

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, AUGUST 3, 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 Ann Schranz, Monte Vista Unitarian Universalist Congregation, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member/Director Ruh 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

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. Marisol Guerra**, Field Representative, **Congresswoman Norma Torres's** District Office, 11780 Central Avenue Suite 205, Chino, announced the following upcoming events:

1. *Small Business Administration Workshop Hosted by Congresswoman Torres* - Wednesday, August 12, 2015, from 8:30 - 11:00 a.m., in the Montclair Council Chambers, 5111 Benito Street, Montclair.
2. *Congress On Your Corner* - Thursday, August 14, 2015, from 5:00 - 6:30 p.m., at the **Pomona Chamber of Commerce**, 101 West Mission Boulevard, Suite 222A, Pomona.
3. *U.S. Service Academy Information Night* - Wednesday, September 2, 2015, from 5:30 - 7:30 p.m., **Chaffey Joint Union High School District**, Hill Auditorium, 211 West 5th Street, Ontario. She noted one district member in attendance will be selected to receive a letter of recommendation from Congresswoman Torres to assist in applications for up to \$350,000 in scholarships.

4. *Social Security Office Workshop* – Thursday, August 13, 2015, 1:00 – 2:30 p.m., **South Point Villa Senior Apartments**, 302 West Merrill Avenue, Rialto.
5. District Office Hours – Congresswoman Torres will be available to speak with constituents on Saturday, August 8, 2015, from 10:00 a.m. – noon at the District Office located at 3200 Inland Empire Boulevard, Suite 200-B, Ontario.

Ms. Guerra and Mr. Christopher Craig, Field Representative, **52nd District Assembly Member Freddie Rodriguez's** District Office, 13160 7th Street, Chino, presented Police Chief/Public Safety Executive Director deMoet with proclamations on behalf of their respective offices for the City's participation in the **Law Enforcement Special Olympics Torch Run Final Leg** and hosting a Flame of Hope Ceremony on July 22, 2015, in the City Hall Memorial Garden.

Police Chief/Public Safety Executive Director deMoet accepted the proclamations, noting he would like to share the recognition with several departments and divisions who assisted in making the event a success including Human Services, Facilities, and Information Technology.

- B. **Ms. Delia Cochran**, 4221 Flora Street, Montclair, requested an update on the renovation of the **Montclair Plaza**.

City Manager Starr explained that **CIM**, the firm that owns the Plaza, soon to be renamed **Montclair Place**, is still waiting for several anchor stores to sign off on the proposed plans for the outdoor shopping center. He advised the anchor stores are owners of their respective buildings and are large corporations with several levels of approval for signing off on large projects. He stated work related to the relocation of the food court is expected to begin within the next few months while the anchor store approvals are pending. He advised that **CIM** was optimistic that obtaining the approvals would not take long, but City staff had already expected a long process.

- C. **Ms. Joni Lindhorst**, 5065 Kingsley Street, Montclair, complained that her neighbor's plants have been growing over her back wall and stated she fears the plants pose a fire hazard as they appear to be growing near the power lines. She also stated the neighbor's yard is not well maintained. She noted messages left for the Code Enforcement Division have not been returned.

Mayor Eaton stated that Community Development Director Lustro would have a Code Enforcement Officer look into the issue.

- D. **Mr. Donald Vovdarka**, 10202 Columbine Avenue, Montclair, donated to the City archives a framed proclamation by the **United States Veterans of Foreign Wars** authorizing the organization of **Post 3879** in Montclair on July 19, 1986. He advised the charter operated for about eight years with comrades including himself, former City Council Member **Billy Oldfield**, and several other Montclair residents.

Mayor Eaton thanked **Mr. Vodvarka**, noting staff would find a place to display the proclamation.

VII. PUBLIC HEARINGS

VIII. CONSENT CALENDAR

Council Member Dutrey requested that Item C-3 be pulled.

Mayor Pro Tem Raft noted she would like to pull Item C-5 for comment.

City Manager Starr stated Item D-1 needs to be pulled for amendment.

Moved by Council Member/Director Ruh, seconded by Council Member Martinez, 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/MCF Board Meeting of July 20, 2015

The City Council, City Council acting as successor to the Redevelopment Agency Board of Directors, Montclair Housing Corporation Board of Directors, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board of Directors approved the minutes of the July 20, 2015 regular joint meeting.

B. Administrative Reports

1. Setting a Public Hearing to Consider the Following:

Adoption of Resolution No. 15-3087 Approving an Amendment to the General Plan Land Use Map for 3.03 Acres At 5165 Mission Boulevard, Modifying the Land Use Designation from "General Commercial" to "Medium-Density Residential (8-14 Dwelling Units/Acre)"

Adoption of Resolution No. 15-3088 Approving an Amendment to the City's Official Zoning Map for 3.03 Acres At 5165 Mission Boulevard, Modifying the Zoning Designation From "C-2" (Restricted Commercial) to "R-3" (Medium-High Density Residential)

Approval of Tentative Tract Map No. 19970 for a Single-Lot Subdivision for A 31-Unit Residential Condominium Development at 5165 Mission Boulevard

The City Council set a public hearing for Monday, August 17, 2015, at 7:00 p.m. in the City Council Chambers to consider the following:

- (a) Adoption of Resolution No. 15-3087 approving an amendment to the General Plan Land Use Map for 3.03 acres at 5165 Mission Boulevard, modifying the land use designation from "General Commercial" to "Medium-Density Residential (8-14 dwelling units/acre)."
- (b) Adoption of Resolution No. 15-3088 approving an amendment to the City's Official Zoning Map for 3.03 acres at 5165 Mission Boulevard, modifying the zoning designation from "C-2" (Restricted Commercial) to "R-3" (Medium-High Density Residential).
- (c) Approval of Tentative Tract Map No. 19970 for a Single-Lot Subdivision for a 31-Unit Residential Condominium Development at 5165 Mission Boulevard.

2. Setting a Public Hearing to Consider Adoption of Resolution No. 15-3089 Establishing Underground District No. 7 Generally Located Along Monte Vista Avenue from Holt Boulevard to Mission Boulevard

The City Council set a public hearing for Monday, August 17, 2015, at 7:00 p.m. in the City Council Chambers to consider adoption of Resolution No. 15-3089 establishing Underground

District No. 7 generally located along Monte Vista Avenue from Holt Boulevard to Mission Boulevard.

3. Declaring Unclaimed Bicycles in Police Custody as Surplus and Available for Donation to the California Institution for Women

The City Council approved the declaration of unclaimed bicycles in police custody as surplus and available for donation to the California Institute for Women.

4. Designation of Voting Delegate to the League of California Cities 2015 Annual Conference, September 30–October 2, 2015, San Jose, California

The City Council designated Council Member Martinez as Montclair's voting delegate to the League of California Cities 2015 Annual Business Meeting to be held Friday, October 2, 2015, at the San Jose Convention Center.

5. Approval of Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated August 3, 2015, totaling \$1,198,962.96 and the Payroll Documentation dated July 26, 2015, amounting to \$539,463.71 gross, with \$373,922.45 net being the total cash disbursement.

C. Agreements

1. Approval of *Agreement No. 15-61* with Hall & Foreman in the Amount of \$134,992 for Preparation of the Sanitary Sewer Master Plan

The City Council approved *Agreement No. 15-61* with Hall & Foreman in the amount of \$134,992 for preparation of the Sanitary Sewer Master Plan.

2. Approval of *Agreement No. 15-63* with the City of Chino for Design and Construction of Interchange Improvements at Central Avenue and State Route 60

Authorizing the City Manager to Sign *Agreement No. 15-63*

The City Council took the following actions:

(a) Approved *Agreement No. 15-63* with the City of Chino for design and construction of interchange improvements at Central Avenue and State Route 60.

(b) Authorized the City Manager to sign *Agreement No. 15-63*.

4. Amending the Fiscal Years 2013–2018 Capital Improvement Program by Deleting the Gas Tax Funding Source for the Traffic Signal Improvement Project at Central Avenue and San Bernardino Street

Appropriation of \$120,000 from the Lease Revenue Bond Proceeds for the Traffic Signal Improvement Project at Central Avenue and San Bernardino Street

Award of Contract for the Traffic Signal Improvement Project at Central Avenue and San Bernardino Street to PTM General Engineering Services, Inc., in the Amount of \$206,906

Approval of *Agreement No. 15-65* with PTM General Engineering Services, Inc., for Construction of the Traffic Signal Improvement Project at Central Avenue and San Bernardino Street

Authorization of a \$25,000 Construction Contingency

The City Council took the following actions related to the Traffic Signal Improvement Project at Central Avenue and San Bernardino Street:

- (a) Amended the Fiscal Years 2013-2018 Capital Improvement Program by deleting the Gas Tax funding source.
- (b) Appropriated \$120,000 from the Lease Revenue Bond Proceeds.
- (c) Awarded a contract to PTM General Engineering Services, Inc., in the amount of \$206,906.
- (d) Approved *Agreement No. 15-65* with PTM General Engineering Services, Inc., for construction of the project.
- (e) Authorized a \$25,000 construction contingency.

6. Rejecting Bid Proposal Received from M. C. Alyea Construction for the Reeder Citrus Ranch Structural Stability Project

Award of Contract for the Reeder Citrus Ranch Structural Stability Project to Rasmussen Brothers Construction, Inc., in the Amount of \$102,665

Approval of *Agreement No. 15-67* with Rasmussen Brothers Construction, Inc., for Construction of the Reeder Citrus Ranch Structural Stability Project

Authorization of a \$15,000 Construction Contingency

Acceptance of \$55,000 from the George C. and Hazel H. Reeder Heritage Foundation for Construction of the Reeder Citrus Ranch Structural Stability Project

The City Council took the following actions related to the Reeder Citrus Ranch Structural Stability Project:

- (a) Rejected the bid proposal received from M. C. Alyea Construction.
- (b) Awarded a contract to Rasmussen Brothers Construction, Inc., in the amount of \$102,665.
- (c) Approved *Agreement No. 15-67* with Rasmussen Brothers Construction, Inc., for construction of the project.
- (d) Authorized a \$15,000 construction contingency.
- (e) Accepted payment of \$55,000 from the George C. and Hazel H. Reeder Heritage Foundation for construction of the project.

7. Approval of *Agreement No. 15-68* with Civic Publications, Inc., for Public Education and Community Outreach

Transfer of \$67,020 from the Contingency Account

The City Council took the following actions:

- (a) Approved *Agreement No. 15-68* with Civic Publications, Inc., for public education and community outreach.
- (b) Approved a transfer of \$67,020 from the Contingency Account.

D. Resolutions

2. Adoption of Resolution No. 15-3090 Rescinding and Replacing Resolution No. 14-3047 Designating Restricted Parking on Public Streets and Alleys

The City Council adopted Resolution No. 15-3090 rescinding and replacing Resolution No. 14-3047 designating restricted parking on public streets and alleys.

3. Adoption of Resolution No. 15-3091 Urging the State to Provide New Sustainable Funding for State and Local Transportation Infrastructure

The City Council adopted Resolution No. 15-3091 urging the State to provide new sustainable funding for state and local transportation infrastructure.

IX. PULLED CONSENT CALENDAR ITEMS

C. Agreements

3. Approval of Agreement No. 15-64 with San Bernardino County Transportation Authority for Construction Management Services for the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project

Council Member Dutrey expressed his understanding that the City is responsible for almost \$4 million of this project and that several other agencies will be covering the remaining \$15.6 million public share of the project cost.

Public Works Director Hudson stated, "That is correct."

Council Member Dutrey stated that when the City was able to rely on redevelopment monies, capital projects like this were not an issue; however, he noted the City is now relying on its refinanced lease revenue bonds and former redevelopment bonds. He asked for a realistic estimate of money that will be coming from the City's bonds.

Public Works Director Hudson stated it could be between \$3 million and \$4 million, and noted the agenda report does not mention that the City has another source of borrowed funds that would come from the **San Bernardino Associated Governments (SANBAG)** for use in regional arterial transportation improvement projects. He advised there are several approved projects that the City could likely perform for much less than the estimated costs, which would make the excess funds available. He stated these funds would need to be paid back to **SANBAG** through the City's Development Impact Fees; and failure to do so would endanger the funds originally approved for the original projects.

Council Member Dutrey reiterated his concerns of identifying funding sources for projects with the dissolution of redevelopment and stated he feels the City needs to be conservative with its own funds.

Moved by Council Member Dutrey, seconded by Council Member Ruh, and carried unanimously that the City Council approve *Agreement No. 15-64* with San Bernardino County Transportation Authority for construction management services for the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project.

5. Approval of *Agreement No. 15-66* with Georgia K9 National Training Center

Authorizing a \$16,367 Appropriation from the Public Safety Grant Fund to Purchase a Bloodhound and Related Safety Equipment for Law Enforcement Operations

Mayor Pro Tem Raft stated the City has not had a K-9 for a long time and she is happy to see that the City is looking into obtaining a bloodhound for tracking.

Moved by Mayor Pro Tem Raft, seconded by Council Member Ruh, and carried unanimously that the City Council take the following actions:

- (a) Approved *Agreement No. 15-66* with Georgia K9 National Training Center.
- (b) Authorized a \$16,367 appropriation from the Public Safety Grant Fund to purchase a Bloodhound and related safety equipment for law enforcement operations.

Council Member Dutrey commented that he appreciates the programs put into place by Police Chief/Public Safety Executive Director deMoet's administration of the Police Department including the Traffic Safety Officers and the new K-9 unit. He praised the creative vision of Chief/Executive Director deMoet.

D. Resolutions

1. Adoption of Resolution No. 15-3084 Authorizing Placement of Assessments on Certain Properties for Delinquent Sewer and Trash Accounts

City Manager Starr requested the removal of the \$311.49 delinquency for 11118 Fremont Avenue from Exhibit A, "August 2015 - Property Assessments," to proposed Resolution No. 15-3084, advising that the property owner has promised to work out payments tomorrow.

Moved by Mayor Eaton, seconded by Council Member Ruh, and carried unanimously that the City Council adopt Resolution No. 15-3084 authorizing placement of assessments on the 716 properties listed on Exhibit A to the Resolution for delinquent sewer and trash accounts, noting the removal from Exhibit A of the \$311.49 delinquency for 11118 Fremont Avenue.

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Department Reports

1. Economic Development Department

Deputy City Manager/Economic Development Executive Director Staats stated the Successor Agency Board will recall that it approved the expenditure of \$2,300 to update a three-year-old appraisal of a property marked for disposal that was

owned by the former Montclair Redevelopment Agency at its July 6, 2015 regular meeting, and noted the Oversight Board approved the Successor Agency Board's action at its meeting on July 8, 2015. She reported that the **Department of Finance (DOF)** has just decided to review the action, initiating a review process that could delay the appraisal up to 60 days.

2. Police Department

Chief/ Executive Director deMoet reported the following:

- (a) The Department is very excited at the prospect of starting a new K-9 program with the City Council's approval of *Agreement No. 15-66* this evening. The City has never had a Bloodhound K-9 unit, as past dogs were typically German Shepherds used as "bite dogs." He noted the new K-9 unit would be used for its keen sense of smell that can track trails up to several days old. He stated there are currently three dogs being trained and that Montclair would get the one best suited for an urban environment. He added the dog will be a great aid in public relations efforts and the breed has reduced liability compared to "bite dogs."
- (b) Officers Jeffrey Wheeler and Jesus Carrillo were honored by the **Mothers Against Drunk Driving (MADD)** California 23152 Pin Program on Tuesday, August 4, 2015. He noted this award is awarded to law enforcement officers who made 25 or more DUI arrests in 2014.
- (c) Montclair's **National Night Out** will be hosted by the Police and Fire Departments in **Alma Hofman Park** tomorrow night, August 4, 2015, from 7:00 to 10:00 p.m. He stated there will be face painting, activities, educational demonstrations and booths, and a showing of the Lego Movie.
- (d) On Thursday, the Police Department is holding a badge-pinning ceremony for new Police Officer Trainees Jacqueline Fuentes and Matthew Goddard.

3. Fire Department

Interim Fire Chief Corbin reported the following:

- (a) The Montclair and Upland Fire Departments are undergoing an administrative office merger, which consists of rewriting and consolidating training manuals from both departments.
- (b) Joint Montclair-Upland trench rescue training sessions are being held this week.
- (c) Fire season is in full swing. Governor Brown declared a State of Emergency on July 31, 2015. The Montclair Fire Department has dispatched its type-1 pumper, OES 331, to several mutual aid assignments including the Willow Fire in the Sierra National Forest in Madera County and the Fork Complex incident, which consists of over 40 fires in the Hayfork, Hyampom, and Harrison Gulch communities.

Mayor Eaton asked if there have been issues with drones interfering with firefighting efforts.

Interim Fire Chief Corbin stated drones have posed a

huge threat because their presence requires all aircrafts to ground immediately as a safety precaution, stalling the firefighting efforts. He noted there is currently legislation being drafted to outlaw drones from flying near fires.

4. Finance Department

Finance Director Parker reported that the City has retained the services of an independent certified public accounting firm to audit the City's payments to the City Manager and management employees and create an independent report on its findings in response to claims made at recent meetings that the City Manager is being paid in excess of what has been approved in his contract.

5. Public Works Department

Public Works Director Hudson advised that once *Agreement No. 15-64* related to Monte Vista Avenue/Union Pacific Railroad Grade Separation Project, approved by the City Council this evening, is approved by the **SANBAG** Board of Directors at its September meeting, a request for qualifications will be issued by **SANBAG** to find a consultant to perform the construction management services. He noted he anticipates a high level of competition for this project and estimated a consultant would be chosen near the end of the year, at which point the plans should be ready for review. He stated he anticipates an agreement with **Union Pacific Railroad** for their portion of the work would cover between \$500,000 and \$1 million of the project, and once the plans and funding are finalized, **SANBAG** will begin the construction bid process, which could take up to a year. He noted he is optimistic that the process will take three to four months, putting the date at around fall of 2016 with the contract being awarded at the end of the year and construction beginning around the start of 2017. He advised the construction could take up to 18 months.

6. Community Development Department

Community Development Director Lustro reported on the following development projects in the City, noting an increase in activity signals an upturn of the local economy:

- (a) Montclair Shoppes - Central Avenue across from **Costco**. 19,000 square foot commercial project. The in-progress building on the south side of the project is proposed to house a **Starbucks Coffee** with a drive-thru, and a **Sleep Number Beds** store in the next space over.
- (b) Orchard Plaza Project - Northwest corner of Holt Boulevard and Ramona Avenue. Former Holt Garden Center; 40,000 square feet of leasable commercial space. Grading is well underway and demolition of the former foundation has been completed. The developers are now in the process of obtaining building permits.
- (c) Housing project along Fremont Avenue, south of Grand Avenue - Five detached single-family homes with construction about to begin.
- (d) Housing project on southeast corner of Monte Vista Avenue and Howard Street - Eighteen detached single-family homes with construction about to begin.

7. Human Services Department

Human Services Director Richter reported the following:

- (a) Montclair's summer youth programs ran from May 26 – July 31. Programs consisted of Summer Day Camp with an average of 25 registrants each week; Montclair Summer Playground with an average of 60 registrants each week; Montclair Youth Center with 40 teens in attendance per day; and the Youth Basketball Program with over 200 enrollees. She thanked all of the volunteer coaches for making the basketball program possible.
- (b) The Montclair Youth Center will open on Thursday, August 6, 2015, at 2:00 p.m. for its regular school year program for 7th–10th graders.
- (c) The After School Program conducted its summer program at one middle school and four elementary school sites with 400 student participants between May and June. She added the program would begin for the 2015–16 school year on Thursday.
- (d) Five concerts in the park were held from the end of June through July. She noted there were an estimated 1,200 people in attendance to enjoy the activities, snacks, and mosquito protection information from the **West Valley Mosquito and Vector Control District**.
- (e) Unfortunately, due to low vendor turnout, the Montclair Certified Farmers' Market manager has decided to discontinue their partnership with the City. Over 5,000 community members have attended the market over the past year and, although the certified farmers' market is on a temporary hiatus, staff is seeking a new market manager to bring fresh fruits and vegetables to the community.
- (f) Last week over 200 people attended the July Senior Birthday Party, which included line dancing, arts and crafts, and a performance of patriotic songs by the **Montclair Walkers'** Choral Group. She thanked Mayor Eaton and Police Chief/Executive Director deMoet for taking a moment to address those in attendance at the event.
- (g) On Wednesday, August 5, 2015, from 2:00 – 3:00 p.m. the Senior in the Spotlight will be "An Afternoon with Gerdy," who will share her personal journey as a **World War II** survivor.
- (h) On Thursday, August 13, 2015, from 1:00 – 4:00 p.m. the Senior Center will host an Ice Cream Social.
- (i) The Splash Pad will be open from 6:30 – 9:30 p.m. for **National Night Out** on August 4, 2015.

8. City Clerk's Office

Deputy City Clerk Phillips reported the following:

- (a) The City Clerk's Office has completed review of the first draft of the recall petition and has sent the notification of inaccuracies to the proponent's legal representative. If the second draft is submitted and is found to have no errors, it will be approved for circulation and will have 120 days to obtain approximately 2,000 valid signatures of registered voters in Montclair.

- (b) There is now a designated place on the agenda for Department Heads to report on activities within their departments. This provides an opportunity to inform the City Council and the public of the City's operations, achievements, and events.
- (c) Agenda Reports have been slightly altered in order to streamline the agenda process and ensure accuracy related to fiscal impact of Council actions. A new line has been added for Finance staff to sign off on each report, and now Department Heads have final approval of each report submitted by their respective departments. The City Manager authorizes each item at the staff meeting and does not need to sign every report as the process had previously required.

B. City Attorney

City Attorney Robbins requested the City Council meet in closed session regarding the following matters:

1. **Closed Session Pursuant to Government Code Section 54956.9(d)(4) Regarding Potential Litigation**
1 potential case
2. **Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr**

Agency: City of Montclair
 Employee Management
 Organizations: Montclair City Confidential Employees Assn.
 Montclair Fire Fighters Association
 Montclair Police Officers Association
 San Bernardino Public Employees - Teamsters Local 1932

C. City Manager/Executive Director

City Manager/Executive Director Starr commented as follows:

1. He participated on the oral interviews for the new Montclair-Upland Fire Chief. Seven candidates were interviewed and three to five will be selected to move onto the assessment center portion of the process. Selection of the new Fire Chief will allow the cities of Montclair and Upland to move toward the establishment of a Joint Powers Authority.
2. Staff is continuing its efforts to bring the **Gold Line** to Montclair and is currently in discussions with Assembly Member Rodriguez to develop a bill that will help secure the \$36 million in funds needed for the City's portion of the Claremont-to-Montclair segment of the **Gold Line Phase 2B Project**.
3. He advised **CIM Group** has indicated interest in hosting a farmers' market as a part of Montclair Place's future offerings to the community in plans for its open-air shopping area.
4. He noted Police Chief/Executive Director deMoet will be giving a presentation at the next Council Meeting related to crime statistic trends in the Montclair community in response to allegations made through the recall effort that crime in Montclair is up due to mismanagement.
5. He stated the attorney behind the recall effort has filed several lawsuits and claims against the City and is now using the recall

as a scare tactic so the City will settle on his lawsuits. He advised the City has stood up against this litigator again and again and has won against every single claim because they are all baseless. He emphasized the City will continue to stand up against this litigator.

6. He stated at the last meeting a recall proponent accused the City of being deliberately slow in administering the recall process. He advised the City is following the Elections Code and will continue to follow that process by responding appropriately within the time frames established by that code. He noted the City was diligent in identifying all deficiencies in the draft petition and providing correct language for the proponents to correct the deficiencies in their first draft.

D. Mayor/Chairman

Mayor/Chairman Eaton commented as follows:

1. He stated he attended an **Omnitrans** Administrative and Finance Committee meeting on July 9, 2015, and a **Metrolink** Board meeting on July 14, 2015.
2. He noted he attended the Flame of Hope Ceremony, which was very well-supported by the community. He thanked Lieutenant Brandon Kumanski for coordinating the event.
3. He stated he attended the Senior Birthday Party along with Police Chief/Executive Director deMoet and had a great time. He said there was a surprising number of attendees from cities other than Montclair, which is a good sign that Montclair is doing wonderful things.

E. City Council/Successor Agency Board/MHC Board/MHA Board/MCF Board

1. Council Member/Director Martinez commented as follows:
 - (a) She stated she appreciates the Department Head reports, which gives the public a better idea of how the City operates.
 - (b) She congratulated Police Chief/Executive Director deMoet for having served 30 years in the City, noting he has done some great things for the Police Department including adding two motorcycle patrol units with two more proposed, converting to a lead-free shooting range, starting a new K-9 unit, and increasing community relations efforts.
 - (c) She regrettably noted that the new community fruit park was vandalized.
 - (d) She thanked the Police and Fire Departments for organizing the **National Night Out** event, adding she is happy to see the departments working together on community events like this.
2. Mayor Pro Tem/Vice Chairperson Raft commented as follows:
 - (a) She stated she attended the last Summer Concert Series event in **Alma Hofman Park** with the **Mariachi Band**. She noted people showed up from many of the surrounding cities.

- (b) She pointed out the irony with the early release of nonviolent offenders who commit the same crimes after release and go right back to jail.
- (c) She noted she was surprised to learn the City employs a celebrity: Police Officer Brian Blyther is a BMX biker who invented the "ground tail whip" and is in the **Guinness Book of World Records**. She congratulated Officer Blyther on his extracurricular achievements.
- (d) She asked if the same signal upgrade to flashing yellow arrows on Central Avenue at Costco will be implemented at more traffic lights.

Public Works Director Hudson explained this will be the first upgrade in Montclair but has become the new standard that will be used in the future for protected-permissive signals. He noted the signal at Central Avenue and San Bernardino Street will be upgraded due to a higher amount of traffic incidents.

3. Council Member/Director Dutrey commented as follows:

- (a) He announced the **Montclair Plaza** will be hosting special food truck events every Tuesday evening in August at 6:00 p.m. in front of Barnes and Noble.
- (b) He stated a firefighter in Northern California lost his life fighting one of the wild fires; **Sergeant Scott Lunger** of the City of Haywood lost his life in a traffic stop; and **Officer Sean Bolton** lost his life in the city of Memphis. He asked the community to keep the families of these public servants in their prayers.

3. Council Member/Director Ruh commented as follows:

- (a) He stated he attended **Assembly Member Freddie Rodriguez's** Open House event on Saturday, July 25, 2015. He noted Montclair honorees recognized at the event were **Montclair Chamber of Commerce** Executive Director **Darleen Curley** as **Woman of the Year**; owner of **Dolce Bistro and Bakery**, **Alice Lee** for Small Business of the Year; **Armando Legaspe** as Veteran of the Year; and **Sean Luebbers** as Teacher of the Year from **Ontario-Montclair School District**.
- (b) He stated he was able to speak with **Senator Bob Huff** regarding Senate Constitutional Amendment No. 7, which would provide \$1.1 billion for transportation including mass transit and street rehabilitation. He noted the legislation would limit fuel tax money to transportation purposes. He noted he also spoke with **Fran Inman** of the **California Transportation Commission** about the transit-oriented housing concept that is being pursued for the north Montclair area and emphasized the importance of making transportation accessible to those who want to plan their lives around living without a personal vehicle.
- (c) He asked how the plans with turf replacement on median islands in the City are coming along.

City Manager Starr noted the grass on median islands is now turning brown because the City is complying with the state mandate to cease the watering of those areas. He noted signs will be posted on the medians to inform residents of the drought requirements resulting in the

browning of the turf. He noted parks that receive recycled water are still green, but other parks are going brown. He noted it would be a gradual shift to recycled water for all of the parks due to the scope and expense of bringing recycled water to those parks and the City will be working with **Monte Vista Water District** on those projects.

He noted the City was not awarded the \$100,000 grant from the **Metropolitan Water District**, but the City will be applying for all grants offered for this purpose in the future as the funds become available.

He stated the City is still waiting for plans to be developed by **Cal Poly Pomona** students to convert the median islands to drought-tolerant landscaping.

Council Member Ruh emphasized the drought issue is not caused by a lack of rainfall, but a lack of snowpack on the Sierra Mountains. He stated that an increase in rainfall this fall will not necessarily solve the drought issue.

- (d) He thanked Police Department staff for organizing the Special Olympics Flame of Hope event.
- (e) He mentioned there is a safety issue related to drones, noting he recently attended a two-hour presentation about the illegal and unethical uses of drones.
- (f) He invited the community to join him in attending **National Night Out** tomorrow evening.
- (g) He invited everyone to attend a "Community Catch-Up" event with **Senator Connie M. Leyva** and Mayor Eaton at the Mayor's House, 5560 Cambridge Street, Montclair, on Saturday, August 15, 2015, from 9:00 to 11:00 a.m. He noted at the event there would be a discussion of state and local issues. He stated he anticipates the **Gold Line** will be a popular discussion topic at the event.

F. Committee Meeting Minutes

1. Minutes of Public Works Committee Meeting of July 16, 2015

The City Council received and filed the Public Works Committee meeting minutes of July 16, 2015, for informational purposes.

2. Minutes of Personnel Committee Meeting of July 20, 2015

The City Council received and filed the Personnel Committee meeting minutes of July 20, 2015, for informational purposes.

XII. ADJOURNMENT OF SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS, MONTCLAIR HOUSING AUTHORITY COMMISSIONERS, AND MONTCLAIR COMMUNITY FOUNDATION BOARD OF DIRECTORS

At 8:25 p.m., Chairman Eaton adjourned the Successor Agency and Montclair Housing Corporation Board of Directors, the Montclair Housing Authority Commissioners, and the Montclair Community Foundation Board of Directors.

At 8:25 p.m., the City Council went into Closed Session regarding potential litigation and labor negotiations pursuant to Government Code Sections 54956.9(d)(4) and 54957.6, respectively.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 9:14 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding potential litigation and labor negotiations; information was received and direction given to staff; and no further announcements would be made at this time.

XIV. ADJOURNMENT OF CITY COUNCIL

At 9:15 p.m., Mayor Eaton adjourned the City Council.

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



Andrea M. Phillips
Deputy City Clerk