

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, NOVEMBER 2, 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 Josh Matlock, Bethany Baptist Church, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member Martinez led those assembled in the Pledge.

IV. ROLL CALL

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairperson Raft; Council Members/Directors 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

Absent: Council Member/Director Dutrey (excused)

V. PRESENTATIONS - None

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

City Attorney Robbins noted she has reviewed Agreement No. 15-90 and proposes the following additional language be added at the end of Section II: "This Agreement supersedes and replaces that certain Agreement known as Agreement 15-38 entered into by the parties on June 1, 2015."

Moved by Council Member/Director Ruh, seconded by Council Member/Director Martinez, and carried unanimously to approve the Consent Calendar, as presented/amended:

A. Approval of Minutes

1. Minutes of the Regular Joint City Council/Successor Agency Board/MHC Board/MHA Commission/MCF Board Meeting of October 19, 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 October 19, 2015 regular joint meeting.

B. Administrative Reports

- 1. Appropriation of \$10,000 of Redevelopment Project Area No. IV Tax Exempt Tax Allocation Bond Funds from the Former Redevelopment Agency to Study the Potential of Signalizing the Intersection for Central Avenue and the Central Avenue Frontage Roads at the Union Pacific Railroad Crossing**

The City Council appropriated \$10,000 of Redevelopment Project Area No. IV Tax Exempt Tax Allocation Bond Funds from the Former Redevelopment Agency to study the potential of signalizing the intersection for Central Avenue and the Central Avenue frontage roads at the Union Pacific Railroad Crossing.

- 2. Amending the Fiscal Years 2015–2020 Capital Improvement Program, Adding the MacArthur Park Block Wall Extension Project**

Appropriation of \$10,000 from the Park Maintenance Fund for the MacArthur Park Block Wall Extension Project

The City Council took the following actions:

- (a) Amended the Fiscal Years 2015–2020 Capital Improvement Program, adding the MacArthur Park Block Wall Extension Project.
- (b) Appropriated \$10,000 from the Park Maintenance Fund for the MacArthur Park Block Wall Extension Project.

- 3. Authorizing a \$7,008 Appropriation from the Public Safety Grant Fund to Purchase Equipment for Frontline Law Enforcement Purposes, and Increase a Previously Approved Appropriation for Canine-Related Expenses**

The City Council authorized a \$7,008 appropriation from the Public Safety Grant Fund to purchase equipment for frontline law enforcement purposes, and increase a previously approved appropriation for canine-related expenses.

- 4. Appropriation of \$2,000 from Measure I for Processing Fees for a Permit to Enter Union Pacific Railroad Right-of-Way to Conduct Soils Investigations**

Authorizing Public Works Director/City Engineer Michael C. Hudson to Sign the Right of Entry Prepared by Union Pacific Railroad

The City Council took the following actions:

- (a) Appropriated \$2,000 from Measure I for processing fees for a permit to enter Union Pacific Railroad right-of-way to conduct soils investigations.
- (b) Authorized Public Works Director/City Engineer Michael C. Hudson to sign the Right of Entry prepared by Union Pacific Railroad.

- 5. Consider Authorization of a \$1,169.09 Appropriation from the Contingency Fund to Purchase a Replacement Refrigerator for Fire Station No. 152 from Best Buy**

The City Council authorized a \$1,169.09 appropriation from the Contingency Fund to purchase a replacement refrigerator for Fire Station No. 152 from Best Buy.

6. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated November 2, 2015, totaling \$1,378,717.65; and the Payroll Documentation dated October 18, 2015, amounting to \$565,165.97 gross, with \$398,712.16 net being the total cash disbursement.

C. Agreements

1. 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

The City Council took the following actions:

- (a) Approved *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.
- (b) Authorized the City Manager to execute all documents on behalf of the City of Montclair in relation to implementation of *Agreement No. 15-22*.
- (c) Authorized a \$20,096.70 transfer from the General Fund Technology Reserve to the General Operating Fund, Account No. 1001-4316-62010-400-00000, for costs associated with the purchase of new microphone and audio equipment.

2. Rescinding Agreement No. 15-38 and Approving Agreement No. 15-90 with Southern California Landscape, Inc., for Landscape Services at Paseos Park

The City Council rescinded *Agreement No. 15-38* and approved *Agreement No. 15-90*, with Southern California Landscape, Inc., as amended by City Attorney Robbins, for landscape maintenance services at Paseos Park.

3. Approval of Agreement No. 15-91 with the United States Department of Justice to Accept a Community Oriented Policing Services Hiring Program Grant Award

The City Council approved *Agreement No. 15-91* with the United States Department of Justice to accept a Community Oriented Policing Services Hiring Program grant award.

D. Resolutions

1. Adoption of Resolution No. 15-3101 Amending the Fee Schedule for the Collection and Disposal of Commercial Refuse

Allocating \$18,957.50 from the General Fund to Offset a Proposed Rate Increase to the Residential Refuse Rate

The City Council took the following actions:

- (a) Adopted Resolution No. 15-3101 whereby commercial refuse rates shall be increased as requested by Burrtec, not to exceed adopted respective maximum Proposition 218 rate caps.
- (b) Authorized the allocation of \$18,957.50 from the General Fund for payment to Burrtec to offset a 1.74 percent rate increase to the residential refuse rate for the first six months of calendar year 2016.

2. **Adoption of Resolution No. 15-3103 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

The City Council adopted Resolution No. 15-3103 authorizing placement of liens on the 217 accounts as listed to Exhibit A of the Resolution for delinquent sewer and trash charges.

3. **Adoption of Resolution No. 15-3104 Establishing the City's Commitment to the Healthy Eating, Active Living (HEAL) Cities Campaign and Strengthening the City's Commitment to Promote Healthy Living**

The City Council adopted Resolution No. 15-3104 establishing the City's commitment to the Healthy Eating, Active Living Cities campaign and strengthening the City's commitment to promote healthy living.

IX. **PULLED CONSENT CALENDAR ITEMS - None**

X. **RESPONSE - None**

XI. **COMMUNICATIONS**

A. **City Department Reports**

1. **Economic Development Department**

a. **North Montclair Downtown Specific Plan Streetscape Infrastructure Design Project**

Deputy City Manager Staats discussed the consulting agreement with **MIG** regarding the infrastructure and landscaping plan for north Montclair. She noted staff met with **MIG** and performed a walk-through of the north Monclair area.

2. **Police Department**

a. **K-9 Program Update** - Public Safety Executive Director deMoet showed a video of the Police Department's new bloodhound, Cù Bòcan, aka "Bo," undergoing water trail training and noted Police Officer Martin has been selected to be the K-9 handler.

3. **Fire Department**

a. **Holiday Fire Safety** - Interim Fire Chief Corbin provided several holiday fire prevention safety tips for the home.

4. **Public Works Department**

a. **Capital Projects Update** - Public Works Director Hudson advised that the structural foundation work for the *Reeder Citrus Ranch Structural Stability Project* has been completed, and the next phase would be work on the roof once funds become available.

5. **Human Services Department**

a. **Department/Holiday Programs** - Human Services Director Richter reported the following:

- *Community Halloween Party* - Over 600 people attended the event, and everyone had fun with games, contests, and refreshments provided.
- *Holiday Food and Toy Basket Program* - Basket recipient applications will be accepted on November 3 and 4, 2015, from 3:30 to 6:00 p.m. in Room B of the Community Center.

- *Holiday Food and Toy Drive Program* – The City will be accepting donations beginning on Monday, November 16, 2015. There will be bins at various collection points including City Hall, the Senior and Recreation Centers, Fire Station No. 1, the Police Station, and several businesses throughout the City.
- *Military Banner Program*– Applications will be accepted until Veteran's Day for banners to be displayed in 2016. This program is sponsored by the Community Action Committee. More information is available on the City's website in the Community Programs section.

B. City Attorney

City Attorney Robbins requested that the City Council cancel the following closed session:

3. Closed Session Pursuant to Government Code Section 54956.9(d)(4) Regarding Potential Litigation

1 Potential Case

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

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

Montclair v. Beltran

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

Montclair v. Ament

4. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations

Properties: Assessor's Parcel Nos. 1011-012-02, 1011-012-09, 1012-101-05, & 1012-080-09

Agency Negotiator: Michael C. Hudson, Public Works Director/City Engineer

Negotiating Parties: City of Montclair and Union Pacific Railroad

Under Negotiations: Recommendations Regarding Acquisition of Easements on Subject Properties in Conjunction with Monte Vista Avenue/ Union Pacific Grade Separation Project.

C. City Manager/Executive Director

City Manager/Executive Director Starr commented as follows:

1. The City's long-time **Southern California Edison** Government Affairs Representative **Lydia Roman** has been promoted within the organization and the new representative is **Robert Stein**.

D. Mayor/Chairman – None

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

1. Council Member/Director Martinez thanked Fourth District County Supervisor **Curt Hagman's** Field Representative,

Ms. Karen Haughey, for reminding her to vote in tomorrow's election.

2. Mayor Pro Tem Raft commented as follows:
 - (a) She noted she attended the Lights On After School event, noting she admired the projects from the talented kids.
 - (b) She noted she attended the Community Halloween Party, noting it did seem better-attended than last year.
3. Council Member/Director Ruh commented as follows:
 - (a) He noted he also attended the Community Halloween Party. He thanked the Community Action Committee; Human Services, Police, and Fire Department staff; and Assembly Member **Freddie Rodriguez's** Field Representative, **Mr. Christopher Craig**, for their involvement with the event. He complimented the event as a wonderful way to enjoy the holiday without the added dangers of walking around busy streets at night.
 - (b) He noted he also attended the Lights On After School event. He stated he enjoyed the wonderful presentations put on by the students.
 - (c) He recognized Chino City Council Member **Tom Haughey** in the audience and thanked him for attending.
 - (d) He stated that although tonight's rain is welcome, it is not a sign of relief from the drought, emphasizing the reason for the drought is a lack of snowpack in the Sierra Nevadas. He noted the El Niño rains are expected to be warm and tropical rather than snow-creating. He emphasized the state's need for better rainwater retention systems, but lamented the fact that residents don't want those systems "in their backyards."
 - (e) He encouraged the community to vote in the election, noting their mail-in ballots can be dropped off at any polling location.

F. Committee Meeting Minutes

1. Minutes of Public Works Committee Meeting of October 15, 2015

The City Council received and filed the Public Works Committee meeting minutes of October 15, 2015, for informational purposes.

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

The City Council received and filed the Code Enforcement/Public Safety Committee meeting minutes of October 19, 2015, for informational purposes.

3. Minutes of Personnel Committee Meeting of October 19, 2015

The City Council received and filed the Personnel Committee meeting minutes of October 19, 2015, for informational purposes.

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

At 7:29 p.m., Chairman Eaton adjourned the Successor Agency and Montclair Housing Corporation Boards of Directors, the Montclair Housing Authority Commissioners, and the Montclair Community Foundation Board of Directors.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 7:43 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding pending litigation and real property 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 7:44 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