

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, JUNE 17, 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. and asked that everyone please silence their electronic devices as a courtesy to others while the meeting is in session.

II. INVOCATION

Father Cletus Imo, Our Lady of Lourdes Catholic Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member 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; City Attorney Robbins; Deputy City Clerk Smith

At this time, Mayor Eaton announced that the Planning Commission Interview Committee, which includes Council Members Paulitz and Dutrey, interviewed 11 applicants and has completed the selection process to fill two vacancies on the Planning Commission. With the concurrence of the City Council, he stated that he would like to reappoint Planning Commissioner Don Vodvarka and appoint Community Action Committee Member Manny Martinez to four-year terms to expire June 30, 2017.

Moved by Council Member Paulitz, seconded by Mayor Pro Tem Ruh, and carried unanimously to reappoint Planning Commissioner Vodvarka and appoint **Mr. Manny Martinez** to the Montclair Planning Commission for four-year terms to expire June 30, 2017.

V. PRESENTATIONS – None

VI. PUBLIC COMMENT

- A. **Ms. Lydia Roman**, Public Affairs Region Manager, **Southern California Edison Company (SCE)**, 2244 Walnut Grove Avenue, Rosemead, gave a community outreach presentation regarding mitigating measures **SCE** will be taking this summer with the recent closure, after being taken offline early last year, of the **San Onofre Nuclear Generating Station (SONGS)**, resulting in a loss of 2,200 megawatts of generation; the unavailability of **AES Huntington Beach**, a global power company, because of air emission credits; the **California Independent System Operator's** forecast that operating reserves will be at 4.5 rather than 6.2 percent; and the potential risk with the loss of **SONGS** of load shedding in Southern Orange County in the event of a major transmission line loss. Mitigation includes over 1,700 megawatts of new generation coming online under contract with **SCE**, accelerating transmission projects, expanding demand response program participation, and increasing community outreach.

Mayor Eaton asked if **SCE** plans to decommission **SONGS** and how long it will take.

**Ms. Roman** replied that it is her understanding the decommissioning process could take ten years.

Council Member Paulitz inquired as follows:

1. Why is **AES Huntington Beach** not available this year?

**Ms. Roman** replied that **SCE** sold its carbon credits for that plant.

2. The station is unavailable because **Edison** sold the carbon credits to somebody else?

**Ms. Roman** answered, "Right."

Council Member Paulitz thanked **Ms. Roman** for the information.

VII. PUBLIC HEARINGS

- A. **Approval of Sewer Rate Caps for the Five-Year Period Commencing July 1, 2013, and Terminating June 30, 2018**

Mayor Eaton declared it the time and place set for a public hearing to consider approval of sewer rate caps for the five-year period

commencing July 1, 2013, and terminating June 30, 2018, and 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.

Mayor Pro Tem Ruh clarified that much of the proposed increases in rates that are projected through 2018 are based on sewage treatment rates adopted by the Inland Empire Utilities Agency for the three-year period effective July 1, 2102, through June 30, 2015, and are direct pass-throughs to the Inland Empire Utilities Agency (IEUA), meaning that the organization will charge the fee increases whether or not the City collects those amounts. He pointed out that a comparison of area cities' monthly equivalent dwelling unit rates effective July 1, 2012, show that Montclair is at the lower end of the scale.

Council Member Dutrey received clarification that the Part 2 fee, which projects a slight adjustment each year, is for sewerage maintenance operations and the Part 3 fee showing no projected adjustment is for replacement costs. He inquired as to the amounts the City generates annually for Part 2 and Part 3 fees.

Director of Public Works Hudson replied that the sewer budget proposed for next year is \$2.7 million and the amount passed through to IEUA is approximately \$1.9 million, and what would be generated is the difference between those two figures.

Council Member Dutrey stated that it is unfortunate that costs are increasing—Monte Vista Water District's rates have also increased—and that these increases are born by ratepayers. He noted that despite the projected adjustments that are proposed, Montclair's rates "are still in the middle of the pack" and the Parts 2 and 3 fees controlled by the City are quite reasonable.

Moved by Council Member Paulitz and seconded by Council Member Dutrey that the City Council approve sewer rate caps as specified in the agenda report on this item for the five-year period commencing July 1, 2013, and terminating June 30, 2018.

Motion carried unanimously as follows:

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

**B. Second Reading – Adoption of Ordinance No. 13-933 Amending Chapters 11.02, 11.42, and 11.78 of the Montclair Municipal Code Related to Definitions, Alcoholic Beverage Sales, and Conditional Use Permits**

Mayor Eaton declared it the time and place set for a public hearing to consider adoption of Ordinance No. 13-933 amending Chapters 11.02, 11.42, and 11.78 of the Montclair Municipal Code related to definitions, alcoholic beverage sales, and Conditional Use Permits and 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.

Moved by Council Member Dutrey and seconded by Mayor Pro Tem Ruh that Ordinance No. 13-933, entitled, "**An Ordinance of the City Council of the City of Montclair Amending Chapter 11.02 ("Definitions") of the Montclair Municipal Code, Chapter 11.42 of the Montclair Municipal Code Related to the Regulation of Sale of Alcoholic Beverages, and Chapter 11.78 of the Montclair Municipal Code Related to Conditional Use Permits and Administrative Conditional Use Permits (Case No. 2013-8)**," be read by number and title only, further reading be waived, and this be declared its second reading.

The City Council unanimously waived the reading of the Ordinance.

Second Reading of Ordinance No. 13-933 was unanimously adopted by the following ROLL CALL vote:

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

**VIII. CONSENT CALENDAR**

Council Member Paulitz requested that Item B-3 be removed from the Consent Calendar for comment.

Council Member Dutrey requested that Item D-6 be removed from the Consent Calendar for comment.

Mayor Pro Tem Ruh requested that Item B-10 be removed from the Consent Calendar for comment.

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 June 3, 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 June 3, 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 May 31, 2013.

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

The City Council approved the City Warrant Register dated June 17, 2013, totaling \$1,021,124.70 and the Payroll Documentation dated May 5, 2013, amounting to \$597,203.93, with \$418,130.03 being the total cash disbursement.

**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 5.01.13-5.31.13 in the amounts of \$67.76 for Project I; \$0.00 for Project II; \$813.02 for Project III; \$564.60 for Project IV; \$1,313.02 for Project V; \$0.00 for the Mission Boulevard Joint Redevelopment Project; \$0.00 for the Redevelopment Obligation Retirement Funds; \$0.00 from the Tax-Exempt Bond Proceeds; and \$0.00 from the Taxable Bond Proceeds.

**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, 2013.

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 5.01.13-5.31.13 in the amount of \$87,264.57.

**7. Receiving and Filing of MHA Treasurer's Report**

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending May 31, 2013.

**8. Approval of MHA Warrant Register**

The MHA Commissioners approved the MHA Warrant Register dated 5.01.13-5.31.13 in the amount of \$0.00.

**9. Approval of the City of Montclair Capital Improvement Program for Fiscal Years 2013-2018**

**Appropriation of Funds as Indicated in the Attached Capital Improvement Program**

The City Council took the following actions:

- (a) Approved the City of Montclair Capital Improvement Program for Fiscal Years 2013-2018.
- (b) Appropriated funds as indicated in the attached Capital Improvement Program and in the Fiscal Impact section of this report.

**11. Authorization to Use H2 Environmental Consulting Services, Inc., for Testing of Lead Levels in the Firearms Shooting Range**

The City Council authorized use of H2 Environmental Consulting Services, Inc., for testing of lead levels in the firearms shooting range.

**12. Declaring Certain City Property in Police Custody as Unserviceable and Available for Destruction**

The City Council declared the City property in Police custody listed on an attachment to this item as unserviceable and available for destruction.

**C. Agreements**

**1. Montclair Housing Corporation Board of Directors' Award of Contract to Fulmin Electrical Corporation in the Amount of \$51,927**

**Montclair Housing Corporation Board of Directors' Approval of *Agreement No. 13-34* With Fulmin Electrical Corporation for the 5444 Palo Verde Street Electrical Improvement Project**

**Authorization of a \$5,192 Construction Contingency**

The Montclair Housing Corporation Board of Directors took the following actions regarding the 5444 Palo Verde Street Electrical Improvement Project:

- (a) Awarded a contract to Fulmin Electrical Corporation in the amount of \$51,927.
- (b) Approved *Agreement No. 13-34* with Fulmin Electrical Corporation.
- (c) Authorized a \$5,192 construction contingency.

**2. Approval of *Agreement No. 13-37* With Ontario-Montclair School District for Reciprocal Facilities Use of Vernon Middle School and the Montclair Community Center**

The City Council approved *Agreement No. 13-37* with the Ontario-Montclair School District for reciprocal facilities use of Vernon Middle School and the Montclair Community Center.

**3. Approval of *Agreement No. 13-38* With Ontario-Montclair School District to Provide After-School Programs**

The City Council approved *Agreement No. 13-38* with the Ontario-Montclair School District for reciprocal facilities use of Vernon Middle School and the Montclair Community Center.

**4. Approval of *Agreement No. 13-40* Amending *Agreement No. 12-48* With West Coast Arborists for Tree-Maintenance Services**

The City Council approved *Agreement No. 13-40* amending *Agreement No. 13-48* with West Coast Arborists for tree-maintenance services.

**5. Approval of *Agreement No. 13-41* With Mariposa Landscapes, Inc., for Landscape and Maintenance of Median Islands, Parks, Parkways, Kids Station, and Turf Area Adjacent to the Kids Station Facility**

**Authorization of an \$11,940 Appropriation From the Fiscal Year 2013-14 Contingency Fund for Additional Landscape Maintenance Services**

The City Council took the following actions:

- (a) Approved *Agreement No. 13-41* with Mariposa Landscapes, Inc., for landscape and maintenance of median islands, parks, parkways, Kids Station, and turf area adjacent to the Kids Station facility.
- (b) Authorized an \$11,940 appropriation from the Fiscal Year 2013-14 Contingency Fund for additional landscape maintenance services.

**6. Approval of *Agreement No. 13-42* With First 5, The Children and Families Commission for San Bernardino County, to Extend the Healthy Cities Program**

The City Council approved *Agreement No. 13-42* with First 5, The Children and Families Commission for San Bernardino County, to extend the Healthy Cities Program.

**7. Approval of *Agreement No. 13-43* With the Liquidation Company for the Public Sale of Surplus and Unclaimed Property**

The City Council approved *Agreement No. 13-43* with The Liquidation Company for the public sale of surplus and unclaimed property.

**8. Approval of *Agreement No. 13-44* With the County of San Bernardino for Allocation and Expenditure of Justice Assistance Grant Program Funds to Purchase Mobile Command Trailer**

**Authorizing the City Manager to Sign the Agreement on Behalf of the Montclair City Council**

The City Council took the following actions:

- (a) Approved *Agreement No. 13-43* with the County of San Bernardino for allocation and expenditure of Justice Assistance Grant Program funds to purchase a mobile command trailer.
- (b) Authorized the City Manager to sign the Agreement on behalf of the Montclair City Council.

**9. Approval of *Agreement No. 13-45* With Liebert Cassidy Whitmore for Participation in the East Inland Empire Employment Relations Consortium**

The City Council approved *Agreement No. 13-45* with Liebert Cassidy Whitmore for participation in the East Inland Empire Employment Relations Consortium.

**10. Approval of *Agreement No. 13-46* With Merchants Building Maintenance for Custodial Services**

The City Council approved *Agreement No. 13-46* with Merchants Building Maintenance for custodial services.

**11. Approval of *Agreement No. 13-47* With Catering Systems, Inc., to Provide Meals for the Senior Citizen Nutrition Program**

The City Council approved *Agreement No. 13-47* with Catering Systems, Inc., to provide meals for the Senior Citizen Nutrition Program.

**12. Approval of *Agreement No. 13-48* With Nutrition Ink to Provide Nutrition-Education Services for the City's Senior Citizen Nutrition Program**

The City Council approved *Agreement No. 13-48* with Nutrition Ink to provide nutrition-education services for the City's senior citizens nutrition program.

**D. Resolutions**

**1. Adoption of Resolution No. 13-2986 Authorizing Approval of the Change in Population in San Bernardino County During 2012 for the Purpose of Calculating the Gann Spending Limit for Fiscal Year 2013-14**

The City Council adopted Resolution No. 13-2986 authorizing approval of the change in population in San Bernardino County during 2012 for the purpose of calculating the Gann Spending Limit for Fiscal Year 2013-14.

**2. Adoption of Resolution No. 13-2987 Authorizing the Change in California Per Capita Personal Income During Calendar Year 2012 as the Change in the Cost-of-Living Factor for Fiscal Year 2013-14 for Use in Calculating the Gann Spending Limit for Fiscal Year 2013-14**

The City Council adopted Resolution No. 13-2987 authorizing the change in California per capita personal income during Calendar Year 2012 as the change in the cost-of-living factor for Fiscal Year 2013-14 for use in calculating the Gann Spending Limit for Fiscal Year 2013-14.

**3. Adoption of Resolution No. 13-2988 Establishing an Appropriation Limit for Fiscal Year 2013-14 Pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code**

The City Council adopted Resolution No. 13-2988 establishing an appropriations limit for Fiscal Year 2013-14 pursuant to Article 13 B of the California Constitution and to Section 7910 of the Government Code.

**4. Adoption of Resolution No. 13-2990 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service**

The City Council adopted Resolution No. 13-2990 adjusting the equivalent dwelling unit monthly fee for sewer service.

**5. Adoption of Resolution No. 13-2991 Authorizing Submittal of Used Oil Payment Program Applications and Related Authorizations to the California Department of Resources Recycling and Recovery**

**Designating City Manager or His Designee as the Person Authorized to Execute All Necessary Documents for the Purpose of Securing Payment Funds**

The City Council took the following actions:

- (a) Adopted Resolution No. 13-2991 authorizing submittal of Used Oil Payment Program applications and related authorizations to the California Department of Resources Recycling and Recovery.
- (b) Designated the City Manager or his designee as the person authorized to execute all necessary documents for the purpose of securing payment funds.

**7. Montclair Housing Corporation Board of Directors' Adoption of Resolution No. 13-01 Adopting the Montclair Housing Corporation Fiscal Year 2013-14 Annual Budget**

The Montclair Housing Corporation Board of Directors adopted Resolution No. 13-01 adopting the Montclair Housing Corporation Fiscal Year 2013-14 Annual Budget.

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

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

Council Member Paulitz advised that this item is the Successor to the City of Montclair Redevelopment Agency's Treasurer's Report for the month ending May 31, 2013. He noted the total of all fund balances is approximately \$17 million, with a large portion of that amount invested in municipal bonds, and asked Finance Director Parker for an explanation of the current bond market.

Finance Director Parker reported that the bond proceed funds listed on Schedule 2 of the report contain the remaining bond proceeds from the former Redevelopment Agency bond issues. He advised that bond counsel, the legal firm that handled the bond issues, instructed Successor Agency staff to invest the proceeds in non-alternative minimum tax (AMT)—an income tax concept—type investments, which are municipal bonds; and staff decided to invest in high-quality highly rated municipal bond issues. He noted the Agency paid the \$2.2 million premium indicated to receive the very good interest rates listed in the report. He noted the bonds fluctuate on the open market and that he monitors their values weekly in relation to the cost of the premium, advising the higher interest rates will offset any change in market value that will cause any reduction in the premium. He noted the bonds would likely not be held to maturity—they will be liquidated to provide the resources for future construction projects.

Council Member Paulitz noted the importance of discussing the disposition of the bond market for the benefit of the City Council and public.

Moved by Council Member Paulitz, seconded by Council Member Dutrey, and carried unanimously that the City Council, acting as successor to the Redevelopment Agency Board, receive and file the Agency Treasurer's Report for the month ending May 31, 2013.

**10. Acceptance of Grant Funds From The Community Foundation to Support and Expand the Montclair *Por La Vida* Program**

Mayor Pro Tem Ruh thanked staff for successfully obtaining a \$10,000 grant from The Community Foundation to support and expand our award-winning *Por La Vida* Program, which promotes much-needed community health activities.

Moved by Mayor Pro Tem Ruh, seconded by Council Member Raft, and carried unanimously that the City Council accept

grant funds from The Community Foundation to support and expand the Montclair *Por La Vida* Program.

#### D. Resolutions

##### 6. Adoption of Resolution No. 13-2992 Adopting the City of Montclair Fiscal Year 2013-14 Annual Budget

Council Member Dutrey stated that the last three years of the Great Recession have been trying times for Montclair and for staff in having to mitigate a 15 to 20 percent loss of revenues. He expressed his pride that the City is poised to adopt a good budget that will move the City forward and make the City's finances more stable.

Council Member Dutrey read the following excerpt of the "City Manager's Fiscal Year 2013-14 Budget Message to the City Council":

*The Fiscal Year 2013-14 Preliminary Budget technically "lives within its means"—a common refrain often heard in today's political and fiscal landscape used to emphasize that federal, state, and local governments must eliminate unnecessary expenditures, control growth, reduce employee-related benefit obligations, and otherwise achieve fiscal stability to meet declining or stagnant revenues.*

Council Member Dutrey commended staff for its efforts in achieving all of the above. He pointed out the following items approved by the City Council this evening that illustrate the City's ongoing efforts to reduce expenditures:

- (a) *Agreement No. 13-41* with Mariposa Landscapes, Inc.: Staff sought bids for a new City landscaping contract in an effort to reduce landscape costs, resulting in a savings of approximately \$92,300 over the previous landscaping contract.
- (b) The Community Foundation grant to support and expand the Montclair *Por La Vida* Program and the After-School Education and Safety Program grant to provide the City's after-school programs.
- (c) For the first time, the Police Department will have the use of a mobile command trailer with 80 percent of the funding for the unit provided by the 2013 Justice Assistance Grant Program.

Council Member Dutrey noted the City Council approved an Agreement with the Federal Emergency Management Agency last month to receive 90 percent of the cost of a new fire engine/pumper through an Assistance to Firefighters Grant. He added that the City has just been awarded a \$15 million grant to replace the "failing" Central Avenue bridge over the Union Pacific Railroad tracks.

Council Member Dutrey stated that the City is now doing more with less including having fewer employees who shoulder increased duties and responsibilities, procuring grant assistance to fund much-needed construction projects and equipment purchases, and reaching out to other cities and government agencies to better utilize our resources. He commended City Manager Starr for his and staff's hard work to produce a balanced budget.

Moved by Council Member Dutrey, seconded by Mayor Pro Tem Ruh, and carried unanimously that the City Council adopt Resolution No. 13-2992 adopting the City of Montclair Fiscal Year 2013-14 Annual Budget.

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

**A. City Attorney**

**1. Closed Session Pursuant to Section 54957.9(d)(4) of the Government Code Regarding Potential Litigation**

*3 potential cases*

**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 concurred with Council Member Dutrey that staff's bidding the City landscape contract produced good results. He noted staff negotiated to keep costs down in the custodial service contract for the Civic Center and Police Department. He further noted the City would be responsible for the balance of the cost for the new mobile command trailer, which would be taken from the Asset Forfeiture Fund. He stated that staff has worked diligently to reduce costs and relieve the stress on the General Fund and find alternative funding sources for various Capital Outlay projects.

City Manager Starr stated, "On behalf of staff, we sincerely appreciate the support that the City Council has given to us over the past several years as we have dealt with the fiscal stress that has impacted the agency. We certainly have had to reduce the number of staffing down to what might be considered a 'bare minimum' at this point in time, but we do manage, we are getting everything done, and I think we are producing a far superior product for the community and for the City Council despite the fact that City staff is leaner. We do look forward to more fruitful times as we climb out of this recession. Of course, things continue to be stagnant; but with the budget that the City Council approved tonight, I think there are some very good numbers in there as Council Member Dutrey pointed out. Despite the loss of the Redevelopment Agency, staff has managed to create the Economic Development Fund for the Council to use down the road for any capital projects: infrastructure, facility improvements, and roadway projects; and, of course, on top of that, we hope to generate additional revenues. We still have some former Redevelopment Agency bond proceeds that may be left to us by the California Department of Finance, which may be utilized in that regard. At our strategic planning session this fall, we have talked to Council about that; and will be bringing forth some ideas at that time to produce some potentially additional bond proceeds should the City Council decide to go that route.

"We are very pleased with the budget that was presented to you. It took a lot of effort, a lot of work over the past several years, not only on the part of Finance Division but all departments throughout the organization. Each department was adversely impacted, but they managed to step forward and continue to provide an excellent service level to the

community. In fact, as I indicated, I think it is an enhanced level despite everything that we have gone through. We expect to continue providing the Council that level of service, that level of dedication, and that level of commitment; and we certainly appreciate your comments regarding our efforts. Thank you."

### **C. Mayor/Chairman**

#### 1. Mayor/Chairman Eaton commented as follows:

- (a) He noted his attendance at **Omnitrans, San Bernardino Associated Governments, and Metrolink** Board meetings. He noted learning at the **Metrolink** Board meeting that the fatality Friday evening at Benson Avenue and the railroad tracks occurred because the young bicyclist believed he could cross the tracks before the train, not realizing the train's speed of 65+ miles per hour. He stated that the Board and he are very sorry the young man lost his life.
- (b) He told Council Member Dutrey that the Central Avenue bridge over the Union Pacific Railroad tracks is not in immediate danger of collapsing; it is simply showing its age and it is time for it to be replaced.
- (c) He congratulated Police Chief/Public Safety Executive Director deMoet, stating, "I am very pleased that you are our Police Chief/Public Safety Executive Director. I know there are some new duties for you, but you are a quick learner!"

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

1. Mayor Pro Tem/Vice Chairman Ruh noted the City has gone through some very tough times in the last few years, and staff has worked together as a family to make sure we could get through these difficult times. He stated that the City has maintained its General Fund reserves, which is far better than many area cities, and has managed to work with our bargaining groups so that all employees are making a bit of a shared sacrifice right now. He encouraged residents to continue to shop for goods and services in Montclair to provide the revenue necessary for the basic services they expect in their community. He thanked all employees—the Montclair City family—for their sacrifices and shared effort.

2. Council Member/Director Dutrey commented as follows:
  - (a) He congratulated Police Chief/Public Safety Executive Director deMoet on his appointment, expressed his belief that he will do a great job, and wished him luck, stating, "I think the residents of Montclair are very proud to have you as their new Police Chief."
  - (b) He recognized reappointed Planning Commissioner Don Vodvarka and newly appointed Planning Commissioner Manny Martinez. He also recognized **Mr. Loren Martens**, who applied for one of the two vacancies on the Planning Commission. He noted that of 11 applicants, Planning Commissioner Martinez was clearly the front runner because of his understanding of the purpose of the Planning Commission in discretionary land use decision making and his years of involvement in the community. He noted he was pleased with the level of interest in serving the Montclair community and suggested these applicants could apply for the vacancy now on the Community Action Committee.
3. Council Member/Director Raft commented as follows:
  - (a) She congratulated Police Chief/Public Safety Executive Director deMoet, stating, "I think he will do a good job. We have a lot of faith in him."
  - (b) She congratulated reappointed Planning Commissioner Vodvarka and newly appointed Planning Commissioner Martinez.
  - (e) She expressed her appreciation of staff's efforts in producing a balanced budget and noted the City is doing well because of the hard work of City Manager Starr, management, and all employees. She stated, "Everyone is to be greatly commended."

## **E. Committee Meeting Minutes**

### **1. Minutes of Code Enforcement Committee Meeting of April 15, 2013**

The City Council received and filed the Code Enforcement Committee meeting minutes of April 15, 2013, for informational purposes.

## **2. Minutes of Personnel Committee Meeting of June 3, 2013**

The City Council received and filed the Personnel Committee meeting minutes of June 3, 2013, for informational purposes.

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

At 7:41 p.m., Chairman Eaton adjourned the Successor Agency and Montclair Housing Corporation Boards of Directors and the Montclair Housing Authority Commissioners.

At 7:41 p.m., the City Council went into Closed Session regarding three potential litigation cases pursuant to Government Code Section 54957(d)(4) and labor negotiations pursuant to Government Code Section 54957.6.

### **XIII. CLOSED SESSION ANNOUNCEMENTS**

At 8:11 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding three potential litigation cases and labor negotiations. He advised that information was received and direction given to staff on both matters and that no further announcements would be made at this time.

### **XIV. ADJOURNMENT OF CITY COUNCIL**

At 8:12 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