

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 16, 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 Doris Hampton, Brighter Day Ministries, gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Council Member Dutrey led those assembled in the Pledge.

IV. ROLL CALL

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairperson Raft; Council Members/Directors Dutrey, Ruh, and Martinez; City Manager/Executive Director Starr; Deputy City Manager/Economic Development Executive Director Staats; City Planner Diaz; Director of Public Works Hudson; Director of Finance Parker; City Attorney Robbins; Deputy City Clerk Phillips

V. PRESENTATIONS

A. Proclamation Honoring Montclair Chamber of Commerce President/CEO Darleen Curley Upon Her Retirement

Mayor Eaton read a proclamation honoring Montclair Chamber of Commerce President/CEO Darleen Curley upon her retirement. He thanked her for all that she has done and presented the framed proclamation to President/CEO Curley.

President/CEO Curley stated she is honored and it has been a pleasure to work with the City and the business community. She introduced incoming President/CEO, **Ms. Myra Kirscht**, who will take over in leading the Chamber's operations on December 1, 2015.

Mayor Eaton welcomed **Ms. Kirscht**, adding she'll do a great job.

B. Introduction of Promotee

Public Safety Executive Director deMoet introduced John Minook, who was promoted to Police Sergeant effective November 2, 2015.

Public Safety Executive Director deMoet noted Sergeant Minook served in the **U.S. Marine Corps** before he began his law enforcement career with the Montclair Police Department in 2010. During his tenure as a Police Officer, Sergeant Minook served as a member of the major accident investigation team, a weaponless defense instructor, a range master, a member of the SWAT team, and a field training officer. He was assigned to the Detective Bureau in 2014 and was recently commended for his outstanding efforts in solving several high-profile cases.

Mayor Eaton congratulated Sergeant Minook on his promotion and

presented him with a City pin.

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS - None

VIII. CONSENT CALENDAR

Moved by Council Member/Director Dutrey, seconded by Council Member/Director Ruh, and carried unanimously to approve the Consent Calendar:

A. Approval of Minutes

1. Minutes of the Regular Joint City Council/Successor Agency Board/MHC Board/MHA Commission/MCF Board Meeting of November 2, 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 November 2, 2015 regular joint meeting.

B. Administrative Reports

1. Receiving and Filing of City Treasurer's Report

The City Council received and filed the City Treasurer's Report for the month ending October 31, 2015.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated November 16, 2015, totaling \$1,234,288.98; and the Payroll Documentation dated November 1, 2015, amounting to \$558,641.03 gross, with \$407,725.16 net being the total cash disbursement.

3. Receiving and Filing of Successor Agency Treasurer's Report

The City Council acting as successor to the Redevelopment Agency Board received and filed the Successor to the Redevelopment Agency Treasurer's Report for the month ending October 31, 2015.

4. Approval of Successor Agency Warrant Register

The City Council acting as successor to the Redevelopment Agency Board approved the Successor to the Redevelopment Agency Warrant Register dated 10.01.15-10.31.15 in the amounts of \$24,339.50 for the Combined Operating Fund; \$0.00 for the Redevelopment Obligation Retirement Funds; \$0.00 from the Tax Exempt Bond Proceeds; and \$0.00 from the Taxable Bond Proceeds.

5. Receiving and Filing of MHC Treasurer's Report

The MHC Board received and filed the MHC Treasurer's Report for the month ending October 31, 2015.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 10.01.15-10.31.15 in the amount of \$68,214.17.

7. Receiving and Filing of MHA Treasurer's Report

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

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 10.01.15-10.31.15 in the amount of \$0.00.

9. Setting a Public Hearing to Consider Ordinance No. 15-955 Amending Chapters 11.02 and 11.10 of the Montclair Municipal Code Related to the Regulation of Medical Marijuana

The City Council set a public hearing for Monday, December 7, 2015, at 7:00 p.m. in the City Council Chambers to consider Ordinance No. 15-955 amending Chapters 11.02 and 11.10 of the Montclair Municipal Code related to the regulation of medical marijuana.

10. Approval of the Filing of a Notice of Completion, Reduction of Faithful Performance Bond to 10 Percent, and Retention of Payment Bond for Six Months for the Reeder Citrus Ranch Structural Stability Project

Consider Release of Retention 30 Days After Recordation of Notice of Completion

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

- (a) Approved the filing of a *Notice of Completion*, reduction of *Faithful Performance Bond* to 10 percent, and retention of *Payment Bond* for six months.
- (b) Approved the release of retention 30 days after recordation of the *Notice of Completion* with the San Bernardino County Recorder's Office.

11. Confirming the Mayor's Recommendation to Reappoint Mayor Pro Tem Raft to the West Valley Mosquito and Vector Control District Board

The City Council confirmed the Mayor's recommendation to reappoint Mayor Pro Tem Raft to the West Valley Mosquito and Vector Control District Board for a term ending January 2020.

12. Authorization of a \$40,009 Appropriation from the Federal Asset Forfeiture Fund to Purchase Two Automated License Plate Recognition Systems from 3M Company for Frontline Law Enforcement Use

The City Council authorized a \$40,009 appropriation from the Federal Asset Forfeiture Fund to purchase two automated license plate recognition systems from 3M Company for frontline law enforcement use.

13. Declaring Four Police Vehicles as Surplus and Available for Parts or Sale at Auction

The City Council approved the declaration of four Police vehicles as surplus and available for parts or auction.

14. Declaring City Vehicle Unit No. 206 as Surplus and Authorizing its Sale at Auction or Scrap

The City Council approved the declaration of City vehicle Unit No. 206 as surplus and authorized its sale at auction or scrap.

C. Agreements - None

D. Resolutions

1. **Adoption of Resolution No. 15-3105 Declaring Support for an Energy Partnership Between Southern California Edison, SoCalGas, and San Bernardino Associated Governments to be known as San Bernardino Regional Energy Partnership**

The City Council adopted Resolution No. 15-3105 declaring support for an energy partnership between Southern California Edison, SoCalGas, and San Bernardino Associated Governments to be known as San Bernardino Regional Energy Partnership.

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

X. **RESPONSE** - None

XI. **COMMUNICATIONS**

A. **City Department Reports**

1. **Fire Department**

Interim Fire Chief Corbin reported the following:

- a. **Montclair Firefighters Recognition Breakfast** - The Chamber of Commerce is hosting this event tomorrow from 7:30 to 9:30 a.m. in the Community Center.
- b. **SoCal READI Exercise** - On Thursday, November 19, the City of Montclair will be participating in a regional exercise designed to test emergency medical response plans for an Anthrax bioterrorist attack. Employees designated as First Responders will assist in activating the First Responder Point of Dispensing site at the Police Department.
- c. **Selection of New Montclair-Upland Fire Chief** - **Mr. Paul Segalla** has been selected as the new Fire Chief. **Mr. Segalla** is the former Fire Chief at **Paramount Studios** and has over 20 years of experience as a Fire Chief. He will be starting on November 23, 2015.
- d. **Spark of Love Toy Drive** - This program is sponsored by the Police and Fire Departments and will assist with gathering donations for the annual Holiday Food and Toy Drive. Donations will be accepted at the Montclair Target on November 28th and December 4th and 11th, from 10:00 a.m. to 2:00 p.m. A donation bin is also available in Fire Station No. 1, located at 8901 Monte Vista Avenue.

2. **Public Works Department**

- a. **Capital Projects Update** - Public Works Director Hudson reported that the City has secured a grant for up to \$50,000 from the **Metropolitan Water District** to replace turf on median islands with drought-tolerant landscaping. He advised that staff will likely be looking into using the funds for medians along Central Avenue.

3. **Human Services Department**

Human Services Director Richter reported the following:

- a. **Holiday Programs** - The following activities are scheduled for the months of November and December:
 - *Annual Holiday Food & Toy Drive* - This program welcomes donations of any nonperishable food items and new, unwrapped toys. The collection period runs from November 16, 2015, through December 10, 2015, and donation bins are located at Fire Station No. 1, the Police Station, the City Hall lobby, the Senior Center, the Recreation building,

and several businesses throughout the City. Donations assist over 200 families that have recently applied for a Holiday Basket.

- *Business Helping Families: Annual Holiday Food & Toy Drive, Open House, and Business Connections BBQ* – Thursday, December 3, 2015, from 12:00 to 1:30 p.m., Chamber of Commerce office, 8880 Benson Avenue, Suite 110, Montclair.
- *Holiday Tree-Lighting Ceremony* – On Thursday, December 3, 2015, at 6:00 p.m., the community is invited to attend this free event sponsored by the Community Action Committee. Santa and Mrs. Claus will arrive for photos with the children, light refreshments and hot chocolate will be served, and a writing station will be set up for the kids to write letters to Santa. Gift lights for the holiday tree are available for purchase in memory or honor of a loved one. The cost is \$10 for a light and a commemorative certificate. Proceeds from the sale of these lights benefit Montclair's youth programs. Applications to purchase a gift light are available at the Recreation building and Senior Center.
- *Dashing Through Montclair* – At 11:00 a.m. on Saturday, December 5, 2015, Santa and Mrs. Claus will depart from the Police Department and dash through the streets of Montclair, greeting residents and spreading holiday cheer. The sleigh will stop at various parks throughout the City to collect food and toy donations. The sleigh will return to the Police Department at 6:00 p.m., where there will be a community sing-a-long of holiday songs and refreshments. Information regarding Santa's route and stop locations can be found on the City's website.

B. City Attorney

City Attorney Robbins requested the City Council meet in closed session regarding the following four 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
SBPE – Teamsters Local 1932

C. City Manager/Executive Director

City Manager/Executive Director Starr commented as follows:

1. He noted staff prepared a letter on behalf of **Supervisor Curt Hagman** to **Congressman Ken Calvert** requesting support related to Montclair's efforts in securing funding for the **Gold Line's** extension to the **Montclair Transcenter**. He advised the letter was written because **Congressman Calvert** has been involved with negotiations for the state **Department of Labor** to release over \$1 billion in transportation funds being

withheld in response to the passage of the Pension Employees' Pension Reform Act.

2. The state has announced tentative guidelines related to applications for Cap and Trade funding and staff will likely recommend to the Council hiring a professional consultant to provide guidance in the complex application process.
3. He congratulated Darleen Curley on her retirement and noted he looks forward to working with **Ms. Kirscht**.
4. He noted he served on the panel that interviewed **Mr. Segalla**, who was a very impressive candidate and was the top pick for the entire panel. He assured that, although **Mr. Segalla** comes from the movie industry, he is in fact a real Fire Chief.
5. He noted Council Members, executive management, supervisors, and other City staff members will be undergoing harassment prevention training in the City Council chambers tomorrow afternoon at 3:00 p.m. He advised this training is required every two years for elected officials, managers, and supervisors, although it is optional if the requirement was already fulfilled through another training opportunity.
6. He advised Mayor Eaton's birthday is coming up next week and wished him a happy birthday.

D. Mayor/Chairman

Mayor/Chairman Eaton reported that he attended meetings of the **Omnitrans Administrative and Finance Committee, San Bernardino Associated Governments (SANBAG) Commuter Rail and Transit Committee, and SANBAG Board Metro Valley Study Session.**

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

1. Council Member Martinez commented as follows:
 - (a) She noted she attended the **Inland Empire Utilities Agency Regional Policy Committee** meeting as Mayor Eaton's alternate with Environmental Manager deMoet.
 - (b) She wished Mayor Eaton a happy birthday.
 - (c) She wished everyone a happy Thanksgiving.
2. Mayor Pro Tem Raft commented as follows:
 - (a) She noted Chamber of Commerce President/CEO Curley will be missed and welcomed **Ms. Kirscht** aboard, noting she is sure she will do a great job.
 - (b) She wished Mayor Eaton a happy birthday.
 - (c) She noted she and Council Member Ruh had the honor of representing the Mayor and City Council in accepting an award from **Habitat for Humanity** at their annual gala. The award recognizes the City for its partnership with **Pomona Valley Habitat for Humanity**. She noted a representative from the office of **U.S. Representative Norma Torres** also presented the City with a certificate.
3. Council Member/Director Dutrey commented as follows:
 - (a) He acknowledged the tragedy that occurred in Paris on Friday, noting there is no longer a question of "if" but "when" such an attack will occur in the United States. He expressed his hope that the United States and the nations

of Europe and Russia will come together to combat this common enemy.

- (b) He wished Mayor Eaton a happy birthday.
 - (c) He congratulated Mayor Pro Tem Raft on her reappointment to the **West Valley Mosquito and Vector Control District Board**.
 - (d) He congratulated **Mr. Segalla** on his appointment to Fire Chief and welcomed him to Montclair and Upland.
 - (e) He noted the Real Estate Committee meeting met tonight to discuss a General Plan Update and an expansion to the North Montclair Downtown Specific Plan area. He noted these items would go to the Planning Commission and the City Council at the appropriate times.
 - (f) He thanked President/CEO Curley for all of her hard work to make the **Chamber of Commerce** successful during her tenure and for working with the City on its events. He welcomed **Ms. Kirscht** aboard.
 - (g) He wished everyone a happy Thanksgiving.
4. Council Member/Director Ruh commented as follows:
- (a) He thanked President/CEO Curley for her service and read an Irish proverb: "May the road rise up to meet you; may the wind be always at your back; may the sun shine warm upon your face, the rains fall soft upon your fields, and until we meet again, may God hold you in the hollow of his heart." He noted he appreciates the work she put into enhancing the business community and noted he looks forward to working with **Ms. Kirscht**, who he is sure will do a fantastic job in continuing the traditions that **President/CEO Curley** started.
 - (b) He advised everyone arrive early and dress warm for the *Holiday Tree Lighting Ceremony*.
 - (c) He acknowledged Mayor Pro Tem Raft's acceptance of the award from **Pomona Valley Habitat for Humanity** on behalf of the City of Montclair. He noted the event highlighted Montclair and its commitment to the organization and those it serves.
 - (d) He noted he along with Human Services Director Richter attended the 2015 **National CORE/Hope through Housing Foundation** Gala, "Rolling Out the Red Carpet," at which a resident of one of **National CORE's** Montclair housing projects and past participant in Montclair's After-School Program was honored for her achievements and college advancement.
 - (e) He congratulated **Mr. Segalla** on his selection and thanked Interim Fire Chief Corbin for stepping in during the search, wishing him continued success in his career.
 - (f) He noted Mayor Eaton's birthday party held at the Senior Center on November 8, 2015, was a well-attended event with 180 guests made up of many who've known Mayor Eaton for decades as well as those who knew him for only a few short years, which shows how much of an impact he has had on this community.
 - (g) He acknowledged the terrible events that occurred in Paris, which made him realize France was the first nation to recognize the independence of the United States and indicated the Statue of Liberty was a gift by the children of France in 1876 to celebrate 100 years of the United States' independence as a republic. He noted the U.S. and France have been strong allies with one another and that

our hearts are with all of the people of France. He noted there would be a celebration for the **California State University Long Beach** student and El Monte resident who lost her life in the attacks and encouraged the community to attend to show support to her family.

- (h) He noted Thanksgiving will be upon us next week and read a proclamation issued by President John F. Kennedy on November 8, 1963, that emphasized the spirit of Thanksgiving and ring true today. He wished everyone a happy Thanksgiving.

F. Committee Meeting Minutes

1. Minutes of Real Estate Committee Meeting of April 20, 2015

The City Council received and filed the minutes of the Real Estate Committee meeting of April 20, 2015, for informational purposes.

2. Minutes of Personnel Committee Meeting of September 8, 2015

The City Council received and filed the minutes of the Personnel Committee meeting of November 2, 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 7:43 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.

At 7:43 p.m., the City Council went into Closed Session regarding pending litigation and labor negotiations pursuant to Government Code Sections 54956.9(d)(1) and 54957.6, respectively.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 8:20 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding pending 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 8:21 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