

**MINUTES OF THE REGULAR JOINT MEETING OF THE  
MONTCLAIR CITY COUNCIL, SUCCESSOR AGENCY  
AND MONTCLAIR HOUSING CORPORATION BOARDS,  
AND MONTCLAIR HOUSING AUTHORITY COMMISSION  
HELD ON MONDAY, NOVEMBER 4, 2013, AT 7:00 P.M.  
IN THE CITY COUNCIL CHAMBERS, 5111 BENITO  
STREET, MONTCLAIR, CALIFORNIA**

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**I. CALL TO ORDER**

Mayor/Chairman Eaton called the meeting to order at 7:00 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**

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/Economic Development Executive Director Staats; Director of Community Development Lustro; Director of Public Works Hudson; Finance Director Parker; City Attorney Robbins; Deputy City Clerk Smith

**V. PRESENTATIONS - None**

**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 unanimously 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/MHA Commission Meeting of October 21, 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 October 21, 2013 regular joint meeting.

**B. Administrative Reports**

**1. Setting a Public Hearing to Consider Ordinance No. 13-938 Amending Specific Chapters of Title 10 of the Montclair Municipal Code Related to Adoption of Building Codes to Regulate Construction in the City of Montclair and to Establish January 1, 2014, as the Effective Date of the Codes**

The City Council set Monday, November 18, 2013, at 7:00 p.m. as the date and time for a public hearing to consider Ordinance No. 13-938 amending specific Chapters of Title 10 of the Montclair Municipal Code related to adoption of building codes to regulate cons in the City of Montclair and to establish January 1, 2014, as the effective date of the codes.

**2. Authorizing Staff to Advertise for Bid Proposals for the Monte Vista Avenue Widening Project**

The City Council authorized staff to advertise for bid proposals for the Monte Vista Avenue Widening Project.

**3. Authorizing Replacement of Two Windshields on the Peacekeeper Armored Vehicle**

The City Council authorized replacement of two windshields on the Peacekeeper armored vehicle.

**4. Approval of City Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated November 4, 2013, totaling \$656,826.26 and the Payroll Documentation dated September 8, 2013, amounting to \$570,696.55, with \$393,405.12 being the total cash disbursement.

## C. Agreements

### 1. **Approval of Agreement No. 13-92 With Government Finance Officers Association for Strategic Plan Advisory Services**

The City Council approved *Agreement No. 13-92* with Government Finance Officers Association for strategic plan advisory services.

## D. Resolutions

### 1. **Adoption of Resolution No. 13-3013 Approving Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

The City Council adopted Resolution No. 13-3013 approving placement of liens on the 163 properties listed on Exhibit A to the Resolution for delinquent sewer and trash charges.

### 2. **Adoption of Resolution No. 13-09 Replacing Resolution No. 13-06 and Approving Agreement No. 13-89 Replacing Agreement No. 13-59, an Engagement Agreement Between the Successor Agency to the City of Montclair Redevelopment Agency and Edward Z. Kotkin, for Mr. Kotkin to Act as Counsel to the Oversight Board**

The City Council adopted Resolution No. 13-09 replacing Resolution No. 13-06 and approving Agreement No. 13-89 replacing Agreement No. 13-59, an Engagement Agreement between the Successor Agency to the City of Montclair Redevelopment Agency and Edward Z. Kotkin for Mr. Kotkin to act as counsel to the Oversight Board.

### 3. **Adoption of Resolution No. 13-10 Replacing Resolution No. 13-07 and Approving Agreement No. 13-90 Replacing Agreement No. 13-67, a Proposal for Appraisal Services Between the Successor Agency to the City of Montclair Redevelopment Agency and Integra Realty Resources, for Integra Realty Resources to Perform Real Property Appraisals Associated With Completion of a Long-Range Property Management Plan**

The City Council adopted Resolution No. 13-10 replacing Resolution No. 13-07 and approving Agreement No. 13-90 replacing Agreement No. 13-67, a Proposal for Appraisal Services between the Successor Agency to the City of Montclair Redevelopment Agency and Integra Realty Resources, for Integra Realty Resources to perform real property appraisals associated with completion of a Long-Range Property Management Plan.

4. **Adoption of Resolution No. 13-11, a Resolution of the Successor Agency to the City of Montclair Redevelopment Agency Approving and Adopting a Long-Range Property Management Plan Pursuant to Section 34191.5 of the Health and Safety Code**

The City Council adopted Resolution No. 13-11, a Resolution of the Successor Agency to the City of Montclair Redevelopment Agency approving and adopting a Long-Range Property Management Plan pursuant to Section 34191.5 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(d)(2) of the Government Code Regarding Significant Exposure to Litigation**

*1 Potential case*

City Attorney Robbins withdrew this item from City Council consideration.

B. **City Manager/Executive Director**

1. City Manager/Executive Director Starr stated he is pleased to note the first phase of units in **The Paseos at Montclair North** is almost entirely leased, and the project will move forward with no issues or concerns about leasing the units. He noted the lowest rent is \$1,290 per month for a studio and up to approximately \$2,500 per month for a three-bedroom town-home; and that even at that price point, it seems all the units will have the same level of success as the first phase. He noted interest in the units has come from as far west as Pasadena and Long Beach because **The Paseos** offers high-quality maintenance-free living, many amenities, and is close to a transit center; so those working in the Los Angeles area find it to be a very compatible living environment for their use of public transit to travel to and from work.

Mayor Eaton stated, "That is all the more reason for extension of the Gold Line."

## C. Mayor/Chairman

### 1. Announcement to Correct Appointment to the Community Action Committee

Mayor Eaton stated that at the September 16, 2013 regular joint meeting, he announced that **Ms. Hollis Judkins** was appointed to fulfill **Mr. Manny Martinez's** term on the Community Action Committee (CAC) through June 30, 2014, because **Mr. Martinez** was appointed to fill a vacancy on the Montclair Planning Commission. He stated that he would like to make the following correction: CAC Member **Denise Carrington** has recently resigned from the CAC; and **Ms. Judkins** will, instead, fulfill **Ms. Carrington's** term through June 30, 2016. He added that a recruitment for the vacancy left by **Mr. Martinez's** appointment to the Planning Commission would take place in the spring of 2014.

2. Mayor Eaton noted he enjoyed attending the "very nice" *Montclair Community Fruit Park Tree Planting & Celebration* on Saturday, October 26, 2013, at Sunset Park. He stated he was pleased with the community turnout at the event.

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

1. Council Member/Director Paulitz commented as follows:

- (a) He noted he is pleased with the work done at the Fruit Park, noting he visits the park a few times a week to make sure it is still in good shape.
- (b) He noted he had a great time at the Annual Children's Halloween Party at which the "kids really have a lot of fun." He stated, "As I have pointed out several times before, and I will point out again, this is what the community is about. It is these events where the community comes together that we are serving our community. Yes, we have a Fire Department, though residents hate to see a nearby house burn down. Yes, we have a Police Department; but residents hate to have an Officer knock on the door. This is the kind of thing they do like, and I am glad we have [these events for our residents.]"
- (c) He noted he is glad to be back home. He stated that the weather is great here in the Southland compared to Hungary and that "we in California do not know how really nice we have it until we go out of the area, especially in the wintertime or fall."

2. Council Member/Director Raft commented as follows:
  - (a) She noted it was so nice to see the children joining in and taking part in the tree and ground cover planting at the Fruit Park. She expressed her hope that residents in the neighboring properties will keep an eye on the young trees to make sure there is no vandalism, stating, "It is nice to hear so far that it is doing well; let us hope that it continues to do so. I think the youth participation is great. I am very proud of it and have advised family overseas about the project. They think it is a great thing, too. Keeping our youth involved is really great. I know everyone I have talked to in the community about the project is really happy about it—they have great pride in it."
  - (b) She congratulated our Police Department for collecting the largest amount of unwanted prescription drugs for the **United States Drug Enforcement Administration's** seventh annual *Nationwide Prescription Drug Take Back Day* since the initiative began three years ago. She noted the rates of prescription drug abuse in the U.S. are alarmingly high, as are the number of accidental poisonings and overdoses from these drugs.
  - (c) She noted residents in Northeast Montclair are grateful and appreciative for the new sidewalks (and sidewalk repair) and pavement in their neighborhoods with the City's implementation of the North Montclair Pavement Rehabilitation Project and thanked staff for all the work on the project.
3. Council Member/Director Dutrey commented as follows:
  - (a) He commented concerning the Successor Agency Board of Directors' action this evening to adopt the Montclair Long-Range Property Management Plan and commended Deputy City Manager/Economic Development Executive Director Staats for her excellent work in developing the plan. He noted his understanding of the volume of work involved because he developed a similar plan for the **City of Rialto** and expressed his hope that the City would be able to retain its public-use and governmental-purpose properties. He further suggested a discussion concerning the Long-Range Property Management Plan be held at the January 2014 Strategic Planning Session, particularly with regard to the Police Impound Lot and the 4690 Palo Verde Street parcel, one third of which is leased by **Metro Nissan** for an automobile display area.

- (b) He noted he visited **The Taco Man** last week and encouraged the public to try this new restaurant in Montclair located on the east side of Central Avenue between **Dr. Cunning's** dental office and **Popular Café**.
  - (c) He noted he was impressed with **Powertoys**, a new company offering motorcycle, all terrain vehicle, and watercraft sales, after stopping by at its recent event. He noted the company occupies the former **Enterprise Rent-A-Car** site at 10383 Central Avenue in Montclair after leaving its former location in Pomona. He noted he spoke with the owner who tells him the company is doing much better at its new location in Montclair.
  - (d) He commended staff on the City's new Fruit Park developed in collaboration with the nonprofit **Incredible Edible Community Garden**, noting he enjoyed the planting celebration event.
  - (e) He noted his attendance with staff at a kickoff informational forum in Claremont on October 23, 2013 regarding the status of Phase 2A construction of the **Metro Gold Line** extension from Pasadena to Azusa and current efforts related to the 12.3-mile segment from Azusa to Montclair, known as Phase 2B. He noted the project was addressed this evening by the City's federal legislative advocate **David Turch & Associates**, and he stated that he would be back in Washington D.C. next year to aggressively advocate the need for this important project in Montclair.
  - (f) He noted he wore his special United States lapel pin in recognition of the City's federal lobbyists **Mr. David Turch** and **Mr. Jamie Jones**.
4. Mayor Pro Tem/Vice Chairman Ruh commented as follows:
- (a) He noted the Fruit Park planting and celebration was a very good event, advising that the park is only the second in California and the only one in San Bernardino County. He stated that it is a benefit for Montclair to have the first fruit park in the county as a way of setting a standard for the future, similar to much of what Montclair has been doing in the last few years: "showing other cities in the region just what can be done with our very unique collaboration that we have. Of course, Montclair is no stranger to having firsts in our community with many different aspects. We were one of the first communities in California with an enclosed regional mall. Back in the 1960s, we were visionary enough to spearhead that

project. We were among the first communities, I believe the only one at the time in California to adopt what we now know as *Online to College*—something very innovative. Our Montclair Community Collaborative, the *Por La Vida* Program,—these are all first certainly for the region. Even when we get down to those who are involved in our City: We were among the first to have an African–American City Manager, which was very unique at that point in our history; **Dolly Lewman** was the first Latina elected to a City Council in the region. Certainly that shows the type of City we have that keeps moving forward, looking to the future and trying to do what we can to bring it here. Cities that live in the past will not survive; cities that choose to look to the future and see the future will survive. I think we are going in the right direction.

- (b) He expressed his opinion that the Children's Halloween Party was very well done. He thanked staff for all the hard work involved in organizing and facilitating the event. He noted the excellent turnout at the party and that many children were in costume, adding that he decided to be **King Arthur of Camelot** this year.
- (c) He thanked **Mr. Jones** and **Mr. Turch** for their work in Washington to ensure the City continues to move forward with important projects, such as the Monte Vista Avenue overpass and the Gold Line extension to Montclair. He noted how necessary it is for the City to have the **Gold Line** and stated that the reason **The Paseos** project is doing so well is, in part, the **Gold Line**—the onsite leasing agents have told him that potential residents are pleased that "they will be able to walk to the **Montclair Plaza** or get on a train and get to their jobs in Los Angeles or even Pasadena at some point. This again is something the City was innovative with. We turned around and said, 'Yes,' when other cities were saying, 'No.'"

## E. Committee Meeting Minutes

### 1. Minutes of Code Enforcement Committee Meeting of October 7, 2013

The City Council received and filed the Code Enforcement Committee meeting minutes of October 7, 2013, for informational purposes.

**2. Minutes of Personnel Committee Meeting of October 21, 2013**

The City Council received and filed the Personnel Committee meeting minutes of October 7, 2013, for informational purposes.

**XII. COUNCIL WORKSHOP**

**A. R-3 Development Standards Related to Implementation of the Housing Element**

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Ruh, and carried to continue this item to an adjourned meeting on Monday, November 4, 2013, at 5:45 p.m. in the City Council Chambers.

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

At 7:16 p.m., Mayor/Chairman Eaton adjourned the City Council, Successor Agency and Montclair Housing Corporation Boards of Directors, and the Montclair Housing Authority Commissioners.

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

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Yvonne L. Smith  
Deputy City Clerk