

MINUTES OF THE REGULAR JOINT MEETING OF THE MONTCLAIR CITY COUNCIL, SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS, MONTCLAIR HOUSING AUTHORITY COMMISSION, AND MONTCLAIR COMMUNITY FOUNDATION BOARD HELD ON MONDAY, APRIL 6, 2015, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA

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**I. CALL TO ORDER**

Mayor/Chairman Eaton called the meeting to order at 7:00 p.m. and asked that everyone please silence their electronic devices as a courtesy to others while the meeting is in session.

**II. INVOCATION**

**Pastor Vicki Brobeck, Grace Fellowship Foursquare Church**, gave the Invocation.

**III. PLEDGE OF ALLEGIANCE**

Council Member/Director Martinez 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. Presentation on California Executive Order B-29-15 by Mark Kinsey, Chief Executive Officer, Monte Vista Water District**

**Chief Executive Officer Mark Kinsey, Monte Vista Water District (MVWD)**, gave a presentation about California Executive Order B-29-15 signed by **Governor Brown** on April 1, 2015. He presented a timeline of state actions from January 2014 to April 2015, and outlined the impact of the **Governor's** order on the City of Montclair, including a 25 percent reduction in urban water use compared to already-low 2013 usage levels; an update to the State Model Water Efficient Landscape Ordinance, which may require the City to update its own local ordinance; and the prohibition of irrigation of ornamental grass on public street medians.

**Chief Executive Officer Kinsey** discussed **MVWD's** response to the drought including a budget-based rate structure, which incentivizes efficient water use, and conservation programs such as irrigation technology retrofits and turf reduction. He noted **MVWD's** schedule for implementing the state mandate includes a review of State and Metropolitan actions and **MVWD Board** authorization to hold a public hearing in April; holding a public hearing to consider a Shortage Declaration in May; and ongoing customer communications via direct mail and public events through June, including the implementation of drought response clinics. He advised that next steps will include communication and enforcement of the **MVWD Board's** Shortage Declaration, enhancement of turf removal programs, and evaluation of City-District partnership opportunities including resident outreach and funding for median landscape retrofits.

Council Member Ruh stated he is supportive of turf removal efforts, noting, however, that he is wary of the cost to put other alternatives in. He recommended that **MVWD** use its share of tax increment, which is being received as a result of the dissolution of redevelopment agencies in California, to create a "revolving loan fund" wherein residents could use the loan to hire professional landscapers to design and install drought-efficient landscaping. He proposed the loans be secured via property tax increment; the property owners could volunteer to have their property tax increased for a period of time, during which the loan would be paid off simultaneously with annual property tax payments. He added when the home is sold, the property tax financing would continue until the loan is paid off. He noted Property Assessed Clean Energy (PACE) programs function differently in that the loans come due once the property is sold. He advised PACE assessments make it difficult for homeowners to refinance the loans. He suggested that, if his proposed program is ever implemented, the first several applicants could agree to allow their homes to be used as models. He stated he realizes the plan sounds novel, but he believes something needs to be done quickly in a way that does not cost too much.

**Chief Executive Officer Kinsey** stated the cost to retrofit grass is six to eight dollars per square foot in southern California landscaping. He advised several incentive programs are offered by agencies such as the **Metropolitan Water District (MWD)** and the **Inland Empire Utilities Agency**. He advised **MVWD** is continuing to search for potential sources of funding, and the Board is looking to establish a funding source for much of the proposed activities. He noted **MVWD** would certainly look into developing some sort of loan program. He noted **IEUA** has also received a large amount of reallocated redevelopment tax increment and could be a potential partner in developing such a loan program.

Council Member Ruh concurred and stated something needs to be done because homeowners cannot be expected to pay \$8,000 to \$10,000 to retrofit their landscaping.

Mayor Pro Tem Raft asked if **MVWD** is sending letters to residents to advise them of how and when to conserve water in light of the new rate structure for water usage, as well as any fines that may be involved in excessive and wasteful uses of water.

**Chief Executive Officer Kinsey** noted that once the Board takes action to declare a water shortage, there is a set of procedures the water district must follow including notifying residents of why restrictions are being implemented and what the new water regulations are. He noted **MVWD's** ordinance and rate structure are essentially already implement mandated best practices and provide for the ability to take enforcement actions, should **MVWD** decide to do so. He noted an irrigation schedule will be sent out to residents. He advised the goal is to encourage active participation from residents in using water more efficiently.

Council Member Dutrey proposed the City Council form an ad hoc committee consisting of two Council Members, two **MVWD Board Members**, City Manager Starr, and **Chief Executive Officer Kinsey** to collaborate in addressing the water issue and ensure the Montclair community remains beautiful. He proposed the creation of the ad hoc committee be placed on the next agenda and requested **Chief Executive Officer Kinsey** request that the **MVWD Board of Directors** to consider appointing two of its members to the ad hoc committee. He noted this committee could brainstorm ideas for programs and actions the City can take to conserve water in the community.

Council Member Martinez noted the water issue was discussed at the 2015 City-County Conference in Lake Arrowhead, which she attended two weeks prior. She asked if **Chief Executive Officer Kinsey** could clarify the phrase, "we have only one year of reserve water," which she had heard several times at the conference.

**Chief Executive Officer Kinsey** noted it is a mischaracterization of the water supply; he advised **MWD**, like **MVWD**, stores water during periods of surplus to supplement water shortages. He noted **MVWD** has more than two years of water supply; however, **MWD** has gone through one of its two years of storage for water supply, and still has an emergency backup storage supply. He continued by saying that if the mandated reduction levels for water usage are met, it may last even longer.

Council Member Martinez asked when cities are expected to begin efforts to meet the 25 percent reduction.

**Chief Executive Officer Kinsey** stated the state is still in the process of rulemaking for the mandates, and he expects the rule to be implemented in May and it is still unclear whether water will be allocated based on past overall usage or per-capita usage.

Council Member Martinez stated she is in support of this measure and is willing to do whatever it takes to help conserve water.

**Chief Executive Officer Kinsey** thanked the City Council, noting the City and its residents have been very responsive to efforts to conserve water in the past.

Mayor Eaton thanked **Chief Executive Officer Kinsey** for his presentation.

## **B. Introduction of New Employees**

Public Works Director Hudson introduced Maintenance Worker **John Kresback**, who was appointed to his position effective January 12, 2015.

Public Works Director Hudson noted **Mr. Kresback** was born in New York and moved to California at the age of three, grew up in several different cities, and graduated from **Alta Loma High School** in 2002. He noted **Mr. Kresback** is currently taking Public Works courses at **Citrus College**. He added **Mr. Kresback** has two young sons ages three and seven, and enjoys doing outdoor activities with them including camping, fishing, soccer, and basketball.

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

Police Chief/Public Safety Executive Director deMoet introduced Police Officers **Joshua Garabedian** and **Eric Vazquez**, who were both selected from an extensive recruitment process in October, sent through the Police Academy, and appointed to their positions effective March 23, 2015.

Police Chief/Public Safety Executive Director deMoet noted **Mr. Garabedian** attended **Upland High School**, enrolling in a **United States Army Reserve** summer program that allowed him to attend Basic Training between his Junior and Senior years. He stated **Mr. Garabedian** served two tours of duty in Iraq, and spent much of his time working with Iraqi police and later being assigned to the personal security detail of the Commander of Military Police in Iraq. He noted Mr. Garabedian was honorably discharged in 2013 as a Sergeant, and worked at **San Manuel Indian Casino** from 2009-2014 as a Public Safety Tribal Officer. He noted that **Mr. Garabedian** now resides in Rancho Cucamonga and is a big fan of the **Los Angeles Angels of Anaheim**.

Police Chief/Public Safety Executive Director deMoet noted **Mr. Vazquez** grew up in Los Angeles with his parents and two siblings, and graduated from John Marshall High School in 2009, which is also where he met his fiancée, **Daisy**. He noted **Mr. Vazquez** previously worked as an Emergency Medical Technician for **McCormick Ambulance** and later worked for the **Los Angeles County Department of Health Services**. He stated **Mr. Vazquez** enjoys working out, going to museums, and watching football, noting his favorite team is the **Denver Broncos**.

Mayor Eaton welcomed Police Officers Garabedian and Vazquez to the Montclair City family and presented them with City pins.

**C. Presentation of Plaques of Appreciation by the Montclair Fire Department to Public Works Superintendent Xavier Mendez and Jimmy Hassan of Pacific Truck and Auto Towing**

Fire Engineer Orestes "Rusty" Vidal described the Fire Department's auto extrication training, consisting of catastrophic car accident simulations and rescue exercises. He noted sometimes live victims are used unless the scenarios are too dangerous, in which case manikins are utilized. He noted these trainings are reliant on the donations of vehicles, equipment, and locations, and noted the Montclair Fire Department would like to recognize those who have made these training exercises possible.

Fire Engineer Vidal first recognized **Saifeddin "Jimmy" Hassan**, owner of **Pacific Truck and Auto Towing**, for the donation of 18 cars for use in extrication training exercises. He presented **Mr. Hassan** with a plaque on behalf of the Montclair Fire Department.

Fire Engineer Vidal also presented Public Works Superintendent Mendez with a plaque recognizing the Public Works Department's assistance in providing vehicle preparation and use of the City Yard for the extrication training program.

Fire Engineer Vidal thanked **Mr. Hassan** and Public Works Superintendent Mendez once again on behalf of the Montclair Fire Department.

**D. Proclamation Declaring April 2015 as "DMV/Donate Life California Month" in the City of Montclair**

Mayor Eaton presented a proclamation to **One Legacy/Donate Life Ambassador Daniel Luevanos** declaring the month of April 2015 as "DMV/ Donate Life California Month" in the City of Montclair.

**Mr. Luevanos** accepted the proclamation and thanked Mayor Eaton. He noted **One Legacy** is an Organ Procurement Organization (OPO), which acts as a bridge connecting patients to transplant centers. He reported one in 200 individuals is a perfect match for eye and organ tissue transplants. He noted there are over 123,000 individuals in the nation awaiting an organ transplant, and over 22,000 of them are in California alone. He sadly stated 21 individuals die each day waiting for an organ transplant, and a new person is added to the waiting list every 9 minutes. He noted **One Legacy** has partnered with the **Red Cross** and the **Department of Motor Vehicles** to encourage new donor registrations. He noted those who are interested can also register to become a donor at **DonateLifeCalifornia.org** or **DonateVidaCalifornia.org (Spanish)**.

**Mr. Luevanos** stated that he was a liver transplant recipient 12 years ago. He encouraged participation on Saturday, April 25, 2015, at the Donate Life Run/Walk and Family Festival 2015 event at **California State University, Fullerton**, from 7:00 a.m. to 2:00 p.m.

Mayor Eaton thanked **Mr. Luevanos** for the invitation and his work with **Donate Life California**.

**E. Proclamation Declaring April 2015 as "Child Abuse Prevention Month" in the City of Montclair**

Mayor Eaton invited **Ms. Arline Edwards**, Supervising Social Service Practitioner, **San Bernardino County Children and Family Services**, to say a few words.

**Ms. Edwards** advised that her office, formerly known as **Child Protective Services**, works closely with the **Children's Network of San Bernardino County**—established in 1986 as a result of a grand jury recommendation—whose goal is to help at-risk children by improving communication, planning, coordination, cooperation, and integration among youth-serving agencies. She stated that the Policy Council, a component of the organization that serves as the child-abuse prevention council for San Bernardino County, approved **Children and Family Services'** request to declare April as "Child Abuse Prevention Month," joining the national campaign.

**Ms. Edwards** reported that in 2013, 30,557 children residing in San Bernardino County were referred for service. She stated that there are 4,770 children in the system as of January 23, 2014; in 2014, 2,396 children exited foster care and entered into the following permanency areas: 441 were adopted, 237 entered guardianship, and over 1,200 were reunited with their families. From Montclair, 427 children were referred for service in 2013 and 435 in 2014.

**Ms. Edwards** stated that to report suspected child abuse, simply dial the *Child Abuse Hotline* at "2-1-1." She stated, "Each person is the eyes and ears of the community." She encouraged members of the community to call even if abuse is only suspected, and added, "We will do the rest and decide if it is true or not. It only takes a minute to make a call that might help a child or family."

**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 additional blue ribbon pins, responsible parenting literature, and other materials for the public are available by calling (909) 383-9677. She added that her office would be pleased to attend City events to spread the word about the important services her organization provides.

Mayor Eaton presented a proclamation to **Ms. Edwards** declaring April 2015 as "Child Abuse Prevention Month" in the City of Montclair.

**Ms. Edwards** accepted the proclamation and thanked Mayor Eaton.

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, the Montclair Housing Authority Commissioners, and the Montclair Community Foundation Board of Directors.

- A. Ms. Karen Haughey**, Field Representative, **San Bernardino County 4th District Supervisor Curt Hagman's Office**, invited the City Council and members of the Montclair community to two upcoming events that are being sponsored by **Supervisor Hagman's** office:

**Tax and Tatter** - April 18, 2015, 10:00 a.m. to 2:00 p.m.  
Ontario Chamber of Commerce  
520 N. Euclid Avenue, Ontario, CA

**Open House** - April 30, 2015, 5:00 to 7:30 p.m.  
Supervisor Hagman's District Office  
14010 City Center Drive, Chino Hills, CA  
(Free lunch provided by **The Taco Man**)

She stated she hopes to see everyone at these events and thanked Mayor Eaton and the City Council.

- B. Mr. Emerald Argonza**, 4585 Grand Avenue, Montclair, stated he has been a Montclair resident for 18 years. He advised he recently started a wine business called **Argonza Cellars**, which is located in Santa Clarita, noting that he contracts with several vineyards throughout California. He advised that he is seeking the Council's support of his planned opening of a tasting room in Montclair to present his company's product. He noted he has some brochures to distribute to the Council if they are interested in learning more about his business. He noted his wines are currently available online. He added he is excited to bring more jobs to Montclair with the prospective opening of his tasting room.

Mayor Pro Tem Raft noted **Mr. Argonza** invited her family to see his vineyard and stated it was very nice. She noted she is excited for **Mr. Argonza** to expand his business to Montclair and hopes it will put Montclair on the map and brings a "wine country" atmosphere to the City. She added that she was given two bottles of **Mr. Argonza's** wine, which she donated to the Human Services Department for future events.

## VII. PUBLIC HEARINGS

- A. Consider Approval of Tentative Tract Map No. 19943 for an 18-Lot Residential Subdivision at the Southeast Corner of Monte Vista Avenue and Howard Street**

Mayor Eaton declared it the time and place set for public hearing related to Tentative Tract Map No. 19943 for an 18-lot residential subdivision at the southeast corner of Monte Vista Avenue and Howard Street 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.

Council Member Ruh asked staff whether the developer was requested to utilize drought-tolerant landscaping in the design of the project.

Community Development Director Lustro stated that the developer was required to follow Montclair's Municipal Code related to landscaping, which was updated in 2010 to include water conservation measures.

Council Member Ruh stated he believes the landscape ordinance does not eliminate the use of live grass, and stated the Planning Commission should have questioned the developer's plans. He expressed concerns that the City will continue to allow developers to use grass on their developments, which will make water restrictions tighter on residents. He noted he plans to watch this development closely and may have the **State Water Resources Control Board** get involved.

Council Member Dutrey stated, "We are not in this mess because we have mowed green grass; we are in this mess because there is no

snow in the Sierra Mountains." He asked Council Member Ruh to refrain from making disparaging remarks about the Planning Commission.

Council Member Ruh stated that, while the issue of snow in the mountains certainly is a cause of this drought, the addition of mowed green turf to new developments in the City "means somebody else has to cut back."

Council Member Dutrey noted the City has a policy already in place, and must comply with that policy in enforcing landscaping requirements for new developments. He asked staff when the developer plans to begin construction.

Community Development Director Lustro stated the developer has submitted their grading plan for plan check, and after that is approved they will submit for a building plan check.

Moved by Council Member Dutrey and seconded by Council Member Martinez that the City Council approve Tentative Tract Map No. 19943 for an 18-Lot Residential Subdivision at the Southeast Corner of Monte Vista Avenue and Howard Street.

The City Council approved Tentative Tract Map No. 19943 by the following vote:

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

**B. Consider Adoption of Resolution No. 15-3065 Ordering the Vacation of the Alley West of 5384 San José Street**

Mayor Eaton declared it the time and place set for public hearing related to Resolution No. 15-3065 ordering the vacation of the alley west of 5384 San José Street 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 Martinez and seconded by Council Member Raft that the City Council adopt Resolution No. 15-3065, entitled, "**A Resolution of the City Council of the City of Montclair Ordering the Vacation of the Alley West of 5384 San José Street.**"

The City Council adopted Resolution No. 15-3065 by the following vote:

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

**C. Consider Adoption of Resolution No. 15-3068 Ordering the Vacation, Abandonment, and Removal of the Sidewalk West of 4350 Orchard Street and 4363 Rudisill Street and South of 10095 Amherst Avenue**

Mayor Eaton declared it the time and place set for public hearing related to Resolution No. 15-3068 ordering the vacation, abandonment, and removal of the sidewalk west of 4350 Orchard Street and 4363 Rudisill Street and south of 10095 Amherst Avenue.

City Manager Starr noted a survey was mailed to 119 households as well as the Ontario Montclair School District, and responses were received from 21 households, with 18 in favor of vacating the sidewalk and 3 in opposition. No responses were received from 98 households nor the school district.

Mayor Eaton invited comments from the public.

(a) **Mr. Raphael Villanueva**, 4383 Rudisill Street, Montclair, spoke in support of the City's removal of the sidewalk in question. He noted he has owned his home in Montclair for three and a half years, and the only issue has been the walkway. He advised teenagers often drink, smoke, use drugs, and participate in other vulgar activities on that walkway at night, which is evidenced by the trash, discarded syringes, and empty alcohol containers left behind and clearly visible in the daytime. He noted he is worried that these activities are taking place not far from where his children play in his back yard, and his dog constantly barks until the loiterers leave. He added that he has also found empty mail parcels on the walkway that were apparently stolen from nearby porches or mailboxes. He noted he understands some families utilize the walkway as a shortcut to get their children to school, but noted he feels health and safety of nearby residents outweighs the benefit of convenience of those who correctly use the walkway in this case.

(b) **Mr. Loren and Mrs. Judith Stevens**, 4350 Orchard Street, Montclair, spoke in support of the City's removal of the sidewalk in question. **Mrs. Stevens** noted she and her husband bought their home one year ago and after only a week, they experienced their first issue with the alley. She noted the homeless have used it as a place to store their belongings. She noted her sago palms that she planted in her front yard when they first bought the home were also stolen in the first week. She noted graffiti appeared in the second week, and from that point on she became well acquainted with the City's graffiti abatement program. She thanked the City Council for providing an opportunity to hear her concerns.

**Mr. Stevens** noted the sidewalk easement ends in the Stevens' driveway with no security or privacy measures. He stated his concern that this presents a safety issue where a pedestrian or bicyclist entering their driveway from the sidewalk could get hit if he or his wife back their vehicle out of their driveway and do not see the pedestrian or cyclist.

(c) **Theresa Santos**, 10095 Amherst Avenue, Montclair, spoke in support of the City's removal of the sidewalk in question. She noted she has lived in her home for 27 years and the sidewalk has been an ongoing problem. She noted she spoke previously with former Public Works Superintendent Mario Orioli about the sidewalk and is glad to see the closure is finally coming to fruition.

There being no more persons in the audience wishing to speak, Mayor Eaton closed the public hearing and returned the matter to the City Council for its consideration.

Council Member Dutrey asked how long it would take to close off the sidewalk.

Public Works Director Hudson noted the closure and removal of the sidewalk would be accomplished within the month by adding it into the City's maintenance schedule. He stated adding any fencing would be the responsibility of the respective property owners.

Moved by Council Member Dutrey and seconded by Council Member Ruh that the City Council adopt Resolution No. 15-3068, entitled, **"A Resolution of the City Council of the City of Montclair Ordering the Vacation, Abandonment, and Removal of the Sidewalk West of 4350 Orchard Street and 4363 Rudisill Street and south of 10095 Amherst Avenue."**

The City Council adopted Resolution No. 15-3068 by the following vote:

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

## VIII. CONSENT CALENDAR

City Manager/Executive Director Starr noted he would like to pull Item C-6.

City Attorney Robbins noted she would like to pull Item C-7 for comment.

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

### A. Approval of Minutes

#### 1. Minutes of the Regular Joint City Council/Successor Agency Board/MHC Board/MHA Commission Meeting of March 16, 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 March 16, 2015 regular joint meeting.

### B. Administrative Reports

#### 1. Setting a Public Hearing to Consider Ordinance No. 15-948 Adding Chapter 11.65 to the Montclair Municipal Code Related to Reasonable Accommodations for Disabled Individuals

The City Council set a public hearing for Monday, April 20, 2015, at 7:00 p.m. in the City Council Chambers to consider Ordinance No. 15-948 adding Chapter 11.65 to the Montclair Municipal Code related to reasonable accommodations for disabled individuals.

#### 2. Setting a Public Hearing to Consider Adoption of Ordinance No. 15-950 Amending Sections 9.20.460 and 9.20.465 of the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value

The City Council set a public hearing for Monday, April 20, 2015, at 7:00 p.m. in the City Council Chambers to consider Ordinance No. 15-950 amending Sections 9.20.460 and 9.20.465 of the Montclair Municipal Code related to the Equivalent Dwelling Unit Value.

#### 3. Montclair Community Foundation Board of Directors' Approval of Annual Goals for the Montclair Community Foundation

The Montclair Community Foundation Board of Directors approved the 2015 Annual Goals for the Montclair Community Foundation as follows:

- Collaborate with Chaffey College and Chaffey Joint Union High School District to implement the Online to College (OTC) Program at Montclair High School.
- Enroll 25% of Montclair High School Freshmen in the OTC Program.
- Conduct a minimum of four meetings annually for MCF.

**4. Awarding a Procurement Contract to CBE Office Solutions for the Purchase and Ongoing Maintenance Services of a Sharp MX 7040N Digital Color Copier System**

The City Council took the following actions:

- (a) Awarded a procurement contract to CBE Office Solutions for the purchase of a Sharp MX 7040N digital color copier including maintenance costs.
- (b) Authorized the City Manager to execute all documents on behalf of the City of Montclair in relation to the awarding of a procurement contract with CBE Office Solutions for the purchase of a Sharp MX 7040N digital color copier including maintenance costs.
- (c) Authorized a \$16,155.23 transfer from the Technology Fund to Administrative Services Department Account No. 1001-4316-62010-400-00000 for costs associated with the purchase of a Sharp MX 7040N color digital copier.

**5. Authorizing the Reallocation and Expenditure of Supplemental Law Enforcement Services Account Grant Funds**

The City Council authorized the reallocation and expenditure of Supplemental Law Enforcement Services Account Grant Funds.

**6. Approval of Parcel Merger No. 2015-1 for Parcels Located Generally on the East Side of Central Avenue South of the I-10 Freeway**

The City Council approved Parcel Merger No. 2015-1 for five parcels located generally on the east side of Central Avenue and south of the I-10 Freeway.

**7. Approval of Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated April 6, 2015, totaling \$1,973,404.77, and the Payroll Documentation dated March 22, 2015, amounting to \$600,433.40 gross, with \$438,526.32 net being the total cash disbursement.

**C. Agreements**

**1. Approval of Agreement No. 15-16-I-92, an Irrevocable Annexation Agreement with Fermin Osuna Jiménez for 4838 Phillips Boulevard (APN 1013-071-11)**

The City Council approved *Agreement No. 15-16-I-92*, an Irrevocable Annexation Agreement with Fermin Osuna Jiménez for 4838 Phillips Boulevard (APN 1013-071-11).

**2. Approval of Agreement No. 15-18 with Chaffey Joint Union High School District for Law Enforcement Services During Fiscal Year 2015-16**

The City Council approved *Agreement No. 15-18*, with Chaffey Joint Union High School District for Law Enforcement Services during Fiscal Year 2015-16.

**3. Approval of Agreement No. 15-19 with Frick, Frick & Jetté Architects, Incorporated, for Design Services for the Human Services and Recreation Weight Room Facility ADA Upgrade Project**

The City Council approved *Agreement No. 15-19* with Frick, Frick & Jetté Architects, Incorporated, for design services for the Human Services and Recreation Weight Room Facility ADA Upgrade Project.

**4. Approval of Agreement No. 15-20 Ratifying the Terms and Conditions of Employment Between the City of Montclair and Management Employees**

The City Council approved *Agreement No. 15-20* ratifying the terms and conditions of employment between the City of Montclair and management employees.

**5. Approval of Agreement No. 15-21 Ratifying the Terms and Conditions of Employment Between the City of Montclair and Executive Management Employees**

The City Council approved *Agreement No. 15-21* ratifying the terms and conditions of employment between the City of Montclair and executive management employees.

**8. Amending the Fiscal Years 2015-18 Capital Improvement Program by Deleting the Measure I Funding Source for the Northeast Montclair Pavement Rehabilitation Project Phase 2**

**Appropriation of \$600,000 from the Lease Revenue Bond Proceeds for the Northeast Montclair Pavement Rehabilitation Project Phase 2**

**Award of Contract for the Northeast Montclair Pavement Rehabilitation Project Phase 2 to All American Asphalt, Inc., in the Amount of \$514,150**

**Consider Approval of Agreement No. 15-24 with All American Asphalt, Inc., for Construction of the Northeast Montclair Pavement Rehabilitation Project Phase 2**

**Authorization of a \$55,000 Construction Contingency**

The City Council took the following actions:

- (a) Amended the Fiscal Years 2015-18 Capital Improvement Program by deleting the Measure I funding source for the Northeast Montclair Pavement Rehabilitation Project Phase 2.
- (b) Authorized a \$600,000 appropriation from the Lease Revenue Bond Proceeds for the Northeast Montclair Pavement Rehabilitation Project Phase 2.
- (c) Awarded a contract to All American Asphalt, Inc., in the amount of \$514,150 for construction of the Northeast Montclair Pavement Rehabilitation Project Phase 2.

- (d) Approved Agreement No. 15-24 with All American Asphalt, Inc., for construction of the Northeast Montclair Pavement Rehabilitation Project Phase 2.
- (e) Authorized a \$55,000 construction contingency.

**D. Resolutions**

**2. Adoption of Resolution No. 15-3070 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service**

The City Council adopted Resolution No. 15-3070 adjusting the Equivalent Dwelling Unit monthly fee for sewer service.

**IX. PULLED CONSENT CALENDAR ITEMS**

**C. Agreements**

**6. Approval of Agreement No. 15-22 with Matrix Audiovisual Designs, Inc., for the Furnishing, Replacement, and Installation of New Microphones and Audio Equipment in the City Council Chambers**

City Manager Starr noted that it would not be appropriate to approve this item tonight due to the audio and video system's failure to function this evening. He noted the item may be brought back at the next meeting.

The City Council took no action on *Agreement No. 15-22*, and continued consideration of *Agreement No. 15-22* to the April 20, 2015 regular meeting.

**7. Montclair Housing Corporation Board of Directors' Award of Contract to Jaramillo & Sons Construction in the Amount of \$32,100**

**Montclair Housing Corporation Board of Directors' Approval of Agreement No. 15-23 Between the Housing Corporation and Jaramillo & Sons Construction for the 4811 Canoga Street Garage and Deck Building Improvement Project**

**Authorization of a \$3,210 Construction Contingency**

City Attorney Robbins noted the agenda was originally published with the contractor's previous name, Jaramillo Construction, Incorporated. She advised a newly revised version of the agenda report and contract with the corrected name of the contractor has been distributed to the Montclair Housing Corporation Board, and is also available to the public at the entrance. She advised the Montclair Housing Corporation Board should approve the agreement, as revised.

Moved by Director Ruh, seconded by Vice Chairperson Raft, and carried unanimously that the Montclair Housing Corporation Board of Directors take the following actions:

- (a) Award a contract to Jaramillo & Sons Construction in the amount of \$32,100.
- (b) Approve Agreement No. 15-23, as amended, between the Montclair Housing Corporation and Jaramillo & Sons Construction for the 4811 Canoga Street Garage and Deck Building Improvement Project.
- (c) Authorize a \$3,210 construction contingency.

**D. Resolutions**

**1. Adoption of Resolution No. 15-3069 Determining the Status of Local Safety Employee Deborah Lou Camou**

Council Member Dutrey noted he would like to abstain from voting on this item "for personal reasons."

Moved by Mayor Eaton and seconded by Mayor Pro Tem Raft that Resolution No. 15-3069, entitled, "**A Resolution of the City Council of the City of Montclair Determining the Disability for Retirement Purposes of a Local Safety Member (California Government Code Section 21156)**," be read by number and title only, further reading be waived, and it be declared adopted.

The City Council waived the reading of the Resolution.

Resolution No. 15-3069 was adopted by the following vote:

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

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

**A. City Attorney - None**

**B. City Manager/Executive Director - None**

**C. Mayor/Chairman**

Mayor/Chairman Eaton commented as follows:

1. He noted that he attended **Omnitrans** and **SANBAG** meetings.
2. He reported that on April 2, 2015, Council Member Dutrey, Police Chief/Public Safety Executive Director deMoet, and he attended the monthly dinner hosted by the **League of California Cities**.

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

1. Council Member/Director Martinez commented as follows:

- (a) She stated the City's Easter Eggstravaganza and Pancake Breakfast Event that was held on Saturday, April 4, 2015, was well attended. She thanked the organizations that helped make the event possible including Montclair Kiwanis, Key Club members, the families of Ontario-Montclair Junior Womens' Club members, Police Chief deMoet, and everyone else who volunteered to make it a great event.
- (b) She noted the senior lunch program has sold over 1,000 more meals than last year. She stated that, although she does not know the exact reason, she is proud of Montclair for having such a great program that is getting more successful each year and hopes funding can continue to support the increased demand.
- (b) She noted she attended the City-County Conference in Lake Arrowhead which highlighted the drought in

California. She thanked **Executive Director Kinsey, Monte Vista Water District**, for clarifying some of the drought information she was not clear on.

2. Council Member/Director Dutrey commented as follows:
  - (a) He noted he spoke to the director of "the League" at the City-County Conference, who is very supportive in bringing the Gold Line to Montclair.
  - (b) He restated his attendance at the League of California Cities Inland Empire dinner meeting, noting **San Bernardino County District Attorney Michael A. Ramos** and **Sheriff John McMahon** gave a presentation called "Law Enforcement, Justice, and Minority Communities."
  - (c) He thanked staff for their work in the Easter egg hunt.
  - (d) He recognized the **Serrano Middle School's** after school dance program for the **Geek Squad's** dance performance at the **Ontario Reign** hockey game on March 18, 2015, at the **Citizens Bank Arena**.
  - (e) He noted he hopes everyone had a happy Easter.

3. Council Member/Director Ruh commented as follows:
  - (a) He thanked staff who participated in helping to make the Easter Eggstravaganza Event a success, including after-school program and Community Action Committee volunteers. He also thanked the Montclair Kiwanis for help with the pancake breakfast, and the **International House of Pancakes** for its donations toward the event.
  - (b) He noted the passing of **Mr. Lloyd Castleberry**, former owner of **Lloyd's Appliances** in Montclair and an original founder of Montclair Kiwanis, and **Ms. Gloria Gerardi**, mother of **Ms. Kim Erickson** who works at **Chaffey College** and serves on the Montclair Successor Agency Oversight Board. He noted **Ms. Gerardi** was active in communities throughout the Inland Empire and San Gabriel Valley, and wished **Ms. Erickson** the City's deepest condolences for her loss.
  - (c) He noted that, on April 1, 2015, the Governor issued the first statewide mandatory water reduction. He reviewed the many issues the drought has brought to California including the effects it has had on coastal habitats and economic impacts on the agricultural industry. He expressed his hopes that the water usage restrictions and tiered cost system does not create an issue of the "haves" versus the "have-nots," and proposed Montclair become a pioneer in water conservation in Southern California.

He requested staff update the landscape ordinance to eliminate the use of green lawns in new developments and in terms of upkeep, should address different types of drought-tolerant landscaping so that home and business owners do not think that they are required to have mowed green turf.

He noted he hopes the City can do the right thing.

## E. Committee Meeting Minutes

**1. Minutes of Personnel Committee Meeting of March 16, 2015**

The City Council received and filed the Personnel Committee meeting minutes of March 16, 2015, for informational purposes.

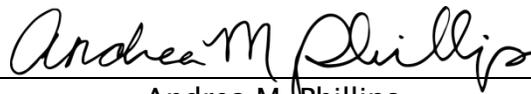
**2. Minutes of Code Enforcement/Public Safety Committee Meeting of February 19, 2015**

The City Council received and filed the Code Enforcement/Public Safety Committee meeting minutes of March 16, 2015, for informational purposes.

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

At 8:30 p.m., Mayor/Chairman Eaton adjourned the City Council, Successor Agency and Montclair Housing Corporation Boards of Directors, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board of Directors.

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



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Andrea M. Phillips  
Deputy City Clerk