

MINUTES OF THE REGULAR JOINT MEETING OF THE
MONTCLAIR CITY COUNCIL, SUCCESSOR AGENCY AND
MONTCLAIR HOUSING CORPORATION BOARDS, AND
MONTCLAIR HOUSING AUTHORITY COMMISSIONERS
HELD ON MONDAY, MARCH 18, 2013, 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 Vicki Brobeck, Grace Fellowship Foursquare Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Paulitz led those assembled in the Pledge.

IV. ROLL CALL

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairman Ruh; Council Members/Directors Paulitz, Raft, and Dutrey; City Manager/Executive Director Starr; Deputy City Manager/Executive Director of Economic Development Staats; Director of Community Development Lustro; Director of Public Works Hudson; Finance Director Parker; City Attorney Robbins; Deputy City Clerk Smith

V. PRESENTATIONS

A. Introduction of New Employees

Executive Director of Public Safety Jones introduced **Mr. Christian Shaw**, who was appointed to the position of Police Officer effective February 11, 2013. He noted Officer Shaw, inspired by his father who worked in law enforcement, attended the **San Bernardino County Sheriff's Academy** as a pre-service recruit in July 2012 and graduated in December 2012.

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

Executive Director of Public Safety Jones introduced **Mr. Jeffrey Wheeler**, who was appointed to the position of Police Officer

effective February 25, 2013. He noted Officer Wheeler received a Bachelor of Science degree in Biology from **California State Polytechnic University, Pomona**, in 2004, after which he worked as a biologist and owned his own business. He stated that Officer Wheeler, inspired by his grandfather to serve the community, attended and graduated third in his class from the **Ben Clark Public Safety Training Center Basic Academy**, Riverside, in August 2012.

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

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

Moved by Mayor Pro Tem/Vice Chairman Ruh, seconded by Council Member/Director 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 Commission Meeting of February 19, 2013

The City Council, City Council acting as successor to the Redevelopment Agency Board of Directors, Montclair Housing Corporation Board of Directors, and Montclair Housing Authority Commissioners approved the minutes of the February 19, 2013 regular 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 February 28, 2013.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated March 18, 2013, totaling \$1,203,607.10 and the Payroll Documentation dated February 10, 2013, amounting to \$593,755.53, with \$414,952.42 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 February 28, 2013.

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 2.01.13-2.28.13 in the amounts of \$26,675.13 for Project I; \$0.00 for Project II; \$708,109.16 for Project III; \$30,001.95 for Project IV; \$27,530.06 for Project V; \$26,607.40 for the Mission Boulevard Joint Redevelopment Project; and \$1,240,282.00 for the Redevelopment Obligation Retirement Funds.

5. Receiving and Filing of MHC Treasurer's Report

The MHC Board received and filed the MHC Treasurer's Report for the month ending February 28, 2013.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 2.01.13-2.28.13 in the amount of \$29,495.41.

7. Authorization to Receive \$3,575.60 From the FY2010 State Homeland Security Grant Program to Purchase Eight Personal Electronic Dosimeters

Authorization for a \$3,575.60 Appropriation From Account No. 1163-6202-52990-400 to Purchase the Dosimeters From Arrow Tech

The City Council authorized the following actions:

(a) The Fire Department to receive \$3,575.60 from the FY2010 State Homeland Security Grant Program to purchase eight personal electronic dosimeters.

(b) A \$3,575.60 appropriation from Account No. 1163-6202-52990-400 to purchase the dosimeters from Arrow Tech.

C. Agreements

1. Termination of Cooperative Agreement No. 11-30 Between the City of Montclair and the City of Montclair

Redevelopment Agency and Authorization of a \$14,160,644.11 Transfer of Remaining Unexpended Bond Proceeds to the City of Montclair as Successor Agency for the City of Montclair Redevelopment Agency (Successor Agency)

The City Council terminated *Cooperative Agreement No. 11-30* between the City of Montclair and the City of Montclair Redevelopment Agency and authorized a \$14,160,644.11 transfer of remaining unexpended bond proceeds to the City of Montclair as Successor Agency for the City of Montclair Redevelopment Agency (Successor Agency).

2. Award of Contract to Springbrook Software in the Amount of \$40,265 for Code Rewriting Migration of Database and Training Associated With Upgrading to Version 7 of the City's Springbrook Software Suite

Approval of *Agreement No. 13-25* With Springbrook Software

Authorization of a \$3,000 Contingency for Unforeseen Conversion and Implementation Costs

Authorization of a \$38,565 Appropriation From the General Fund – Reserve Technology Fund

Authorization of a \$4,700 Appropriation From the Sewer Maintenance Fund for Its Proportionate Share of the Costs Associated With the Upgrade Processes Described Above

The City Council took the following actions:

- (a) Awarded a contract to Springbrook Software in the amount of \$40,265 for Code Rewriting Migration of Database and Training Associated with upgrading to Version 7 of the City's Springbrook Software suite.
- (b) Approved *Agreement No. 13-25* with Springbrook Software.
- (c) Authorized a \$3,000 contingency for unforeseen conversion and implementation costs.
- (d) Authorized a \$38,565 appropriation from the General Fund – Reserve Technology Fund.
- (e) Authorized a \$4,700 appropriation from the Sewer Maintenance Fund for its proportionate share of the costs Associated with the upgrade processes described above.

D. Resolutions

1. **Adoption of Resolution No. 13-2983, a Resolution of the City of Montclair Approving the Transfer of Certain Real Property From the City to the Successor Agency for the City of Montclair Redevelopment Agency**

Adoption of Resolution No. 13-04, a Resolution of the Successor Agency for the City of Montclair Redevelopment Agency Accepting the Transfer of Certain Real Property From the City of Montclair

The City Council adopted the following Resolutions:

- (a) Resolution No. 13-2983, a Resolution of the City of Montclair approving the transfer of certain real property from the City to the Successor Agency for the City of Montclair Redevelopment Agency.
 - (b) Resolution No. 13-04, a Resolution of the Successor Agency for the City of Montclair Redevelopment Agency accepting the transfer of certain real property from the City of Montclair.
2. **Adoption of Resolution No. 13-2984 Rescinding Resolution No. 12-2972 Designating Restricted Parking on Public Streets and Alleys**

The City Council adopted Resolution No. 13-2984 rescinding Resolution No. 12-2972 designating restricted parking on public streets and alleys.

3. **City Council, Acting as Successor to the City of Montclair Redevelopment Agency Board of Directors, Adoption of Resolution No. 13-03 Adopting a Recognized Obligation Payment Schedule for July 1, 2013, through December 31, 2013, and Authorizing Certain Other Actions Pursuant to Section 34177 of Part 1.85 of the Health and Safety Code**

The City Council, acting as Successor to the City of Montclair Redevelopment Agency Board of Directors, adopted Resolution No. 13-03 adopting a Recognized Obligation Payment Schedule for July 1, 2013, through December 31, 2013, and authorizing certain other actions pursuant to Section 34177 of Part 1.85 of the Health and Safety Code.

IX. PULLED CONSENT CALENDAR ITEMS – None

X. RESPONSE – None

XI. COMMUNICATIONS

A. City Attorney

1. **Closed Session Pursuant to Section 54956.9(a) of the Government Code Regarding Pending Litigation**

Steve Hall v. City of Montclair

2. **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 on the above two matters.

B. City Manager/Executive Director

1. City Manager Starr noted **Mr. Michael Cox**—a long-time contributor to the City of Montclair, particularly to the Human Services Division's Montclair Youth Sponsorship Fund as well as a very active member of the **Montclair Chamber of Commerce** and an important part of the Montclair community for many, many years—passed away unexpectedly on March 2, 2013. He stated that **Mr. Cox** will be sorely missed and recommended the City Council consider adjourning this evening's meeting in honor of **Mr. Cox's** memory.

Mayor Eaton stated, "We will do that, thank you."

C. Mayor/Chairman

1. Mayor/Chairman Eaton noted his attendance at **Omnitrans, San Bernardino Associated Governments, Metrolink, Metro Gold Line Foothill Extension Construction Authority, and Regional Sewer Policy Committee** meetings. He advised that funding is anticipated for extension of the Gold Line through to Montclair, a project that is, unfortunately, several years away.

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

1. Mayor Pro Tem/Vice Chairman Ruh commented as follows:

- (a) He announced that the City's Easter Eggstravaganza and Pancake Breakfast will be held on Saturday, March 30, 2013, from 9:00 to 11:00 a.m. at the Montclair Community Center and adjacent Starlite Patio Theater. He noted the event is free to all who wish to attend and includes games and activities for children aged ten and younger, prize eggs, photographs with the Easter Bunny, and a \$3 pancake breakfast. He encouraged families and residents to attend, noting Human Services Division does a great job on the event each year.
- (b) He noted he recently advised **Assembly Member Chris Holden**, who represents the 41st District (Upland, Claremont, San Dimas, and La Verne), of how critical extension of the Gold Line to Montclair is. He noted **Assembly Member Holden** indicated he fully supports extending the Gold Line from Azusa to Montclair, as written in **Assembly Member Torres's** legislation; and that though there will be some funding obstacles, the project will move forward if the cities along the route stay united. He noted he discussed the large commercial developments planned in Montclair and elsewhere along the entire Gold Line route and that **Assembly Member Holden** pledged to advocate for continued funding for the project. He added that our Congressional delegation—**U.S. Representatives Gloria Negrete McLeod, Judy Chu, and Grace Napolitano**, are all very supportive of the Gold Line extension project. He stated, "It has got to be a priority for all of us, and we need to take opportunities to let them know how important we as residents believe it is, thank them for their work, and encourage them to continue to push for funding."
- (c) He congratulated Firefighter/Paramedic Stan Boehm and his wife, Amy, on the birth of their daughter, Olivia Grace, on March 4, 2013.
- (d) He thanked Fire Captain Chris Younggren, Firefighter/Paramedic Carlos Becerril, and Firefighter Rusty Vidal for participating in the 16th annual **National Education Association Read Across America Day** on March 6, 2013, at the **Montclair Branch Library**. He stated, "The event is a good opportunity for the young people in our community to see our City in a very different way; and of course, reading is very important to all of us. If we do

not have good literacy skills, we are not going to be able to function into the future."

- (e) He expressed his sympathies to the family of **Mr. Cox**, who was truly a part of this community and will be missed.

2. Council Member/Director Dutrey commented as follows:

- (a) He also expressed his sympathies to the **Cox** family and noted he would say a prayer on behalf of **Mrs. Cox** who has also been very involved in the Montclair community, having served at one time as President of the **Montclair Chamber of Commerce**.
- (b) He noted Council Member Paulitz and he attended the Code Enforcement Committee meeting earlier this evening. He stated that the Committee discussed the impending demolition of the former **Long John Silver's** building, which would occur once issues related to electrical lines and asbestos have been mitigated.
- (c) He recognized Reserve Police Captain Ron Foss and Reserve Officer Keith Dow who also participated in *Read Across America Day*.
- (d) He noted he very much appreciates the City's very strong Reserve Police force that provides backup assistance to the Police Department. He stated that the reserve force would be recognized at the upcoming *Awards Recognition Ceremony and Reception Honoring Reserve Police Officers*.
- (e) He recognized Public Works Streets Leadworker Jeff Flanders and Maintenance Workers Alex Cardona, Kirk Haymore, and Tommy Sierra for their work to replace a wooden staircase at the south side of Saratoga Park's baseball tower. He also thanked Building Maintenance Technician John Conley for giving the new staircase a finishing coat of paint.
- (f) He noted the City hosted eight Division B (5th and 6th grade) basketball teams from the cities of Fontana, Riverside, Moreno Valley, Chino, Rancho Cucamonga, and Montclair as part of the Southern California Municipal Athletic Association–Inland Valley annual tournament. He noted he enjoyed watching a game involving a Montclair team. He stated that we should be very proud of the Human Services Division's efforts to facilitate a variety of activities for our youth.

2. Council Member/Director Raft commented as follows:
 - (a) She also extended her condolence to the **Cox** family in their loss.
 - (b) She wished everyone a "Happy Easter," expressing her hope "that it is a blessed one for each and every one of you."
3. Council Member/Director Paulitz commented as follows:
 - (a) He wished everyone a "Happy Easter."
 - (b) He noted he was very sad to learn of **Mr. Cox's** passing.

E. Committee Meeting Minutes

1. **Minutes of Public Works Committee Meeting of January 17, 2013**

The City Council received and filed the Public Works Committee meeting minutes of January 17, 2013, for informational purposes.

2. **Minutes of Personnel Committee Meeting of February 4, 2013**

The City Council received and filed the Personnel Committee meeting minutes of February 4, 2013, for informational purposes.

XII. ADJOURNMENT OF SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS AND MONTCLAIR HOUSING AUTHORITY COMMISSIONERS

At 7:16 p.m., Chairman Eaton adjourned the Successor Agency and Montclair Housing Corporation Boards of Directors and the Montclair Housing Authority Commissioners in memory of **Mr. Michael Albert Cox**, stating, "The **Cox** family gave a lot to this City. They were very active in the community. It is very sad when one so active is no longer with us."

At 7:17 p.m., the City Council went into Closed Session regarding pending litigation pursuant to Government Code Section 54956.9(a) and labor negotiations pursuant to Government Code Section 54957.6.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 7:45 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding

pending litigation and labor negotiations, information was received and direction given to staff, and no further announcements would be made at this time.

XIV. ADJOURNMENT OF CITY COUNCIL

At 7:47 p.m., Mayor Eaton adjourned the City Council.

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

Yvonne L. Smith
Deputy City Clerk