

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL, SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS, MONTCLAIR HOUSING AUTHORITY COMMISSION, AND MONTCLAIR PUBLIC FINANCING AUTHORITY BOARD HELD ON TUESDAY, FEBRUARY 17, 2015, 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

Pastor Juan Campos, New Destiny Fellowship Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

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

IV. ROLL CALL

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairperson Raft; Council Members/Directors Dutrey, Ruh, and Martinez; 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 Phillips

V. PRESENTATIONS

A. **Congressional Update from U.S. Representative Norma Torres**

Representative Norma Torres discussed her first six weeks in Congress, noting she has been assigned to the **Homeland Security** and **Natural Resources** committees as well as the **Indian Affairs** and **Water and Power** subcommittees. She noted she is excited to work on **President Obama's** plan for making community college more accessible, and commended the City of Montclair for its **Online to College** program, which has been providing **Montclair High School** graduates with full two-year tuition to **Chaffey Community College** for over 15 years.

Representative Torres noted she looks forward to representing the City of Montclair at the federal level on issues including the **Ontario International Airport**, community development and housing, and federal grant opportunities for local governments. She noted her district office in **Chino** is available for the City's use as a resource.

Council Member Ruh thanked **Representative Torres** for her warm reception at the swearing-in ceremony for new members of Congress, and congratulated her on a recently published **New York Times** biographical editorial written about her.

Representative Torres thanked Council Member Ruh for attending the ceremony, noting she is pleased to see Council Members representing the City of Montclair in Washington D.C.

Council Member Dutrey noted he is excited to have **Representative Torres** representing Montclair and noted he looks forward to her leadership.

Council Member Martinez thanked **Representative Torres** for her advocacy of community colleges and stated the motto for **Chaffey College** is: "Education is a journey, not a destination."

Representative Torres thanked Council Member Martinez and congratulated her on her election to the City Council last year.

Mayor Pro Tem Raft congratulated **Representative Torres** on her election to **Congress** and stated the City of Montclair is pleased to have her as our federal representative. She noted she would be attending **Representative Torres's** community swearing in ceremony this Saturday.

Representative Torres thanked Mayor Pro Tem Raft for reminding her to announce that her community swearing-in ceremony will take place on Saturday at 11:00 a.m. at the **Mountain Meadows Country Club**, Pomona.

Mayor Eaton thanked **Representative Torres** for her report and stated, "We will be seeing you in D. C. soon!"

B. Introduction and Update from San Bernardino County Fourth District Supervisor Curt Hagman

San Bernardino County Fourth District Supervisor Curt Hagman introduced **Field Representative Suzette Dang** and himself. **Supervisor Hagman** noted he looks forward to working with the City of Montclair. He stated that his office is located at 385 North Arrowhead Avenue, 5th Floor, San Bernardino, and that his staff would be happy to issue certificates upon request or help the City in any way they can.

Council Member Ruh thanked **Supervisor Hagman** for his continued support of extending the **Gold Line** from Azusa to Montclair.

Council Member Martinez thanked **Supervisor Hagman** for continuing the tradition of Country representation at the monthly senior birthday parties, which means a lot to them.

Supervisor Hagman stated that he is glad to support the Senior Center and that his staff is happy to attend.

Mayor Eaton thanked **Supervisor Hagman** for attending tonight's meeting.

C. Introduction of New Employees and Promotee

Police Chief/Public Safety Executive Director deMoet introduced Police Sergeant David Taylor, who was promoted to his new position effective February 9, 2015.

Police Chief/Public Safety Executive Director deMoet noted Sergeant Taylor was born in New Orleans and moved to Los Angeles with his family as a toddler, later settling in Upland. He stated Sergeant Taylor attended **Montclair High School** and played several sports including baseball, football, basketball, and track and field.

Police Chief/Public Safety Executive Director deMoet noted Sergeant Taylor was hired to work in the City's **Human Services Division** as a life guard and swimming instructor at the age of sixteen and worked while attending **Chaffey** and **Citrus Community Colleges**. He noted Sergeant Taylor earned an athletic scholarship in track and field from **Azusa Pacific University**.

Police Chief/Public Safety Executive Director deMoet noted Sergeant Taylor began his law enforcement career with the Montclair Police Department on January 7, 1991 when he began academy training at the **San Bernardino County Sheriff's Department Law Enforcement Training Center**. He stated that during Sergeant Taylor's 24 years with the department, he worked a variety of special assignments including serving as a certified drug recognition expert and field training officer; working as a member of the **Street Enforcement Team (SET)**; being assigned to identity theft and property crimes; and serving as a school resource officer at **Montclair High School**. He noted that in 2012, Sergeant Taylor was selected as the **Montclair Police Department Officer of the Year**. Sergeant Taylor looks forward to continuing his service to the community as a Police Sergeant.

Mayor Eaton congratulated Sergeant Taylor on his promotion and presented him with a City pin.

Public Works Director Hudson introduced **Mr. Albert Guerrero**, who was appointed to the position of Leadworker effective January 5, 2015.

Public Works Director Hudson stated that Leadworker Guerrero grew up in Ontario with his three brothers and one sister. He noted Leadworker Guerrero attended **Montclair High School**, but transferred and completed his senior year at **Corona High School**. He noted Leadworker Guerrero began his career in construction in 1998 and has developed skills including asphalt, concrete, fiber optics, heavy equipment operator, and many more. He noted he received his commercial license in 2013 and began to drive commercial dump trucks for **Larry's Trucking**.

Public Works Director Hudson noted that Leadworker Guerrero has been married to his high school sweetheart, **Betty**, for 18 years and together they have two children, **Adrian** and **Elaxis**. Some of Leadworker Guerrero's favorite things to do are fishing and camping with his family or just relaxing at home. He stated that that Leadworker Guerrero looks forward to working with the City of Montclair and is grateful for this opportunity.

Mayor Eaton welcomed Leadworker Guerrero to the Montclair City family and presented him with a City pin.

Public Works Director Hudson introduced **Mr. Jeff Wheeler**, who was appointed to the position of Maintenance Worker effective January 12, 2015.

Public Works Director Hudson noted Maintenance Worker Wheeler was born in Montclair but soon after his family moved to Chino, then to Upland, and finally settled in Rancho Cucamonga, where he primarily grew up and went to school. He noted that growing up, Maintenance Worker Wheeler spent a lot of time with relatives who lived in Montclair.

Public Works Director Hudson noted Maintenance Worker Wheeler enjoys camping and riding dirt bikes and BMX. He noted Maintenance Worker Wheeler and his girlfriend are expecting their first child in June. He noted Maintenance Worker Wheeler looks forward to a long career with the City of Montclair.

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

Mayor Eaton thanked audience members for their attendance and noted that those who would like to leave the meeting at this time could do so.

VI. PUBLIC COMMENT

Pursuant to Government Code Section 54954.3, Mayor Eaton announced that this section is intended to provide members of the public with an opportunity to address the Council on any subject that does not appear on tonight's agenda. He stated that each speaker will be afforded five minutes to address the City Council, the Successor Agency and Montclair Housing Corporation Boards of Directors, and the Montclair Housing Authority Commissioners.

- A. **Mr. Mark Gutglueck**, 10808 Foothill Boulevard, Rancho Cucamonga, stated he is the publisher of the **San Bernardino County Sentinel**, a local newspaper. He noted the newspaper has 2,800 subscribers in Montclair including print and online subscriptions and requested the City's permission to place a newspaper stand at City Hall.

Mayor Eaton informed **Mr. Gutglueck** that City Manager Starr and City Attorney Robbins would investigate his request and let him know.

VII. PUBLIC HEARINGS – None

VIII. CONSENT CALENDAR

Council Member/Director Dutrey requested that Item D-1 be removed from the Consent Calendar.

Moved by Mayor Pro Tem/Vice Chairperson Raft, seconded by Council Member/Director Ruh, and carried unanimously to approve the following Consent Items as presented:

A. Approval of Minutes

1. **Minutes of the Adjourned City Council Meeting of February 2, 2015**

The City Council approved the minutes of the February 2, 2015 adjourned meeting.

2. **Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Commission Meeting of February 2, 2015**

The City Council, City Council acting as successor to the Redevelopment Agency Board of Directors, Montclair Housing Corporation Board of Directors, and Montclair Housing Authority Commissioners approved the minutes of the February 2, 2015 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 January 31, 2015.

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

The City Council approved the City Warrant Register dated February 17, 2015, totaling \$913,008.12, and the Payroll Documentation dated February 8, 2015, amounting to \$599,270.41 gross, with \$434,296.80 net 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 Successor to the Redevelopment Agency Treasurer's Report for the month ending January 31, 2015.

4. Approval of Successor Agency Warrant Register

The City Council acting as successor to the Redevelopment Agency Board approved the Successor to the Redevelopment Agency Warrant Register dated 01.01.15-01.31.15 in the amounts of \$41,778.28 for the Combined Operating Fund; \$3,782,789 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 January 31, 2015.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 01.01.15-01.31.15 in the amount of \$69,741.05.

7. Receiving and Filing of MHA Treasurer's Report

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending January 31, 2015.

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 01.01.15-01.31.15 in the amount of \$0.00.

9. Setting a Public Hearing to Reprioritize Funding for Fiscal Year 2015-16 Community Development Block Grant Projects

The City Council set a public hearing for Monday, March 2, 2015, at 7:00 p.m. in the City Council Chambers to consider reprioritization of funding for Fiscal Year 2015-16 Community Development Block Grant Projects.

10. Authorization to Utilize \$3,982 of State Asset Forfeiture Funds to Purchase Food and Promotional Items for the Every 15 Minutes Program to be Held at Montclair High School

The City Council authorized the Police Department to utilize \$3,982 of State Asset Forfeiture funds to purchase food and promotional items for the Every 15 Minutes program to be held at Montclair High School.

11. Authorizing the Use of \$1,081 in Federal Asset Forfeiture Funds to Purchase a Ballistic Vest for Use During Emergency and Catastrophic Events

The City Council authorized the use of \$1,081 in Federal Asset Forfeiture funds to purchase a ballistic vest for use during emergency and catastrophic events.

12. Authorizing Staff to Advertise for Bid Proposals for the Northeast Montclair Residential Street Resurfacing Project Phase 2

The City Council authorized staff to advertise for bid proposals for the Northeast Montclair Residential Street Resurfacing Project Phase 2.

C. Agreements

1. Approval of *Agreement No. 15-13* with Graffiti Tracker Inc. for Continued Use of its Database to Track and Analyze Graffiti

The City Council approved *Agreement No. 15-13* with Graffiti Tracker Inc. for continued use of its database to track and analyze graffiti.

D. Resolutions

2. Adoption of Montclair Public Financing Authority Resolution No. 15-01 Authorizing Investment of Bond Proceeds of the Montclair Public Financing Authority with the Local Agency Investment Fund

The Montclair Public Financing Authority Board of Directors adopted Resolution No. 15-01 authorizing investment of bond proceeds of the Montclair Public Financing Authority with the Local Agency Investment Fund.

IX. PULLED CONSENT CALENDAR ITEMS

D. Resolutions

1. Adoption of Resolution No. 14-3056, A Resolution of the City Council of the City of Montclair Adopting Policies and Procedures for the Naming of City Programs, Streets, and Facilities After Historic Events or In Honor of Individuals and/or Corporations Serving the Community, State, and/or Nation with Remarkable and Noteworthy Distinction

Moved by Council Member Dutrey, seconded by Council Member Ruh, and carried unanimously that Resolution No. 14-3056, entitled, "A Resolution of the City Council of the City of Montclair Adopting Policies and Procedures for the Naming of City Programs, Streets, and Facilities After Historic Events or In Honor of Individuals and/or Corporations Serving the Community, State, and/or Nation with Remarkable and Noteworthy Distinction," be tabled indefinitely.

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney

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

Omlin v. Montclair

City Attorney Robbins requested a Closed Session on the above matter.

B. City Manager/Executive Director

1. City Manager/Executive Director Starr commented as follows:
 - (a) He noted he had a productive meeting with **Supervisor Hagman** to discuss issues important to Montclair including the **Gold Line's** extension to Montclair.
 - (b) He reported that Mayor Eaton, Public Works Director Hudson, and he attended a **San Bernardino Associated Governments (SANBAG)** meeting, noting **SANBAG** is unfortunately not as supportive of the **Gold Line's** extension to Montclair as the organization had previously been. He stated that **SANBAG** is, however, reviewing the currently proposed Reimbursement Agreement for the City's advancement of costs for engineering and design work on the project. He noted construction should begin in 2017 and should be completed around 2021.

C. Mayor/Chairman

1. Mayor/Chairman Eaton commented as follows:
 - (a) Mayor/Chairman Eaton reported that he attended **Omnitrans, SANBAG, and Metrolink** meetings, noting **Metrolink** is continuing its search for a new CEO. He stated the committee is in the process of reviewing 11 applicants.
 - (b) He thanked the Public Works Department for repairing the dilapidated pavement on Central Avenue

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

1. Council Member/Director Martinez commented as follows:
 - (a) She noted the Senior Center's **Valentine's Day Dance** was a bittersweet event because, unfortunately, a faithful senior volunteer passed away the same day. She commended Senior Citizen Program Specialist Vargas-Pipersky for contacting a family member of this individual because she had no known family living nearby. She noted the individual's sister was able to travel from out of state to see her before passing away.

She advised that, sadly, death is not an uncommon occurrence at the Senior Center. She noted that this individual was a pseudo-employee of the City who truly cared about and took seriously her Senior Center volunteer duties.
 - (b) She noted her attendance at the **Montclair Chamber of Commerce** Networking Breakfast on Thursday, which hosted a presentation on workforce development. She stated that during this presentation, she learned that the **Fontana Police Department** sponsors a reentry program for those released from prison or jail. She noted she would like to see the City work with the **Fontana Police Department** in the future on participating in a reentry program.
 - (c) She noted the deadline to purchase a plaque on the Veterans Memorial Wall is February 20, 2015, and encouraged those who would like to purchase a plaque to do so online. She stated that a plaque ceremony would be held on Memorial Day, May 25, 2015.

- (d) She noted the Police and Fire Departments hosted a **Battle of the Badges** blood drive today and that she regretted she could not donate due to low iron levels; however, she was challenged to find someone to take her place and was able to do so within ten minutes.

Mayor Eaton thanked Council Member Martinez, noting it is always nice to hear about employees going above and beyond.

2. Mayor Pro Tem Raft commented as follows:

- (a) She noted she also participated in the **Battle of the Badges** blood drive.
- (b) She congratulated Sergeant Taylor on his promotion.
- (c) She noted reading in the City Manager's Weekly Report about new development that is taking place across the street from Costco. She stated the City will be reportedly getting a new **Starbucks Coffee** and **Original Tommy's Hamburger** as tenants in the new development and that it will be nice to have these new businesses in the City.

3. Council Member/Director Dutrey commented as follows:

- (a) He noted he attended last week's Planning Commission meeting and commended Chairperson Johnson for doing a great job listening and responding to speakers' concerns regarding the proposed location for the new **Original Tommy's Hamburger**.
- (b) He commended the Public Works Department for replacing the plaque at the former **Margarita School** site. He noted the Council proposed the original plaque be placed there by the developer in 2004 to recognize the **Margarita School** site, but the plaque was stolen two years ago by vandals.
- (c) He noted his review of the graffiti report, stating that although graffiti remains a big cost and time issue, he has not noticed much graffiti vandalism, which means it is being abated quickly. He noted the importance of removing graffiti quickly because it creates a bad image for the City. He complimented the Public Works Department for removing graffiti so quickly.
- (d) He stated the **Ontario-Montclair School District** is hosting a Parent Leadership Conference on March 11, 2015. Noting he is unable to attend due to work, he asked that the City be represented at the event.

Mayor Eaton and Council Member Martinez stated they would attend.

- (e) He noted **Upland Council Member Gino Filippi** reported on **Facebook** about a fire that took place over the weekend that involved both Montclair and **Upland Fire Department** personnel. He noted it was nice to see that both departments are working well together and being recognized by a City Council member from another city.
- (f) He noted there was a double homicide in Montclair two weeks ago that received substantial press coverage. He commended the Montclair Police Department for their professionalism in the investigation and cooperation with the media.

3. Council Member/Director Ruh commented as follows:
- (a) He noted the public may not believe the City was moving fast enough on the development across the street from **Costco**, and stated that "clearly, we are moving at the pace that the free market wants. We're also pulling in a quality development—something we can be proud of when we look down the line. This is a freeway location, and we have made sure that the businesses there are reflective of this community."
 - (b) He noted he chaired the Montclair Successor Agency Oversight Board meeting last week, which reviewed all Successor Redevelopment Agency activities as the dissolution process continues.
 - (c) He commended Lieutenant Ventura for the work he has done on the double homicide in Montclair.
 - (d) He commended Sergeant Taylor for his recent work with capturing the miniature pony that got loose, noting he has been referring to the incident as "the Rodeo on Rodeo" because it was finally corralled on Rodeo Street. He expressed his hope its owners will soon be located.
 - (e) He noted the passing of two influential individuals:
 - i. Former **San Bernardino County Supervisor Calvin McElwain** who served the County from 1978 to 1986. He noted **Supervisor McElwain** was considered the "Dean of the Board of Supervisors" because he was still called on for advice and institutional knowledge.
 - ii. **Ms. Annie Aguirre**, mother of former **San Bernardino County Supervisor/Assembly Member Fred Aguirre**.

He noted the City Council sends its condolences to the families of these individuals.

- (f) He noted there are 23 marble **Relief Portraits of Lawgivers** located in the **House Chamber** of the **U.S. Capitol Building**, which depict historical figures noted for their work in establishing the principles that underline American law. He stated that he wonders how many of the 435 members of Congress know who these individuals are and what their contributions were.

He noted **Pope Innocent III** gave us the concept of church and state; **Pope Gregory IX** contributed to the affirmation of human rights; **Moses** and **Maimonides** were lawgivers; **Suleimon** and **Hammurabi** made contributions to law and judiciary process; and our founding fathers looked to **Lycurgus** and **Solon** in creating a Greek-style democracy. He noted these men came from many different backgrounds, religions, and philosophies, yet they were all scholars that contributed to the founding of our democracy. He stated it is important to know about these men who are part of our history, our democracy, and the heritage of our country.

E. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of February 2, 2015

The City Council received and filed the Personnel Committee meeting minutes of February 2, 2015, for informational purposes.

XII. COUNCIL WORKSHOP

A. Solar Energy Proposal and Power Purchase Agreement Presentation by PsomasFMG

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft, and carried unanimously to continue this item to an adjourned meeting on Monday, March 2, 2015, at 5:45 p.m. in the City Council Chambers.

XIII. ADJOURNMENT OF SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS, MONTCLAIR HOUSING AUTHORITY COMMISSIONERS, AND MONTCLAIR PUBLIC FINANCING AUTHORITY BOARD OF DIRECTORS

At 7:46 p.m., Chairman Eaton adjourned the Successor Agency to the former Montclair Redevelopment Agency and Montclair Housing Corporation Boards of Directors, the Montclair Housing Authority Commissioners, and the Montclair Public Financing Authority Board of Directors.

At 7:47 p.m., the City Council went into Closed Session regarding pending litigation pursuant to Government Code Section 54956.9(d)(1).

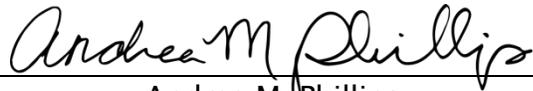
XIV. CLOSED SESSION ANNOUNCEMENTS

At 8:00 p.m., the City Council returned from Closed Session. Mayor Eaton announced that 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.

XV. ADJOURNMENT OF CITY COUNCIL

At 8:01 p.m., Mayor Eaton adjourned City Council to Monday, March 2, 2015, at 5:45 p.m. in the City Council Chambers for the Solar Energy Proposal and Power Purchase Agreement Presentation by **PsomasFMG**.

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



Andrea M. Phillips
Deputy City Clerk