

**MINUTES OF THE REGULAR JOINT MEETING OF
THE MONTCLAIR CITY COUNCIL AND SUCCESSOR
AGENCY, MONTCLAIR HOUSING CORPORATION,
AND MONTCLAIR HOUSING AUTHORITY BOARDS
HELD ON MONDAY, JUNE 18, 2012, 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. 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 Marc S. Anthony Jr., Abiding Love Family Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Ruh 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 Redevelopment/Public Works Staats; Director of Community Development Lustro; City Engineer Hudson; City Attorney Robbins; Deputy City Clerk Smith

V. PRESENTATIONS - None

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS

A. Adoption of Resolution No. 12-2952 Approving, Authorizing, and Directing Execution of Agreement No. 12-55, an Associate Membership Agreement With the Independent Cities Finance Authority, and Approving the Issuance of Bonds By the Independent Cities Finance Authority to Refinance Previously Issued Mobile Home Park Revenue Bonds for Villa Montclair

Mobile Home Park, Monterey Manor Mobile Home Estates, and Hacienda Mobile Home Park

Adoption of Resolution No. 12-01, a Resolution of the Montclair Housing Authority Approving, Authorizing, and Directing Execution of (A) Directions to Redeem Prior Bonds Issued By the City of Montclair Redevelopment Agency to Assist in Financing the Villa Montclair Mobile Home Park, Monterey Manor Mobile Home Estates, and Hacienda Mobile Home Park; (B) Releases of Regulatory Agreement No. 99-49 Regarding Villa Montclair Mobile Home Park, Release Of Regulatory Agreement No. 00-125 Regarding Monterey Manor Mobile Home Estates, and Release of Regulatory Agreement No. 02-144 Regarding Hacienda Mobile Home Park and Declarations of Restrictive Covenants Recorded on the Projects in Connection With the Issuance of the Prior Bonds; (C) Assignment and Assumption Agreement No. 12-56 Regarding Villa Montclair Mobile Home Park, Assignment and Assumption Agreement No. 12-57 Regarding Monterey Manor Mobile Home Estates, and Assignment and Assumption Agreement No. 12-58 Regarding Hacienda Mobile Home Park With Respect to the Assignment of Certain Loans Previously Made By the City of Montclair Redevelopment Agency to Augusta Communities LLC as the New Owner of the Project; and (D) Subordination Agreement No. 12-59 Regarding Villa Montclair Mobile Home Park, Subordination Agreement No. 12-60 Regarding Monterey Manor Mobile Home Estates, and Subordination Agreement No. 12-61 Regarding Hacienda Mobile Home Park With Respect to Such Loans Previously Made By the City of Montclair Redevelopment Agency

Mayor Eaton declared it the time and place set for a public hearing to consider the following items:

1. Adoption of Resolution No. 12-2952 approving, authorizing, and directing execution of Agreement No. 12-55, an Associate Membership Agreement with the Independent Cities Finance Authority, and approving the issuance of bonds by the Independent Cities Finance Authority to refinance previously issued Mobile Home Park Revenue Bonds for Villa Montclair Mobile Home Park, Monterey Manor Mobile Home Estates, and Hacienda Mobile Home Park and invited comments from the public.
2. Adoption of Resolution No. 12-01, a Resolution of the Montclair Housing Authority approving, authorizing, and directing execution of (A) Directions to Redeem Prior Bonds Issued By the City of Montclair Redevelopment Agency to

assist in financing the Villa Montclair Mobile Home Park, the Monterey Manor Mobile Home Estates, and the Hacienda Mobile Home Park; (B) releases of Regulatory Agreement Nos. 99-49, 00-125, and 12-144 regarding Villa Montclair Mobile Home Park, Monterey Manor Mobile Home Park, and Hacienda Mobile Home Park, respectively, and Declarations of Restrictive Covenants recorded on the projects in connection with the issuance of the prior bonds; (C) Assignment and Assumption Agreement Nos. 12-56, 12-57, and 12-58 regarding Villa Montclair Mobile Home Park, Monterey Manor Mobile Home Park, and Hacienda Mobile Home Park, respectively, with respect to assignment of certain loans previously made to by the City of Montclair Redevelopment Agency to Augusta Communities LLC with respect to the assignment of certain loans previously made by the Montclair Redevelopment Agency to Augusta Communities LLC as the new owner of the project; and (D) Subordination Agreement Nos. 12-59, 12-60, and 12-61 regarding Villa Montclair Mobile Home Park, Monterey Manor Mobile Home Park, and Hacienda Mobile Home Park with respect to such loans previously made by the Montclair Redevelopment Agency.

Mayor Eaton 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.

Council Member Dutrey inquired as to the types of capital improvements to be done at Villa Montclair Mobile Home Park, Monterey Manor Mobile Home Estates, and Hacienda Mobile Home Park should this item concerning refinancing debt at a lower interest rate be approved.

Ms. Suzanne Taylor, Executive Director, Augusta Communities, 925 Westridge Court, Upland, advised that Augusta Communities LLC is proposing to implement a ten-year capital improvement fund should this item be approved. She noted the fund would pay for common area improvements including street, underground utilities, clubhouse, swimming pool, and major landscaping. She noted the debt refinancing would be to the Montclair Housing Authority's advantage because it would significantly improve cash flow, and the Residual Receipt Loans related to the Affordable Housing Agreements would provide additional security for the affordability provisions of the Agreements.

Council Member Dutrey received confirmation from **Ms. Taylor** that Augusta Homes/Communities began acquiring the three parks ten years ago. He noted he has received positive feedback from

some of the mobile home park residents on the improvements that have been made by Augusta Homes/Communities and that he has witnessed the newly paved streets and common area enhancements himself during his visits to the parks over the years. He told **Ms. Taylor**, "You are doing a very good job there."

Ms. Taylor introduced Program Manager **Chrissy Gienapp**, one of two new staff members recently added, who manages the summer camps that are held for two weeks at each park. She noted campers are eligible to attend camps at each of the parks. She stated that Augusta hopes to be able to expand these community social programs with the increased cash flow from the proposed debt refinancing. She noted staff would be meeting with representatives from each park to determine each park's capital improvement priorities to include in the new Indenture.

Council Member Paulitz inquired as to the disposition of the funds if the outstanding loans are repaid.

Director of Redevelopment/Public Works Staats advised that the Residual Receipt Loans would be repaid and that the Department of Finance (DOF) would be able to sweep those funds if the DOF trailer bill is approved.

Council Member Paulitz noted his efforts in defense of the City's Mobile Home Rent Regulation Ordinance when it was contested in litigation over a number of years. He noted he was pleased with the former Redevelopment Agency's assistance to Augusta Homes in its acquisition of the three parks. He stated that all the residents he has spoken with are very pleased with Augusta's proficient management as well as with all the improvements over the years. He stated, "It is a big improvement over what it was."

Council Member Ruh asked how the City could be assured the Independent Cities Finance Authority would enforce the affordability covenants.

Director of Redevelopment/Public Works Staats advised that the Affordable Housing Agreements would still be in place, with the main enforcement tool being the affordability information provided by Augusta Communities. She noted affordability has not been an issue thus far; and if it were, it would be a matter of litigation.

Ms. Taylor noted the Affordable Housing Agreements were always subordinate to the original bond issue and would remain in place. She added that the increased cash flow would allow for quicker repayment of the Agreements and put more emphasis on providing affordability to the residents.

Director of Redevelopment/Public Works Staats added that the residual receipts loans remain in the same position they were before and that everything is always subordinate to repaying the bondholders.

Mayor Pro Tem Raft stated that she is pleased the residents are involved in deciding the types of capital improvements they would like to have done. She noted friends of hers who reside in these mobile home parks are quite pleased with all the improvements that have been made. She added that the improvements she has seen over the years "are looking very good."

Ms. Taylor noted the parks initially had very active resident groups, and that the fervor has dissipated as concerns were addressed. She noted Augusta is interested in reengaging resident participation in resident programs and community service.

Council Member Ruh suggested **Ms. Taylor** contact him for community service ideas.

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

1. Resolution No. 12-2952, entitled, "**A Resolution of the City Council of the City of Montclair Approving, Authorizing, and Directing Execution of Agreement No. 12-55, an Associate Membership Agreement With the Independent Cities Finance Authority, and Approving the Issuance of Bonds By the Independent Cities Finance Authority to Refinance Previously Issued Mobile Home Park Revenue Bonds for Villa Montclair Mobile Home Park, Monterey Manor Mobile Home Estates, and Hacienda Mobile Home Park,**" be read by number and title only, further reading be waived, and it be declared adopted.
2. Resolution No. 12-01, entitled, "**A Resolution of the Montclair Housing Authority Approving, Authorizing, and Directing Execution of (A) Directions to Redeem Prior Bonds Issued By the City of Montclair Redevelopment Agency to Assist in Financing the Villa Montclair Mobile Home Park, the Monterey Manor Mobile Home Estates, and the Hacienda Mobile Home Park; (B) Release of Regulatory Agreement No. 99-49 Regarding Villa Montclair Mobile Home Park, Release of Agreement No. 00-125 Regarding Monterey Manor Mobile Home Estates, Release of Agreement No. 02-144 Regarding Hacienda Mobile Home Park and Declarations of Restrictive Covenants Recorded on the Projects in Connection With the Issuance of the Prior Bonds; (C) Assignment and Assumption Agreement**"

No. 12-56 Regarding Villa Montclair Mobile Home Park, Assignment and Assumption Agreement No. 12-57 Regarding Monterey Manor Mobile Home Estates, and Agreement No. 12-58 Regarding Hacienda Mobile Home Park With Respect to the Assignment of Certain Loans Previously Made By the Montclair Redevelopment Agency to Augusta Communities LLC as the New Owner of the Project; and (D) Subordination Agreement No. 12-59 Regarding Villa Montclair Mobile Home Park, Subordination Agreement No. 12-60 Regarding Monterey Manor Mobile Home Estates, and Subordination Agreement No. 12-61 Regarding Hacienda Mobile Home Park With Respect to Such Loans Previously Made by the City of Montclair Redevelopment Agency," be read by number and title only, further reading be waived, and it be declared adopted.

The City Council and Montclair Housing Authority Board of Directors unanimously waived the reading of both Resolutions.

City Council Resolution No. 12-2952 and Montclair Housing Authority Resolution No. 12-01 were unanimously adopted by the following vote:

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

At this time, Mayor Eaton invited **Ms. Reba Urquizo** to come forward to comment.

Ms. Reba Urquizo, 5205 San Bernardino Street, Montclair, inquired as to the disposition of the cash she found three months ago at the **Stater Bros.**, Montclair shopping center and turned in to the Police Department.

City Manager Starr advised **Ms. Urquizo** he would look into the matter and to provide him with her contact information.

Ms Urquizo thanked City Manager Starr.

VIII. CONSENT CALENDAR

Council Member Paulitz requested that Items C-1 and C-5 be removed from the Consent Calendar for comment.

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

A. Approval of Minutes

1. Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Board Meeting of June 4, 2012

The City Council, City Council acting as successor to the Redevelopment Agency Board of Directors, and Montclair Housing Corporation Board of Directors approved the minutes of the June 4, 2012 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 May 31, 2012.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated June 18, 2012, totaling \$887,957.29, and the Payroll Documentation dated May 6, 2012, amounting to \$582,032.52, with \$410,359.93 being the total cash disbursement.

3. Receiving and Filing of Successor Agency Treasurer's Report

The City Council acting as successor to the Redevelopment Agency Board received and filed the Agency Treasurer's Report for the month ending May 31, 2012.

4. Approval of Successor Agency Warrant Register

The City Council acting as successor to the Redevelopment Agency Board approved the Redevelopment Agency Warrant Register dated 5.01.12-5.31.12 in the amounts of \$128.02 for Project I; \$0.00 for Project II; \$4,399,758.49 for Project III; \$662,586.02 for Project IV; \$478,332.01 for Project V; and \$2,277,939.72 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 May 31, 2012.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 5.01.12-5.31.12 in the amount of \$103,559.11.

7. Authorizing the Mayor to Sign an Easement Document Granting an Easement to Southern California Edison for Electrical Facilities on City Property at Fire Station No. 1

The City Council authorized the Mayor to sign an easement document granting an easement to Southern California Edison for electrical facilities on City property at Fire Station No. 1.

C. Agreements

2. Approval of *Agreement No. 12-50* With San Bernardino County Service Area 70 Consolidated Fire District for a Household Hazardous Waste Collection Facilities Program

The City Council approved *Agreement No. 12-50* with San Bernardino County Service Area 70 Consolidated Fire District for a Household Hazardous Waste Collection Facilities Program.

3. Approval of *Agreement No. 12-51* With Liebert Cassidy Whitmore for Participation in the East Inland Empire Employment Relations Consortium

The City Council approved *Agreement No. 12-51* with Liebert Cassidy Whitmore for participation in the East Inland Empire Employment Relations Consortium.

4. Approval of *Agreement No. 12-52* With the San Bernardino County Department of Aging and Adult Services to Support the Senior Citizen Transportation Program

The City Council approved *Agreement No. 12-52* with the San Bernardino County Department of Aging and Adult Services to support the Senior Citizen Transportation Program.

6. Approval of *Agreement No. 12-54* With Nutrition Ink to Provide Nutrition Education Services for the City's Senior Citizen Nutrition Program

The City Council approved *Agreement No. 12-54* with Nutrition Ink to provide nutrition education services for the City's Senior Citizen Nutrition Program.

D. Resolutions

1. Adoption of Resolution No. 12-2947 Authorizing Approval of the Change in Population in San Bernardino County During 2011 for the Purpose of Calculating the Gann Spending Limit for Fiscal Year 2012-13

The City Council adopted Resolution No. 12-2947 authorizing approval of the change in population in San Bernardino County during 2011 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2012-13.

2. **Adoption of Resolution No. 12-2948 Authorizing Approval of the Percentage Change in Montclair Residential New Construction During Fiscal Year 2010-11 as the Final Fiscal Year 2010-11 Change in the Cost-of-Living Factor for Use in Calculating the Gann Spending Limit for Fiscal Year 2011-12 and Provisional Adoption of the Percentage Change in California Per Capita Personal Income During Calendar Year 2011 as the Change in the Cost-of-Living Factor for Fiscal Year 2011-12 for Use in Calculating the Gann Spending Limit for Fiscal Year 2012-13**

The City Council adopted Resolution No. 12-2948 authorizing approval the percentage change in Montclair residential new construction during Fiscal Year 2010-11 as the final Fiscal Year 2010-11 change in the cost-of-living factor for use in calculating the Gann Spending Limit for Fiscal Year 2011-12 and provisional adoption of the percentage change in California per capita personal income during Calendar Year 2011 as the change in the cost-of-living factor for Fiscal Year 2011-12 for use in calculating the Gann Spending Limit for Fiscal Year 2012-13.

3. **Adoption of Resolution No. 12-2949 Establishing an Appropriations Limit for Fiscal Year 2012-13 Pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code**

The City Council adopted Resolution No. 12-2949 establishing an appropriations limit for Fiscal Year 2012-13 pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code.

4. **Adoption of Resolution No. 12-2955 Declaring the City's Intent to Vacate the Alley East of Mills Avenue Between Bonnie Brae Street and San Jose Street**

Setting a Public Hearing to Consider the Vacation of the Alley East of Mills Avenue Between Bonnie Brae Street and San Jose Street

The City Council took the following actions:

- (a) Adopted Resolution No. 12-2955 declaring the City's Intent to Vacate the Alley East of Mills Avenue Between Bonnie Brae Street and San Jose Street.

- (b) Set a public hearing for Monday, July 16, 2012, at 7:00 p.m. in the City Council Chambers to consider the vacation of the alley east of Mills Avenue between Bonnie Brae Street and San Jose Street.

5. Adoption of Resolution No. 12-2956 Adopting the City of Montclair Fiscal Year 2012-13 Annual Budget

The City Council adopted Resolution No. 12-2956 adopting the City of Montclair Fiscal Year 2012-13 Annual Budget.

6. Adoption of Resolution No. 12-2957 Calling and Giving Notice of the Holding of a General Municipal Election to Be Held on Tuesday, November 6, 2012, for the Election of Certain Officers as Required By the Provisions of the Laws of the State of California Related to General Law Cities

Adoption of Resolution No. 12-2958 Adopting the Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters at an Election to Be Held on Tuesday, November 6, 2012

Adoption of Resolution No. 12-2959 Requesting the Board of Supervisors of the County of San Bernardino to Consolidate a General Municipal Election to Be Held on Tuesday, November 6, 2012, With the Presidential General Election to Be Held on the Date Pursuant to Section 10403 of the California Elections Code

The City Council adopted the following Resolutions:

- (a) Resolution No. 12-2957 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 6, 2012, for the election of certain officers as required by the provisions of the laws of the State of California related to general law cities.
- (b) Resolution No. 12-2958 adopting the regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 6, 2012.
- (c) Resolution No. 12-2959 requesting the Board of Supervisors of the County of San Bernardino to consolidate a General Municipal Election to be held on Tuesday, November 6, 2012, with the Presidential General Election to be held on the date pursuant to Section 10403 of the California Elections Code.

7. Montclair Housing Corporation Board of Directors' Adoption of Resolution No. 12-01 Adopting the Fiscal Year 2012-13 Budget for the Montclair Housing Corporation

The Montclair Housing Corporation Board of Directors adopted Resolution No. 12-01 adopting the Fiscal Year 2012-13 Budget for the Montclair Housing Corporation.

8. Adoption of Resolution No. 12-06, a Resolution of the City of Montclair, Acting as Successor Agency to the City of Montclair Redevelopment Agency, Approving the Successor Agency's Administrative Budgets Pursuant to Health and Safety Code Section 34177(j); Approving Agreement No. 12-49, an Agreement with the City of Montclair for Reimbursement of Costs and City/Successor Agency Operations Loan Pursuant to Health and Safety Code Section 34171; and Making Certain Other Findings in Connection Therewith

The City Council, acting as Successor Agency to the City of Montclair Redevelopment Agency, adopted Resolution No. 12-06, a Resolution of the City of Montclair, acting as Successor Agency to the City of Montclair Redevelopment Agency, approving the Successor Agency's Administrative Budgets pursuant to Health and Safety Code Section 34177(j); approving *Agreement No. 12-49*, an Agreement with the City of Montclair for reimbursement of costs and City/Successor Agency Operations Loan pursuant to Health and Safety Code Section 34171; and making certain other findings in connection therewith.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

1. Approval of *Agreement No. 12-44* Between the City of Montclair and Merchants Building Maintenance for Custodial Services

Council Member Paulitz asked if this item was cleared with the general employees bargaining unit and if the subject employees have been notified.

City Manager Starr advised that custodial employees were notified today of the proposed contracting of custodial services and that discussions have been held with the bargaining group since the City Council took action at the Midyear Budget Review to authorize layoffs after examining all

means available to the City to reduce operating costs. He noted the bargaining group has been notified of the proposed migration.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Raft, and carried unanimously that the City Council approve *Agreement No. 12-44* between the City of Montclair and Merchants Building Maintenance for custodial services.

5. Approval of *Agreement No. 12-53* With Catering Systems, Inc., to Provide Meals for the City's Senior Citizen Nutrition Program

Council Member Paulitz inquired as follows:

- (a) Was a competitive bid process done for the Senior Citizen Nutrition Program catering?

Assistant Director of Human Services Richter noted the City is in its third year of a three-year contract with the County and that the grant amount has not changed, so no adjustments could be made.

Council Member Paulitz spoke in support of the proposed \$2 donation per meal considering the cost per meal is \$3.90.

- (b) When would the new donation amount become effective?

Assistant Director of Human Services Richter answered, "It would start July 1, 2012."

- (c) Would the price for coffee remain the same at \$.25 per cup?

Assistant Director of Human Services Richter answered, "Yes, it would be a quarter."

Council Member Paulitz noted he wants to be informed should participants inquire about the cost increase. He thanked Assistant Director of Human Services Richter for the information.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Raft, and carried unanimously that the City Council approve *Agreement No. 12-53* with Catering Systems, Inc., to provide meals for the City's Senior Citizen Nutrition Program.

X. RESPONSE – None

XI. COMMUNICATIONS

A. **City Attorney** – No comments

B. **City Manager/Executive Director**

1. In follow up to comments made at the last meeting regarding the possibility of the Pomona City Council considering a proposed solid waste transfer station to be located in that community in a public hearing this evening, City Manager/Executive Director Starr advised there is a consent item on the Pomona City Council agenda this evening for a public hearing to be set at the Council's discretion during July 2012.

C. **Mayor/Chairman** – No comments

D. **City Council/Successor Agency Board/MHC Board**

1. Council Member/Director Ruh commented as follows:
 - (a) He recognized Police Officer David Taylor for **Montclair High School** seniors' yearbook dedication to him for being one of their "favorites."
 - (b) He congratulated Police Chaplain Vicki Brobeck on receiving her Doctor of Ministry degree from **Fuller Theological Seminary**.

Mayor Eaton noted Dr. Brobeck commented at her reception that it took her nine years of schooling to reach this point. He commended Dr. Brobeck for all her years of hard work.

Council Member Ruh noted he was, unfortunately, unable to attend the reception because of work.

- (c) He noted the City held a budget workshop last week and that the City was able to balance the next fiscal year budget through staff's efforts, something that is becoming unique and rare throughout the San Gabriel Valley and the Inland Empire. He stated that it is a testimony to the dedication of every employee working for the City of Montclair who has done his or her duty in understanding the sacrifices that have to be made and certainly speaks to the goodwill of this City. He encouraged residents to continue to shop in Montclair because "your dollars come back to this City when you shop here."
- (d) He commended Assistant Director of Human Services Richter for all the wonderful programs offered to our

seniors. He noted he came across a senior Ontario resident at a local supermarket who told him she prefers our senior programs to Ontario's because our staff and program participants are friendlier here!

2. Council Member/Director Dutrey commented as follows:

(a) He noted his attendance at the **San Bernardino Associated Governments** 2nd Annual General Assembly *Pathways to Prosperity* meeting last Thursday and reported the following:

(1) No more freeways will be built in Southern California. The future dictates that as the population continues to grow, residents will live in higher density developments and rely more on mass transit.

(2) Federal transportation funds will be more difficult to come by because of the federal deficit and both parties' philosophies related to fiscal spending. By the same token, Sacramento cannot be relied upon for transportation funding because of the state budget deficit. The Measure I half-cent sales tax and other local tax measures will provide 60 to 70 percent of future transportation funding including funding for mass transit projects.

(3) San Bernardino County adopted a Countywide Vision Statement in June 2011, with one of the elements being improving education to produce an educated workforce leading to job development, taking advantage of career opportunities in a variety of professions including green industries, transportation and logistics, technology, medicine, tourism, and construction. In addition, the County aims to highlight our institutions of higher education while pursuing other high-paying sectors, which will position San Bernardino County to compete nationally and internationally as the global economic recovers.

(b) He noted Mayor Eaton's and his attendance at an event last Friday at **Our Lady of Lourdes Catholic Church** to recognize the departure of **Father Anthony Dao** and Parochial Vicar **Father Mark Bertelli**. He noted a new priest would begin at the parish on July 1, 2012.

(c) He noted the Council's and his receipt of an email from the owners of **Theo's Café** related to a grease trap

issue and that staff is looking into alternatives for the restaurant's owners.

- (d) He noted the Council's action this evening to adopt the Fiscal Year 2012-13 Annual Budget. He spoke of his concerns on the Fire Department's ability to operate three apparatus units as necessary as well as the \$400,000 appropriation in the budget for Fire Department overtime, expressing his opinion that it "is a little low, but I hope that the City Manager keeps an eye on that and will be able to achieve having all three units out there and that if we do have an issue with overtime pay, we will come back at a later date this fiscal year or next fiscal year to increase the overtime pay."

Mayor Eaton asked if other Council Members concur with Council Member Dutrey's request at the conclusion of the Preliminary Budget Review for a report on the status of the paramedic squad vehicle. He reminded Council Members of the City's policy requiring a quorum to approve special reporting requests.

Council Member Paulitz asked for clarification on the subject report.

Council Member Dutrey clarified that he asked that staff provide the Council with a monthly report indicating the number of days the paramedic squad was out of service including the amount of overtime used. He added that in the past, the Council had been provided with quarterly reports on Fire Department activities and calls for service.

Council Member Paulitz asked if the requested information is provided in the budget document.

Council Member Dutrey agreed that it is and reiterated that he requested at the conclusion of the Preliminary Budget Review to be provided with a monthly report.

Council Member Paulitz stated, "I am a little skeptical of that."

Mayor Eaton asked if the Council is in agreement with being provided with a monthly Fire Department report and stated, "I do not think we need it."

Council Member Ruh stated, "I do not care one way or the other."

Council Member Dutrey stated, "What is the purpose of having three apparatus units if only two are going out? We are not providing full service, even though the budget calls for three. Now, we have had a problem here for the last year, I have been told. I have not seen the actual numbers yet, officially. But as of right now, one third of the time the squad vehicle is out of service. Why is that?"

Mayor Eaton stated, "But that is not our fault. That is a decision made by the Fire Chief."

Council Member Dutrey stated, "Well, I did not make a decision. The City Council did not make a decision. The City Manager tells me he did not make a decision." He stated that he originally requested information in December 2011 regarding the Fire Department's decision to keep one vehicle out of service along with how over-time pay was being used and if there was adequate funding for it.

Mayor Eaton reiterated that he is only asking for a majority vote pursuant to City policy regarding Council Member Dutrey's request for information.

Council Member Ruh stated, "It is a moot point with me. Either way, I can get the information if I want it."

Council Member Dutrey stated, "I am very disappointed with the Council making this decision. When someone calls 9-1-1, they expect a fire truck or paramedic to show up." He strongly stated that he requested the subject report on at least three occasions and has yet to receive it.

Mayor Eaton stated, "Well, you are not going to get one now."

Council Member Paulitz suggested Council Member Dutrey discuss the matter with the City Manager privately to get an answer to his request for information.

Council Member Ruh stated, "I can get the information if I want it. If I talk to the City Manager or Chief, I can get that information."

Council Member Dutrey asked, "So, can I have the information tomorrow on how many times the squad vehicle has been out of service since July 1, 2011? I would appreciate that."

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of June 4, 2012

The City Council received and filed the Personnel Committee meeting minutes of June 4, 2012, for informational purposes.

XII. TERMINATION APPEAL HEARING OF GUILLE GHIA PATTON

Moved by Council Member Ruh, seconded by Mayor Eaton, and carried unanimously to continue this item to an adjourned meeting on Wednesday, June 27, 2012, at 6:00 p.m. in the City Council Chambers.

XIII. ADJOURNMENT OF CITY COUNCIL AND SUCCESSOR AGENCY, MONTCLAIR HOUSING CORPORATION, AND MONTCLAIR HOUSING AUTHORITY BOARDS OF DIRECTORS

At 7:40 p.m., Mayor Eaton adjourned the City Council to Wednesday, June 27, 2012, at 6:00 p.m. in the City Council Chambers.

At 7:40 p.m., Chairman Eaton adjourned the Successor Agency, Montclair Housing Corporation, and Montclair Housing Authority Boards of Directors.

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

Yvonne L. Smith
Deputy City Clerk