

**MINUTES OF THE REGULAR JOINT MEETING OF  
THE MONTCLAIR CITY COUNCIL AND REDEVEL-  
OPMENT AGENCY AND MONTCLAIR HOUSING  
CORPORATION BOARDS HELD ON MONDAY,  
JANUARY 18, 2011, AT 6:5 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 6:5 p.m. (and asked that everyone please silence their cell phones, pagers, and other electronic devices as a courtesy to others while the meeting is in session.)

**II. INVOCATION**

Pastor , Church, gave the Invoca-tion.

**III. PLEDGE OF ALLEGIANCE**

Council Member/Director led those assembled in the Pledge.

**IV. ROLL CALL**

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairperson Raft; Council Members/Directors Paulitz, Dutrey, and Ruh; City Manager/Executive Director Starr; Director of Redevel-opment/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. Presentation of Military Banners to Montclair Servicemen Who Have Completed Their Military Service**

Community Action Committee Chairperson Hollis Judkins presented the following five former Montclair servicemen with banners displayed in the City last year in honor of their military service: brothers **Jonathan J. Wren**, **Nicholas D. Wren** (*in absentia*), and **Steven M. Wren** (*in absentia*); **Luis Campos**; and **Matt Okamuro** (*in absentia*). She thanked them for their service to our country.

**B. Presentation to Mayor Eaton by Renowned American Sculptor John E. Svenson of His Book EXPLORING FORM Written By His Son David Svenson**

Mr. Svenson presented a copy of his book EXPLORING FORM to Mayor Eaton.

Mayor Eaton accepted the book and thanked Mr. Svenson. He

**VI. PUBLIC COMMENT - None**

**VII. PUBLIC HEARINGS - None**

**VIII. CONSENT CALENDAR**

Council Member requested that Item - be removed from the Consent Calendar for comment.

Moved by Council Member/Director (Mayor Pro Tem/Vice Chairperson Raft), seconded by Council Member/Director 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 December 20, 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 December 20, 2010.

**2. Minutes of Regular Joint Council/Agency/Montclair Housing Corporation Meeting of January 3, 2011**

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 3, 2011.

**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 November 30, 2010.

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

The City Council approved the City Warrant Register

dated January 18, 2011, totaling \$1,314,805.29; and the Payroll Documentation dated December 5, 2010, amounting to \$706,548.62, with \$498,393.35 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 November 30, 2010.

**4. Approval of Agency Warrant Register**

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 11.01.10-11.30.10 in the amounts of \$25,214.12 for Project I; \$424.89 for Project II; \$61,376.30 for Project III; \$22,533.95 for Project IV; \$52,267.85 for Project V, and \$1,032,028.98 for the Mission Boulevard Joint Redevelopment Agency 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 November 30, 2010.

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 11.01.10-11.30.10 in the amount of \$52,592.83.

**7. Authorization to Allocate Funds From the Contingency Fund and Redevelopment Agency to the California Public Employees' Retirement System Replacement Benefit Plan**

The City Council authorized funds to be allocated from the Contingency Fund and Redevelopment Agency to the California Public Employees' Retirement System Replacement Benefit Plan to meet contractual obligations on behalf of retired City Manager Lee C. McDougal.

**8. Approval of Parcel Map No. 19246 Located at 5436-5440 Arrow Highway**

**Authorization of Parcel Map No. 19246 to be Recorded With the Office of the San Bernardino County Recorder**

The City Council took the following actions:

- (a) Approved Parcel Map No. 19246 located at 5436-

5440 Arrow Highway.

- (b) Authorized Parcel Map No. 19246 to be recorded with the Office of the San Bernardino County Recorder.

**9. Approval of the Filing of a *Notice of Completion* for the Montera Elementary School Soccer Field Netting Project; Reduction of *Faithful Performance Bond* to 10 Percent; and Retention of *Payment Bond* for Six Months**

The City Council took the following actions regarding completion of the Montera Elementary School Soccer Field Netting Project:

- (a) Approved the filing of a *Notice of Completion* with the Office of the San Bernardino County Recorder
- (b) Reduced the *Faithful Performance Bond* to 10 percent.
- (c) Retained the *Payment Bond* for six months.

**10. Approval of the Filing of a *Notice of Completion* for the Replacement of Playground Equipment at Alma Hofman Park Project; Reduction of *Faithful Performance Bond* to 10 Percent; and Retention of *Payment Bond* for Six Months**

**Authorization of an Additional \$24,529.27 Construction Contingency for Costs Related to Replacement of Playground Equipment at Alma Hofman Park Project**

The City Council took the following actions regarding completion of the Replacement of Playground Equipment at Alma Hofman Park Project:

- (a) Approved the filing of a *Notice of Completion* with the Office of the San Bernardino County Recorder
- (b) Reduced the *Faithful Performance Bond* to 10 percent.
- (c) Retained the *Payment Bond* for six months.
- (d) Authorized an additional \$24,529.27 construction contingency for costs related to the Replacement of Playground Equipment at Alma Hofman Park Project.

**11. Acceptance and Appropriation of Healthy City Sponsorship Funds From the San Bernardino County Department of Public Health**

The City Council accepted and appropriated \$25,000 in Healthy City sponsorship funds from the San Bernardino

County Department of Public Health for personnel and program costs related to creation and promotion of an employee wellness program and community health activities.

### C. Agreements

1. **Approval of *Agreement No. 11-07* With Omnitrans Regarding Services and Maintenance of Passenger Amenities**

The City Council approved *Agreement No. 11-07* with Omnitrans regarding service and maintenance of passenger amenities.

2. **Redevelopment Agency Board of Directors' Approval of *Rehabilitation Grant Agreement Nos. 11-08 Through 11-12* by and Between the City of Montclair Redevelopment Agency and Exterior Housing Improvement Program Participants**

The Redevelopment Agency Board approved *Rehabilitation Grant Agreement Nos. 11-08 through 11-12* by and between the City of Montclair Redevelopment Agency and the five Exterior Housing Improvement Program participants listed on Exhibit A to the agenda report on this item.

3. **Approval of *Agreement No. 11-13* Authorizing the Inland Empire Chapter of the American Red Cross to Provide Emergency Services on Behalf of Individuals and Families Who Are Victims of Disaster**

**Approval of Agreement No. 11-14 Authorizing the Inland Empire Chapter of the American Red Cross to Use the Montclair Community Center as a Mass-Care Shelter**

The City Council approved the following Agreements with the Inland Empire Chapter of the American Red Cross:

(a) *Agreement No. 11-13* authorizing provision of emergency services on behalf of individuals and families who are victims of disaster.

(b) *Agreement No. 11-14* authorizing use of the Montclair Community Center as a mass-care shelter.

4. **Redevelopment Agency Board of Directors' Approval of *Agreement No. 11-15, a Purchase and Sale Agreement* by and Between the City of Montclair Redevelopment Agency and the Lillian B. Reed Revocable Family Trust Dated October 11, 2006, for the Property Located at 5444 Palo Verde Street**

**Authorization of a \$354,000 Appropriate From the Housing Fund for Acquisition and Closing Costs for the Property Located at 5444 Palo Verde Street**

The Redevelopment Agency Board took the following actions related to property located at 5444 Palo Verde Street:

- (a) Approved *Agreement No. 11-15, a Purchase and Sale Agreement* by and between the City of Montclair Redevelopment Agency and the Lillian B. Reed Revocable Family Trust Dated October 11, 2006, for purchase of the subject property.
- (b) Authorized a \$354,000 appropriation from the Housing Fund for acquisition and closing costs.

**5. Redevelopment Agency Board of Directors' Approval of Agreement No. 11-16, a Purchase and Sale Agreement by and Between the City of Montclair Redevelopment Agency and Edward Malinowski and Robert Malinowski Regarding the Multifamily Property Located at 10333 Pradera Avenue**

**Authorization of a \$434,000 Appropriation From the Housing Fund for Property Purchase and Closing Costs for the Multifamily Property Located at 10333 Pradera Avenue**

The Redevelopment Agency Board took the following actions related to the multifamily property located at 10333 Pradera Avenue:

- (a) Approved *Agreement No. 11-16, a Purchase and Sale Agreement* by and between the City of Montclair Redevelopment Agency and Edward Malinowski and Robert Malinowski regarding the subject property.
- (b) Authorized a \$434,000 appropriation from the Housing Fund for acquisition and closing costs.

**D. Resolutions - None**

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

**C. Agreements**

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

**A. City Attorney/Agency Counsel - None**

**B. City Manager/Executive Director**

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

(a) He reminded the Council of the Thayne Appeal Hearing scheduled for this Thursday at 6:00 p.m. in the City Council Chambers.

(c) He reminded the Council of the Strategic Planning Session on Tuesday, February 1, 2011, at 2:00 p.m. in the Senior Center.

(e) He

**C. Mayor/Chairman**

1. Mayor/Chairman Eaton commented as follows:

(a) He

(b) He

(c) He

(d) He

**D. City Council/Agency Board**

1. Mayor Pro Tem/Vice Chairperson Raft commented as follows:

(a) She

(b) She

(c) She

(d) She

2. Council Member/Director Dutrey commented as follows:

(a) He

(b) He

(c) He

(d) He

(e) He

3. Council Member/Director Ruh commented as follows:

- (a) He
- (b) He
- (c) He
- (d) He
- (e) He

**E. Committee Meeting Minutes**

**1. Minutes of Personnel Committee Meeting of January 3, 2011**

The City Council received and filed the Personnel Committee meeting minutes of January 3, 2011, for informational purposes.

**XII. APPEAL HEARING**

**A. Appeal Hearing for James Thayn**

Moved by Council Member (Mayor Pro Tem Raft), seconded by Council Member , and carried unanimously to continue this item to an adjourned meeting on Thursday, January 20, 2011, at 6:00 p.m. in the City Council Chambers.

**XIII. STRATEGIC PLANNING SESSION**

**A. Strategic Planning Session**

Moved by Council Member/Director (Mayor Pro Tem/Vice Chairperson Raft), seconded by Council Member/Director , and carried unanimously to continue this item to an adjourned meeting on Monday, February 1, 2011, at 2:00 p.m. in the Senior Center.

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

At : p.m., Mayor Eaton adjourned the City Council to Thursday, January 20, 2011, at 6:00 p.m. in the City Council Chambers.

At : p.m., Mayor/Chairman Eaton adjourned the City Council and Redevelopment Agency Board of Directors to Tuesday, February 1, 2011, at 2:00 p.m. in the Senior Center.

At : p.m., Chairman Eaton adjourned the Montclair Housing Corporation Board of Directors.

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

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Yvonne L. Smith  
Transcribing Secretary