

**MINUTES OF THE REGULAR JOINT MEETING
OF THE MONTCLAIR CITY COUNCIL AND
REDEVELOPMENT AGENCY AND MONTCLAIR
HOUSING CORPORATION BOARDS HELD ON
MONDAY, AUGUST 16, 2010, 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.

II. INVOCATION

Mayor/Chairman Eaton 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 Starr; Director of Redevelopment/Public Works Staats; Director of Community Development/Agency Planner Lustro; City/Agency Engineer Hudson; Deputy City Attorney/Agency Counsel Holdaway; Deputy City Clerk Smith

V. PRESENTATIONS - None

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

Council Member Paulitz requested that Items B-7 and C-5 be removed from the Consent Calendar for comment.

Mayor Pro Tem Dutrey requested that Item C-3 be removed from the Consent Calendar for comment.

Mayor Eaton invited **Mr. Chris Agrella** to come forward at this time to address Item C-10, "Authorization to Purchase, Deliver, and Install Office and Activity Room Furniture at the New Senior Center From Global CMAS and United Interiors."

Mr. Christopher M. Agrella, 11064 Wesley Avenue, Montclair, inquired as follows:

- Was a bid conducted on this item?

City Manager Starr stated that a formal bid process was completed and that bids were received from furniture vendors **United Interiors, Kimball, and National** at a bid opening conducted pursuant to the City's Purchasing Manual. He advised that the City would achieve economy of scale in its purchase of furniture from **United Interiors** from "piggybacking" on the County's contract with the company, resulting in the much lower bid as compared to the other two vendors.

- Was consideration given to **Americans with Disabilities Act (ADA)**-compliant furniture for the new Senior Center?

City Manager Starr advised that the City followed **ADA** requirements in construction of the new facility as well as in the selection of furnishings for the center.

- When will the Senior Center be completed?

City Manager Starr estimated that it would be completed in October 2010.

Mr. Agrella identified himself as a candidate for City Council in the November 2, 2010 General Municipal Election and thanked City Manager Starr for the information.

Moved by Mayor Pro Tem/Vice Chairman Dutrey, seconded by Council Member/Director Ruh, 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 2, 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 August 2, 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 July 31, 2010.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated August 16, 2010, totaling \$2,459,609.07 and the Payroll Documentation dated June 20, 2010, amounting to \$854,503.84, with \$636,760.27 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, 2010.

4. Approval of Agency Warrant Register

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 7.01.10-7.31.10 in the amounts of \$2,088.21 for Project I; \$301.10 for Project II; \$39,904.26 for Project III; \$19,985 for Project IV; and \$45,578.02 for Project V.

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, 2010.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 7.01.10-7.31.10 in the amount of \$53,947.18.

8. Redevelopment Agency Board of Directors' Authorization to Advertise for Bid Proposals for the Richton Street Police Department Impound Facility Project

The Redevelopment Agency Board authorized staff to advertise for bid proposals for the Richton Street Police Department Impound Facility Project.

9. Approval of Lot Line Adjustment No. 2010-2 Affecting Two Parcels Located on the Northwest Corner of Mission Boulevard and Kadota Avenue and Authorize the Lot Line Adjustment to be Recorded With the Office of the San Bernardino County Recorder

The City Council took the following actions:

- (a) Approved Lot Line Adjustment No. 2010-2 affecting two parcels located on the northwest corner of Mission Boulevard and Kadota Avenue.
- (b) Authorized Lot Line Adjustment No. 2010-2 to be recorded with the Office of the San Bernardino County Recorder.

10. Authorization to Purchase, Deliver, and Install Office and Activity Room Furniture at the New Senior Center From Global CMAS and United Interiors

The City Council authorized the purchase, delivery, and installation of office and activity room furniture at the new Senior Center from Global CMAS and United Interiors.

11. Redevelopment Agency Board of Directors' Authorization to Solicit Bids for the Real Estate Appraisal of the Property Located at 10333 Pradera Avenue

The Redevelopment Agency Board authorized staff to solicit bids for the real estate appraisal of the property located at 10333 Pradera Avenue.

12. Designation of Voting Delegate and Alternate Voting Delegates to the League of California Cities Annual Conference, September 15-17, 2010, San Diego, California

The City Council designated Mayor Eaton as Montclair's voting delegate and Mayor Pro Tem Dutrey and Council Member Paulitz as alternate voting delegates at the 2010 League of California Cities Annual Business Meeting to be held on Friday, September 17, 2010, at the San Diego Convention Center, San Diego, California.

C. Agreements

1. Approval of Agreement No. 10-89 With the Inland Empire United Way to Provide the Americorps Volunteer Infrastructure Program

The City Council approved *Agreement No. 10-89* with the Inland Empire United Way to provide the Americorps Volunteer Infrastructure Program.

2. **Redevelopment Agency Board of Directors' Approval of *Agreement No. 10-93*, the *Second Amendment to Lease Agreement No. 04-17* by and Between the City of Montclair Redevelopment Agency and Montclair Town Center, LLC, a Delaware Limited Corporation, on Behalf of the Montclair Chamber of Commerce for the Suite Located at 5220 Benito Street**

The Redevelopment Agency Board approved *Agreement No. 10-93*, the *Second Amendment to Lease Agreement No. 04-17* by and between the City of Montclair Redevelopment Agency and Montclair Town Center, LLC, a Delaware limited Corporation, on behalf of the Montclair Chamber of Commerce for the suite located at 5220 Benito Street.

4. **Approval of *Agreement No. 10-96* With San Bernardino County to Receive Approximately \$11,183 in Matching Funds From the Fiscal Year 2010 Emergency Management Performance Grant (EMPG) Program**

The City Council approved *Agreement No. 10-96* with San Bernardino County to receive approximately \$11,183 in matching funds from the Fiscal Year 2010 Emergency Management Performance Grant (EMPG) Program.

6. **Approval of *Agreement Nos. 10-98, 10-99, 10-100, 10-101, and 10-102* With All Cities Youth Baseball, Montclair Little League, and Montclair Golden Girls Softball League, Respectively, for Use of Ball Field Facilities**

The City Council approved *Agreement Nos. 10-98, 10-99, 10-100, 10-101, and 10-102* with All Cities Youth Baseball, Montclair Little League, and Montclair Golden Girls Softball League, respectively, for use of ball field facilities.

D. Resolutions - None

IX. PULLED CONSENT CALENDAR ITEMS

B. Administrative Reports

7. **Authorization of a \$23,000 Allocation From the Contingency Account for Participation in the San Bernardino Associated Governments' Coordinated Regional Greenhouse Gas Inventory and Reduction Plan and Related Environmental Impact Report**

For the record, Council Member Paulitz expressed his opinion that "the idea of carbon dioxide causing global warming is a hoax," adding that the State Legislature made a mistake in attempting to legislate emissions of carbon dioxide. He reiterated that he served on the South Coast Air Quality Management District Board of Governors and Technology Committee for 12 years, working to abate major pollutants including mono-nitrogen oxides, carbon monoxide, sulfur dioxide, mercury, and lead.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Dutrey, and carried unanimously to authorize a \$23,000 allocation from the Contingency Account (including a small contingency) to Account No. 1001-4101-52450-400 for participation in the San Bernardino Associated Governments' Coordinated Regional Greenhouse Gas Inventory and Reduction Plan and Related Environmental Impact Report.

C. Agreements

3. **Approval of Agreement No. 10-95 With the City of Claremont Police Department for Use of the Montclair Police Department Weapons Firing Range**

Mayor Pro Tem Dutrey expressed his understanding that the City contracts with other police agencies for use of the weapons firing range.

Police Chief Jones noted the Police Department currently contracts with the California Highway Patrol and the City of Upland for their use of the range.

Mayor Pro Tem Dutrey inquired as to the frequency of lead cleanout of the firing range backstop.

Chief Jones advised that only "clean fire" ammunition is allowed to prevent lead buildup in the backstop and in the air filtration system.

Moved by Mayor Pro Tem Dutrey, seconded by Council Member Raft, and carried unanimously that the City Council approve *Agreement No. 10-95* with the City of Claremont Police Department for use of the Montclair Police Department weapons firing range.

5. **Approval of Agreement No. 10-97 With the American Youth Soccer Organization for Use of the Saratoga Park Multipurpose Field**

Council Member Paulitz inquired as follows:

- (a) Is the Montera Elementary School soccer park completed?

City Engineer Hudson replied that it is completed and has been in operation for several months. He advised that the City was responsible for obtaining the state grant to fund construction of the field and for overseeing construction, and the Ontario-Montclair School District is responsible for its maintenance and operation.

- (b) Why is the Saratoga Park multipurpose field still being used by the American Youth Soccer Organization (AYSO) if we have a new soccer park at Montera Elementary School?

City Manager Starr responded that AYSO continues to use the field to accommodate the needs of the community. He advised that City demographics and the popularity of the sport have moved soccer to one of the primary sports in the community, and additional soccer fields have been provided to meet that need.

Council Member Paulitz noted it was his understanding that the Montera soccer park would take care of those needs.

- (c) Will the Saratoga Park multipurpose field be maintained properly?

City Manager Starr clarified that contracting with AYSO for its use of the field during soccer season would, for the most part, block unpermitted access by roving adult teams.

Council Member Paulitz stated, "Thank you. That's what I wanted to hear."

Moved by Council Member Paulitz, seconded by Council Member Raft, and carried unanimously that the City Council approve *Agreement No. 10-97* with the American Youth Soccer Organization for use of the Saratoga Park multipurpose field.

Council Member Ruh noted he has observed soccer games being played at Saratoga Park at other times of the year.

Mayor Eaton suggested they might be the roving adult teams mentioned by City Manager Starr.

Council Member Ruh asked if the Saratoga Park field would be available to AYSO for spring/summer practices and games.

City Manager Starr answered, "Yes, absolutely."

Noting he watched a soccer game Saturday on the Chino Basin Water Conservation District grounds, Council Member Ruh emphasized the importance of providing sufficient venues for this popular sport.

X. RESPONSE

A. Public Parking at and Around the Civic Center

City Engineer Hudson noted 5 parking spaces can be added to the 177 available Civic Center public parking spaces contained in the report because department heads would now be parking in the Youth Center parking lot.

Council Member Paulitz asked if the City Council would continue to park in the north lot.

City Engineer Hudson advised that the intent is for the Council's parking spaces to remain in the north lot. Should the Council choose to park at the Youth Center, six more spaces (including the City Attorney's) would become available for public parking.

City Manager Starr stated that staff recently discussed locating Council parking at the Youth Center because Council Member Paulitz had expressed such an interest. He stated that there is adequate space for the Council to park at the Youth Center, a more secure area, though it would be a bit farther for the Council to walk to City Hall.

Council Member Paulitz expressed his opinion that for the most part, the 182 spaces now available for public parking should be ample, noting at times upwards of two hundred seniors participate in the monthly senior birthday parties. He asked if parking at the **First United Methodist Church of Montclair** is included in the total number of parking spaces.

City Engineer Hudson answered, "No, it is not," advising that staff is continuing its negotiations with the church to expand the lot.

Council Member Paulitz asked how many parking spaces are available for City use in the existing lot.

City Engineer Hudson answered, "Between 60 and 75, but we're looking at creating an additional 55 parking spaces in the lot."

Council Member Paulitz noted the existing spaces could be added to the 182 total number of parking spaces available to the public.

City Manager Starr advised that the actual number of existing spaces is 39 and is reserved for staff parking, and we are negotiating expanding the lot to add another 52 spaces. He advised that the total number of public parking spaces, including the existing 182 spaces, would be 262 once we expand the parking lots at Alma Hofman Park and the church.

Council Member Paulitz noted there are close to 200 parking spaces currently available to the public.

City Engineer Hudson advised that the report contains information on spaces available for public parking. He stated that City Hall staff typically parks in the church parking lot, so those spaces are not available for public parking; Human Services Division staff parks in the south lot west of the Recreation building; and staff assigned to the Youth Center park in that lot. He noted most employees park in the church lot.

Council Member Paulitz stated that he was not aware that City Hall employees park in the church lot. He thanked City Engineer Hudson for the report.

Mayor Pro Tem Dutrey asked how many of the parking spaces in the north lot are reserved for City vehicles.

City Manager Starr advised that the top row of 12 spaces is reserved for the City Council, City Attorney, and department managers. Noting staff has already moved to the Youth Center lot, he asked if the Council has decided whether to continue parking in the north lot or move to the Youth Center lot.

Mayor Eaton suggested the Council continue to park in the north lot.

Council Member Paulitz concurred.

Mayor Pro Tem Dutrey asked when the department manager spaces would be available to the public.

City Manager Starr stated that the parking lots are expected to be completed and open between Monday and Wednesday of next week; at that time, the managers will be parking at the Youth Center and their six spaces would become available for public parking. He asked if the Council desires to maintain the current posting indicating their parking spaces are available to the public during the day.

Council Member Paulitz stated they should remain *status quo*.

Council Member Ruh advised that he is in favor of whatever is most convenient for the public. He asked if there have been many complaints about the lack of parking other than for the monthly senior birthday parties.

City Manager Starr noted complaints do come in periodically, such as right now with the main parking lots under construction; though for the most part, the public does find adequate parking when including street parking on Benito Street and Fremont Avenue. He advised that as City programs expand, we do need to expand our available parking.

Council Member Ruh noted it is positive so many residents take advantage of our programs.

City Manager Starr stated that the primary issue about parking is directly related to the church. He noted the intent of the proposed modifications to the church parking lot is moving the day care traffic to Geneva Street to a cut out in the main roadway, thus alleviating the congestion on Fremont Avenue at morning drop-off and noon pickup times of the day.

Council Member Ruh noted the new arrangement would be safer for the children.

It was the consensus of the City Council to receive and file the report.

XI. COMMUNICATIONS

A. Deputy City Attorney/Agency Counsel

1. Closed Session Pursuant to Section 54957.6 of the Government Code Regarding Conference With Designated Labor Negotiator

Agency: City of Montclair

*Employee Organizations: Management
Montclair Fire Fighters Association
Montclair Police Officers Association
San Bernardino Public Employees Association*

Deputy City Attorney Holdaway requested a Closed Session regarding conference with designated labor negotiator pursuant to Government Code Section 54957.6 on the above item, noting the exclusion of consideration of City Manager Starr's contract approved by the Council at the last meeting.

B. City Manager/Executive Director

1. City Manager/Executive Director Starr commented as follows:

- (a) He noted the Splash Pad is currently operational, though there continues to be a potential problem with the pump variable frequency drive. He noted the device has been enclosed in a waterproof container, which is generating intense heat that the other circuitry cannot handle. He stated that the vendor is onsite to remedy the issue.

Mayor Eaton received verification that the City would not sign off on the project until the water feature is fully operational.

City Manager Starr advised that the County of San Bernardino has given the City the authority to sign off on the project, which will not be done until the project is completed to our satisfaction.

- (b) He noted Mayor Eaton, Council Member Ruh, Lieutenant Avels, and he attended **Assembly Member Torres's Capital in Your Corner** community forum at **CBWCD** Saturday afternoon. He advised that none of the residents who attended had any issues with the City but did have some major concerns about the state budget.

C. Mayor/Chairman

1. Mayor/Chairman Eaton commented as follows:

- (a) He noted his attendance at recent **San Bernardino Associated Governments** and **Omnitrans** Board and various committee meetings, advising there were no particular issues involving Montclair.

- (b) He noted his attendance at the **U.S. Department of Housing and Urban Development Neighborhood Networks Week** reception at **Briarwood Manor** on Thursday, August 5, at which he was pleased to present **Mr. Albert Allison** with a certificate honoring his 103d birthday on October 1. He noted **Mr. Allison** remembered receiving a certificate from him in honor of **Mr. Allison's** 100th birthday three years before.

D. City Council/Agency Board

1. Council Member/Director Paulitz noted his grandson thoroughly enjoyed the new Splash Pad over the weekend.

2. Mayor Pro Tem/Vice Chairman Dutrey commented as follows:
 - (a) He apologized for missing the last regular joint meeting, noting he was on vacation in San Diego.
 - (b) He stated that he would have voted in favor of City Manager Starr's contract had he attended the last meeting. He congratulated City Manager Starr on his appointment to City Manager and recognized him for continuing to manage the Administrative Services Department along with the duties of City Manager while being compensated at the Director of Administrative Services' salary. He noted the astonishment of individuals when he tells them City Manager Starr continues to receive his current salary while performing the duties of both positions. He noted City Manager Starr's doing so is an indication of his character in this difficult economy, adding that he is very impressed with City Manager Starr's service to the community.
 - (c) He noted it is unfortunate that the corrupt elected officials and administrators at the **City of Bell** have taken advantage of that city's residents over the last five years since converting to a charter city. He stated, "Transparency is important"; and the residents of Montclair have a right to City Council and staff salary information prior to its being posted on the state website in November as ordered by **State Controller Chiang**. He asked that salary information be posted on the City's website as quickly as possible.
3. Council Member/Director Ruh commented as follows:
 - (a) He advised that the City's pay scales have always been public information and are easily accessible by calling the Personnel Division. He noted that having that information online "is a positive for everybody."
 - (b) As City Manager Starr mentioned earlier, he noted he attended **Assembly Member Torres's** *Capital in Your Corner* forum. Noting the residents who attended seemed to be quite content with the City, he stated that he was pleased to hear from one resident that she has lived in Montclair for over thirty years "and that it's never been better." He noted new Community Action Committee Member **Peggy Banas** attended the forum to address her concerns about certain state matters.
 - (c) He cited the following alarming 2009 statistics from an article in today's ***Inland Valley Daily Bulletin*** taken from

the Annie E. Casey Foundation's Kids Count Data Book:

One in five children in San Bernardino County lives in poverty.

<i>County</i>	<i>Percent of Children Whose Families Annually Earn Less Than \$21,834</i>
San Bernardino	20
Los Angeles	22
Fresno (state high)	32
Placer (state low)	5
California	18
United States	18

He indicated that one of the problems (as he advised the Council last year from information in **Skills2Compete's America's Forgotten Middle-Skills Jobs** publication) is that there is an overconcentration of low-wage jobs in San Bernardino County that do not provide living wages. Moreover, he emphasized that it is imperative we offer skilled workforce jobs, particularly those in the construction and health care sectors, that have little chance of being offshored and that require at least two years of college and a skill. He noted examples of these types of jobs include blueprint readers; allied health; sheet metal fabrication; and diesel, locomotive, and jet engine repair and that these jobs are paying on average \$80,000 a year. He expressed his hope that all elected officials and public policymakers in the county will seriously consider giving incentives to those types of businesses to locate in the region because "the young people in our county do deserve better."

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of August 2, 2010

The City Council received and filed the Personnel Committee meeting minutes of August 2, 2010, for informational purposes.

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

At 7:31 p.m., Chairman Eaton adjourned the Redevelopment Agency and Montclair Housing Corporation Boards of Directors.

At 7:31 p.m., the City Council went into Closed Session regarding conference with designated labor negotiator pursuant to Section 54957.6 of the Government Code.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 8:51 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding labor negotiations, information was received and direction given to staff, and no further announcements would be made at this time.

XIV. ADJOURNMENT OF CITY COUNCIL

At 8:52 p.m., Mayor Eaton adjourned the City Council.

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

Yvonne L. Smith
Deputy City Clerk