

MINUTES OF THE REGULAR JOINT MEETING OF  
THE MONTCLAIR CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS HELD ON MONDAY, APRIL 5, 2010, 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

II. INVOCATION

Pastor Larry Enriquez, Community Christian Church, 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 Council Member/Director Paulitz is not in attendance at tonight's meeting

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairman Dutrey; Council Members/Directors Raft and Ruh, Acting City Manager 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: Council Member/Director Paulitz (arrived at 7 12 p.m.)

V. PRESENTATIONS

A. Introduction of New Employees

Fire Chief Ament introduced **Mr. Brian Ciszek**, who was appointed to the position of Firefighter effective February 22, 2010. He noted Firefighter Ciszek graduated from **California Polytechnic University, Pomona**, with a Bachelor of Arts degree in Sociology, is studying fire technology, and training to become a paramedic.

Mayor Eaton welcomed Firefighter Ciszek to the Montclair City family and presented him with a City pin.

Fire Chief Ament introduced **Mr. Garrett Dehaan**, who was appointed to the position of Firefighter/Paramedic effective February 22, 2010. He noted Firefighter/Paramedic Dehaan graduated in 2004 from **Marina High School**, Huntington Beach, where he excelled on the Varsity Surf Team.

Mayor Eaton welcomed Firefighter/Paramedic Dehaan to the Montclair City family and presented him with a City pin.

Fire Chief Ament introduced Fire Engineer Holloway, who was promoted to his new position effective March 4, 2010.

Mayor Eaton congratulated Fire Engineer Holloway on his promotion and presented him with a City pin.

**B. Presentation of Certificate of Appreciation to South Chino Home Depot for Its Generous Donation to the Youth Center**

Mayor Eaton presented a Certificate of Appreciation and framed group photograph to **Ms. Denise Castro**, Supervisor, **South Chino Home Depot**, for the company's \$2,000 donation of labor and supplies on February 23, 2010, to landscape the east, south, and west ground areas of the new Youth Center.

**Ms. Castro** accepted the certificate and thanked Mayor Eaton

**C. Presentation of \$2,500 Donation by the Montclair Chamber of Commerce to Chaffey College for Its *Online to College* Program**

Mayor Eaton introduced **Montclair Chamber of Commerce** Chief President/Chief Executive Officer **Darleen Curley**.

**Ms. Curley** stated that the **Chamber's** donation tonight to the **Chaffey College *Online to College*** Program was made possible through the generous contributions of community businesses to the **Chamber's** "2010 Montclair Supports Chaffey College *Online to College*" banner program. She introduced **Chamber** Board Chairperson **Rosa Rangel** and **Chaffey College Foundation** President **James Touchstone**.

**Ms. Rangel** presented a \$2,500 check on behalf of the **Chamber** to **Mr. Touchstone** in support of the *Online to College* Program

**Mr. Touchstone** thanked the City of Montclair and the **Chamber**. He noted the **Chamber's** donation exemplifies the success of the ongoing collaboration among the City, **Chamber**, **Chaffey College**, and the **Ontario-Montclair School District** to further the education of students participating in the *Online to College* Program, "a goal that all of us ought to support."

Mayor Eaton thanked **Mr. Touchstone** for his comments.

Mayor/Chairman Eaton advised that now would be a good time for attendees to leave the meeting for those desiring to do so.

**VI. PUBLIC COMMENT**

**A. Ms. Jennifer Nessler, Field Representative, Assembly Member Torres's District Office, 822 North Euclid Avenue, Suite A, Ontario, commented as follows**

1. She advised that the **California Assembly** is back in session after a break last week.
2. She announced that **Assembly Member Torres** would conduct her tenth Capital in Your Corner public forum on Saturday, April 10, 2010, from 1:00 to 3:00 p.m at the **Ganesha Park Community Center**, 1575 White Avenue, Pomona.
3. She noted **Assembly Member Torres** is opposed to the impending closure of **Lanterman Developmental Center**, Pomona, and will be conducting meetings with **California Department of Developmental Services** representatives and her constituents to discuss the state's plans to close the facility

Mayor Eaton thanked **Ms. Nessler** for the invitation

**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 Adjourned Joint Council/Agency Meeting of February 16, 2010

The City Council and Redevelopment Agency Board approved the minutes of the Adjourned Joint City Council/Redevelopment Agency Board meeting of February 16, 2010

#### 2. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of March 1, 2010

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 March 1, 2010

### 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 February 28, 2010.

#### 2. Approval of City Warrant Registers and Payroll Documentations

The City Council approved the City Warrant Registers dated April 5, 2010, totaling \$1,449,973 and April 5, 2010, totaling \$2,572,176.77 and the Payroll Documentations dated January 31, 2010, amounting to \$586,300.39, with \$461,639.04 being the total cash disbursement, and February 14, 2010, amounting to \$646,398.25, with \$472,292.12 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 February 28, 2010

#### 4. Approval of Agency Warrant Register

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 2 01 10-2.28.10 in the amounts of \$11,170.84 for Project I, \$2,768.66 for Project II, \$24,862,369.21 for Project III, \$135,830.60 for Project IV, \$146,652.44 for Project V; and \$2,500 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 February 28, 2010.

#### 6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 2 01 10-2.28.10 in the amount of \$7,025.22.

**7. Redevelopment Agency Board of Directors' Acceptance of Housing Improvement Task Force *Action Plan 2010* and Authorization for Staff to Pursue Recommendations Described Therein**

The Redevelopment Agency Board of Directors accepted the Housing Improvement Task Force *Action Plan 2010* and authorized staff to pursue the recommendations described therein

**8. Authorization of \$5,963.83 Payment to Suddath Relocation Systems for Relocation of Blue Sky Maintenance**

The City Council authorized a \$5,963.83 payment be made to Suddath Relocation Systems for relocation of Blue Sky Maintenance.

**9. 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 Fremont Avenue Improvement Project**

The City Council approved the following related to completion of Fremont 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 retention 30 days after recordation of *Notice of Completion*.

**10. Declaration of 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

**11. Quitclaiming All Rights and Interests to Property Located South of Palo Verde Street and West of the San Antonio Channel to Monte Vista Water District**

The City Council quitclaimed all rights and interests to property located south of Palo Verde Street and west of the San Antonio Channel to the Monte Vista Water District.

**C. Agreements**

**1. Approval of *Agreement No. 10-27* With National College of Technical Instruction Authorizing the Fire Department to Provide Clinical Training for Emergency Medical Students**

The City Council approved *Agreement No 10-27* with National College of Technical Instruction Authorizing the Fire Department to provide clinical training for emergency medical students.

**2. Approval of *Agreement No. 10-29* Between the Cities of Upland and Montclair for Formation of the Upland/Montclair Special Weapons and Tactics (S.W.A.T.) Team**

The City Council approved *Agreement No. 10-29* between the cities of Upland and Montclair for formation of the Upland/Montclair Special Weapons and Tactics (S.W.A.T.) Team.

**3. Approval of *Agreement No. 10-31* With Ontario-Montclair School District to Provide Case Management Services**

The City Council approved *Agreement No. 10-31* with the Ontario-Montclair School District to provide case management services.

**4. Approval of *Agreement No. 10-32* With Chaffey Joint Union High School District for Law Enforcement Services During Fiscal Year 2010-11**

The City Council approved *Agreement No. 10-32* with the Chaffey Joint Union High School District for law enforcement services during Fiscal Year 2010-11

**5. Approval of *Agreement No. 10-34* Amending *Agreement No. 09-39* With the San Bernardino County Department of Aging and Adult Services to Increase Funding for the Senior Citizen Nutrition Program**

The City Council approved *Agreement No. 10-34* amending *Agreement No. 09-39* with the San Bernardino County Department of Aging and Adult Services to increase funding for the Senior Citizen Nutrition Program

**6. Approval of *Agreement No. 10-35* Amending *Agreement No. 09-96* With the San Bernardino County Department of Aging and Adult Services to Include Additional Terms and Conditions to the Contract**

The City Council approved *Agreement No. 10-35* amending *Agreement No. 09-96* with the San Bernardino County Department of Aging and Adult Services to include additional terms and conditions to the contract.

**7. Approval of *Self-Move Agreement No. 10-36* With Robert and Sira Kessler for Trailer and Associated Shed in Conjunction With the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project and Authorize Acting City Manager to Sign the Agreement**

The City Council approved *Self-Move Agreement No. 10-36* with Robert and Sira Kessler for trailer and associated shed in conjunction with the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project and authorize Acting City Manager Starr to sign the Agreement.

**8. Redevelopment Agency Board of Directors' Approval of *Agreement No. 10-37* With R. Richard Fleener for Planning Services**

The Redevelopment Agency Board approved *Agreement No. 10-37* with R. Richard Fleener for planning services

**D. Resolutions**

**1. Adoption of Resolution No. 10-2831 Declaring the Need for Emergency Contracting Procedures and Authorizing Performance Related to the Damaged Floor in the Community Center Gymnasium**

The City Council adopted Resolution No. 10-2831 declaring the need for emergency contracting procedures and

authorizing performance related to the damaged floor in the Community Center gymnasium.

2. **Adoption of Resolution No. 10-2832 Authorizing Mayor Paul M. Eaton to Sign *Program Supplement No. N005 to Administering Agency-State Agreement No. 08-5326R***

The City Council adopted Resolution No 10-2832 authorizing Mayor Paul M Eaton to sign *Program Supplement No. N005 to Administering Agency - State Agreement No 08-5326R.*

3. **Adoption of Resolution No. 10-2833 Authorizing Mayor Paul M. Eaton to Sign a Three-Year Contract With the California Department of Public Health**

The City Council adopted Resolution No 10-2833 authorizing Mayor Paul M. Eaton to sign a three-year contract with the California Department of Public Health

4. **Adoption of Resolution No. 10-2834 Supporting the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010**

The City Council adopted Resolution No 10-2834 supporting the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010

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

X. **RESPONSE - None**

XI. **COMMUNICATIONS**

A. **City Attorney/Agency Counsel - No comments**

B. **Acting City Manager/Executive Director**

- 1 Acting City Manager Starr thanked Mayor Eaton and Council Members for contributing to the development of the *2010 State of the City Address* scheduled for next Wednesday, April 14, 2010. He noted he looks forward along with the Council, business and government agency representatives, staff, and the public to attending the event.

C. **Mayor/Chairman**

- 1 Mayor Eaton noted his attendance along with Council Members Paulitz and Ruh at the **National League of Cities 2010 Congressional City Conference** in Washington D C. on March 13 through 17, 2010. He noted they also met with Montclair's Congressional representatives to request federal funding for City projects. He expressed his hope that they succeeded in garnering support for Montclair

At 7 12 p m., Council Member/Director Paulitz arrived at the meeting.

D. **City Council/Agency Board**

- 1 Mayor Pro Tem/Vice Chairman Dutrey commented as follows
  - (a) He noted the Council's approval this evening of *Agreement No. 10-2829* with the **City of Upland** to form a mutual S.W.A.T Team is a good example of the importance of cities working together to provide needed community services in these challenging times He thanked the **City of Upland** for participating with Montclair in this new public safety venture.

- (b) Concerning the Council's action this evening authorizing repair of the damaged gymnasium floor, he asked when the gymnasium would again be available for the basketball program.

Acting City Manager Starr responded that he does not expect the work to be done until later this month or early May 2010. He reported that staff is required by state law to work with an insurance company to conduct an independent investigation to determine the cause and extent of the damage. He advised that once staff confirms with the investigator the source of the water causing the damage, the hardwood floor panels in the eastern quadrant of the gymnasium could be replaced.

Mayor Pro Tem Dutrey noted he wanted to make sure the gymnasium would be available this summer.

- (c) He recognized the **Montclair-Ontario Junior Women's Club** for sponsoring the annual Easter Egg Hunt on Saturday; **Montclair Kiwanis** for sponsoring the Pancake Breakfast; and Human Services Division and Public Works Department staff and the Montclair Fire Fighters Association for assisting with the event. He noted he was pleased with the many games and activities for children that his daughter **Janine** very much enjoyed, which were provided by the City's After-School Program.
  - (d) He recognized detectives who apprehended and arrested the suspects in separate shooting and homicide incidents in recent weeks.
  - (e) He noted he has spoken to Acting City Manager Starr about loud party noise and that the Code Enforcement Committee would be considering inclusion of a Noise Ordinance flier in the May trash and sewer bills in an effort to curtail loud party noise that disturbs the peace.
  - (f) He recognized Agency staff for its work to develop the beautiful new 85-unit **San Marino Senior Apartments**, 10355 Mills Avenue, in the San Antonio Gateway. He noted he was unable to attend the grand opening ceremony on March 1, 2010. He noted the affordable 50-unit Mills family project is currently under construction.
  - (g) He stated that, unfortunately, the **Ontario-Montclair YMCA** has been disbanded and expressed his opinion that its closure was a bad idea on the part of the **West End YMCA**. He thanked everyone who donated to the Kids Campaign Fund at his request and advised that their donations would be refunded.
  - (h) He recognized staff for the great job on painting and replacing the carpet in the **Montclair Branch Library**.
- 2 Council Member/Director Ruh commented as follows.
- (a) In conjunction with their attendance at the *2010 Congressional City Conference*, he noted Mayor Eaton, Council Member Paulitz, and he were assured by the City's Congressional representatives that the **Gold Line** would one day reach Montclair. He noted the Council is working toward that goal.
  - (b) He announced the groundbreaking on June 19, 2010, at **Azusa Pacific University** of extension of the **Gold Line**

Foothill Extension from Pasadena to Glendora, which is slated for completion in September 2014. He stated that federal and **Metropolitan Transportation Authority** funding permitted, the light rail line would reach Montclair in early 2017. He emphasized the benefit a new mass transit system would be to the region, particularly if the **Gold Line** eventually reaches **LA/Ontario International Airport**, and noted the cooperative effort of municipalities to accomplish this goal.

- (c) He noted he enjoyed his role as one of the Easter Bunny assistants in the "wonderful and successful" Easter Egg Hunt and Pancake Breakfast, one of the better ones since the event's inception. He credited staff for doing a "tremendous" job coordinating the event with all participating community organizations, which he heartily thanked. He noted their combined effort exemplifies the community spirit in Montclair.

Mayor Eaton asked Assistant Director of Human Services Richter for the count of attendees at the Easter Egg Hunt.

Assistant Director of Human Services Richter answered, "Four hundred fifty."

- (d) He emphasized the importance of residents returning their **2010 Census** forms, noting April 1, 2010, was **National Census Day** and April 16, 2010, is the deadline to mail the form. He advised that a complete count is required to help the community secure needed federal resources and representation and that accurate data is crucial in deciding how almost \$450 billion in federal funding per year is allocated for projects like new hospitals, roads, job training, and schools.

#### E. Committee Meeting Minutes

##### 1. Minutes of Public Works Committee Meeting of February 18, 2010

The City Council received and filed the Public Works Committee meeting minutes of February 18, 2010, for informational purposes.

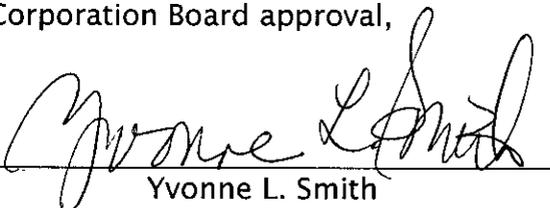
##### 2. Minutes of Personnel Committee Meeting of March 1, 2010

The City Council received and filed the Personnel Committee meeting minutes of March 1, 2010, for informational purposes.

#### XII. 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

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

  
Yvonne L. Smith  
Transcribing Secretary