

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 18, 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 Josh Matlock, Bethany Baptist Church, 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; Community Development Director Lustro; Public Works Director Hudson, City Attorney Robbins; Deputy City Clerk Phillips

V. PRESENTATIONS

A. 2016 Volunteer of the Year Awards

Mayor Eaton stated that tonight, in honor of Volunteer Appreciation Week, the City has a special presentation to recognize several individuals who have devoted their time to volunteer efforts in the community. He introduced Community Action Committee (CAC) Chair Laurie Milhiser.

Noting the City is very fortunate for the many caring volunteers who quietly give of their time and resources to make Montclair a closer, more caring, compassionate community, CAC Chair Milhiser stated that the CAC wants our volunteers to know how proud and grateful we are of their dedication to Montclair. She invited the following five **Volunteers of Distinction** to come forward to receive a plaque from Mayor Eaton and *Certificates of Recognition* from **Ms. Marisol Guerra** representing **Congresswoman Norma Torres**, Council Member Ruh representing **State Senator Connie Leyva**, **Mr. Christopher Craig** representing **Assembly Member Freddie Rodriguez**, and **San Bernardino County Fourth District Supervisor Curt Hagman**:

Volunteers of Distinction

<u>Volunteer</u>	<u>Activity/Program</u>
Ms. Lynn Sloan	Montclair Meals on Wheels
Mr. Frank Corsaro	Montclair Little League
Ms. Meena Duguay	Vernon Middle School
Ms. Erin Algeria	Healthy Montclair - Por La Vida
Mr. Jose Rivera	Montclair Youth Sports Program

Volunteers of the Year

Second Runners-Up

<u>Volunteer</u>	<u>Activity/Program</u>
Ms. Joan Bradley	Montclair Senior Nutrition Prog.
Mr. Bill Blades	Montclair Youth Basketball

First Runner-Up

<u>Volunteer</u>	<u>Activity/Program</u>
Ms. Melanie Arnold	Montclair-Ontario Junior Women's Club

Volunteers of the Year

<u>Volunteer</u>	<u>Activity/Program</u>
Mr. Scott Glang and Mr. Armando Solis	Montclair Senior Center Programs and Montclair's Holiday Food and Toy Drive Program

CAC Chair Milhiser stated, "The ten wonderful volunteers recognized tonight have blessed the Montclair community with their selfless acts that reflect the true meaning of the volunteer spirit. Tonight, let us thank our giving community members who, through acts of volunteerism large and small, bring hope to many and are the key to making the world a better place."

On behalf of the City Council, Mayor Eaton expressed his heartfelt gratitude to these and all the City's dedicated volunteers who make Montclair a better place to live, work, and play. He also thanked the CAC for facilitating the volunteer program and coordinating tonight's ceremony.

At 7:19 p.m., Mayor Eaton paused the meeting for a few moments to allow award recipients to gather in the West Lobby for a reception.

B. Fire Department Report on the April 4, 2016 Recycling Center Fire on State Street

Fire Chief Segalla gave a PowerPoint-guided presentation reviewing the large-profile fire incident and multi-agency response that took place on April 4, 2016 in Montclair, which is now being referred to as the State Incident. The incident, which was covered by many major news outlets, took almost three hours to control and utilized several on-scene resources including 25 engines, six ladder trucks, ten Chief Officers, two safety officers, one bulldozer, one hand crew, three utility units, one public information officer, four fire investigators, one hazardous materials unit, three medical officers, and four support personnel. The fire resulted in five firefighter injuries with three requiring treatment or transport to the hospital; five citizens evaluated for smoke inhalation with one of those transported to the hospital; and **Red Cross** assistance provided to eight families consisting of 32 adults and children. He reported that four nearby homes, two detached garages, and hundreds of vehicles being stored at the facility were destroyed, and one home was severely damaged. He added that 176 exposure reports were filed for damaged property, which were completed with the help of many CERT volunteers. He thanked staff from the Montclair and Upland Fire Departments as well as other agencies involved in the response including the Montclair Police and Public Works Departments; Montclair Code Enforcement; Upland CERT, Fire Explorers, and Reserve Firefighters; **CONFIRE Dispatch**; and the **Red Cross**.

C. Introduction of a New Employee

Public Safety Executive Director deMoet introduced **Mr. Ryan Sirimahachaikul**, who was appointed to the position of Police Officer effective March 21, 2016.

Public Safety Executive Director deMoet stated Ryan was born in Los Angeles, attended **James Monroe High School**, and was involved in the Police Academy Magnet Program. At the **Monroe Police Academy**, Ryan volunteered over 250 hours and learned about community service.

At age 17, Ryan enlisted in the **U.S. Army** as a Parachute Rigger. Following boot camp, he was reassigned to be a Human Intelligence Collector/Interrogator. In 2010, Ryan was deployed to Afghanistan as a Base Defense Operations Specialist with 3/20th Special Forces Group.

in 2013, after receiving an honorable discharge from the **Army**, Ryan enrolled in college at **California State University, Northridge** full-time and graduated with a Bachelors of Science Degree in Business Administration, with an emphasis in insurance and financial planning. While attending college, Ryan volunteered for many charity events including the **Soldiers Project** and **Operation Gratitude**.

Upon graduation from college, Ryan was hired by the Montclair Police Department on October 5, 2015 as a Police Officer Trainee, and was enrolled in the 200th **San Bernardino Sheriff's Department Basic Academy**. Ryan graduated the academy on March 10, 2016, receiving the *Top Shooter Marksmanship Award*.

Mayor Eaton welcomed Officer Sirimahachaikul to the Montclair City family and presented him with a City pin.

D. Omnitrans West Valley Connector Bus Rapid Transit Project Public Scoping Meeting Times Announcement

Ms. Anna Jaiswal, Development Planning Manager, **Omnitrans**, invited the community to attend a public scoping meeting on Wednesday, April 20, 2016, in the Montclair Senior Center from 4:00 to 7:00 p.m. to comment on the **West Valley Connector Project**, a 25-mile-long bus rapid transit project that proposes limited stops, providing premium transit with 10-15 minute service, transit signal priority, and designated bus lanes in certain areas. She encouraged those interested to visit www.omnitrans.org/wvc and www.facebook.com/omnitrans.wvc for more information.

Mayor Eaton presented Community Development Director Lustro with a framed certificate and stated, "In appreciation of your dedicated service and 16 years of exemplary performance, congratulations on your retirement!"

VI. **PUBLIC COMMENT** — None

VII. **PUBLIC HEARINGS** — None

VIII. **CONSENT CALENDAR**

City Attorney Robbins requested that Items B-11, C-2, and C-4 be removed from the consent calendar.

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

Council Member Ruh requested that Item B-9 be removed from the consent calendar for comment.

Moved by Council Member/Director Martinez, seconded by Council Member/Director Dutrey, 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 April 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 April 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 March 31, 2016.

2. Approval of City Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated April 18, 2016, totaling \$718,347.69; and the Payroll Documentation dated April 3, 2016, amounting to \$571,770.32 gross, with \$400,030.64 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 March 31, 2016.

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 03.01.16–03.31.16 in the amounts of \$11,051.63 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 March 31, 2016.

6. Approval of MHC Warrant Register

The MHC Board approved the MHC Warrant Register dated 03.01.16–03.31.16 in the amount of \$56,366.75.

7. Receiving and Filing of MHA Treasurer's Report

The MHA Commissioners received and filed the MHA Treasurer's Report for the month ending March 31, 2016.

8. Approval of MHA Warrant Register

The MHA Commissioners approved the MHA Warrant Register dated 03.01.16–03.31.16 in the amount of \$1,324.50.

C. Agreements

1. Award of Contract for the Eastern Zone 3 Montclair Street Rehabilitation Project to Gentry Brothers, Inc., in the

Amount of \$1,207,495

Approval of *Agreement No. 16-30* with Gentry Brothers, Inc., for Construction of the Eastern Zone 3 Montclair Street Rehabilitation Project

Authorization of a \$120,000 Construction Contingency for the Eastern Zone 3 Montclair Street Rehabilitation Project

The City Council took the following actions:

- (a) Awarded a contract for the Eastern Zone 3 Montclair Street Rehabilitation Project to Gentry Brothers, Inc., in the amount of \$1,207,495.
 - (b) Approved *Agreement No. 16-30* with Gentry Brothers, Inc., for construction of the Eastern Zone 3 Montclair Street Rehabilitation Project.
 - (c) Authorized a \$120,000 construction contingency for the Eastern Zone 3 Montclair Street Rehabilitation Project.
3. **Approval of *Agreement No. 16-33*, a Consulting Agreement with Dudek Related to Preparation of an Environmental Impact Report for the First Amendment to the North Montclair Downtown Specific Plan**

Appropriation of \$117,000 from Redevelopment Project Area No. III Tax Allocation Bonds to Finance a Portion of the Costs for the Preparation of an Environmental Impact Report and for Related Legal Fees for the First Amendment to the North Montclair Downtown Specific Plan

The City Council took the following actions:

- (a) Approved *Agreement No. 16-33*, a Consulting Agreement with Dudek related to preparation of an Environmental Impact Report for the first amendment to the North Montclair Downtown Specific Plan.
- (b) Appropriation of \$117,000 from Redevelopment Project Area No. III Tax Allocation Bonds to finance a portion of the costs for the preparation of an Environmental Impact Report and for related legal fees for the first amendment to the North Montclair Downtown Specific Plan.

D. Resolutions

1. **Adoption of Resolution No. 16-3117 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service**

The City Council adopted Resolution No. 16-3117 adjusting the Equivalent Dwelling Unit monthly fee for sewer service.

IX. PULLED CONSENT CALENDAR ITEMS

B. Administrative Reports

9. **Setting a Public Hearing to Consider Ordinance No. 16-956 Amending Sections 9.20.460 and 9.20.465 of the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value on Monday, May 2, 2016, at 7:00 p.m. in the City Council Chambers**

Council Member Ruh clarified that these fees are pass-through fees for sewer connections assessed by the **Inland Empire Utilities Agency**, a separate local agency, and that the City does not have any choice regarding the fee increase.

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft, and carried unanimously that the City Council set a

public hearing to consider Ordinance No. 16-956 amending sections 9.20.460 and 9.20.465 of the Montclair Municipal Code related to the Equivalent Dwelling Unit value on Monday, May 2, 2016, at 7:00 p.m. in the City Council Chambers.

10. Adoption of the City of Montclair City Council Policy and Appointment Process Manual, 2016 Edition

Council Member Dutrey requested that this item be continued to the May 2, 2016 meeting to allow the City Council more time to review the proposed changes.

Moved by Council Member Dutrey, seconded by Council Member Martinez, and carried unanimously that this item be continued to the May 2, 2016 regular City Council meeting.

11. Vacation of a Sanitary Sewer Easement at 4545 Brooks Street

City Attorney Robbins noted that staff has added a recommendation to adopt Resolution No. 16-3118 to accomplish the recommended action, further noting that staff has provided copies of the proposed Resolution to the City Council this evening. She requested the City Council adopt Resolution No. 16-3118 subject to revision by the City Attorney.

Moved by Council Member Dutrey, seconded by Council Member Ruh, and carried unanimously that the City Council adopt Resolution No. 16-3118, entitled, "**A Resolution of the City Council of the City of Montclair Ordering the Vacation of an Unused Sewer Easement at 4545 Brooks Street,**" subject to revision by the City Attorney.

C. Agreements

2. Approval of Agreement No. 16-31, a Consulting Agreement with David Taussig & Associates, Inc., for Formation and Administration of Community Facilities District No. 2016-1

Approval of Agreement No. 16-32, a Reimbursement Agreement with CFC-Montclair, LLC Regarding Property at 8949 Monte Vista Avenue

City Attorney Robbins requested that *Agreement Nos. 16-31* and *16-32* be approved subject to revision by the City Attorney.

Moved by Council Member Dutrey, seconded by Council Member Ruh, and carried unanimously that the City Council take the following actions:

- (a) Approved *Agreement No. 16-31* with David Taussig & Associates, Inc., for formation and administration of Community Facilities District No. 2016-1, subject to revision by the City Attorney.
- (b) Approved *Agreement No. 16-32*, a Reimbursement Agreement with CFC-Montclair, LLC regarding property at 8949 Monte Vista Avenue, subject to revision by the City Attorney.

4. Approval of Agreement No. 16-34, a Consulting Agreement with David Taussig & Associates, Inc., for Formation and Administration of Community Facilities District No. 2016-2

Approval of Agreement No. 16-35, a Reimbursement Agreement with Maple Multi Family Land CA, L.P., Regarding Property Generally Located on the Southwest Corner of Arrow Highway and Monte Vista Avenue

City Attorney Robbins requested that *Agreement Nos. 16-34* and *16-35* be approved subject to revision by the City Attorney.

Moved by Council Member Dutrey, seconded by Council Member Martinez, and carried unanimously that the City Council take the following actions:

- (a) Approved *Agreement No. 16-34* with David Taussig & Associates, Inc., for formation and administration of Community Facilities District No. 2016-2, subject to revision by the City Attorney.
- (b) Approved *Agreement No. 16-35*, a Reimbursement Agreement with Maple Multi Family Land CA, L.P., regarding property generally located on the southwest corner of Arrow Highway and Monte Vista Avenue, subject to revision by the City Attorney.

X. **RESPONSE** – None

XI. **COMMUNICATIONS**

A. **City Department Reports**

1. **Human Services Department**

- **Human Services Events** — Human Services Director Richter noted the following upcoming events:

April 19 *Online to College Graduation*
6:00 p.m. City Council Chambers

April 26 *35th Annual Volunteer Recognition Dinner*
5:00 p.m. Montclair Community Center

She noted Human Services is sponsoring a new club, the Second Saturday Gardening Club, which just helped weed and clean the Montclair Community Garden and the Montclair Fruit Park on Saturday, April 16, 2016. She noted the next club meeting is scheduled for Saturday, May 14, from 9:00 a.m. to noon to work on both parks as well as at the Reeder Ranch orange grove.

B. **City Attorney** — No comments

C. **City Manager/Executive Director**

City Manager/Executive Director Starr recognized Community Development Director Lustro for his 16 years of service with the City. He stated Community Development Director Lustro began as a City Planner and was promoted to his current position not long after. He noted as a result of Community Development Director Lustro's guidance, the City's housing and retail sectors have been greatly enhanced. He listed several key projects that Community Development Director Lustro has overseen including **the Paseos at Montclair North, Arrow Station**, the North Montclair Downtown Specific Plan, and **the Shoppes at Montclair**. He expressed his appreciation for everything Community Development Director Lustro has done for the City and for being a true advocate of the community dedicated to improving the City.

D. **Mayor/Chairman**

Mayor Eaton/Chairman Eaton made the following comments:

1. **Designate Alternate Voting Member to Attend Southern California Association of Governments (SCAG) 2016 Regional Conference and General Assembly Meeting from May 5 – 6, 2016**

Mayor Eaton noted that neither he nor his alternate, Mayor Pro Tem Raft, will be able to attend the **SCAG** General Assembly Meeting that will be held at the **2016 SCAG Regional Conference** due to a conflict with the *Mayor's Prayer Luncheon* event, and requested a City Council Member attend as the City's alternate voting member.

Council Member Dutrey stated he already plans to attend the conference and would be happy to serve as alternate.

Moved by Mayor Eaton, seconded by Mayor Pro Tem Raft, and carried unanimously to appoint Council Member Dutrey as the alternate voting member at the **SCAG** 2016 Regional Conference and General Assembly Meeting.

2. He reported that he attended **Omnitrans** and **San Bernardino Associated Governments** Board meetings.

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

1. Council Member/Director Martinez commented as follows:
 - (a) She congratulated Community Development Director Lustro on his retirement, noting she is sad to see him go.
 - (b) She thanked the volunteers who were recognized at this evening's Volunteer of the Year Awards Ceremony, noting our volunteers are invaluable and irreplaceable.
 - (c) She thanked Fire Chief Segalla, and noted she is thankful no lives were lost in the State Street fire incident.
2. Mayor Pro Tem/Vice Chairperson Raft commented as follows:
 - (a) She recognized Montclair Firefighter/Paramedic Boehm and Firefighter Matheson for their participation in a two-day Tactical Response to School/Community Violence training, noting it is important to receive this type of training due to recent unfortunate events.
 - (b) She congratulated Police Lieutenant Ventura for graduating from the **FBI National Academy**.
 - (c) She requested tonight's meeting be adjourned in memory of **John Edward Svenson**, a famous artist who was a long-time resident of Montclair.
 - (d) She stated that on Saturday, she attended a **Care in Company** fundraiser event at **Bethany Baptist Church** along with Police Chaplain Brobeck. She noted the charity assists with donations of hygiene and personal care products to those in need.
 - (e) She congratulated Community Development Director Lustro on his retirement, noting he has guided the businesses and residents of Montclair and will be sorely missed.
3. Council Member/Director Dutrey commented as follows:
 - (a) He noted last Friday he was given a tour of the **Monterey Manor, Hacienda, and Villa Montclair** mobile home parks owned by **Augusta Homes** by its Executive Director, which he stated are very nice.
 - (b) He noted he attended the **League of California Cities Inland Empire Division Dinner**, where the Voting Rights Act and related lawsuits compelling nearby cities to

transition to district elections were the topics of discussion.

- (c) He congratulated **Our Lady of Lourdes Catholic Church** for putting on a successful family festival event over the weekend.
 - (d) He recognized After-School program participants at **Serrano Middle School** in the “Geek Squad” dance group, who performed a dance routine at the **Ontario Reign** hockey game between the first and second periods of the game on April 18, 2016.
 - (e) He recognized the volunteers who helped out with the clean-up of the Community Garden and Fruit Park.
 - (f) He congratulated Community Development Director Lustro on his retirement, noting Steve also served as a Planning Commissioner for the City of Pomona, and that he was also elected to serve on the School District Board.
4. Council Member/Director Ruh commented as follows:
- (a) He noted with sadness that former **Ramona Elementary School** Principal and **Ontario-Montclair School District** Board Trustee, **Mr. Robert “Bob” Hardy**, passed away on April 14 at the age of 92.
 - (b) He noted he attended a **Habitat for Humanity** fundraiser at the **Ontario Airport Hotel**.
 - (c) He emphasized the importance that residents continue to conserve water, noting recent rains are not enough to save the state from the drought, and noted experts are saying it will be another dry year ahead. He asked staff to comment on the status of the median islands throughout the City.

City Manager Starr advised that the City is complying with state regulations by no longer watering median island turf and has replaced the grass with wood chips along Central Avenue.

Council Member/Director Ruh asked whether staff was able to work with colleges to design drought-resistant median islands.

Community Development Director Lustro noted none of the area colleges responded to requests made by staff.

Council Member/Director Ruh advised that the Chino Basin Water Conservation District would likely assist.

City Manager Starr stated he would have staff explore that option.

- (d) He advised this Saturday, April 23, **Congresswoman Torres** is hosting a *Veterans Resource Fair* at the Montclair Community Center from 9:00 a.m. to 1:30 p.m.
- (e) He thanked Fire Chief Segalla for his presentation on the State Incident fire, noting it was an impressive regional effort and shows the importance of interagency collaboration.
- (f) He congratulated Community Development Director Lustro on his retirement.
- (g) He noted on Sunday, May 1, 2016, **Senator Leyva** will be hosting a homeless outreach event at **James Bryant Park**

in Ontario that includes a BBQ lunch from noon to 3:00 p.m.

- (g) He stated that **Mr. Svenson** was a product of Montclair, noting he built his home on Palo Verde Street, which still stands today. He noted **Mr. Svenson** also created the bird sculptures that were originally commissioned by and displayed at the **Montclair Plaza** (now known as Montclair Place), and recently migrated to their current home on the walls of City Hall's south entrance and interior lobby.

F. Committee Meeting Minutes

1. Minutes of Real Estate Committee Meeting of March 21, 2016

The City Council received and filed the minutes of the Real Estate Committee meeting of March 21, 2016, for informational purposes.

2. Minutes of Personnel Committee Meeting of April 4, 2016

The City Council received and filed the minutes of the Personnel Committee meeting of April 4, 2016, for informational purposes.

XII. COUNCIL WORKSHOP

A. Human Services Department Update

Moved by Mayor Eaton, seconded by Council Member Dutrey, and carried unanimously that this item be continued to an adjourned meeting on May 2, 2016, at 5:45 p.m. in the City Council Chambers.

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

At 8:09 p.m., Chairman Eaton adjourned the Successor Agency Board of Directors, the Montclair Housing Corporation Board of Directors, the Montclair Housing Authority Commissioners, and Montclair Community Foundation Board of Directors

At 8:10 p.m., Mayor Eaton adjourned the City Council in memory of **Mr. John Edward Svenson** to Monday, May 2, 2016, at 5:45 p.m. in the City Council Chambers for the Human Services Department Update.

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