

MINUTES OF THE REGULAR JOINT MEETING OF
THE MONTCLAIR CITY COUNCIL AND SUCCESSOR
AGENCY AND MONTCLAIR HOUSING CORPORATION
BOARDS HELD ON TUESDAY, SEPTEMBER 4, 2012,
AT 7:01 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 7:01 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 Vicki Brobeck, Grace Fellowship Foursquare 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 Dutrey and Ruh; City Manager/Executive Director Starr; Deputy City Manager/Executive Director of Economic Development Staats; Director of Community Development Lustro; City Engineer Hudson; City Attorney Robbins; Deputy City Clerk Smith

Absent: Council Member/Director Paulitz (excused)

V. PRESENTATIONS

A. Introduction of New Employees

Police Chief Jones introduced Reserve Police Officer Nicholas Lopez, who was sworn in on June 25, 2012. He noted Reserve Officer Lopez enlisted in the **United States Army** in 2006 and was deployed to Afghanistan in 2009 to serve in *Operation Enduring Freedom*. After receiving an honorable military discharge in 2010, he stated that Reserve Officer Lopez returned home and attended the **San Bernardino County Sheriff's Academy**, graduating in December 2011. He noted Reserve Officer Lopez remains devoted to military service as an active reservist in an **Army Airborne** unit

in San Diego while working full time as a Guest Safety Officer at **Pala Casino**, northern San Diego County.

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

Police Chief Jones introduced part-time Data Entry Clerk Jamie Gering, who was appointed to her position effective July 2, 2012. He noted Data Entry Clerk Gering earned an Associate's degree from **Mt. San Antonio College** in 2008 and received a Bachelor's degree in Liberal Studies with a minor in Multicultural Leadership from **California State Polytechnic University, Pomona**. Prior to her appointment, she worked as a Learning Leader at **Moreno Elementary School**, he added.

Mayor Eaton welcomed Data Entry Clerk Gering to the Montclair City family and presented her with a City pin.

Police Chief Jones introduced part-time Data Entry Clerk Kendra Reed, who was appointed to her position effective August 20, 2012. He noted Data Entry Clerk Reed earned three Associate of Arts degrees in General Education, Sociology/Behavior, and Liberal Arts and Science in 2009 and later earned a Bachelor of Arts degree in Criminal Justice from **California State University, San Bernardino**. He noted her most recent employment include Child Care Assistant with the **Etiwanda School District** and **PetSmart®** dog bather.

Mayor Eaton welcomed Data Entry Clerk Reed to the Montclair City family and presented her with a City pin.

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

Council Member Dutrey requested Items B-1 and C-3 be removed from the Consent Calendar for comment.

Moved by Council Member/Director Dutrey, 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 Regular Joint Council/Successor Agency Board/MHC Board Meeting of August 20, 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 August 20, 2012 regular joint meeting.

B. Administrative Reports

2. Authorization to Purchase a Replacement 2012 Ford F-450 Roadline Stencil Truck and Paint Pump Assembly With Approved Funds

The City Council authorized purchase of a replacement Ford F-450 Roadline Stencil Truck and Paint Pump Assembly with budgeted Gas Tax and Equipment Replacement funds.

3. Approval of *Notice of Completion* for the Senior Center Security Fencing Project and the Filing of Said Notice With the Office of the San Bernardino County Recorder

Authorization of an \$11,890.32 Appropriation From the Park Development Fund

The City Council took the following actions related to the Senior Center Security Fencing Project:

- (a) Approved the *Notice of Completion* and the filing of said notice with the Office of the San Bernardino County Recorder.
- (b) Authorized an \$11,890.32 appropriation from the Park Development Fund.

4. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated September 4, 2012, totaling \$2,215,072.23, and the Payroll Documentation dated July 15, 2012, amounting to \$550,936.66, with \$386,198.37 being the total cash disbursement.

C. Agreements

1. Approval of *Agreement No. 12-78*, the First Amendment to *Agreement No. 12-44* With Merchants Building Maintenance Regarding Custodial Services for the Kids Station Facility and the Community Center

The City Council approved *Agreement No. 12-78*, the First Amendment to *Agreement No. 12-44* with Merchants Building Maintenance regarding custodial services for the Kids Station facility and the Community Center.

2. **Approval of *Agreement No. 12-80* With California State Polytechnic University, Pomona, to Implement a Field Internship Program at the Montclair Medical Clinic**

The City Council approved *Agreement No. 12-80* with California State Polytechnic University, Pomona, to implement a field internship program at the Montclair Medical Clinic.

4. **Approval of *Agreement No. 12-86* With The Liquidation Company for Sale of Surplus and Unclaimed Property**

The City Council approved *Agreement No. 12-86* with The Liquidation Company for sale of surplus and unclaimed property.

5. **Approval of *Agreement No. 12-87* With the California Highway Patrol for Use of Montclair Police Department Firearms Shooting Range**

The City Council approved *Agreement No. 12-87* with the California Highway Patrol for use of Montclair Police Department firearms shooting range.

6. **Approval of *Agreement Nos. 12-88, 12-89, and 12-90* With Montclair Golden Girls Softball League and All Cities Youth Baseball, Respectively, for Use of Ball Field Facilities**

The City Council approved *Agreement Nos. 12-88, 12-89, and 12-90* with Montclair Golden Girls Softball League and All Cities Youth Baseball, respectively, for use of ball field facilities.

7. **Approval of *Agreement No. 12-92* With the Hope through Housing Foundation to Continue Providing After-School Program at San Antonio Vista Apartments**

The City Council approved *Agreement No. 12-92* with the Hope Through Housing Foundation to continue providing an After-School Program at San Antonio Vista Apartments.

D. **Resolutions - None**

IX. **PULLED CONSENT CALENDAR ITEMS**

B **Administrative Reports**

1. **Authorization to Purchase Three 2013 Ford Explorers and One 2013 Ford Taurus From Fritts Ford Fleet Center**

Council Member Dutrey asked for clarification on this item.

Police Chief Jones advised that it was staff's intent to replace the discontinued Ford Crown Victoria Police Interceptors with Chevrolet Caprice patrol vehicles that have spacious interiors; unfortunately, Mark Christopher Chevrolet dropped the order and it would take another six to eight months to receive the 2014 models. He noted the California Highway Patrol will be using Ford Explorers for future patrol vehicles.

Moved by Council Member Dutrey and seconded by Council Member Ruh that the City Council authorize purchase of three 2013 Ford Explorers and one 2013 Ford Taurus from Fritts Ford Fleet Center to replace three Police Department vehicles.*

Council Member Ruh noted reading several articles about a lag in production of the Caprice model.

Council Member Dutrey noted his inquiry stems from the fact that several years ago, Sergeants were concerned about their sport utility vehicles flipping over at high speeds. He stated that the Ford Explorer is no doubt a safer vehicle.

*Motion carried as follows:

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

C Agreements

3. Approval of Agreement No. 12-84 Ratifying the Terms and Conditions of Employment Between the City of Montclair and Executive Management Employees

Council Member Dutrey asked for clarification on the revisions to Articles 6, "Compensation," 13, "Leaves."

City Manager Starr noted the following changes to proposed Agreement No. 12-84:

Article 6, Section 6.01, "Wages": Addition of the language "No salary increases granted for Fiscal Year 2012-13."

Article 13, Section C, "Redemption of Sick Leave Hours Upon Retirement," subsection 3, second paragraph: Changing the redemption on the hours up to three years prior to retirement from 2.25 hours to 2 hours for 1 hour of exchange.

Council Member Dutrey asked if future agenda reports regarding revisions to the terms and conditions of employment could provide more detail on the actual changes.

Moved by Council Member Dutrey, seconded by Mayor Pro Tem Raft, and carried that the City Council approve *Agreement No. 12-84* ratifying the terms and conditions of employment between the City of Montclair and executive management employees.

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney

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 withdrew her request for a Closed Session regarding the above matter.

B. City Manager/Executive Director

1. City Manager Starr reminded the City Council and community that **Planning Commissioner Maynard Lenhart's** memorial service is on Thursday, September 6, 2012, at 1:30 p.m. at **Bethany Baptist Church**, 9950 Monte Vista Avenue, with a reception to follow at the Montclair Community Center. He stated that **Maynard** was a very active member of the Montclair community; not only did he serve on the Planning Commission for several decades, he was also an elected member of the **Monte Vista Water District Board** and an appointed member of the **West Valley Mosquito and Vector Control District**.

C. Mayor/Chairman - No comments

D. City Council/Successor Agency Board/MHC Board

1. Council Member/Director Dutrey commented as follows:

(a) He noted correspondence was mailed to the **County of San Bernardino** on August 21, 2012, regarding **Déjà Vu**, 5282 West Mission Boulevard, Ontario, and asked that staff apprise the City Council of the outcome of the impending expiration of the settlement agreement

between the County and business owner and proposed new uses for the site.

City Manager Starr answered, "We certainly will. We are in disagreement with the proposed alternative use for the site, and we will resist that."

Council Member Dutrey expressed his understanding that the review process is strictly administrative and that **Fourth District Supervisor Ovitt's** office is aware of the alternative use that is proposed.

City Manager Starr answered, "Yes, it certainly is."

- (b) He recognized Mayor Eaton for his leadership and guidance over the past eight years as the **San Bernardino Associated Governments'** appointee to the **Metro Gold Line Phase II Joint Powers Authority**, noting extension of the Gold Line to Montclair has been of primary importance to the City. He noted elected officials from eastern Los Angeles County foothill communities have urged Governor Brown to veto **Assembly Bill 1446**, the legislation necessary to place the Measure R extension on the November ballot, because the **Los Angeles County Metropolitan Transportation Authority** has excluded additional funding for the next phase of the Gold Line extension to Claremont. He advised that **Assembly Member Torres** has introduced **AB 1600** that provides for extension of the Gold Line to Montclair. He expressed his opinion that "we will see the Gold Line here one day in Montclair. I think it is going to happen because there is enough support from the State Legislature and our Congressional representatives to make this project a reality. It may take a little longer to get here, but it will get here."

Mayor Eaton concurred that the Gold Line will soon arrive in Montclair, "though we do not know exactly when."

Council Member Ruh advised that "the Governor has signed **AB 1600**, which officially makes Montclair the terminus for the Gold Line. We appreciate **Assembly Member Torres's** efforts and the Governor for signing the legislation, which will help propel more funding our way."

- (c) He stated that he is pleased that the State Legislature is out of session, so there will be no further "damage" between now and December 2012.

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of August 20, 2012

The City Council received and filed the Personnel Committee meeting minutes of August 20, 2012, for informational purposes.

XII. ADJOURNMENT OF CITY COUNCIL AND SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS

At 7:21 p.m., Mayor/Chairman Eaton adjourned the City Council and Successor Agency and Montclair Housing Corporation Boards of Directors.

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

Yvonne L. Smith
Deputy City Clerk