institution for Women.

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 for Completion of the Central Avenue Improvement Project

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

The City Council approved the following related to completion of the Central Avenue Improvement Project:

- (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*.

C. Agreements

1. **Approval of *Agreement Nos. 09-70, 09-71, 09-72, and 09-73* With Montclair Little League, Montclair Golden Girls Softball League, and All Cities Youth Baseball, Respectively, for Use of Ball Field Facilities**

The City Council approved *Agreement Nos. 09-70, 09-71, 09-72, and 09-73* with Montclair Little League, Montclair Golden Girls Softball League, and All Cities Youth Baseball, respectively, for use of ball field facilities.

2. **Approval of *Agreement No. 09-74* With American Youth Soccer Organization for Use of Ball Field Facilities**

The City Council approved *Agreement No. 09-74* with the American Youth Soccer Organization for use of ball field facilities.

3. **Redevelopment Agency Board of Directors' Approval of *Agreement No. 09-75, a Loan Agreement* by and Between the City of Montclair Redevelopment Agency and Pomona Valley Habitat for Humanity, Inc.**

The Redevelopment Agency Board approved *Agreement No. 09-75* by and between the City of Montclair Redevelopment Agency and Pomona Valley Habitat for Humanity, Inc.

4. **Approval of *Agreement No. 09-76* With Tri-Products, Inc., for Electronic Waste Collection Services**

The City Council approved *Agreement No. 09-76* with Tri-Products, Inc., for electronic waste collection services.

5. **Approval of *Agreement No. 09-77* With the United States Department of Justice to Accept a Community Oriented Policing Services Hiring Recovery Program Grant Award**

Authorization of an Appropriation to Employ Two Additional Police Officers

The City Council took the following actions:

- (a) Approved *Agreement No. 09-77* with the United States Department of Justice to accept a Community Oriented Policing Services Hiring Recovery Program grant award.
- (b) Authorized an appropriation to employ two additional Police Officers.

D. Resolutions

1. Adoption of Resolution No. 09-2810 Determining the Status of Local Safety Employee Robert Vernon Hill

The City Council adopted Resolution No. 09-2810 determining the status of local safety employee Robert Vernon Hill.

IX. PULLED CONSENT CALENDAR ITEMS - None

X. RESPONSE - None

XI. COMMUNICATIONS

A. Deputy City Attorney/Agency Counsel - No comments

B. City Manager/Executive Director - No comments

C. Mayor/Chairman - No comments

D. City Council/Agency Board

- 1. Council Member/Director Paulitz inquired as to the dispositions of the City and Redevelopment Agency Fiscal Year 2009-10 Annual Budgets in view of the large property tax and Redevelopment Project Area tax increment "loans" to the state this year.

City Manager/Executive Director McDougal advised that staff allowed for the state's potentially borrowing from the City's property tax and Redevelopment tax increment revenues when preparing the budgets. He estimated a \$30,000 to \$40,000 shortage in the City's budget from property tax revenue to be borrowed by the state, which would not require a formal budget adjustment. He advised that staff would be presenting the Redevelopment Agency Board with a budget adjustment request, having only estimated a \$1.5 million loan rather than the almost \$4.2 million to be appropriated by the state in its attempt to balance its budget.

Council Member/Director Paulitz thanked City Manager/Executive Director McDougal for the report.

2. Council Member/Director Ruh noted his attendance at the relatively well-attended Emergency Medical Services and Paramedic Subscription Program public outreach event last Saturday presented by the Montclair Fire Department and **Montclair Hospital Medical Center** and held on the hospital's front lawn. He noted the event produced at least one new program subscription. He expressed his hope that the event will encourage further interest in the program by nonsubscribers, considering the benefit and value residents receive from the nominal \$2 per month subscription fee.

E. Committee Meeting Minutes

1. **Minutes of Personnel Committee Meeting of August 3, 2009**

The City Council received and filed the Personnel Committee meeting minutes of August 3, 2009, for informational purposes.

XII. COUNCIL/AGENCY/MHC WORKSHOP

A. Review of Financial Audit by Lance Soll & Lunghard, LLP

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, September 8, 2009, at 5:45 p.m. in the City Council Chambers.

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

At 7:12 p.m., Mayor/Chairman Eaton adjourned the City Council and Redevelopment Agency and Montclair Housing Corporation Boards of Directors.

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

Yvonne L. Smith
Transcribing Secretary