

MINUTES OF THE REGULAR JOINT MEETING OF
THE MONTCLAIR CITY COUNCIL AND REDEVEL-
OPMENT AGENCY AND MONTCLAIR HOUSING
CORPORATION BOARDS HELD ON MONDAY,
DECEMBER 6, 2010, AT 7:00 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 7:00 p.m.

II. INVOCATION

Pastor Paul M. Eaton Jr., Harvest Fellowship Church, gave the Invoca-
tion.

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 Redevelop-
ment/Public Works Staats; Director of Community Develop-
ment/Agency Planner Lustro; City/Agency Engineer Hudson;
City Attorney/Agency Counsel Robbins; City Clerk/ Agency
Secretary Jackson

V. PRESENTATIONS

A. Introduction of New Employees

Police Chief Jones introduced **Ms. Francisca Ayala**, who was
appointed to the position of Police Dispatcher effective
November 15, 2010. He noted Dispatcher Ayala was previously
employed by the **Ontario Police Department** as a Dispatcher and
attended **Riverside Community College** and **Kings College and
Seminary**, Van Nuys, after which she transferred to the **School of
Ministry**, Folkestone, Kent, England.

Mayor Eaton welcomed Dispatcher Ayala to the Montclair City
family and presented her with a City pin.

Police Chief Jones introduced **Mr. Jacob Altig**, who was appointed to the position of Reserve Police Officer effective November 8, 2010. He noted Reserve Officer Altig is employed by the Brea **Nordstrom** as a Sales Associate, studied Criminal Justice at **Fullerton College** and **Rio Hondo College**, and graduated from the **Rio Hondo Basic Police Officer Academy** in November 2009. He added that Reserve Officer Altig appreciates the opportunity to serve the City of Montclair, and his goal is to become a full-time Police Officer.

Mayor Eaton welcomed Reserve Officer Altig to the Montclair City family and presented him with a City pin.

Chief Jones introduced **Mr. David Dixon**, who was appointed to the position of Police Officer effective November 22, 2010. He noted Officer Dixon graduated in September 2010 from the **San Bernardino County Sheriff's Basic Police Officer Academy** and has taken courses at **Riverside Community College** and at **Mt. San Jacinto Community College** with the goal of obtaining an undergraduate degree in Criminal Justice.

Mayor Eaton welcomed Officer Dixon to the Montclair City family and presented him with a City pin.

Chief Jones introduced **Mr. John Minook**, who was appointed to the position of Police Officer effective November 8, 2010, after graduating from the **San Bernardino County Basic Sheriff's Academy** on September 9, 2010. He noted Officer Minook proudly served three tours in Iraq as an Infantry Marine in the **United States Marine Corps Reserves** and attained the rank of Gunnery Sergeant.

Mayor Eaton welcomed Officer Minook to the Montclair City family and presented him with a City pin.

Director of Community Development Lustro introduced **Ms. Kelsey DeForge**, who was appointed to the position of Resource Analyst effective November 15, 2010. He noted Resource Analyst DeForge previously worked as Assistant to the City Manager for the **City of Beaumont**, focusing on special projects, such as sustainability and the promotion of community health and wellness programs. He added that Resource Analyst DeForge graduated Phi Beta Kappa with a double major in Government and History from the **University of Redlands** in 2007 and is currently working toward completing her Master's degree in Conflict Resolution.

Mayor Eaton welcomed Resource Analyst DeForge to the Montclair City family and presented her with a City pin.

VI. PUBLIC COMMENT - None

VII. DECLARATION OF ELECTION RESULTS

A. Adoption of Resolution No. 10-2870 Reciting the Fact of the General Municipal Election Held on Tuesday, November 2, 2010, Declaring the Results and Such Other Matters as Provided by Law

Moved by Mayor Pro Tem Dutrey and seconded by Council Member Raft that Resolution No. 10-2870, entitled, "**A Resolution of the City Council of the City of Montclair, California, Reciting the Fact of the General Municipal Election Held on Tuesday, November 2, 2010, Declaring the Results and Such Other Matters,**" be read by number and title only, further reading be waived, and it be declared adopted.

The City Council unanimously waived the reading of the Resolution.

Resolution No. 10-2870 was unanimously adopted by the following vote:

AYES: Ruh, Raft, Paulitz, Dutrey, Eaton
NOES: None
ABSTAIN: None
ABSENT: None

VIII. SWEARING IN OF REELECTED MEMBERS OF THE CITY COUNCIL

Pastor Eaton Jr. administered the ceremonial Oath of Office to reelected Council Members Leonard Paulitz and Bill Ruh and Mayor Paul M. Eaton.

IX. SELECTION OF MAYOR PRO TEM/VICE CHAIRPERSON

Mayor Pro Tem/Vice Chairman Dutrey nominated Council Member/Director Raft to serve a four-year term as Mayor Pro Tem of the Montclair City Council and Vice Chairperson of the Boards of the Redevelopment Agency and Montclair Housing Corporation.

There being no further nominations, the nominations were closed.

Council Member/Director Raft's nomination was voted upon as follows:

AYES: Ruh, Raft, Paulitz, Dutrey, Eaton
NOES: None
ABSTAIN: None
ABSENT: None

Mayor/Chairman Eaton congratulated Mayor Pro Tem/Vice Chairperson Raft on her appointment.

Mayor Pro Tem/Vice Chairperson Raft thanked Mayor/Chairman Eaton and the City Council, stating, "I will try to do my best."

Council Member/Director Paulitz thanked all the voters for reelecting him and his colleagues, noting they understand "the need for continuity and leadership" in their City and that they must "be happy with what they have," adding that he is very grateful for their trust in him.

Council Member Ruh likewise thanked all the voters "who put their faith and confidence in me for another term on the Montclair City Council. I think they understand that in challenging times, you need people who are acquainted with and fully understand how government functions and who have good relations with the business community, the labor community, and the residents. I think they've done a good job in seeing that the three of us are reelected for another four years. You have five Council Members who have very different opinions, but we come together to develop good policy that helps move this City forward." He thanked his family for all their support through all of the elections in his political life. Noting most of his family are very busy, he indicated his sister **Mindy Toronto**, a teacher with the **Ontario-Montclair School District**, is in the gallery this evening and expressed his appreciation for her taking time away from her busy schedule to attend.

Mayor Eaton thanked the voters who reelected him to the office of Mayor, stating, "I'm very pleased with that." He thanked his wife, **Ginger**, and his children, grandchildren, and great grandchildren, most of whom are in the audience this evening, for their encouragement and support.

Mayor Eaton thanked the audience for attending tonight's meeting, advising those who would like to leave to do so at this time.

X. REORGANIZATION OF 2010-12 CITY COUNCIL COMMITTEE/LIAISON ASSIGNMENTS

Mayor Eaton advised that City Council Community/Liaison assignments would remain status quo.

XI. PUBLIC HEARINGS

A. Receiving Public Comment and Authorizing the Allocation and Expenditure of Supplemental Law Enforcement Services Funds

Mayor Eaton declared it the time and place set for public hearing to receive public comment and authorize the allocation and expenditure of Supplemental Law Enforcement Services grant funds and invited comments from the public.

There being no one in the audience wishing to speak, Mayor Eaton closed the public hearing and returned the matter to the City Council for its consideration.

Moved by Council Member Ruh and seconded by Mayor Pro Tem Raft that a public hearing was duly conducted to receive public comment and authorization was given for allocation and expenditure of Supplemental Law Enforcement Services grant funds for the following equipment and services to enhance Police Department patrol services:*

Patrol overtime	\$ 60,550
Miscellaneous advanced officer training	10,000
Promotional items	7,000
LeadsOnline	5,000
Replacement TASERS®	5,000
Digital cameras with cases	3,750
Preliminary alcohol screening devices (3)	3,500
Laptop computers	3,000
Color photograph printer	1,500
Auto painting (3)	<u>700</u>
TOTAL	<u>\$100,000</u>

Council Member Paulitz asked for clarification as follows:

1. What are "promotional items"?

Chief Jones replied that such items would include printed brochures and other publicizing materials of Police Department programs and activities.

2. What is "LeadsOnline"?

Chief Jones advised that it is the nation's largest online investigation system used by law enforcement to recover stolen property; stop production of controlled substances, such as crystal methamphetamine; reduce metal theft; and solve crimes. He noted it is an easy-to-use web-based electronic reporting service trusted by thousands of law enforcement agencies and participating businesses nationwide.

3. How many TASERS® are being replaced?

Chief Jones answered, "Five."

4. What are the preliminary alcohol screening devices?

Chief Jones explained that Patrol utilizes portable evidential Preliminary Alcohol Screening (PAS) devices that have been in use for the past 15 years to conduct field sobriety tests. He

noted only two remain operative and they are now outdated, newer models cost around seven hundred dollars apiece.

Council Member Paulitz thanked Chief Jones for the information.

*Motion carried unanimously as follows:

AYES: Ruh, Raft, Paulitz, Dutrey, Eaton
NOES: None
ABSTAIN: None
ABSENT: None

B. Adoption of Resolution No. 10-2868 Approving the Following:

Tentative Tract Map No. 18803 Subdividing a 6.94-Acre Site Into 2 Numbered Lots for Condominium Purposes, 1 Numbered Lot for a Community Center, 30 Numbered Lots for Single-Family Residential Purposes, and Three Lettered Lots for Streets and Common Areas

Precise Plan of Design for a 129-Unit Residential Development Within the North Montclair Downtown Specific Plan

Mayor Eaton declared it the time and place set for public hearing to consider adoption of Resolution No. 10-2868 approving Tentative Tract Map No. 18803 subdividing a 6.94-acre site into 2 numbered lots for condominium purposes, 1 numbered lot for a community center, 30 numbered lots for single-family residential purposes, and three lettered lots for streets and common areas and a Precise Plan of Design for a 129-unit residential development within the North Montclair Downtown Specific Plan (NMDSP) and invited comments from the public.

There being no one in the audience wishing to speak, Mayor Eaton closed the public hearing and returned the matter to the City Council for its consideration.

Mr. Bellavia, Vice President, Hutton Development Company, 2520 North Santiago Boulevard, Orange, advised that he has worked diligently with staff on the proposed Arrow Station project and that he concurs with the agenda report and proposed conditions of approval. He expressed his hope that the City Council would approve the item. Council Member Paulitz received confirmation from **Mr. Bellavia** that one-bedroom apartments are proposed to have one attached parking space per unit. He inquired as follows:

1. Where would the third parking spaces for Plan 4 two-bedroom apartment units be located?

Mr. Bellavia replied that additional uncovered parking spaces would be provided throughout the subdivision, the majority

along the west property line. He added that several additional garages would be available for the one-bedroom units.

2. What if a one-bedroom tenant owns two vehicles?

Mr. Bellavia advised that there is a 2.25 parking ratio per unit; so additional spaces would be available on site, though they might not be covered. He added that additional garages would also be available for more parking.

3. Concerning the lack of fiscal impact indicated in the report, would not more property taxes be generated from the proposed housing project?

City Manager Starr clarified that the "no direct fiscal impact" statement under the "Fiscal Impact" section of the report pertains to the actions requested on this item and not the completed project. He advised that property taxes would be generated from the new housing units and Community Facilities District fee assessments would be collected from Arrow Station homeowners to maintain public improvements at the subdivision.

Council Member Paulitz asserted that he would do what he could over the next four years to change the NMDSP requirement of one garage parking space per residential unit. He stated that Hutton Development Company understands the marketing incentive of offering two-car garage parking spaces per unit.

Council Member Dutrey inquired as follows:

1. When do you anticipate applying for building permits to begin construction on the proposed project?

Mr. Bellavia answered, "Either late 2011 or early 2012."

2. Would the 30 Urban Side Yard homes be part of the first construction phase?

Mr. Bellavia answered, "No, they would be part of a subsequent phase."

3. Would development of that phase be market driven?

Mr. Bellavia answered, "Yes."

Council Member Dutrey noted staff has addressed his concerns related to Covenants, Conditions and Restrictions and a homeowners' association for the Urban Courtyard homes. He noted the proposed project is the second residential community considered by the Council for development within the boundaries of the North

Montclair Downtown Specific Plan, the other being The Paseos at Montclair North. He spoke in support of Hutton Development Company's "very good plan, a very positive plan not just for North Montclair but for the entire City. As we progress on this and future projects within NMDSP, we will continue to set an example of how this area should be developed." He congratulated Hutton Development Company on its excellent product.

Mr. Bellavia thanked Council Member Dutrey.

Council Member Ruh commented as follows:

1. He indicated that "this is a great project as originally proposed," adding that he fully believes in the urban-style residential product because transit-oriented developments (TODs) are the wave of the future.
2. He suggested the new demographic coming into the home shelter market does not require the traditional number of parking spaces because these individuals would take advantage of the walkable neighborhoods, local retail and service businesses, and convenient access to rail transit.
3. He noted the large sizes of the proposed units seem excessive compared to typical TOD units.
4. He cautioned that in many cases, the high assessments charged by homeowners' associations (HOA) and community facilities districts (CFDs) in communities throughout the Inland Empire are defaulted on by struggling homeowners. He expressed his hope that the HOA and CFD rates can be maintained at reasonable and affordable rates.

Council Member Ruh concluded his remarks by stating that Hutton Development Company's proposal is a "wonderful opportunity for this community," particularly because the Gold Line is scheduled to arrive in the Claremont/Montclair area by early 2016.

Mayor Pro Tem Raft stated that she is quite eager for the "beautiful project" to begin construction because it would be a nice improvement to the area. She spoke in support of an onsite manager for the Urban Courtyard homes to preserve the integrity of the units.

Mayor Eaton thanked **Mr. Bellavia**, stating that he is very pleased Hutton Development Company chose Montclair to build a quality residential community.

Mr. Bellavia thanked Mayor Eaton.

It was the consensus of the City Council to find the proposal by Hutton Development Company to construct a 129-unit residential development, known as Arrow Station, at 4979 Arrow Highway, to

be consistent with the General Plan and the goals and development standards of the North Montclair Downtown Specific Plan.

Moved by Council Member Dutrey and seconded by Council Member Ruh that the following actions be taken:

1. That the Council certify it has reviewed and considered the environmental assessment, based upon the findings of exemption; concludes that there would be no significant impact on the environment as a result of the proposed land-use entitlements and the subsequent construction of the proposed 129-unit residential project; and that the following actions be taken:
 - (a) Adopt the finding that there would be a DeMinimis impact on fish and wildlife.
 - (b) Direct staff to file a Notice of Determine (NOD) and the applicant to pay appropriate fees within five (5) days of this action.
2. That the City Council adopt Resolution No. 10-2868 approving the following:
 - (a) Tentative Tract Map No. 18803 subdividing a 6.95-acre site at 4974 Arrow Highway into 3 numbered lots for condominium purposes and a community center, 30 additional lots (ranging in size from 0.047 to 0.073 acre) for single-family development, and three lettered lots (A through C) for public and private streets within the development, finding that the map is consistent with the Montclair Municipal Code and the State Subdivision Map Act.
 - (b) Precise Plan of Design request under Case No. 2010-21 for the site plan associated with the proposed 129-unit Arrow Station residential development at 4974 Arrow Highway and associated on- and off-site improvements per the submitted plans and as described in the agenda report, subject to the 105 Conditions of Approval in Exhibit A attached to Resolution No. 10-2868.

The City Council unanimously waived the reading of the Resolution.

The City Council adopted the finding that Hutton Development Company's 129-unit residential project would have DeMinimis impact on fish and wildlife as a result of land use entitlements related to the project, directed staff to file a NOD and the applicant to pay appropriate fees within five days of this action, and unanimously adopted Resolution No. 10-2868 by the following vote:

AYES: Ruh, Dutrey, Paulitz, Raft, Eaton
 NOES: None
 ABSTAIN: None
 ABSENT: None

XII. CONSENT CALENDAR

Council Member/Director Paulitz noted his agenda is missing the November 15, 2010 regular joint meeting minutes.

City Manager/Executive Director Starr advised that the subject minutes were inadvertently left out of the agenda and would be included in the December 20, 2010 agenda.

City Attorney Robbins requested that Items C-1 and C-2 be removed from the Consent Calendar for comment.

Moved by Council Member/Director Dutrey, seconded by Council Member/Director Ruh, and carried unanimously to approve the following Consent Items as presented, noting removal of Item A, "Approval of Minutes," Section 1, "Minutes of the Regular Joint Council/Agency/Montclair Housing Corporation Meeting of November 15, 2010," to be returned on the December 20, 2010 regular joint meeting agenda:

B. Administrative Reports

1. Setting a Public Hearing to Consider Ordinance No. 10-919 Related to Adoption of the 2010 Edition of the California Fire Code

The City Council set a public hearing for Monday, December 20, 2010, at 7:00 p.m. in the City Council Chambers to consider Ordinance No. 10-919 related to adoption of the 2010 Edition of the California Fire Code.

2. Approval of Fiscal Year 2010-11 Recommendations for the Schedule of Community Benefits

The City Council approved the following recommendations for the Fiscal Year 2010-11 Community Benefits funding:

FISCAL YEAR 2010-11 COMMUNITY BENEFITS ASSISTANCE PROGRAM FUNDING SCHEDULE

<i>Program</i>	<i>FY 2010-11 Recommendations</i>
Community Senior Services	\$ 1,083
House of Ruth	1,083

Inland Hospice Association	1,083
John Wooton Scholarship Foundation	1,000
Montclair Community Collaborative	1,000
Montclair Meals on Wheels	1,500
Pomona Valley Workshop	1,085
Project Sister	1,083
Visiting Nurse Association	<u>1,083</u>
TOTAL	<u>\$10,000</u>

3. Authorization to Purchase One Cues Closed Circuit Television Sewer Inspection System From Plumbers Depot

The City Council authorized purchase of one Cues Closed Circuit Television Sewer Inspection System in the amount of \$160,860.02 from Plumbers Depot.

4. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated December 6, 2010, totaling \$1,664,099.65; the Payroll Documentation dated October 10, 2010, amounting to \$580,441.92, with \$419,578.76 being the total cash disbursement.

C. Agreements

3. Approval of Agreement No. 10-128 With the California Highway Patrol for Use of the Montclair Police Department Firearms Shooting Range

The City Council approved *Agreement No. 10-128* with the California Highway Patrol for use of the Montclair Police Department firearms shooting range.

4. Approval of Agreement No. 10-129 With AM Johnson Consulting for ArtCorps Program Management Services

The City Council approved *Agreement No. 10-129* with AM Johnson Consulting for ArtCorps Program management services.

5. Approval of Agreement No. 10-130 With Graffiti Tracker, Inc., for continued Use of Its Database to Track and Analyze Graffiti

The City Council approved *Agreement No. 10-130* with Graffiti Tracker, Inc., for continued use of its database to track and analyze graffiti.

6. **Approval of Agreement No. 10-136 Superseding Agreement No. 10-45 With Pacific Truck and Auto Tow Inc. for Cost Recovery for Vehicles Stored Pursuant to California Vehicle Code Section 14602.6, the 30-Day Impound Law**

The City Council approved *Agreement No. 10-136* superseding *Agreement No. 10-45* with Pacific Truck and Auto Tow Inc. for cost recovery for vehicles stored pursuant to California Vehicle Code Section 14602.6 the 30-day impound law.

7. **Approval of Agreement No. 10-137, a Second Amendment to Agreement No. 07-12 With the San Bernardino County Transportation Authority for the Ramona Avenue/Union Pacific Railroad Grade Separation Project**

Authorization of City Manager Edward Starr to Sign Agreement No. 10-137

The City Council took the following actions:

- (1) Approved *Agreement No. 10-137, a Second Amendment to Agreement No. 07-12* with the San Bernardino County Transportation Authority for the Ramona Avenue/Union Pacific Railroad Grade Separation Project.
- (2) Authorized City Manager Edward Starr to sign *Agreement No. 10-137*.

D. **Resolutions - None**

XIII. **PULLED CONSENT CALENDAR ITEMS**

C. **Agreements**

1. **Approval of Agreement No. 10-126 Amending Agreement No. 10-71 With California Landscape and Design, Inc., for Maintenance Services at the Montclair Skate Park and Alma Hofman Park Restroom Facilities**

City Attorney Robbins suggested the following language be added to Section II of proposed Agreement No. 10-126 for clarification:

SECTION II

This Agreement is for a period of one (1) year from the date hereinabove set forth and can be renewed annually up to four (4) years with the consent of the CITY and the CONTRACTOR, subject to the right of either party to cancel without cause

by giving a minimum of thirty (30) days written notice to the other of such cancellation. Effective January 1, 2011, this Agreement replaces and supersedes the previous Agreements between the parties dated January 6, 2006, and July 1, 2010. Effective January 1, 2011, this Agreement replaces and supersedes the previous Agreements between the parties dated January 6, 2006, and July 1, 2010.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Raft, and carried unanimously that the City Council approve *Agreement No. 10-126* amending *Agreement No. 10-71* with California Landscape and Design, Inc., for maintenance services at the Montclair Skate Park and Alma Hofman Park restroom facilities, as amended herein.

2. Approval of *Agreement No. 10-127, a Reimbursement Agreement* by and Between the City of Montclair Redevelopment Agency and Central Park Plaza, F.L.P., Regarding Undergrounding Overhead Utilities at 9860 Central Avenue

Agency Counsel Robbins asked that the City Council consider approving proposed *Agreement No. 10-127* subject to her clarification of the legal status of the property owner, Central Park Plaza, F.L.P.

Moved by Director Ruh, seconded by Vice Chairperson Raft, and carried unanimously that the Redevelopment Agency Board approve *Agreement No. 10-127, a Reimbursement Agreement* by and between the City of Montclair Redevelopment Agency and Central Park Plaza, F.L.P., regarding undergrounding overhead utilities at 9860 Central Avenue subject to the City Attorney's clarification of the legal status of Central Park Plaza, F.L.P.

XIV. RESPONSE - None

XV. COMMUNICATIONS

A. City Attorney/Agency Counsel

1. Closed Session Pursuant to Section 54956.9(c) of the Government Code Regarding Conference With Legal Counsel - Anticipated Litigation

2 Potential cases

City Attorney Robbins requested a Closed Session on the above matter pursuant to Section 54956.9(c) of the Government Code.

2. City Attorney Robbins congratulated Mayor Pro Tem Raft on her new appointment on the Council.

B. City Manager/Executive Director

1. City Manager/Executive Director Starr commented as follows:
 - (a) He congratulated Mayor Eaton and Council Members Paulitz and Ruh on their reelection to the Council and congratulated Mayor Pro Tem Raft on her new appointment on the Council.
 - (b) He noted his attendance at the **League of California Cities 2010 Annual Legislative Briefing** that reviewed a compilation of 2010 statutes, copies of which were given to the Council for its review. He noted a very important statute addressed at the briefing was **Assembly Bill 2600**, which adds Section 400.1 to the Family Code, authorizing mayors, while holding office, to solemnize marriages effective January 1, 2011, provided all available instructions for doing so have been obtained from the county clerk and reviewed.

C. Mayor/Chairman

1. Mayor/Chairman Eaton commented as follows:
 - (a) He noted his attendance at regular **Omnitrans** and **San Bernardino Associated Governments** Board meetings.
 - (b) He noted he very much enjoyed attending the Montclair City Employees Association's *Hollywood Nights: A Red Carpet Affair* on November 19, 2010.
 - (c) He noted his attendance at the Christmas Tree Lighting Ceremony on December 2, 2010. He noted there were more than 600 in attendance, the largest turnout he has ever seen.
 - (d) He noted his attendance at the Montclair Police Officers Association (MPOA) holiday dinner.

D. City Council/Agency Board

1. Council Member/Director Paulitz commented as follows:
 - (a) He read **Assembly Concurrent Resolution 133 – Earth**

Hour, which is entered into the record as follows:

Resolution Chapter 4 2010

This Resolution endorses efforts to raise awareness of global climate change and energy efficiency and would declare the hour of 8:30 to 9:30 p.m. on the last Saturday of March to be "Earth Hour" throughout the state. The measure would encourage city, county, and state employees and businesses to turn off nonessential lights in government buildings, public schools, public landmarks, and other buildings for that hour on March 27, 2010.

Council Member Paulitz noted the absurdity of the measure.

- (b) He also noted his attendance at the Christmas Tree Lighting Ceremony, advising that it drew a "very huge crowd" and that everyone enjoyed the event.
 - (c) He noted he would be unable to attend the December 20, 2010 regular joint meeting and wished everyone a Merry Christmas.
2. Mayor Pro Tem/Vice Chairperson Raft commented as follows:
- (a) She reiterated her gratitude to the Council for entrusting her with her new appointment, expressing her hope that she lives up to everyone's expectations.
 - (b) She again congratulated Mayor Eaton and Council Members Paulitz and Ruh on their reelection to the Council, adding, "It's good to have you back at least for another four years."
 - (c) She also noted her attendance at the Christmas Tree Lighting Ceremony and expressed her hope that "this great event" would draw an even larger attendance next year. She added that the children seemed particularly well behaved.
3. Council Member/Director Dutrey commented as follows:
- (a) He congratulated Mayor Pro Tem Raft on her new appointment on the Council. He told her he would be pleased to review the City Warrant Register process with her.

- (b) He congratulated Mayor Eaton and Council Members Paulitz and Ruh on their reelection to the Council, expressing his certainty that their success is a reflection of the leadership in Montclair. He expressed his confidence that the Council would continue to provide strong leadership and overcome the current and future fiscal challenges.
 - (c) In follow up to Council Member Paulitz's comments regarding **ACR 133**, he suggested the State Legislature adopt certain hours of the day during which no money can be spent to assist in closing an immediate \$6 billion state deficit.
4. Council Member/Director Ruh commented as follows:
- (a) He thanked the voters who put their trust and support in him for another four years and expressed his appreciation for their reelecting him to the Council.
 - (b) He congratulated Mayor Pro Tem Raft on her new appointment on the Council and told her, "I think you are blazing a trail because only a few cities have females on their Councils and only a few of them are Mayor Pro Tems. We appreciate your stepping up and taking on this responsibility. We know the time it takes away from your family and we appreciate their support as well. I think you'll do a great job."
 - (c) He also noted his attendance at the Christmas Tree Lighting Ceremony, stating, "It was absolutely wonderful to see so many people there." He thanked the Fire and Police Departments for their participation that night. He further thanked Community Action Committee (CAC) Members and Human Services Division staff for all their hard work to organize and facilitate the event. He noted the community really appreciates this City event, adding that "it is one of the highlights of the Christmas season for many of our youths whose families are really struggling this year. We keep them in our prayers and our thoughts."
 - (d) He noted he was unable to attend the MPOA holiday dinner because, as Council liaison to the CAC, he had many duties to attend to at the event. He noted he did send Officer Perez his congratulations for MPOA's work in the community.
 - (e) He noted his attendance on Sunday at the **Assistance League of the Foothill Communities** 32nd annual "A Magical Christmas" Christmas Tree Brunch, the proceeds

of which will support philanthropic programs, such as **Operation School Bell**, offering new clothing and dental care to children in need, assistance to youngsters in foster care, and teddy bears to comfort children in

emergencies. He noted thanking **Mr. Bob Barouti**, President, Montclair **Giant RV**, at the event for all he has done for less fortunate children, not only in this community but throughout the region during these difficult times.

- (f) He announced the **2010 Metrolink Holiday Toy Express** would be at the Transcenter on Sunday, December 12, 2010, from 8:15 to 9:00 p.m. and invited everyone to attend this festive event "that is a great opportunity to bring in the holiday season."
- (g) He noted there are many free holiday events as we begin the holiday season, such as a tour of beautiful home displays in the community, noting the City's annual Holiday Home Decoration contest is currently underway. He further recommended a tour the beautiful Nativity scenes at the **28th Annual Christmas on Euclid**, a 53-year tradition, noting the 12 Nativity tableaux were designed and built by renowned artist **Rudolph Vargas**, a famous sculptor for the film industry.

E. Committee Meeting Minutes

1. Minutes of Code Enforcement Committee Meeting of November 15, 2010

The City Council received and filed the Code Enforcement Committee meeting minutes of November 15, 2010, for informational purposes.

2. Minutes of Personnel Committee Meeting of November 15, 2010

The City Council received and filed the Personnel Committee meeting minutes of November 15, 2010, for informational purposes.

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

At 7:55 p.m., Chairman Eaton adjourned the Redevelopment Agency and Montclair Housing Corporation Boards of Directors.

At 7:55 p.m., the City Council went into Closed Session regarding anticipated/potential litigation pursuant to Section 54956.9(c) of the Government Code.

XVII. CLOSED SESSION ANNOUNCEMENTS

At 8:22 p.m., the City Council returned from Closed Session. Mayor Eaton announced that the City Council met in Closed Session regarding

anticipated/potential litigation, information was received and direction given to staff, and no further announcements would be made at this time.

XVIII. ADJOURNMENT OF CITY COUNCIL

At 8:23 p.m., Mayor Eaton adjourned the City Council in memory of **Mr. Robert "Bob" James**, beloved husband of former Community Action Committee Member Donna James and owner of **Montclair Automotive** who was very involved with youth sports in the community, who sadly passed away on Monday, November 29, 2010; further, the meeting was adjourned to Wednesday, December 8, 2010, at 6:00 p.m. in the City Council Chambers for the **James Thayne** appeal hearing.

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

Yvonne L. Smith
Transcribing Secretary