

**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, APRIL 7, 2014, 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

Ma Shivamaya, Nithyananda Vedic Temple, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Ruh 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; Director of Finance Parker; City Attorney Robbins; Deputy City Clerk Smith

V. PRESENTATIONS

A. Introduction of Promotees

Fire Chief Mayhew introduced Fire Engineer Babayan, who was promoted to his new position effective February 24, 2014.

Mayor Eaton congratulated Engineer Babayan on his promotion and presented him with a City pin.

Fire Chief Mayhew introduced Fire Captain Brian Brambila, who was promoted to his new position effective February 24, 2014. He noted Captain Brambila is a certified paramedic, an advanced cardiac life support instructor, an EMT/paramedic skills instructor,

and an EMT-1A skills instructor, has assisted in training prospective Fire Engineer candidates in preparation for the promotional examination process, and is currently working on his Bachelor of Science degree. He noted in 2009, Captain Brambila received the Firefighter of the Year award and served as Vice President of the Montclair Fire Fighters Association for four years. He added that Captain Brambila organized the **Harley-Davidson** fundraiser, the **Muscular Dystrophy Association's *Fill the Boot*** fundraiser, and the **St. Jude Children's Research Hospital's *Tip a Firefighter*** fundraiser at **Chili's Grill and Bar**.

Mayor Eaton congratulated Captain Brambila on his promotion and presented him with a City pin.

Fire Chief Mayhew introduced Fire Captain Christopher Jackson, who was promoted to his new position effective February 24, 2014.

Mayor Eaton congratulated Captain Jackson on his promotion and presented him with a City pin.

B. Proclamation Declaring April 2014 as "Child Abuse Prevention Month" in the City of Montclair

Mayor Eaton introduced **Ms. Arline Edwards**, Supervising Social Service Practitioner, **San Bernardino County Children and Family Services**.

Ms. Edwards reported that **San Bernardino County Children and Family Services** received 29,062 child abuse referrals in 2013; the average monthly referrals were 2,422; there were 4,482 children in the system as of January 23, 2014; and in 2013, 2,418 children exited foster care, with 86 percent entering permanency (reunited with parents, adopted, or entered guardianship). She noted 429 children were adopted, 243 entered guardianship, and 1,406 were reunited with their families. She stated that there were 427 referrals received from Montclair in 2013 compared to 455 in 2012.

Ms. Edwards stated that to report suspected child abuse, simply dial the *Child Abuse Hotline* at 2-1-1. She stated, "Each person in the City of Montclair is the eyes and ears of the community; and it only takes a minute to make a call that might help a child or family in need."

Ms. Edwards gave the City Council blue ribbon lapel pins, noting the "Blue Ribbon Campaign" began in 1989 as a Virginia grandmother's tribute to her grandson who, tragically, died as a result of child abuse. She stated that the campaign has expanded across the country, and many wear blue ribbons each April in memory of children who died as a result of abuse. She stated that additional

blue ribbon pins, responsible parenting literature, and other materials free to the public are available by calling (909) 383-9677.

Mayor Eaton presented a proclamation declaring April 2014 as "Child Abuse Prevention Month" in the City of Montclair to **Ms. Edwards** and thanked her "for all the wonderful work you do. If there is any way we could help, please let us know."

Ms. Edwards accepted the proclamation and thanked Mayor Eaton on behalf of **San Bernardino County**.

C. Presentation of *Certificate of Recognition* to Ruth Bonillas

Police Chief/Public Safety Executive Director deMoet read a tribute to **Ms. Ruth Bonillas** summarizing her recent courageous and selfless actions that resulted in the capture of a felony hit-and-run and vehicular manslaughter with gross negligence suspect. He stated that Montclair resident **Ms. Lucretia Rodriguez** lost her life in the incident while the second victim, a 14-year-old student, survived her injuries and should make a full recovery.

Police Chief/Public Safety Executive Director deMoet introduced **Ms. Rodriguez's** husband, **Mr. Miguel Lopez**, son **Miguel Jr.**, and daughter **Elizabeth**.

The **Lopez** family presented **Ms. Bonillas** with a potted lily plant as a token of their appreciation.

Police Chief/Public Safety Executive Director deMoet thanked **Ms. Bonillas**, noting without her assistance, the suspect would have been much more difficult to apprehend.

Mayor Eaton presented **Ms. Bonillas** with a Montclair Police Department *Certificate of Recognition* for her initiative and unselfish action that resulted in the capture of a wanted criminal.

Ms. Bonillas accepted the certificate and thanked Mayor Eaton.

At this time, Mayor Eaton stated that he would pause the meeting to allow those wishing to leave to do so.

VI. PUBLIC COMMENT

- A. **Ms. Judy De Vries**, 925 East Monticello Court, Ontario, thanked staff for looking into the code violations at the potential relocation site of **Family Planning Associates Medical Group, Inc. (FPA)**, noting she looks forward to staff's report. She provided the City Council with packets of "helpful literature" she gives to those considering **FPA** services as part of her guidance counseling along with a list of lawsuits against **FPA**, reiterated her remarks regarding

FPA from the March 17, 2014 regular joint meeting, and once again appealed to the City Council to "please do whatever it takes to keep Montclair abortion free."

Mayor Eaton thanked **Ms. De Vries** for her comments.

- B. **Ms. Kristina Garza**, P.O. Box 52708, Riverside, likewise thanked staff for looking into the code violations at the potential relocation site of FPA and stated that she would appreciate the City's efforts to ensure FPA's fiscal responsibility as well as the safety of FPA clientele. She reiterated her remarks from the March 17, 2014 regular joint meeting regarding FPA and displayed a graphic depicting a vacuum aspiration, a common surgical method of induced abortion.

Mayor Eaton thanked **Ms. Garza** for her comments.

- C. **Mr. Loren Martens**, 4285 Benito Street, Montclair, commended the Montclair Fire Department and the Firefighter/Paramedics who responded to the **Bowlum Lanes** during the senior league tournament last Wednesday and took "exceptionally good care" of a team member who had broken her spine.

Mayor Eaton thanked **Mr. Martens** for his comments.

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

Council Member Dutrey requested that Item D-2 be removed from the Consent Calendar for comment.

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, 2014**

The City Council approved the minutes of the February 12, 2014 adjourned meeting.

- 2. **Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Commission Meeting of March 17, 2014**

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 March 17, 2014 regular joint meeting.

B. Administrative Reports

- 1. Authorization of a \$5,604.37 Appropriation From the Equipment Replacement Fund to Pay for Modification to the Rear Compartment of the 2014 Type 1 Pumper Purchased From Kovatch Mobile Equipment Corp.**

The City Council authorized a \$5,604.37 appropriation from the Equipment Replacement Fund to pay for modifications to the rear compartment of the 2014 Type 1 pumper purchased from Kovatch Mobile Equipment Corp.

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

The City Council approved the City Warrant Register dated April 7, 2014, totaling \$1,436,236.39; the Payroll Documentation dated February 23, 2014, amounting to \$540,867.67 gross, with \$379,781.68 net being the total cash disbursement.

C. Agreements

- 1. Approval of Agreement No. 14-21, a Community Development Block Grant City-County Delegate Agency Agreement for Fiscal Years 2015-16, 2016-17, and 2017-18**

The City Council approved Agreement No. 14-21, a Community Development Block Grant City-County Delegate Agency Agreement for Fiscal Years 2015-16, 2016-17, and 2017-18.

- 2. Award of Contract to Hillcrest Contracting, Inc., in the Amount of \$389,920.20**

Approval of Agreement No. 14-22 With Hillcrest Contracting, Inc., for Construction of the Monte Vista Avenue Widening Project

Authorization of a \$40,000 Construction Contingency

The City Council took the following actions related to the Monte Vista Avenue Widening Project:

- (a) Award of contract to Hillcrest Contracting, Inc.
- (b) Approval of *Agreement No. 14-22* with Hillcrest Contracting, Inc.

(c) Authorized a \$40,000 construction contingency.

3. Declaring One 1987 Emergency One Stratosphere 55-Foot Teleboom Quint (Unit No. 44-87) as Surplus and Available for Auction

Approval of Agreement No. 14-23 With The Auction Company for the Consignment and Sale of One 1987 Emergency One Stratosphere 55-Foot Teleboom Quint (Unit No. 44-87) for Nonemergency Services Use

The City Council took the following actions:

- (a) Declared one 1987 Emergency One Stratosphere 55-foot Teleboom Quint (Unit No. 44-87) as surplus and available for auction.
- (b) Approved Agreement No. 14-23 with The Auction Company for the consignment and sale of one 1987 Emergency One Stratosphere 55-foot Teleboom Quint (Unit No. 44-87) for nonemergency services use.

D. Resolutions

1. Adoption of Resolution No. 14-3025 Authorizing the Mayor to Sign a Three-Year Agreement With the County of San Bernardino Regarding Participation in the Community Development Block Grant Program for Fiscal Years 2015-16, 2016-2017, and 2017-18

The City Council adopted Resolution No. 14-3025 authorizing the Mayor to sign a three-year agreement with the County of San Bernardino regarding participation in the Community Development Block Grant Program for Fiscal Years 2015-16, 2016-17, and 2017-18.

IX. PULLED CONSENT CALENDAR ITEMS

D. Resolutions

2. Montclair Housing Corporation Board of Directors' Adoption of Resolution No. 14-01 Approving the Transfer of Montclair Housing Corporation Real Properties to the Montclair Housing Authority

Montclair Housing Authority Commissioners' Adoption of Resolution No. 14-01 Accepting the Montclair Housing Corporation Real Properties

Montclair Housing Corporation Board of Directors' Adoption of Resolution No. 14-02 Approving the Transfer of

9916 Central Avenue to the Successor Agency to the City of Montclair Redevelopment Agency

Successor Agency to the City of Montclair Redevelopment Agency Board of Directors' Adoption of Resolution No. 14-02 Accepting the Transfer of 9916 Central Avenue From the Montclair Housing Corporation

Montclair Housing Authority Commissioners' Authorization of a \$324,383.95 Appropriation for Payment of Property Taxes to the San Bernardino County Tax Collector for Real Property

Director/Commissioner Dutrey noted this item stems from the transfer of the Montclair Redevelopment Agency's real property assets to the Montclair Housing Corporation (MHC) prior to the dissolution of community redevelopment agencies in June 2011 as a means of protecting the affordable housing units. He stated that with the Department of Finance and State Controller's objection to the transfer, the housing units are proposed to be transferred to the Montclair Housing Authority, the successor housing entity. He advised that the initial property transfer to MHC caused the San Bernardino County Assessor's Office to reassess the value of the properties as well as to determine that MHC is a public-benefit corporation subject to property tax assessments; the combined property taxes due to the County for two years is \$324,383.95 including interest and penalties, payable from the Low/Moderate Income Housing Asset Fund.

Director/Commissioner Dutrey noted he has discussed this matter extensively with staff and took umbrage that the County Assessor's Office found it necessary to levy property taxes on the City's affordable housing units rather than recognize MHC as having tax-exempt status. He asked that staff meet with San Bernardino County Auditor-Controller/Treasurer/Tax Collector **Larry Walker** regarding the matter and ask **Assembly Member Rodriguez** and **Senator Torres** to introduce legislation to correct such property tax levies and penalties on government-owned affordable housing.

Moved by Director/Commissioner Dutrey, seconded by Vice Chairman Ruh, and carried unanimously that the following actions be taken:*

- (a) The Montclair Housing Corporation Board of Directors' adoption of Resolution No. 14-01 approving the transfer of the Montclair Housing Corporation real properties to the Montclair Housing Authority.

- (b) The Montclair Housing Authority Commissioners' adoption of Resolution No. 14-01 accepting the Montclair Housing Corporation properties.
- (c) The Montclair Housing Corporation Board of Directors' adoption of Resolution No. 14-02 approving the transfer of 9916 Central Avenue to the Successor Agency to the City of Montclair Redevelopment Agency.
- (d) The Successor Agency to the City of Montclair Redevelopment Agency Board of Directors' adoption of Resolution No. 14-02 accepting 9916 Central Avenue from the Montclair Housing Corporation.
- (e) The Montclair Housing Corporation Commissioners' authorization of a \$324,383.95 appropriation for payment of property taxes to the San Bernardino County Tax Collector for real property.
- (f) Direct staff to meet with San Bernardino County Auditor-Controller/Treasurer/Tax Collector **Larry Walker** to resolve the issue of a property tax levy on affordable housing and meet with **Assembly Member Rodriguez** and **Senator Torres** to introduce legislation to correct such property tax levies and penalties on government-owned affordable housing.

Commissioner Paulitz inquired as follows:

- (a) Will the proposed \$324,383.95 property tax assessment be a one-time payment? Will something be done to make sure it does not happen again?

Executive Director Starr answered, "Yes, as far as we know we will not be assessed another tax levy or penalty on these properties. The County Assessor's Office is aware that once the properties are transferred to MHA, it will recognize MHA as a tax-exempt entity. That is really the issue here: While the State Controller's Office, the Department of Finance, and the Internal Revenue Service all recognize that the City of Montclair, MHA, and the MHC are all property tax-exempt agencies, the County Assessor's Office does not. We have applied for tax-exempt status for MHC, which has not yet been processed. Though the County Assessor's Office does recognize MHA as having tax-exempt status, it is still requiring payment of the property tax assessment and penalties at this time that it says are due. It is our position that the County Assessor's Office is taking this

position because of the fact that the County wants property tax moneys to help with its own budget issues. So it sees a window of opportunity here; and while staff has been in negotiations with the County Assessor's Office for the past year on this issue, trying to educate them on the fact that we are a tax-exempt organization, as you can see this evening, we have gotten nowhere with them. So we are asking the MHA Commissioners' authorization to go ahead and pay the property taxes that the County says are due so we can stop the accrual of penalties. However, I have already implemented the process of appealing this action. I have already contacted San Bernardino County Fourth District Supervisor **Gary Ovitt's** Office to meet with him to request that he intercede on the City's behalf. If that does not work, we have already met with the County Assessor's Office. I attempted to speak with County Auditor-Controller/Treasurer/Tax Collector **Larry Walker** at the San Bernardino Associated Governments *30th Annual City-County Conference*, but I was unsuccessful in establishing that relationship. I did have a conversation with him, but he was not in a position to carry the conversation to any length with me. I will seek to schedule a separate meeting with him after I meet with Supervisor Ovitt. If necessary, if we do not get anywhere with this process, then certainly meeting with our state legislators is another option for us; but first we want to go through this process to see if we can get the County Assessor's Office to ultimately agree with us, either through direct further contact with County Auditor-Controller/Treasurer/Tax Collector **Larry Walker** or through the actions of our Supervisor Gary Ovitt."

(b) What will be the disposition of MHC?

Executive Director Starr answered, "The Housing Corporation will continue as a separate agency."

(c) Where are these properties being transferred?

Executive Director Starr answered, "To the Housing Authority."

(d) What is the need for the Housing Corporation?

Executive Director Starr answered, "The Housing Corporation performs a number of administrative functions in relation to properties."

Deputy City Manager/Economic Development Executive Director Staats stated, "At the present time, as a result of redevelopment dissolution, we had two successors: We had the Successor Agency and the housing successor, which is the Housing Authority. We have had the Housing Corporation for some time as a public-benefit corporation. For years and years, the Redevelopment Agency contracted with the Housing Corporation to operate the housing units that the Agency owned. When dissolution came along, we decided it would be a good idea to transfer the properties to the Housing Corporation, which, in hindsight, turned out not to be so good. The State Controller, DOF, and the IRS have all indicated it is their belief that because the City Council sits as the Housing Corporation Board, it is a public agency. Now we are involved in this dispute with the County. However, by law, a housing authority is a tax-exempt agency; so transferring the properties to the Housing Authority to own them would exempt them from further property taxation.

"What is missing from the proposed action is a cooperative agreement in which the Housing Authority contracts with the Housing Corporation to operate the units. Successor Agency Counsel did not complete the agreement in time to present to the MHA Commissioners this evening. We want to do this as soon as possible after our meetings with the County in order to stop further taxation. In the future, what will come before you is an agreement in which the Housing Authority will basically contract with the Housing Corporation to operate the units. The reason it is preferable to maintain the Housing Corporation is we already have everything set up administratively as that agency, so it would be much easier to keep it. It is hoped you will consider the agreement within the month."

Commissioner Paulitz thanked Deputy City Manager/Economic Development Executive Director Staats for the clarification.

Commissioner Raft stated that the MHC Board and MHA Commission need to be patient because appeals take time.

Vice Chairman Ruh stated that in a case like this, the MHA Commission is "doing the prudent thing by paying our bills. We may dispute it, we may disagree with it, but there is an appeals process and a way that we can communicate to the County that perhaps there is an error." He related his dispute

with Southern California Edison Company regarding \$500 a month electricity bills he was receiving that were typically \$25 to \$30 a month. He advised that he continued to pay the bills and that Edison rebated or credited his account after investigating the matter and replacing his meter three times. He stated, "I think it is important, especially in government, that we pay our bills. If there is a dispute, we recognize that but move forward with what we need to do to rectify the matter. I think it is prudent that we do pay this tonight.

"I am pleased that **Mr. Starr** has followed through with our County Supervisor and Auditor–Controller for San Bernardino County; and if need be, we can keep moving up the ladder from there. Thank you."

Motion carried unanimously as follows:

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

X. **RESPONSE** – None

XI. **COMMUNICATIONS**

A. **Deputy City Attorney**

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

Kenneth Pollich v. Montclair

Deputy City Attorney Holdaway noted he is pleased to be in attendance at the meeting this evening. He requested the City Council meet in Closed Session regarding the above matter.

B. **City Manager/Executive Director**

1. City Manager Starr stated, "I would like to address the ongoing issue that we have had over the last couple of meetings regarding the presence of **Family Planning Associates Medical Group, Inc.**, in the City of Montclair. As Council Members are aware, I have drafted and presented to you an extensive letter addressing the various issues related to **Family Planning Associates**. I also gave you a follow-up memorandum yesterday advising you further on the issues related to **Family Planning Associates**.

"One of the issues that was spoken of was Code Enforcement violations at the 5050 Palo Verde Street location, the intended place where **FPA** would apparently be planning on relocating to. Code Enforcement Officers as well as the Building Official did inspect the facility; and—correct me if I'm wrong, Steve—I do not believe there were any major violations that were discovered at that location. As far as Code Enforcement violations, the facility appears to be functioning OK. There were some obvious issues with ceiling tiles maybe not being in their proper place, but that is not a Code Enforcement violation. The elevator did appear to be working properly at the time it was inspected by the Building Official.

"As to whether or not **Family Planning Associates Medical Group** plans on actually locating to the 5050 Palo Verde Street site, we have confirmed that, in fact, it has entered into a lease agreement with the management for 5050 Palo Verde Street; so it does plan on moving into the second floor office, Space 203, which was formerly occupied by a foster parent agency.

"As it relates to [**FPA's**] operations, we have been able to determine that once it does locate to 5050 Palo Verde Street, it will not be engaging in surgical abortion procedures. It will be participating in providing counseling services, and it will also offer prescription medication, particularly **Mifeprex**, which is commonly known as "**RU-486**," which in its generic form is mifepristone or misoprostol, commonly referred to as the "abortion pill." **FPA** will not be engaging in surgical abortions once it locates to that site. I should also point out that in relation to the abortion pill, or **RU-486**, it is a prescription that any woman could obtain through any hospital, through any medical clinic, or through a doctor who is properly licensed by the State of California. In most instances, as long as it is a doctor who can determine when the pregnancy actually occurred, that doctor—and it could be a family doctor—could issue a prescription related to **RU-486** as long as it is administered within the first 49 days after a woman's last menstrual cycle. While the administration of **RU-486** may technically be considered a medical abortion and may be a point of continued concern, the administration of that medication from this facility, once **FPA** locates to the 5050 Palo Verde Street site, it will not be unique in Montclair, it will not be unique to any community in which there are doctors' offices or hospitals because, again, as I indicated that prescription medication can be prescribed at any of those locations. While there may still be objection to the presence of **FPA** in

the Montclair community, the intent of the protestations in the past I think served its purpose. **FPA**, at least from all appearances, has backed off from what it used to do at the 5050 San Bernardino Street location. I do not know that that will necessarily satisfy those who object to abortions in this community or any community or the continued practice of abortions throughout the United States, but certainly it relates to the surgical abortions that will no longer be something that will be actively engaged in at this location.

"It is not my intention to bring this back as an item on the next agenda because I have presented it to the City Council in this extensive report that you received unless I receive direction from you tonight that you do want that to be presented at the next Council meeting as a Response to Council Inquiry."

Mayor Eaton thanked City Manager Starr for his report.

C. Mayor/Chairman

1. Mayor/Chairman Eaton noted he was gone during March and is now getting back to his Council duties.

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

1. Council Member/Director Paulitz asked that City Manager Starr provide the two speakers who commented on **FPA** this evening with copies of the letter and memorandum discussed by City Manager Starr this evening "so they could understand exactly what position this Council is in. I think the people are doing the Lord's work myself, and it is just a shame that this has to go on in the United States. A couple of years ago I gave a talk at a pro-life dinner, and I indicated that this fight will last as long as the abolition fight lasted. Slavery started in 1700s and was not through until the **13th and 15th Amendment to the Constitution of the United States** during the Civil War—almost 150 years or more. The only thing I want to make sure of is that the Montclair Municipal Code is enforced, there is adequate parking and adequate access, and it is a clean facility; that is about all we can do. We cannot pass any laws prohibiting any of this, but I do encourage the City Manager to give copies of the information to the speakers."

City Manager Starr stated, "Absolutely. I will make them available tomorrow, and they can pick them up here at City Hall if they choose."

2. Council Member/Director Raft commented as follows:
 - (a) She congratulated **Ms. Ruth Bonillas** and thanked her for her courageous work to help the Police find the hit-and-run suspect/perpetrator.
 - (b) She asked that tonight's meeting be adjourned in memory of **Mr. Jesus H. Valadez**, a long-time Montclair resident and supporter of the City, who passed away last month.
3. Council Member/Director Dutrey commented as follows:
 - (a) He expressed his appreciation to Police Chief/Public Safety Executive Director deMoet for the *Certificates of Recognition* presented this evening and at the last meeting in honor of two very courageous women. He stated, "It is good to know we are recognizing residents of this City and other communities for doing something good to capture wanted suspects and making Montclair safe for our residents." He noted it is tragic that the **Lopez** family has lost a beloved wife and mother of two children.

Council Member Dutrey asked that this evening's meeting also be adjourned in memory of **Ms. Lucretia Rodriguez**.

- (b) He congratulated Planning Commission Chairperson Tenice Johnson on being recognized by **U.S. Representative Gloria Negrete McLeod** as a "Woman of the Year" for the 35th Congressional District on March 22, 2014, as part of Women's History Month.
- (c) He noted Mayor Eaton and he attended the **SANBAG 30th Annual City/County Conference** held March 27 and 28, 2014, in Lake Arrowhead, noting they attended some meetings on the **Gold Line** with a member of the Ontario City Council and **SANBAG Executive Director Dr. Raymond W. Wolfe**. He recognized City Manager Starr "for staying on top of that issue, and I appreciate that."
- (d) He recognized the Division A Boys All Star team of the Winter Youth Basketball League for winning three games in the championship tournament on March 29, 2014, though the team lost the following day to the **City of El Segundo** with a score of 34 to 39. He recognized the team for placing second and for its excellent sportsmanship and credited Director of Human Services Richter and her staff for organizing and facilitating these tournaments.

- (e) He noted the "Geek Squad" dance crew from the After-School Program at **Serrano Middle School** performed between the first and second periods of the Ontario Reign vs. Las Vegas Wranglers hockey game on March 26, 2014. He commended Human Services Department staff for doing a good job with the After-School Programs.
- (f) He noted both the Police and Fire Departments participated in Montclair High School's Career Day on April 1, 2014. He expressed his appreciation of the employees from both departments for their participation in the event.
- (g) He agreed with Council Member Paulitz regarding **FPA**, noting it would be his wish that it would not relocate in Montclair. He noted he was quite pleased to see the "for sale" sign at the clinic's former location and expressed his appreciation of City Manager Starr's extensive research on the issue. He stated, "Unfortunately, our hands are tied on this one. There is not a whole lot we can do. It is a constitutional right whether you like it or not. I guess I will have to join the picketers one day. Thank you."

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

- (a) He noted he shares along with the City Council in congratulating **Ms. Ruth Bonillas** for her dedicated efforts leading to the apprehension of a criminal. He stated, "We appreciate her involvement. We need more residents to get involved."
- (b) He thanked Fire Chief Mayhew for his attendance at the regular joint meetings, noting "Chief Mayhew has two additional meetings a month: two in the **City of Upland** and two here in Montclair. That's a lot of long meetings, and we appreciate it. Thank you so much."
- (c) He thanked Police Chief/Public Safety Executive Director deMoet for his efforts in the many activities he's been involved with recently—"they are very appreciated."
- (d) He noted the Youth Center Open House held last Thursday was a fundraiser organized by the **Montclair-Ontario Junior Women's Club**. He expressed his appreciation of the "tremendous job" done by staff to organize the event. He stated, "Our efforts for the youth in this community are paying off, and our Youth Center is certainly showing that."

- (e) He commended Planning Commission Chairperson Tenice Johnson on being honored as "Woman of the Year," noting he feels personally responsible because he nominated her. He noted he is pleased that his nomination paper that accented all that **Ms. Johnson** does was instrumental in her being honored.
- (f) He noted the following legislation that is important to the community:
 - (1) **AB 1569 - Youth Apprenticeship Tax Credit Program:** Introduced by **Assembly Member Rodriguez**, the measure encourages job creation by allowing an employer to claim a tax credit of up to \$2,000 for each registered apprentice between the ages of 16 and 25.

Mayor Pro Tem Ruh stated that young people need training to develop some experience in order to find work. He noted the bill has bipartisan support, which is so important, and expressed his hope that it would be signed into law.

- (2) **Representative McLeod** is involved in efforts in Washington D.C. to retain the deduction for interest payments on home mortgages, known as the mortgage interest deduction (MID). The deduction is important to many families. Retention of the MID has bipartisan opposition as well as bipartisan support including **Representative McLeod** who is pushing to keep the MID alive and a reality for many of our families.
- (g) He noted seeing a flier in his neighborhood about a lost Chihuahua whose owner is distraught about losing her pet because he is in need of medical attention. He noted he would leave copies of the flier in the Council Chambers and asked that anyone spotting the dog to please let the owner know.
- (h) He noted learning over the weekend that at 93-years-old, **Mickey Rooney** has passed away. He stated, "What is phenomenal about this is the man had been acting since he was 18-months-old. He lived a long life with a lot of challenges and a lot of ups and downs, but the key is he kept doing what he loved doing. Also in the news was **Doris Day** turned 90 on April 3, 2014. She has been doing what she loves doing between her acting, singing, and now her involvement with animal welfare. I think the

key to a good long life is you have to keep doing what you are doing and love what you are doing. Thank you."

E. Committee Meeting Minutes

1. Minutes of Code Enforcement Committee Meeting of March 17, 2014

The City Council received and filed the Code Enforcement Committee meeting minutes of March 17, 2014, for informational purposes.

2. Minutes of Personnel Committee Meeting of March 17, 2014

The City Council received and filed the Personnel Committee meeting minutes of March 17, 2014, for informational purposes.

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

At 8:00 p.m., Chairman Eaton adjourned the Successor Agency and Montclair Housing Corporation Boards of Directors and the Montclair Housing Authority Commissioners.

At 8:00 p.m., the City Council went into Closed Session regarding pending litigation pursuant to Government Code Section 54956.9(d)(1).

XIII. CLOSED SESSION ANNOUNCEMENTS

At 8:14 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding pending litigation, information was received and direction given to staff, and no further announcements would be made at this time.

XIV. ADJOURNMENT

At 8:15 p.m., Mayor Eaton adjourned the City Council in memory of Montclair residents **Mr. Jesus H. Valadez** and **Ms. Lucretia Rodriguez**.

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

Yvonne L. Smith, Deputy City Clerk