

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, JANUARY 4, 2016, 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

Reverend Ann Schranz, Monte Vista Unitarian Universalist Congregation, 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 Dutrey and Martinez; City Manager/Executive Director Starr; Deputy City Manager/Economic Development Executive Director Staats; Community Development Director Lustro; Public Works Director Hudson; Finance Director Parker, City Attorney Robbins; Deputy City Clerk Phillips

Absent: Council Member/Director Ruh (excused)

V. PRESENTATIONS - None

VI. PUBLIC COMMENT - None

VII. PUBLIC HEARINGS

A. Second Reading - Consider Adoption of Ordinance No. 15-955 Amending Chapter 11.10 of the Montclair Municipal Code Prohibiting Medical Marijuana Dispensaries, Cultivation of Marijuana, and All Commercial Medical Marijuana Uses in the City

Mayor Eaton declared it the time and place set for public hearing related to Ordinance No. 15-955 amending Chapter 11.10 of the Montclair Municipal Code prohibiting medical marijuana dispensaries, cultivation of marijuana, and all commercial medical marijuana uses in the City, 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 Dutrey and seconded by Mayor Pro Tem Raft that Ordinance No. 15-955, entitled, "An Ordinance of the City Council of the City of Montclair, California, Amending Section 11.10.030 of the Montclair Municipal Code Prohibiting Medical Marijuana Dispensaries, Cultivation of Marijuana, and All Commercial Medical Marijuana Uses in the City," be read by number and title only, further reading be waived, and that it be adopted.

The City Council waived the reading of the Ordinance.

Ordinance No. 15-955 was adopted by the following ROLL CALL vote:

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

B. Consider Adoption of Resolution No. 16-3107 Amending the Master User Fee Schedule

Mayor Eaton declared it the time and place set for public hearing related to Resolution No. 16-3107 amending the Master User Fee Schedule 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 Dutrey asked whether residents were aware of the soon-to-be-imposed Community Garden plot fees.

City Manager Starr advised that residents who currently utilize the Community Garden are aware.

Council Member Dutrey noted the previous Master User Fee Schedule adoption involved a comprehensive fee study. He asked whether this update included a comprehensive study and comparison of all fees to surrounding cities.

City Manager Starr stated that all fee revisions and additions are a result of a study that was conducted for the anticipated 2015 update, which was delayed and will hopefully occur on an annual basis moving forward.

Council Member Dutrey concurred that an annual update would be a good practice.

Moved by Council Member Dutrey and seconded by Council Member Martinez that Resolution No. 16-3107 be adopted.

Resolution No. 16-3107 was adopted by the following vote:

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

VIII. CONSENT CALENDAR

Moved by Council Member/Director Dutrey, seconded by Mayor Pro Tem/Vice Chairperson Raft, and carried unanimously to approve the remainder of the Consent Calendar, 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 December 21, 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 December 21, 2015 regular joint meeting.

B. Administrative Reports

1. Approval of City Warrant Register

The City Council approved the City Warrant Register dated January 4, 2016, totaling \$620,688.15.

C. Agreements - None

D. Resolutions - None

IX. PULLED CONSENT CALENDAR ITEMS - None

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Department Reports

1. Police Department

- a. Police Department Annual Achievement Award Recipient** - Captain Avels introduced Law Enforcement Systems Supervisor Tankersley, who is the recipient of the 2015 Police Department Annual Achievement Award. He noted Mr. Tankersley was appointed to his new position in December of 2014 and has excelled over the past year, performing new duties such as maintaining law enforcement technology, overseeing impound lot operations, and supervising Police Cadets. He added that Mr. Tankersley performs his duties with a can-do attitude while showing compassion, concern, and support for those he assists. He read the award committee's comments, which outlined Mr. Tankersley's extensive volunteer activities and commended him for his optimism and patience.

Mayor Eaton and the City Council congratulated Law Enforcement Systems Supervisor Tankersley.

Law Enforcement Systems Supervisor Tankersley thanked the City Council for providing him inspiration to seek a career in local government before he began his career with the City of Montclair 18 years ago.

2. Community Development Department

Community Development Director Lustro reported the following:

a. Development Projects Update

- Staff anticipates the **Montclair Shoppes**, located on Central Avenue across from **Costco**, to see the opening of at least one of its occupying businesses in 30 to 45 days.
- **Orchard Plaza**, located on Holt Boulevard and Ramona Avenue, is expected to see the operation of some occupying businesses begin by the end of the first quarter of 2016.
- Ordinance No. 14-943, which requires Montclair retail businesses to implement shopping cart containment systems, went into full effect on January 1, 2016. There is only one major retailer that is not currently in compliance; however, the retailer expects its system will be implemented by the end of the month.

B. City Attorney

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

1. 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.

City Attorney Robbins noted the three other closed session items listed on the agenda would not be discussed in tonight's closed session.

C. City Manager/Executive Director – No Comments

D. Mayor/Chairman – No Comments

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

1. Council Member/Director Martinez commented as follows:

- (a) She wished everyone a Happy New Year.
 - (b) She noted the Chamber of Commerce is hosting its next networking breakfast at **Magdaleno's** on Thursday, January 14, 2016, at 7:30 a.m. She advised the cost to attend is \$15 for members and \$20 for non-members.
2. Mayor Pro Tem/Vice Chairperson Raft expressed her hope that everyone had wonderful holiday and New Year's celebrations, and wished everyone luck in keeping their New Year's resolutions.
3. Council Member/Director Dutrey wished everyone a "Happy 2016," and emphasized his hope to see construction begin on **Montclair Place** before the end of the year.

F. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of December 21, 2015

The City Council received and filed the minutes of the Personnel Committee meeting of December 21, 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.

At 7:30 p.m., the City Council went into Closed Session regarding real property negotiations pursuant to Government Code Section 54956.8.

XIII. CLOSED SESSION ANNOUNCEMENTS

At 7:44 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding 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 7:45 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