

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 TUESDAY, JANUARY 19, 2016, AT 7:02 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 7:02 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

**Montclair High School Army JROTC** 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; Community Development Director Lustro; Public Works Director Hudson; Finance Director Parker, City Attorney Robbins; Deputy City Clerk Phillips

V. PRESENTATIONS

A. Military Banner Presentation

Community Action Committee (CAC) Chairperson Laurie Milhiser stated that eight years ago, the CAC began sponsoring a military street banner program to recognize Montclair residents currently serving in the **U.S. Armed Forces**. She advised that in 2015, 73 military banners were proudly displayed throughout Montclair.

CAC Chairperson Milhiser introduced **Mr. Alejandro Borrego**, who served in the army from January 2005 to September 2015 and held the rank of Specialist. "**Mr. Borrego** was stationed at **Fort Lewis**, Sacramento Battalion, and **Fort Hood**. While serving, he received several medals and badges including two Iraq medals, an Afghanistan medal, and the recruiter badge, along with other numerous awards. **Mr. Borrego** has been a resident of Montclair for eighteen years. Since his honorable discharge he has enrolled in the **Art Institute of San Bernardino** and is enjoying spending time with his sons, ages six and four."

As **Mr. Borrego** could not make it to the meeting, Mayor Eaton presented **Mr. Borrego's** banner that was displayed on Benito Street to his mother, **Ms. Ofilia Borrego**, and asked that she thank him for his service to our country on behalf of the City Council.

CAC Chairperson Milhiser introduced **Mr. Luis A. Ramirez**, who served in the **U.S. Army** from October 2012 to December 2015 and held the rank of Specialist. "**Mr. Ramirez** was stationed in Georgia. While serving, he trained with the **Canadian Armed Forces**, was in Korea for a year and received his EMT license. **Mr. Ramirez** has been a Montclair resident for six years. He attended **Lehigh Elementary School, Vernon Middle School, Montclair High School**

and graduated from **Canyon View High School** in 2010. He will soon begin a job with the **California Conservation Corps**, and hopes to pursue a career as a firefighter."

Mayor Eaton presented **Mr. Ramirez** with his banner that was displayed on Holt Boulevard and thanked him for his service to our country.

CAC Chairperson Milhiser introduced **Mr. Jarret Rousseve**, who served in the **U.S. Navy** for more than eleven years as a Petty Officer Second Class and Gunner's Mate Second Class. "**Mr. Rousseve** was stationed in Italy, Florida, Guam, San Diego, Virginia and Spain. During his service, **Mr. Rousseve** served on six different ships: **USS John L. Hall, USS Frank Cable, USS Emory S. Land, USS Gridley, USS McClusky, USS Thach, and USS Donald Cook**. He has been a Montclair resident for twenty-six years and attended **Monte Vista Elementary School, Serrano Middle School, and Montclair High School**, graduating in 2002. Since his honorable discharge, he has been settling into civilian life and plans to reenroll in college and obtain a Bachelor's Degree."

Mayor Eaton presented **Mr. Rousseve** with his banner that was displayed on Central Avenue and thanked him for his service to our country.

Mayor Eaton thanked CAC Chairperson Milhiser for her presentation, and thanked **Mr. Borrego, Mr. Ramirez, and Mr. Rousseve** for their service. He stated, "Montclair is honored to have residents like you three gentlemen."

#### **B. Holiday Food and Toy Drive Certificates of Appreciation**

Fire Chief Segalla announced that the City of Montclair would like to recognize Montclair businesses and organizations for their outstanding support of the City's 2015 Annual Holiday Food and Toy Drive, stating that the program received over 600 donated toys that were distributed to Montclair families in need. He noted only one participating business was able to send a representative to tonight's meeting. He introduced **Ms. Sylvia Garza, Costco** representative. **Ms. Garza** indicated that **Costco** is happy to participate in the toy drive every year.

Mayor Eaton thanked **Costco** for helping provide food and toys to the less fortunate this past holiday season. He stated, "We hope we can count on your support in the future."

#### **C. Senior Center Certificates of Appreciation**

Human Services Director Richter announced that the Montclair Walkers program is celebrating its 30th anniversary this year and continues to provide an opportunity to exercise in a safe and welcoming environment on Monday, Wednesday, and Friday mornings at **Montclair Place**. "Tonight, we want to recognize one of our partners, **Inter Valley Health Plan (IVHP)**, who has been one of our co-sponsors for over 15 years. **IVHP** has generously provided the t-shirts that our participants earn after walking 100 miles at **Montclair Place** and often provide guest speakers for our monthly Montclair Walker meetings. Being able to provide free t-shirts to our Montclair Walker members is a great incentive for them to wear proudly and show off their accomplishment. The motto of the Montclair Walkers is 'We Walk for Health and Fun,' and tonight we want to thank **IVHP** for allowing our participants to do just that." She introduced **Ms. Cyndie O'Brien**, Vice President of Marketing, representing **IVHP**.

Mayor Eaton thanked **Ms. O'Brien** and presented her with a framed certificate of appreciation. **Ms. O'Brien** stated **IVHP** loves

supporting the Montclair Walkers program and looks forward to continuing its support.

Human Services Director Richter stated, "As you know the Montclair Senior Center Nutrition Lunch Program provides a birthday party for about 250 senior citizens in the community every month. The birthday parties are quite popular, in fact we have heard from our partnering cities that they can always tell when we are hosting a birthday party because their lunch attendance numbers are always very low! Our staff coordinates these activities, but a birthday party wouldn't be complete without a delicious birthday cake! Tonight we want to recognize a member of our community who has generously donated two beautifully decorated sheet cakes from **Ontario Bakery** for every monthly party for over 25 years. **Dr. Robert Fabricant**, founder of the **Pacific Eye Institute**, allows us to order whatever type of cake we might need and has it delivered to our Community Center each month. We want to thank him for his extraordinary generosity. She introduced **Dr. Fabricant's** assistant and representative tonight, **Mr. Dante Cervantes**.

Mayor Eaton asked **Mr. Cervantes** to thank **Dr. Fabricant** on behalf of the City Council and presented him with a framed certificate of appreciation.

#### D. **Montclair High School Army JROTC Check Presentation**

Council Member Ruh noted that every year, **Montclair High School (MHS) Army Junior Reserve Officer Training Corps (JROTC)** has upheld the traditional flag presentation at the City's Memorial Day event. He presented **Mr. Cornelius Lambert**, Sergeant First Class, **U.S. Army** and **MHS Army JROTC** instructor, with a \$600 donation check to purchase fifteen **MHS Army JROTC** cadets' winter uniforms and sponsoring their attendance at the upcoming **Fort Irwin Army Junior Reserve Officers' Leadership Endeavor**, where the cadets will participate in three days of training on loyalty, duty, respect, selfless service, honor, integrity, and courage.

**Sergeant Lambert** presented the City Council with a certificate of appreciation, a framed photo of the **JROTC** cadets, and a "thank you" card signed by the cadets.

### VI. **PUBLIC COMMENT**

- A. **Mr. Manny Martinez**, Director, **Monte Vista Water District (MVWD) Board**, thanked the community for its cooperation in reducing its water consumption by 24 percent over the past year since **Governor Brown's** declaration of a state of emergency related to extreme drought conditions in the state. He urged residents to turn off irrigation systems during the months of January and February to further reduce water consumption. He thanked the City for its efforts in reducing water. He then introduced **Justin Scott-Coe**, Director of Public Affairs, **MVWD**, who discussed programs available to residents such as a free irrigation system evaluation and rebates for replacement spray head nozzles and "smart" irrigation controllers. **Director of Public Affairs Scott-Coe** advised that more information about these programs is available at [www.mvwd.org](http://www.mvwd.org), or by calling **MVWD's** hotline at (909) 267-2130.

### VII. **PUBLIC HEARINGS** - None

### VIII. **CONSENT CALENDAR**

Council Member Dutrey requested that Item B-10 be removed from the consent calendar for comment.

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 January 4, 2016**

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 January 4, 2016 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 December 31, 2015.

**2. Approval of City Warrant Register and Payroll Documentations**

The City Council approved the City Warrant Register dated January 19, 2016, totaling \$1,635,281.27; the Payroll Documentation dated December 27, 2015, amounting to \$555,990.13 gross, with \$389,418.24 net being the total cash disbursement; and the Payroll Documentation dated January 10, 2016, amounting to \$559,502.29 gross, with \$387,635.10 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 December 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 12.01.15-12.31.15 in the amounts of \$21,971.61 for the Combined Operating Fund and \$0.00 for the Redevelopment Obligation Retirement Funds.

**5. Receiving and Filing of MHC Treasurer's Report**

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

**6. Approval of MHC Warrant Register**

The MHC Board approved the MHC Warrant Register dated 12.01.15-12.31.15 in the amount of \$55,841.04.

**7. Receiving and Filing of MHA Treasurer's Report**

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

**8. Approval of MHA Warrant Register**

The MHA Commissioners approved the MHA Warrant Register dated 12.01.15-12.31.15 in the amount of \$0.00.

**9. Setting a Public Hearing to Consider Prioritization of Funding for Fiscal Year 2016-17 Community Development Block Grant Projects**

The City Council set a public hearing for Monday, February 1, 2016, at 7:00 p.m. in the City Council Chambers to consider prioritization of funding for Fiscal Year 2016–2017 Community Development Block Grant projects.

**11. Authorizing a \$4,584 Appropriation from the Federal Asset Forfeiture Fund to Complete the Modification of an Existing Patrol Vehicle to Accommodate a Police Canine**

The City Council authorized a \$4,584 appropriation from the Federal Asset Forfeiture Fund to complete the modification of an existing patrol vehicle to accommodate a Police canine.

**C. Agreements**

**1. Approval of Agreement No. 16-08 with Mt. San Antonio Community College District to Continue Providing a Comprehensive Fitness Program for the Fire Department**

The City Council approved *Agreement No. 16-08* with Mt. San Antonio Community College District to continue providing a comprehensive fitness program for the Fire Department.

**2. Approval of Agreement No. 16-09 with CBE Office Solutions Awarding a Procurement Contract for the Purchase and Maintenance of a Ricoh Pro 1820S Copier**

The City Council took the following actions:

- (a) Approved *Agreement No. 16-09* with CBE Office Solutions, Inc., awarding a procurement contract for the purchase and maintenance of a Ricoh Pro 8120S copier.
- (b) Authorized the City Manager to execute all documents on behalf of the City of Montclair in relation to a procurement contract with CBE Office Solutions for the purchase and maintenance of a Ricoh Pro 8120S copier.
- (c) Authorized a \$35,091.46 transfer from the Technology Fund to the General Operating Fund for costs associated with the purchase and maintenance of a Ricoh Pro 8120S copier.

**D. Resolutions**

**1. Adoption of Resolution No. 16-3108 Authorizing Submittal of an Application for Payment Programs and Related Authorizations for Beverage Container Recycling Programs to the Department of Resources Recycling and Recovery**

The City Council approved Resolution No. 16-3108 authorizing submittal of an application for payment programs and related authorizations for beverage container recycling programs to the Department of Resources Recycling and Recovery.

**2. Successor Agency Board of Directors' Adoption of Resolution No. 16-01 Adopting a Recognized Obligation Payment Schedule for July 1, 2016, through June 30, 2017; Adopting Administrative Budgets for July 1, 2016, through December 31, 2016, and for January 1, 2017, through June 30, 2017; and Authorizing Certain Other Actions Pursuant to Section 34177 of Part 1.85 of the Health and Safety Code**

The City Council acting as successor to the City of Montclair Redevelopment Agency Board of Directors adopted Resolution No. 16-01 adopting a Recognized Obligation Payment Schedule for July 1, 2016, through June 30, 2017; adopting Administrative Budgets for July 1, 2016, through December 31, 2016, and for January 1, 2017, through June 30, 2017;

and authorizing certain other actions pursuant to Section 34177 of Part 1.85 of the Health and Safety Code.

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

- 10. Authorization of a \$14,571.58 Appropriation from the Technology Reserve Fund to Purchase a Crestron PRO3-Series Control System and Crestron TS-1051-C Tabletop Touch Screen Command Pad from Matrix Audiovisual Designs, Inc., for the Audiovisual Equipment in the Council Chambers**

Council Member Dutrey asked when the system would be installed.

City Manager Starr stated the system is currently in use on a trial basis. He noted that the system is now functioning as intended after issues were worked out over the past several months. He noted the City Council's approval would authorize payment to the vendor.

Moved by Council Member Dutrey, seconded by Council Member Ruh, and carried unanimously that the City Council authorize a \$14,571.58 appropriation from the Technology Reserve Fund to purchase a Crestron PRO3-Series Control System and Crestron TS-1051-C Tabletop Touch Screen Command Pad from Matrix Audiovisual Designs, Inc., for the audiovisual equipment in the Council Chambers.

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

**A. City Department Reports**

**1. City Clerk's Office**

- a. Recall Update** - Deputy City Clerk Phillips stated that the recall effort that was initiated in July 2015 has been suspended because no signed petitions were submitted by the January 7, 2016 deadline.

**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)(1) Regarding Pending Litigation**

*Camou v. Montclair*

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

*Montclair v. Beltran*

- 3. 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 General Employees Association  
Montclair Fire Fighters Association  
Montclair Police Officers Association

**C. City Manager/Executive Director**

City Manager/Executive Director Starr asked if any Council Members were opposed to setting February 18, 2016, at 6:00 p.m. as the time for the Midyear Budget Review workshop. All members of the City Council expressed having no conflicts with that date.

**D. Mayor/Chairman**

Mayor Eaton advised that he attended meetings for the **San Bernardino Associated Governments (SANBAG)** Commuter Rail and Transit Committee, **Omnitrans** Administrative and Finance Committee, and **Metro Valley Study Session**. He advised that he was also reappointed by the **SANBAG** Board of Directors as Primary Member on the **Metro Gold Line Phase II Joint Powers Authority**.

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

1. Council Member/Director Dutrey commented as follows:

- (a) He reported that he attended a community forum in Rialto that provided information and accepted public feedback about the *2012-2035 Regional Transportation Plan* developed by **Southern California Association of Governments**. The informational event covered several aspects of the future of transportation in lieu of expanding or building new freeways including the adaption of freeway express lanes, the development of transit "villages," expanding mass transit operations, and improving infrastructure for buses and bicycles.
- (b) He congratulated **Mr. Eric Kennedy** on his promotion to Head Football Coach at **Montclair High School**.
- (c) He recognized Montclair's Youth Basketball League for children ages 6 through 14, wishing them luck in the new season that began this month.
- (d) He reported that during the Code Enforcement/Public Safety Committee meeting that occurred earlier this evening, staff reported new massage parlor regulations will be enforced beginning in August 2016. He stated staff will soon mail notices to all massage businesses currently operating in the City about the new regulations and the compliance deadline, and will be revoking business licenses of those that do not come into compliance by the deadline.

2. Council Member/Director Ruh commented as follows:

- (a) He noted he attended **Donate Life's** Rose Dedication Ceremony on December 29, 2015, where he dedicated a rose on their 2016 **Rose Parade** float on behalf of the City of Montclair. He reported that the **Donate Life** float featuring colorful desert camels, titled "Treasure Life's Journey," won the Isabella Coleman Award for best presentation of color and color harmony through floral use.
- (b) He stated he is happy to report that a **Veterans Affairs** hospital annex will be opening in Montclair at Fremont Avenue and San Bernardino Street thanks to the efforts of **Prime Healthcare** and **Dr. James Lally**, who volunteers at the City's Medical Clinic. He thanked **Dr. Lally** and **Prime Healthcare**, noting this will be a huge benefit to the community.

- (c) He noted he was recently in Washington, D.C. for the first day of the second Congressional session and met with **U.S. Representative Norma Torres** to discuss matters related to his profession in the real estate industry.
- (d) He congratulated Police Chief deMoet on the birth of his daughter last week and wished his family well.
- (e) He noted yesterday he participated in **Montclair High School's Martin Luther King Jr. Day Walk/Fundraiser**.
- (f) He noted that as of January 1, 2016, California began a 5-year trial program allowing residents to fill out a one-page form which will allow the transfer of real property to heirs upon death. He stated he would provide more information to the community as he learns more, noting state elected officials have indicated they will be hosting informational sessions to educate and assist the public with this new process.
- (g) As tax season approaches, he urged the community to be aware of tax scams and never give personal information over the phone. He stated it is essential to make certain that the person doing your taxes is a Certified Public Accountant.

**F. Committee Meeting Minutes**

**1. Minutes of Real Estate Committee Meeting of December 21, 2015**

The City Council received and filed the minutes of the Real Estate Committee meeting of December 21, 2015, for informational purposes.

**1. Minutes of Code Enforcement/Public Safety Committee Meeting of December 21, 2015**

The City Council received and filed the minutes of the Code Enforcement/Public Safety Committee meeting of December 21, 2015, for informational purposes.

**2. Minutes of Personnel Committee Meeting of January 4, 2016**

The City Council received and filed the minutes of the Personnel Committee meeting of January 4, 2016, 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 7:40 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 7:41 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 8:02 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 8:03 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,



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Andrea M. Phillips  
Deputy City Clerk