

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, APRIL 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

Pastor Doris Hampton, Brighter Day Ministries, 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, Ruh, and Martinez; City Manager/Executive Director Starr; Deputy City Manager/Economic Development Executive Director Staats; Community Development Director Lustro; Public Works Director Hudson, City Attorney Robbins; Deputy City Clerk Phillips

V. PRESENTATIONS

A. Proclamation Declaring April 2016 as "Child Abuse Prevention Month" in the City of Montclair

Mayor Eaton invited **Ms. Isabel Hunt of Arrow Child and Family Ministries (ACFM)** to say a few words.

Ms. Hunt thanked the City Council for continuing to participate in this program. She advised that more than 32,000 children in San Bernardino County were referred to Children and Family Services for suspected child abuse and neglect in 2015, with 435 reports in the City of Montclair. She stated several organizations including **ACFM** have partnered with the **San Bernardino County Child Abuse Prevention Council (CAPC)** to address this serious issue by helping to place abused children in foster and adoptive homes in the community. She noted we can all make a difference by helping abused and neglected children to heal and find loving families. She urged community members to consider fostering a child, noting **ACFM** or any of the other **CAPC** partner agencies are available to assist.

Mayor Eaton presented a proclamation to **Ms. Hunt** declaring the month of April 2016 as "Child Abuse Prevention Month" in the City of Montclair.

Ms. Hunt thanked Mayor Eaton and accepted the proclamation on behalf of **CAPC**.

B. Certificate Recognizing Lieutenant Brian Ventura for Completion of the FBI National Academy

Public Safety Executive Director deMoet introduced Lieutenant Brian Ventura, a 15-year veteran of the Montclair Police Department, who was among the 230 law enforcement officers who graduated on

March 18, 2016, from the 263rd session of the **FBI National Academy** program at Quantico, Virginia. He stated that Lieutenant Ventura's class consisted of law enforcement professionals from 47 states, the District of Columbia, 27 international countries, four military organizations, and five federal civilian organizations.

Public Safety Executive Director deMoet stated that the **National Academy Program** is internationally known for its academic excellence, offering ten weeks of advanced communication, leadership, and fitness training for specially selected officers having proven records as professionals within their agencies. He noted training for the program is provided by the **FBI Academy** instructional staff, special agents, and other staff members holding advanced degrees, many of whom are recognized internationally in their fields of expertise.

Public Safety Executive Director deMoet stated, "**National Academy** students who successfully complete courses at the academy earn undergraduate and graduate college credits from the **University of Virginia**. Lieutenant Ventura challenged himself to complete several comprehensive courses including: employment law issues for law enforcement executives, contemporary issues in police and media relations, essentials for law enforcement leaders, leading at-risk employees, and stress management for law enforcement.

"In addition to academic training, officers participate in a regimen of daily fitness training. The final fitness challenge is completion of the 'Yellow Brick Road,' a grueling 6.1-mile run through a hilly, wooded trail built by the Marines. The course came to be known as the 'Yellow Brick Road' years ago, after the Marines placed yellow bricks at various spots to show runners the way through the wooded trail. Along the way, the participants traverse walls, run through creeks, jump through simulated windows, scale rock faces with ropes, crawl under barbed wire in muddy water, and maneuver across a cargo net. Only those officers who complete the course receive an actual yellow brick to memorialize their achievement. Lieutenant Ventura brought one of those bricks home with him.

"Completion of the **FBI National Academy** is extremely challenging. Participants are away from their families for over 10 weeks. They bunk together, eat together, train together, and study together. Participants accepting the challenge make great personal sacrifices, as do their families. Lieutenant Ventura deserves recognition for making those sacrifices and successfully completing the academy."

Mayor Eaton congratulated Lieutenant Ventura and presented him with a framed Certificate of Recognition.

C. Introduction of a New Employee

Public Safety Executive Director deMoet noted that unfortunately, Officer Sirimahachaikul could not be at tonight's meeting and stated he would be introduced at a future meeting.

VI. PUBLIC COMMENT

Pursuant to Government Code Section 54954.3, Mayor/Chairman 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.

- A. **Ms. Myra Kirscht**, President/CEO, **Montclair Chamber of Commerce**, 8880 Benson Avenue, Suite 110, noted the **Chamber** has begun the application process to become accredited through the **U.S. Chamber of Commerce**. She advised that only ten chambers of commerce in California are accredited including Palm Desert and Irvine. She reported the **Chamber** is also initiating an *Incubator*

Program, in which the **Chamber** provides its offices to members to give presentations to clients, as well as a mailing service wherein the **Chamber** serves as the mailing address for member businesses so business owners can avoid using home addresses. She announced several upcoming **Chamber** events such as the annual golf tournament, which will be held on May 18, 2016, and stated she has been organizing several mixers and plans to begin hosting networking lunches at member restaurants. She reported that the **Chamber** has seen an increase in membership since the beginning of the year, noting approximately five businesses have been joining each month. She advised she is attempting to get in touch with the owner of the **Montclair Shoppes** across from Costco so that the Chamber can host grand openings for the businesses in the complex. She added that the **Chamber** plans to apply for grants to enhance operating funds through organizations like the **Bill and Melinda Gates Foundation**, noting that becoming accredited should assist with the process.

- B. **Ms. Marisol Guerra**, Field Representative, **Congresswoman Norma Torres's** District Office, 11780 Central Avenue Suite 205, Chino, announced that **Congresswoman Torres** will be holding a *Veterans Resource Fair* on Saturday, April 23, 2016, from 9:00 a.m. to 1:30 p.m. at the Montclair Community Center. She advised that appointments are required and those interested should call (909) 481-6474.

Ms. Guerra stated that **Congresswoman Torres** is also sponsoring a new **Youth Advisory Committee (YAC)**, which is currently accepting applications from sophomore or junior high school students residing in the 35th congressional district. She noted **YAC** will provide high school students with a unique opportunity to acquire leadership skills focused in the areas of transportation challenges, trade, education, law enforcement, health care, government, and the legislative process. She advised the application deadline is April 29, 2016.

- C. **Ms. "Jade,"** a Montclair property owner, stated her displeasure in the uncleanliness of the City, noting the street near her property is constantly littered with trash and she often observes discarded furniture in nearby alleyways. She recommended increasing signage around the City warning of fines for littering, sending letters to residents along the streets that are littered most often, and contacting nonprofit organizations or recruiting community volunteers to assist in litter cleanup efforts.

VII. PUBLIC HEARINGS — None

VIII. CONSENT CALENDAR

Council Member/Director Ruh requested that Item B-3 be removed from the consent calendar for comment.

Mayor Pro Tem/Vice Chairperson Raft requested that Item B-1 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 March 21, 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 March 21, 2016 regular joint meeting.

B. Administrative Reports

2. Approval of Fiscal Year 2015-16 Schedule of Recommendations from the Community Action Committee for Community Benefits Funding

The City Council approved the Fiscal Year 2015-16 schedule of recommendations for community benefits funding as follows:

FISCAL YEAR 2015-16
COMMUNITY BENEFITS ASSISTANCE PROGRAM
AGENCY FUNDING REQUESTS

<i>Requesting Agencies</i>	<i>FY 2015-16 Funding Requests</i>	<i>FY 2015-16 Recommendations</i>
(1) Christian Development Center	\$1,000	\$1,000
(2) Foothill Family Shelter	\$2,000	\$1,000
(3) House of Ruth	\$5,000	\$1,000
(4) Montclair Community Collaborative	\$1,000	\$1,000
(5) Montclair Meals on Wheels	\$1,500	\$1,500
(6) OPARC	\$1,000	\$1,000
(7) Pomona Valley Workshop	\$2,690	\$1,000
(8) Project Sister	\$1,500	\$1,500
(9) Visiting Nurse Association/Inland Hospice	<u>\$5,700</u>	<u>\$1,000</u>
TOTALS	<u>\$21,390</u>	<u>\$10,000</u>

4. Approval of Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated April 4, 2016, totaling \$1,447,572.71 and the Payroll Documentation dated March 20, 2016, amounting to \$572,728.02 gross, with \$402,691.10 net being the total cash disbursement.

C. Agreements

1. Approval of Agreement No. 16-29 with Moule & Polyzoides for Consultant Services for the First Amendment to the North Montclair Downtown Specific Plan

Appropriation of \$77,000 from Redevelopment Agency Project Area No. III Tax Allocation Bonds to Finance Consultant Services Associated with Agreement No. 16-29

The City Council took the following actions:

- (a) Approved *Agreement No. 16-29* with Moule & Polyzoides for consultant services for the first amendment to the North Montclair Downtown Specific Plan.
- (b) Authorized a \$77,000 appropriation from Redevelopment Agency Project Area No. III Tax Allocation Bonds to finance consultant services associated with *Agreement No. 16-29*.

D. Resolutions — None

IX. PULLED CONSENT CALENDAR ITEMS

B. Administrative Reports

1. Adoption of Standard Drawing SP-1, Sidewalk Joint Location for North Montclair Downtown Specific Plan Area

Mayor Pro Tem Raft asked if this would require the **Paseos** and **Arrow Station** projects to revise their already-constructed sidewalks.

Public Works Director Hudson advised that the scoring pattern is the same as what was used by the **Paseos** project, and staff chose that pattern because so much new sidewalk had already been constructed for that project. He further noted **Arrow Station** has had issues correctly duplicating that pattern, and that this standard drawing is a response to the lack of quality present in the sidewalks constructed along the **Arrow Station** project. He added that staff is working with the **Arrow Station** developer to correct the sidewalk issue and hopes that the adoption of Standard Drawing SP-1 will prevent these issues with future projects in the north Montclair area going forward.

Moved by Mayor Pro Tem Raft, seconded by Council Member Ruh, and carried unanimously that the City Council adopt Standard Drawing SP-1, sidewalk joint location for North Montclair Downtown Specific Plan Area.

3. Approval of Montclair Police Department Policy 462, Automated License Plate Readers (ALPRs)

Mr. Bruce Culp, 9016 Sycamore Avenue #110, Montclair, asked whether this policy is posted on the website and requested clarification on the retention of the stored data.

City Manager Starr stated the policy would only be posted on the Police Department's website after the policy is adopted by the City Council and noted that the minimum retention for most public records is two years based on state guidelines; however, the City's Records Retention Schedule determines whether records are kept longer than that.

Council Member Ruh asked if the plate readers are able to differentiate out of state license plates and rental cars.

Public Safety Executive Director deMoet noted that the ALPRs use optical character recognition technology to pull the license plate numbers from the scans, and that the information is checked against a database of wanted and stolen vehicles to verify the state from which the license plate originates. Officers then verify that the state indicated matches the state of the license plate.

Council Member Ruh asked how officers determine the driver in cases involving rental cars.

Public Safety Executive Director deMoet stated the database would indicate to whom or what entity the car is registered and Officers would treat it like any other crime they are investigating by contacting the registered owners first and going from there. He reiterated that the database only includes information on wanted and stolen vehicles, and does not list registered owners of all vehicles.

Moved by Council Member Ruh, seconded by Council Member Dutrey, and carried unanimously that the City Council approve Montclair Police Department Policy 462, Automated

License Plate Readers (ALPRs).

X. RESPONSE – None

XI. COMMUNICATIONS

A. City Department Reports

1. Public Works Department

- **Monte Vista Grade Separation Project Update** — Public Works Director Hudson gave an update indicating that the project remains on track for upcoming application submission deadlines, including a deadline that was just met last week for an allocation request to the state for \$5 million in **Public Utilities Commission (CPUC)** grade separation funds. He noted the next step is submitting an E-76 form in August to **Caltrans** to request authorization for **San Bernardino Associated Governments (SanBAG)** to advertise and award the contract, advertising the project in September or October, and beginning construction in December or January.

2. Community Development Department

- **Development Project Update** — Community Development Director Lustro reported on the following development projects:
 - ❖ *Montclair Shoppes* – Exterior construction of the buildings has been completed. Only one space remains unleased. Tenant improvements are currently underway in the future **Tommy's Original Hamburgers** building.
 - ❖ *Orchard Plaza* – The building shells are completed and the parking lot will soon be paved. This project also includes the creation of a third southbound traffic lane on Ramona Avenue. The developer is currently seeking businesses to lease the remaining units.
 - ❖ *Residential Developments* – A 31-unit residential development to be located on the south side of Mission Boulevard west of Central Avenue will begin to be constructed within the next few months.

44 residential units are additionally planned in two locations south of Mission Boulevard.

At its next meeting, the Planning Commission will consider approval of a 23-unit multi-family residential project along Monte Vista Avenue north of the **Paseos**. He noted this is the remnant property and former site of the **Grease Monkey**.

Mayor Eaton requested an update on today's fire response.

Fire Chief Segalla stated that there was a 3-alarm fire at a recycling center on State Street west of Monte Vista Avenue. He noted the Montclair and Upland Fire Departments employed an offensive and defensive strategy. He noted that there were a total of 27 fire units on scene including mutual aid received from surrounding fire agencies. He noted three homes were lost to the blaze.

Council Member Ruh asked if any emergency response members were injured in the fire response.

Fire Chief Segalla responded that he believes two Police Officers

and one other person are being treated for smoke inhalation.

3. Human Services Department

- **Human Services Events** — Human Services Director Richter reported the *Easter Eggstravaganza* was a great success with 400 community members in attendance. She noted Montclair Kiwanis coordinated the breakfast, selling approximately 325 tickets. She thanked **Montclair Kiwanis Club, Montclair-Ontario Junior Women's Club**, and all the volunteers who helped out at the event.

She requested the City Council mark their calendars for the following upcoming events:

April 18 7:00 p.m.	<i>Volunteer of the Year Awards Ceremony</i> City Council Chambers Reception in Council lobby at 6:15 p.m.
April 19 6:00 p.m.	<i>Online to College Graduation</i> City Council Chambers
April 26 5:00 p.m.	<i>35th Annual Volunteer Recognition Dinner</i> Montclair Community Center
May 5 11:30 a.m.	<i>Mayor's Prayer Luncheon</i> Montclair Community Center
May 30 6:00 p.m.	<i>16th Annual Memorial Day Event</i> City Hall Memorial Garden
June 4 11:00 a.m. – 5:00 p.m.	<i>4th Annual Country Fair Jamboree</i> Alma Hofman Park

B. City Attorney

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

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

C. City Manager/Executive Director

City Manager/Executive Director Starr commented as follows:

1. He noted a date for the appeal hearing for the termination of a former employee still needs to be determined. He recommended dates in June for the hearing.

Council Member Ruh advised he would be out of town on one of the proposed dates.

Council Member Dutrey stated he has work conflicts with the proposed meeting dates. He recommended staff use email to propose other dates to the Council to get the hearing scheduled as soon as possible.

City Manager Starr stated he would contact the Council via email with more proposed dates for the appeal hearing.

2. He responded to remarks made during Public Comment regarding littering in the City. He advised the City has addressed complaints related to littering in certain areas of the city, noting the recently increased efforts to keep the **Montclair Transcenter** clean, which is now one of the cleanest train stations along the **Metrolink** line. He further explained

that several attempts have been made to decrease the amount of littering throughout the City, with the most effective strategy being an increase in street sweeping frequency to once per week for every City street. He noted most of the littering that occurs in the City is caused by passing motorists who do not reside in the City. He assured that staff would look into other alternatives for keeping the City's streets clean.

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 thanked **Ms. Jade** for bringing the littering issue to the City Council's attention.
- (b) She reported the City County conference was very informative and she learned a lot about open data, medical marijuana legislation, and district elections.
- (c) She stated she was nominated for a 2nd Vice President position for the Inland Empire Division of **the League of California Cities**, but declined because she feels she needs more experience as a Council Member before she can serve effectively in that capacity.
- (d) She reminded everyone that **Our Lady of Lourdes Catholic Church (OLL)** is holding its annual family festival April 15th through 17th.

2. Council Member/Director Dutrey commented as follows:

- (a) He commended staff for their hard work putting on the *Easter Eggstravaganza* event.
- (b) He thanked Council Member Martinez for bringing up **OLL's** annual family festival, noting his wife is on the planning committee for that event.
- (c) He noted that a member of **OLL**, **Mr. Richard Havlena**, the husband of former Community Action Committee member **Mrs. Marleen Havlena**, recently passed away. He offered his deepest condolences **Mr. Havlena's** family.
- (d) He recognized **Ms. Jade** who spoke about littering. He noted that the cleanliness and image of the City has always been very important to him, and stated that earlier this evening the Police Department gave a report that included the Department's efforts to reduce and eliminate graffiti.
- (e) He thanked the Police and Fire Chiefs for their hard work and coordination in responding to today's large fire.

3. Council Member/Director Ruh commented as follows:

- (a) He complimented the *Easter Eggstravaganza* event, noting the Montclair Kiwanis Club members worked very hard to sell the tickets and the line was very busy. He added that he helped to ensure nobody was burned by the hot coffee.
- (b) He indicated he is pleased that the City approved the purchase of a property that will be used for a community soccer field at the last meeting, stating that it is a much needed amenity for this community.

- (c) He reported that the Crime Suppression Unit is addressing illegal activities at swap meets including the sale of stolen and counterfeit goods.
- (d) He was relieved to learn that nobody was killed or seriously injured in the fire.
- (e) He thanked Congresswoman Norma Torres for bringing the **Veterans Assistance (VA)** event to Montclair and for helping to secure bringing a **VA** hospital to Fremont Avenue and San Bernardino Street with the help of **Dr. Lally** of the Montclair Medical Clinic and **Montclair Hospital Medical Center**. He stated this is a huge win for this community.
- (f) He pointed out that all the naysayers from a year ago saying that nothing was being done at the property across from **Costco** can now see that the City was working on it and something great has been done.
- (g) He stated that water agencies are also increasing their efforts to address littering because litter ends up in the storm drain system.

F. Committee Meeting Minutes

1. Minutes of Personnel Committee Meeting of March 21, 2016

The City Council received and filed the minutes of the Personnel Committee meeting of March 21, 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 8:03 p.m., Chairman Eaton adjourned Successor Agency and the Montclair Housing Corporation Boards of Directors, the Montclair Housing Authority Commissioners, and the Montclair Community Foundation Board of Directors.

At 8:05 p.m., the City Council went into Closed Session regarding potential litigation pursuant to Government Code Section 54956.9(d)(2).

XIII. CLOSED SESSION

At 8:49 p.m., the City Council returned from Closed Session. Mayor Eaton announced the City Council met in Closed Session regarding potential litigation; information was received and direction given to staff; and no further announcements would be made at this time.

XIV. ADJOURNMENT OF CITY COUNCIL

At 8:50 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