

**MINUTES OF THE REGULAR JOINT MEETING OF THE
MONTCLAIR CITY COUNCIL AND REDEVELOPMENT
AGENCY AND MONTCLAIR HOUSING CORPORATION
BOARDS HELD ON MONDAY, NOVEMBER 21, 2011,
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/Chairman Eaton led those assembled in the Pledge.

IV. ROLL CALL

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairperson Raft; Council Members/Directors Paulitz and Ruh; City Manager/Executive Director Starr; Director of Redevelopment/Public Works Staats; Director of Community Development/Agency Planner Lustro; City/Agency Engineer Hudson; City Attorney/Agency Counsel Robbins; Deputy City Clerk/Agency Secretary Smith

Absent: Council Member/Director Dutrey (excused)

V. PRESENTATIONS

A. Proclamation Declaring that Montclair Strives to Be a Bully-Free Community

Mayor Eaton presented Captain deMoet with a proclamation declaring that Montclair strives to be a bully-free community.

Captain deMoet accepted the proclamation and thanked Mayor Eaton.

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

Moved by Council Member/Director Ruh, seconded by Mayor Pro Tem/Vice Chairperson Raft, and carried to approve the following Consent Items as presented:

A. Approval of Minutes

1. Minutes of the Adjourned Joint Council/Agency Board Meeting of November 7, 2011

The City Council and Redevelopment Agency Board of Directors approved the minutes of the November 7, 2011 adjourned joint meeting.

2. Minutes of the Regular Joint Council/Agency Board/MHC Board Meeting of November 7, 2011

The City Council and Redevelopment Agency and Montclair Housing Corporation Boards of Directors approved the minutes of the November 7, 2011 regular joint meeting.

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 October 31, 2011.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated November 21, 2011, totaling \$1,224,506.84; the Payroll Documentation dated October 9, 2011, amounting to \$597,444.75, with \$431,842.76 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 October 31, 2011.

4. Approval of Agency Warrant Register

The Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 10.01.11-10.31.11 in the amounts of \$3,894.21 for Project I; \$0.00 for Project II; \$58,772.15 for Project III; \$30,631.31 for Project IV; 60,011.90 for Project V; and \$750.00 for the Mission Boulevard Joint Redevelopment Project.

5. Receiving and Filing of MHC Treasurer's Report

The MHC Board received and filed the MHC Treasurer's Report for the month ending October 31, 2011.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 10.01.11-10.31.11 in the amount of \$27,482.64.

7. 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 for Completion of the Mission Boulevard Improvement Phase 9 Project

Release of Retention 30 Days After Recordation of Notice of Completion

The City Council approved the following actions related to completion of the Mission Boulevard Improvement Phase 9 Project:

- (a) The 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 *Payment Bond* for six months.
- (d) Release of retention 30 days after recordation of *Notice of Completion*.

8. Approval of Fiscal Year 2011-12 Recommendations for the Schedule of Community Benefits Funding

The City Council approved the following recommendations for Fiscal Year 2011-12 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	\$ 1,250
House of Ruth	1,250
Inland Hospice Association	1,250
Montclair Community Collaborative	1,250
Montclair Meals on Wheels	1,250
Pomona Valley Workshop	1,250
Project Sister	1,250
Visiting Nurse Association	<u>1,250</u>
TOTAL	<u>\$10,000</u>

C. Agreements

- 1. Termination of *Agreement No. 11-131* With Econolite Traffic Engineering and Maintenance, Inc., Assigning *Signal Maintenance Agreement No. 09-58* to Aegis ITS, Inc., and Authorization for City Manager Starr to Sign the *Assignment Agreement***

The City Council terminated *Agreement No. 11-131* with Econolite Traffic Engineering and Maintenance, Inc., assigning *Signal Maintenance Agreement No. 09-58* to Aegis ITS, Inc., and authorizing City Manager Starr to sign the *Assignment Agreement*.

- 2. Approval of *Agreement No. 11-132* With Ontario-Montclair School District to Administer an Immunization Program for Students and Their Families**

The City Council approved *Agreement No. 11-131* with the Ontario-Montclair School District to administer an immunization program for students and their families.

D. Resolutions

- 1. Adoption of Resolution No. 11-19 Amending the Enforceable Obligation Payment Schedule**

The City Council adopted Resolution No. 11-19 amending the Enforceable Obligation Payment Schedule.

IX. PULLED CONSENT CALENDAR ITEMS - None

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

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

Agency: City of Montclair

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

City Attorney Robbins requested a Closed Session pursuant to Government Code Section 54957.6 on the above matter.

B. City Manager/Executive Director – No comments

C. Mayor/Chairman – No comments

D. City Council/Agency Board

1. Council Member Ruh commented as follows:
 - (a) He announced the City's annual Tree-Lighting Ceremony and visit with **Mr. and Mrs. Claus** would be held Thursday, December 1, 2011, at 7:00 p.m. in front of the Youth Center. He expressed his hope for nice weather that evening and his appreciation of the Community Action Committee, Assistant Director of Human Services Richter, and Human Services Division staff for their efforts to "keep this tradition going. It is a wonderful tradition, and we want to continue it as long as we can."
 - (b) He noted the **2011 Metrolink Holiday Toy Express** will arrive in Montclair at 5:00 p.m. on Saturday, December 3, 2011, advising that those wishing to attend should arrive early because the event is generally very crowded.

Mayor Eaton encouraged all attendees to bring an unwrapped gift for the **ABC7** and firefighters' **"Spark of Love Toy Drive 2011."**
 - (c) He noted his attendance at the "very nice" Montclair City Employees Association "Winter Wonderland" holiday party last Friday. He noted it was good to have an opportunity to meet with employees and their families.
 - (d) He cited a "very good" article in the November 14, 2011, ***Inland Valley Daily Bulletin*** regarding 18 members of the **United Food and Commercial Workers (UFCW), Local 1428**, who occupied two classrooms at **Kingsley Elementary School** to pack socks and toiletries to help 100 residents in addition to packing bright yellow bags of food and gift certificates for shoes; flu shots were provided for children and family members. He noted this activity was all part of the union's "Day of Service" to thank local communities for their support during the union's recent eight months of negotiations, adding that **Kingsley Elementary School** Assistant Principal **Ron Dietzman** stated that **UFCW Local 1428** has partnered with the school for nearly 15 years providing students'

families with prepackaged meals for Thanksgiving and toys for Christmas. He stated, "I really salute those members of our community who are involved with that. I appreciate what they are doing for this community."

- (e) On behalf of those in the audience too young to remember, he noted tomorrow will mark the 48th anniversary of the assassination of **President John F. Kennedy (JFK)**. He stated, "No matter what you may think of [JFK's] presidency, his father, his family, his politics, or his personal life, his assassination remains a very sobering moment in time and is a wound, in my opinion, that this country has never fully recovered from. I don't believe for any political figure—any public figure—that a bullet takes the place of a ballot. If you don't like something, we should, in this country, do what we traditionally do: Use the ballot box. It's a moment that I know many of a certain generation always remember and have etched in their minds. I think it's always good to remember."
- (f) He noted Thanksgiving "is a time for our families to get together. We rejoice, we celebrate with them, we do things together." He stated that he "is reminded of [the following] Australian Aborigine proverb that says a lot about Thanksgiving and home and family, which is so important in the world in which we live and why it is important to give thanks:"

We are all visitors to this time and this place. We are just passing through. Our purpose here is to observe, to learn, to grow, to love, and then to return home.

Council Member Ruh advised that the foregoing proverb "is a wonderful sentiment for this season, so may everybody have a wonderful Thanksgiving at home with your family. May we continue to do wonderful work. The good of this community depends on everybody here, and I am thankful for all of our employees, our families, everybody here that makes this community a very good place to call home."

- 2. Mayor Pro Tem/Vice Chairperson Raft commented as follows:
 - (a) She told Council Member Ruh, "I could not have said it any better. I would like to wish everyone a very happy and a very safe Thanksgiving holiday."
 - (b) She noted she, too, was going to remark on the Tree-Lighting Ceremony next Thursday.
 - (c) She stated that the children are so thrilled with the arrival of the **Metrolink Holiday Toy Express** every year. She noted the event grows ever larger with each passing year and expressed her hope for an even a greater attendance this year than last.
 - (d) She wished "our dear Mayor a very Happy Birthday with many more to come."

Mayor Eaton thanked Mayor Pro Tem Raft.

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of May 19, 2011

The City Council received and filed the Personnel Committee meeting minutes of May 19, 2011, for informational purposes.

2. Minutes of Personnel Committee Meeting of November 7, 2011

The City Council received and filed the Personnel Committee meeting minutes of November 7, 2011, for informational purposes.

XII. COUNCIL/AGENCY WORKSHOP

A. Montclair Community Garden

Moved by Council Member/Director Paulitz, seconded by Council Member/Director Ruh, and carried to continue this item to an adjourned joint meeting on Monday, December 5, 2011, at 5:45 p.m. in the City Council Chambers.

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

At 7:08 p.m., Chairman Eaton adjourned the Redevelopment Agency Board of Directors to 5:45 p.m. on Monday, December 5, 2011, in the City Council Chambers.

At 7:08 p.m., Chairman Eaton adjourned the Montclair Housing Corporation Board of Directors.

At 7:08 p.m., the City Council went into Closed Session regarding conference with designated labor negotiator pursuant to Section 54957.6 of the Government Code.

XIV. CLOSED SESSION ANNOUNCEMENTS

At 7:44 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.

XV. ADJOURNMENT OF CITY COUNCIL

At 7:45 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