

**MINUTES OF THE REGULAR JOINT MEETING OF  
THE MONTCLAIR CITY COUNCIL AND REDEVEL-  
OPMENT AGENCY AND MONTCLAIR HOUSING  
CORPORATION BOARDS HELD ON MONDAY,  
FEBRUARY 2, 2009, AT 6:59 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 6:59 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**

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**

**A. Presentation of \$1,250 Check by the Montclair Kiwanis Club to the City's After-School Program**

**Ms. Cathy Randazzo**, President, **Montclair Kiwanis Club**, introduced those members of the club in attendance at the meeting, including Mayor Eaton, an honorary member, and Mayor Pro Tem Dutrey, who serves as a member of the club. Advising that the club decided to donate half the proceeds from its Christmas **See's Candies** fundraiser to the City's After-School Program, she presented Senior Recreation Supervisor Joyce Tanner

with a \$1,250 check, expressing her hope that the donation will have a positive impact on the program.

Mayor/Chairman Eaton briefly paused the meeting while photographs were taken.

## **VI. PUBLIC COMMENT**

- A. Ms. Jennifer Nessler, Field Representative, Assembly Member Torres's District Office, 822 North Euclid Avenue, Suite A, Ontario, reminded the Council and public of Assembly Member Torres's open house on Thursday, February 5, 2009, from 5:00 to 7:00 p.m. at the 61st Assembly District Office, 822 North Euclid Avenue, Suite A, Ontario, during which Assembly Member Torres would field questions and address concerns about legislative issues. She noted she would be available after the meeting to answer questions.**

## **VII. PUBLIC HEARINGS - None**

## **VIII. CONSENT CALENDAR**

Moved by Council Member/Director Paulitz, 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 November 17, 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 November 17, 2008.

**2. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of January 20, 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 January 20, 2009.

### **B. Administrative Reports**

**1. Setting a Public Hearing to Prioritize Funding for Fiscal Year 2009-10 Community Development Block Grant Projects**

The City Council set a public hearing for Tuesday,

February 17, 2009, at 7:00 p.m. in the City Council Chambers to prioritize funding for Fiscal Year 2009-10 Community Development Block Grant projects.

**2. Setting a Public Hearing to Consider Ordinance No. 09-907 Amending Chapter 7.02 and Adding Chapter 7.06 to Title 7 of the Montclair Municipal Code Adopting an Illegal Drugs, Violent Crime, and Gang-Related Crime Eviction Program**

The City Council set a public hearing for Tuesday, February 17, 2009, at 7:00 p.m. in the City Council Chambers to consider Ordinance No. 09-907 amending Chapter 7.02 and adding Chapter 7.06 to Title 7 of the Montclair Municipal Code adopting an Illegal Drugs, Violent Crime, and Gang-Related Crime Eviction Program.

**3. Approval of Parcel Merger No. 2008-2 for Three Parcels Located at the Southeast Corner of Brooks Street and Ramona Avenue**

The City Council approved Parcel Merger No 2008-2 for three parcels owned by Tri-Alloy Group, LLC, located at the southeast corner of Brooks Street and Ramona Avenue.

**4. Authorization to Advertise for Bid Proposals for the Montclair Corporate Yard Fuel System Replacement Project**

The City Council authorized staff to advertise for bid proposals for the Montclair Corporate Yard Fuel System Replacement Project.

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

The City Council approved the City Warrant Register dated February 2, 2009, totaling \$1,790,469.62 and the Payroll Documentation dated December 7, 2008, amounting to \$795,288.49, with \$574,569.02 being the total cash disbursement.

**C. Agreements**

**1. Approval of Agreement No. 08-113-I-84, an Irrevocable Annexation Agreement With ACL Construction Company, Inc., for 4030 Grand Avenue**

The City Council approved *Agreement No. 08-113-I-84, an Irrevocable Annexation Agreement* with ACL Construction Company, Inc., for connection of the business located at

4030 Grand Avenue to the Inland Empire Utilities Agency sewer system.

**2. Approval of Agreement Nos. 09-08, 09-09, 09-10, and 09-11 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. 09-08, 09-09, 09-10, and 09-11* with Montclair Little League, Montclair Golden Girls Softball League, and All Cities Youth Baseball, respectively, for use of ball field facilities.

**3. Approval of Agreement No. 09-12 With the La Verne Police Department for Use of the Montclair Police Department Weapons Firing Range**

The City Council approved *Agreement No. 09-12* with the La Verne Police Department for use of the Montclair Police Department weapons firing range.

**D. Resolutions**

**1. Adoption of Resolution No. 09-2784 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

The City Council adopted Resolution No. 09-2784 authorizing placement of liens on the 151 accounts listed on Exhibit A to the Resolution for delinquent sewer and trash charges.

**IX. PULLED CONSENT CALENDAR ITEMS - None**

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

**A. 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 Ruh commented as follows:**

- (a) He asked for the Council's support of the following bills, advising, "Taken together, the bills would help to jump-start the economy and get us moving forward":

- (1) **HR 99 – The Fair and Simple Tax Act (Dreier).** HR 99 is a one-page tax form that retains the child credit and all major deductions; is designed to make annual tax filing manageable; and would cut the number of tax brackets in half, with three levels of taxation.
  - (2) **HR 100 – Commonsense Auto Recovery Act of 2009 (Dreier).** HR 100 would boost the ailing automobile industry by creating a tax credit for car purchases equal to the amount of the sales tax on the purchase.
  - (3) **HR 101 – Economic Recovery Through Responsible Homeownership Act of 2009 (Dreier).** HR 101 would create new tax incentives for home purchases. Those who make a down payment of 5 percent, 10 percent, or 15 percent would receive a respective tax credit of \$2,000, \$5,000, or \$10,000.
  - (4) **SB 49 – Income Tax Credit: Qualified Principal Residence (Dutton).** SB 49 would allow anyone buying a house as a primary residence from March 1, 2009, through March 2010 to be eligible for a temporary tax credit equal to 5 percent of the home's value, up to \$10,000, spread over three years. The legislation would stimulate the state's moribund housing sector, reduce the number of vacant homes for sale, and help the state's economy.
- (b) He announced the recent opening of **L G Exotics**, 4600 Arrow Highway, Suite C6, which sells pure soy skin-care products.
  - (c) He advised that the **City of Baldwin Park** has implemented a new policy to entice contractors of City-funded capitol improvement projects to hire Baldwin Park residents and businesses in exchange for \$100 cash incentives and 15-day advance payments.
  - (d) He noted he was very fortunate to be able to take his foster son to **President Barack Obama's** inauguration ceremony last month, adding that it was truly a wonderful and amazing experience to witness firsthand. Despite the chilly 8-degree temperature in Washington DC that day, he noted there were approximately two million in

attendance on the National Mall to witness history unfold. He thanked **Representative Dreier** for giving him an opportunity to attend the inauguration festivities that underscored the new administration's commitment to restoring opportunity and possibility for all and reestablishing America's standing as a beacon of hope around the world.

2. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
  - (a) He asked if the City has prepared a list of "shovel-ready" public works projects in expectation of the passage of the federal economic recovery measure, which is expected to include a significant amount of public works and infrastructure projects.
  - (b) He recognized Montclair's Detective Bureau for doing an outstanding job last year to solve and prosecute a number of rape and prostitution cases and the cold case drive-by shooting homicide in 2004.
  - (c) He noted he would be attending Police Chief Thompson's retirement party on Thursday and, therefore, would be unable to attend **Assembly Member Torres's** open house or the **Ontario-Montclair School District** Board of Trustees meeting that same night.
  - (d) He stated that with the election of **President Obama**, America seems to have moved beyond its racial and civil rights conflicts of the past. He advised that "you can be anything you want to be in this country."
  - (e) He thanked the **Montclair Kiwanis Club** for its generous donation to the City's After-School Program and for all its hard work in the community.
3. Council Member/Director Raft also apologized that she would be unable to attend **Assembly Member Torres's** open house on Thursday.
4. Council Member/Director Paulitz commented as follows:
  - (a) He noted he would consider supporting **HR 99, HR 100, HR 101, and SB 49** when an item concerning supporting of the bills is presented to the Council.
  - (b) He expressed his hope that the Legislature quickly reaches a compromise to resolve the state's fiscal crisis and to close the projected \$42 billion budget gap.

## E. Committee Meeting Minutes

**1. Minutes of Code Enforcement Committee Meeting of January 20, 2009**

The City Council received and filed the Code Enforcement Committee meeting minutes of January 20, 2009, for informational purposes.

**2. Minutes of Personnel Committee Meeting of January 20, 2009**

The City Council received and filed the Personnel Committee meeting minutes of January 20, 2009, for informational purposes.

**XII. COUNCIL/AGENCY WORKSHOP**

**A. Midyear Budget Review**

Moved by Council Member/Director Paulitz, seconded by Council Member/Director Raft, and carried unanimously to continue this item to an adjourned joint meeting on Tuesday, February 17, 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 7:24 p.m., Mayor/Chairman Eaton adjourned the City Council and Redevelopment Agency and Montclair Housing Corporation Boards of Directors to Tuesday, February 17, 2009, 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