

MINUTES OF THE REGULAR JOINT MEETING OF THE
MONTCLAIR CITY COUNCIL AND SUCCESSOR AGENCY
AND MONTCLAIR HOUSING CORPORATION BOARDS
HELD ON MONDAY, APRIL 15, 2013, AT 7:02 P.M. IN
THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Pro Tem/Vice Chairman Ruh called the meeting to order at 7:02 p.m. and asked that everyone please silence their 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 Raft led those assembled in the Pledge.

IV. ROLL CALL

Deputy City Clerk Smith noted for the record that Mayor/Chairman Eaton is not in attendance at the meeting.

Present: 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; Deputy City Attorney Holdaway; Deputy City Clerk Smith

Absent: Mayor/Chairman Eaton (excused)

V. PRESENTATIONS

A. Proclamation Declaring April 21, 2013, Through May 4, 2013, as "Childhood Cancer Awareness Week" in the City of Montclair

Mayor Pro Tem Ruh read a proclamation declaring April 21, 2013, through May 4, 2013, as "Childhood Cancer Awareness Week" in the City of Montclair, noting the proclamation would be mailed to the American Cancer Fund for Children, Inc.

B. Proclamation Declaring May 2, 2013, as "National Day of Prayer" in the City of Montclair

Mayor Pro Tem Ruh presented a proclamation to Pastor Brobeck declaring May 2, 2013, as "National Day of Prayer" in the City of Montclair.

Pastor Brobeck accepted the proclamation and thanked Mayor Pro Tem Ruh. She announced the *Mayor's Prayer Luncheon* to be held on the National Day of Prayer on Thursday, May 2, 2013, from 11:30 a.m. to 1:00 p.m. in the Montclair Community Center auditorium. She noted reservations may be made by calling the **Montclair Chamber of Commerce** (909) 624-4569 by April 25, 2013, and that tickets are \$15. She encouraged everyone to attend.

Mayor Pro Tem Ruh thanked Pastor Brobeck for the invitation.

C. Proclamation Declaring the Month of April 2013, as "DMV/Donate Life California Month" in the City of Montclair

Mayor Pro Tem Ruh presented a proclamation to **Donate Life Ambassador Ina Brown** declaring the month of April 2013 as "DMV/Donate Life California Month" in the City of Montclair. He noted **Ms. Brown** and he traveled to China many years ago on a **Chamber** trip.

Ms. Brown accepted the proclamation and thanked Mayor Pro Tem Ruh. She stated that she donated a kidney 26 years ago to her daughter who now awaits a kidney transplant, having been on dialysis for six years. She noted there are over 116,000 individuals in the nation awaiting an organ transplant, and over 20,000 of them are in California alone. She announced that this Friday, April 19, 2013, is "Green and Blue Day"—those desiring to show support for the Donate Life cause are encouraged to wear these colors. She further encouraged participation on Saturday, April 27, 2013, at the Donate Life Run/Walk and Family Festival 2013 event at **California State University, Fullerton**, from 7:00 a.m. to 2:00 p.m.

Mayor Pro Tem Ruh thanked **Ms. Brown** for the invitation and her work with **Donate Life California**.

D. 2013 Volunteer of the Year Awards

Mayor Pro Tem Ruh stated that tonight, in honor of Volunteer Appreciation Week, the City has a special presentation to recognize certain individuals who have given selflessly of their time to help those in need. He introduced Community Action Committee (CAC) Chair Pat Wooton.

Noting the City is very fortunate for the many caring volunteers who quietly give of their time and resources to make Montclair a closer, more caring, compassionate community, CAC Chair Wooton stated that the CAC wants our volunteers to know how proud and grateful we are of their dedication to Montclair. She invited the following **Volunteers of Distinction** to come forward to receive a plaque from Mayor Pro Tem Ruh and *Certificates of Recognition* from **Mr. Inam Zarfar** representing **U.S. Representative Gloria Negrete McLeod**, **Ms. Ynez Canela** representing **Assembly Member Norma Torres**, and **Ms. Jenna Williams** representing **San Bernardino County Fourth District Supervisor Gary Ovitt**:

Montclair Meals on Wheels nominee **Ms. Betty Morrison** gives of her time and uses her own vehicle to deliver 20 to 30 lunches one afternoon and often more days per week to Montclair residents who are homebound or unable to cook or shop for themselves. This caring, compassionate individual takes the time to visit with the residents on her delivery route; is often the only visitor these residents will have; and is only concerned that participants have a positive experience with the program, regardless of the time involved or the cost of travel.

Montclair-Ontario Junior Women's Club nominee **Ms. Marilyn Hall** has actively served as a dedicated member of the club since 2010. She has been involved in many club projects including the annual Easter Eggstravaganza, United Way Kid's Pack Program, Christmas Tree Lighting ceremony, Holiday Food Basket Program, and the **Darlene Edwards Memorial Scholarship** for middle and high school students. In 2012, she began running the annual Bunco Bash to raise money to purchase special equipment for our Firefighters, personally serving as the event's emcee and taking the extra time to teach the game to new players. In addition, she is a mother and grandmother who is actively involved in her church and running local races.

House of Ruth nominee **Ms. Kimberly Heideman** volunteered a total of 235 hours at the organization over the past nine months. She volunteers every Tuesday at the restraining order clinic; and every Thursday and Friday, she provides case management services and clerical support. She does an outstanding job of providing services and support to clients in a considerate, nonjudgmental, and compassionate manner, all while maintaining a professional demeanor. Possessing excellent organizational skills, she took the initiative to reorganize the outdated filing system and disordered supply closets to the immense relief and appreciation of staff. She is always ready to serve with a smile and is an important member of the House of Ruth family.

El Camino Elementary School nominee **Ms. Martha Lopez** has assisted in the classroom and administration office and served on numerous school and **Ontario-Montclair School District** committees and boards for more than 13 years. Her most notable contribution thus far has been the Box Top for Education Program. Since 2005, she has raised upwards of \$5,000 through the program for field trips and school supplies. She took it upon herself to research the program and distribute collection boxes throughout the school. Each month, she collects the box tops, sends them on their way, and provides monthly updates on the program's status to students and the faculty. The top-earning class is rewarded with a healthy snack party! In addition, she continually comes up with new program ideas and encourages other parents to volunteer.

Montclair Police Department nominee Pastor Vicki Brobeck is the only Police Chaplain serving the department and the Montclair community since 2004. She completed a 40-hour training program and volunteers a specific number of hours per month to qualify to serve in this capacity. She is kept very busy notifying family members of department personnel who are injured on the job and visiting the employee at the hospital or at home; attending employees' funerals when requested; and responding to natural and accidental deaths, suicides, traffic accidents, and other traumatic events in the City. She participates in ride-alongs to take her ministry to the streets, volunteers to give the Invocations at City Council meetings, and is presently organizing the *Mayor's Prayer Luncheon* to be held in May 2013. In addition, she is the founder and president of the faith-based nonprofit **Care & Company** that provides complementary support and hygiene products to those in need.

Montclair Youth Basketball League nominee **Mr. Jack Clay** has been a coach for many years, coached his son through the entire program, and is now coaching his grandson in both the summer and winter basketball programs. This individual does not focus on winning; instead, he teaches his teams the fundamentals of the game and the importance of good sportsmanship. He thanks the referees and scorekeepers after each game; serves as a mentor and role model for team members; and is always willing to listen, encourage, and provide support for any of his team members or their families.

Montclair Branch Library nominee **Ms. Silvie Pronovost** is a member of the *Friends of the Library* Board and volunteers an average of 20 hours per month for a total of 264 hours in 2012. She assists with the program presentation every Thursday morning and responds to requests for aid with a smile and positive attitude. She is continually seeks opportunities to promote and market the

library and its services to her friends and those she encounters during her morning walks each day.

Mayor Pro Tem Ruh extended the sincerest gratitude of the Council and residents to each **Volunteer of Distinction**. He presented the following **2013 Volunteer of the Year** awards:

Second Runner-Up: Senior Citizens Program nominee **Ms. Dee Copeland** plays an important role in the Senior Nutrition Program. Four days a week she can be found selling lunch and party tickets in the dining room. She has personally gotten to know most of the participants over the years and greets them with a hug. She greets newcomers, makes them feel welcome, and instructs them on how the program works. This volunteer oversees the little tasks that make the program so successful, such as decorating the stage before monthly birthday parties, wrapping door prizes, taking supplies between buildings, and numbering event tickets.

First Runner-Up: **Por La Vida** and Montclair Medical Clinic nominee **Ms. Elizabeth Davalos** has served a dedicated volunteer in classrooms and on committees at **Mission Elementary School** for the past nine years. She received training in 2012 to become a *Por La Vida* instructor—a "Consejera"—and began teaching nutrition education and diabetes classes at the school. Through these classes, she has been able to educate many of the students' parents, both through group classes and individually. She uses this class time to encourage parents to become involved in the school and to utilize its resources. In addition, this volunteer recently became a certified medical interpreter and for the past six months has been a volunteer interpreter one evening a week at the Montclair Medical Clinic. While there, she provides patients with information on diabetes.

First Place: **Mr. Walter Askier** was nominated by the **Pomona Valley Habitat for Humanity**. This dedicated individual serves as a donation specialist's assistant four days a week, six to seven hours a day at the organization's

ReStore in Montclair. He accompanies a donation specialist to load donations at donors' homes and helps to unload donations at the store. Oftentimes he will listen to and support donors who may be having a difficult time, particularly those parting with their late parents' furniture. He also takes a leadership role in improving the layout of the store as necessary and fixing up areas to make them look better and operate more efficiently. He is the first to arrive in the morning and willingly stays late to ensure a task is completed. He himself has donated items to help the store run better and help the community. He personally recognizes other volunteers and enjoys educating customers and donors on the organization's mission.

On behalf of the Council, Mayor Pro Tem Ruh expressed his heartfelt gratitude and congratulated all of the City's volunteers who make Montclair a better place to live and work. He thanked the CAC for facilitating the volunteer program and coordinating tonight's ceremony.

At 7:35 p.m., Mayor Pro Tem Ruh stated that award recipients would now gather in the West Lobby for a small reception and recessed the City Council and Successor Agency and Montclair Housing Corporation Boards of Directors.

At 7:35 p.m., Council Member Paulitz left the dais.

At 7:37 p.m., Mayor Pro Tem Ruh reconvened the City Council and Successor Agency and Montclair Housing Corporation Boards of Directors.

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

Moved by Council Member/Director Dutrey, 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 Adjourned Council Meeting of February 12, 2013

The City Council approved the minutes of the February 12, 2013 adjourned meeting.

2. Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Commission Meeting of April 1, 2013

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 April 1, 2013 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 March 31, 2013.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated April 15, 2013, totaling \$1,039,745.60 and the Payroll Documentation dated March 10, 2013, amounting to \$611,265.68, with \$408,781.43 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 March 31, 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 3.01.13-3.31.13 in the amounts of \$46,687.33 for Project I; (\$3,921.33) for Project II; \$40,229.75 for Project III; \$30,571.73 for Project IV; \$26,452.75 for Project V; \$848.00 for the Mission Boulevard Joint Redevelopment Project; and \$0.00 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 March 31, 2013.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 3.01.13-3.31.13 in the amount of \$71,260.47.

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 the Repairs and Modifications to the Montclair Police Department Above Ground Fuel Storage Tank System Project

Release of Retention 30 Days After Recordation of *Notice of Completion*

The City Council approved the following actions related to completion of the Repairs and Modifications to the Montclair Police Department Above Ground Fuel Storage Tank System Project:

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

C. Agreements

1. Approval of *Agreement No. 13-28, a Property Tax Administrative Fee Release and Settlement Agreement* Between the City of Montclair and the County of San Bernardino

The City Council approved *Agreement No. 13-28, a Property Tax Administrative Fee Release and Settlement Agreement* between the City of Montclair and the County of San Bernardino.

D. Resolutions - None

IX. PULLED CONSENT CALENDAR ITEMS - None

X. RESPONSE - None

XI. COMMUNICATIONS

A. **Deputy City Attorney** – No comments

B. **City Manager/Executive Director**

1. City Manager Starr commented as follows:

- (a) In follow up to his request at the last meeting that City Council Members tentatively schedule a workshop on the planned renovation of the **Montclair Plaza** for April 22, 2013, he advised that **Mr. Carmen D. Spinoso**, President/Chief Executive Officer, **Spinoso Real Estate Group**, will be available the last week of April or the first week of May 2013. He noted the workshop would be scheduled once he has an exact date.

At 7:42 p.m., Council Member Paulitz returned to the dais.

Mayor Pro Tem Ruh indicated he would be Sacramento for work from April 30 through May 5, 2013, and in Washington, D.C., from May 12 through May 20, 2013.

Council Member Dutrey noted he would let City Manager Starr know his availability for the workshop.

C. **Mayor/Chairman** – Absent

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

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

- (a) He noted **Montclair Chamber of Commerce** President/Chief Executive Officer **Darleen Curley** and he were pleased to attend and welcome the **California USBC Association's 2013 Women's Championships** at the **Bowlium** on Saturday.
- (b) He cited an article in today's **Inland Valley Daily Bulletin** regarding the grand opening and ribbon cutting ceremony at the new **Ashley Furniture HomeStore** on May 17, 2013 (former **Borders Books and Music** building adjacent to the **Montclair Plaza**).
- (c) He noted Mayor Eaton, Council Members Raft and Dutrey, City Manager Starr, and he attended the **Awards Recognition Ceremony and Reception Honoring Reserve Police Officers** on Saturday, March 23, 2013. He noted he was pleased that **U.S. Representative McLeod** and **Assembly Member Torres** attended the ceremony to present certificates to the winners.

- (d) He noted **Prime Healthcare Services** announced today that the company is ranked in the top 15 healthcare systems in the nation by **Truven Health Analytics**. He noted **Prime Healthcare Services** owns and operates **Montclair Hospital Medical Center**.
 - (e) He thanked Human Services Division staff and the CAC for their efforts to coordinate the 2013 Volunteer of the Year Award ceremony.
 - (f) He announced that Thursday, April 25, 1956, will mark the 57th anniversary of the incorporation of the City of Montclair. He stated, "We have come a long way from the orange groves, walnut orchards, and dirt roads that were once a part of this community to become one of the thriving centers of the West End of San Bernardino County and the eastern end of Los Angeles County. It has been an interesting journey, and I wish us another wonderful 57 years."
 - (g) He asked that tonight's meeting be adjourned in memory of the 183 casualties, 17 of whom are in critical condition, and the three fatalities of the Boston Marathon bombings.
2. Council Member/Director Raft advised that Reserve Officer Randy Ortiz received the 2012 Reserve Officer of the Year and 505 Hour awards at Saturday's ceremony and that Captain deMoet presented Reserve Officers Ron Foss and Frankie Fonseca with awards for Outstanding Police Work. She emphasized that Reserve Officers donated over 3,200 hours in 2012, saving the City \$186,000. She stated, "Montclair is very lucky to have the kind of volunteers that we do, not only in the Police Department but in all other departments as well. Montclair may be small, but we are great community here."
3. Council Member/Director Dutrey commented as follows:
- (a) He stated that his prayers are with the Boston Marathon bombing victims' families and that those responsible for the terror attack will be found and brought to justice similar to the terrorists responsible for the September 11, 2001 attacks on the World Trade Center and the Pentagon; the April 19, 1995 Oklahoma City bombing, and other tragedies in this nation.
 - (b) He noted his attendance on April 10, 2013, at the State of the County 2013 address at the **Citizens Business Bank Arena** at which he was pleased to learn that San Bernardino County continues to flourish. He stated, "This is a great county to live in. I believe it is a county

that has a lot to offer." He commended keynote speaker **Second District Supervisor Janice Rutherford** for her heartfelt and eloquent presentation at the event.

- (c) He apologized for missing this evening's Code Enforcement Committee meeting and thanked Council Member Paulitz for running the meeting. He noted he was delayed at work with **Department of Finance** matters.
- (d) He asked that this evening's meeting be adjourned in memory of longtime resident **Mr. Louis John Williams**, a close friend of Council Member Paulitz who was very involved in **Our Lady of Lourdes Catholic Church** who, sadly, passed away on April 6, 2013. He noted **Mr. Williams'** eight children were **Montclair High School** graduates.

E. Committee Meeting Minutes

1. Minutes of Code Enforcement Committee Meeting of March 18, 2013

The City Council received and filed the Code Enforcement Committee meeting minutes of March 18, 2013, for informational purposes.

2. Minutes of Personnel Committee Meeting of April 1, 2013

The City Council received and filed the Personnel Committee meeting minutes of April 1, 2013, for informational purposes.

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

At 7:50 p.m., Mayor Pro Tem/Vice Chairman Ruh adjourned the City Council and Successor Agency and Montclair Housing Corporation Boards of Directors in memory of longtime resident **Mr. Louis John Williams** and the three fatalities and 183 casualties of the Boston Marathon bombings, 17 of whom remain in critical condition.

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

Yvonne L. Smith
Deputy City Clerk