

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, AUGUST 1, 2016, AT 7:00 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 7:00 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 Juan Campos, New Destiny Fellowship 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 and Community Development Executive Director Staats; Finance Director Parker; Public Works Director Hudson; City Planner/Planning Manager Diaz; Assistant Director of Housing/Planning Manager Caldwell; City Attorney Robbins; Deputy City Clerk Phillips

**V. PRESENTATIONS**

**A. Certificate Recognizing Outgoing Community Action Committee Member Mary Fondario for Her Service to the Community**

Human Services Director Richter stated that in July 2000, **Ms. Mary Fondario** was appointed to the Community Action Committee (CAC), serving a 16-year tenure during which she served as both Chair and Vice Chair. She noted **Ms. Fondario** was a dedicated and committed member who worked on numerous program committees including the Skate Park community engagement meetings, helping coordinate the annual Holiday Tree Lighting and Volunteer of the Year programs, and assisting with Memorial Day events. She added that **Ms. Fondario** also judged the annual Halloween Costume, Holiday Home Decoration, and Home Beautification contests. She thanked **Ms. Fondario** for her leadership and devotion to the CAC.

Mayor Eaton presented **Ms. Fondario** with a certificate honoring her for her 16 years of service to the CAC on behalf of the City Council and thanked her for her outstanding service to the community.

**Ms. Fondario** thanked Mayor Eaton and Human Services Director Richter, noting it was a pleasure to serve on the CAC.

**VI. PUBLIC COMMENT — None**

**VII. PUBLIC HEARINGS — None**

**VIII. CONSENT CALENDAR**

Council Member Dutrey requested that Item B-3 be removed from the Consent Calendar for comment. He also requested that Item C-4 be corrected to say "Mission Boulevard" instead of "Holt Boulevard" and that

the item remain on the Consent Calendar with the noted revision.

Council Member Ruh requested that Item B-2 be removed from the Consent Calendar for comment.

City Attorney Robbins requested that Item C-7 be removed from the Consent Calendar for revised action.

City Manager Starr requested that Item D-1 be removed from the Consent Calendar for revised action.

Moved by Council Member/Director Dutrey, seconded by Council Member/Director Ruh, and carried to approve the remainder of the Consent Calendar as presented, and Item C-4, as amended:

**A. Approval of Minutes**

**1. Minutes of the Regular Joint City Council/Successor Agency Board/MHC Board/MHA Commission/MCF Board Meeting of July 18, 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 July 18, 2016 regular joint meeting.

**B. Administrative Reports**

**1. Authorizing a \$37,000 Appropriation from the Proposition 30/AB109 Fund to Cover Overtime and Personnel Training Expenses for the Crime Suppression Unit**

The City Council authorized a \$37,000 appropriation from the Proposition 30/AB109 Fund to cover overtime and personnel training expenses for the Crime Suppression Unit.

**4. Authorizing a \$10,000 Appropriation from the Sewer Replacement Fund for Emergency Sewer Line Replacement**

**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 Eastern Zone 3 Montclair Street Rehabilitation Project**

**Release of Retention 30 Days after Recordation of Notice of Completion**

The City Council took the following actions in relation to the Eastern Zone 3 Montclair Street Rehabilitation Project:

- (a) Authorized a \$10,000 appropriation from the Sewer Replacement Fund for sewer line replacement.
- (b) Approved the filing of a Notice of Completion with the Office of the San Bernardino County Recorder.
- (c) Reduce the Faithful Performance Bond to 10 percent.
- (d) Retain the Payment Bond for six months.
- (e) Release retention 30 days after recordation of the Notice of Completion.

**5. Authorizing a \$9,211.15 Appropriation from the Safety Department Grant Fund to Purchase Four Portable Radios with Accessories from Advanced Communication**

**Authorization to Receive \$9,211.15 from the FY2015 Homeland Security Grant Program to Reimburse the Safety Department Grant Fund**

The City Council took the following actions:

- (a) Authorized a \$9,211.15 appropriation from the Safety Department Grant Fund to purchase four portable radios with accessories from Advanced Communication.
- (b) Authorized staff to receive \$9,211.15 from the FY2015 Homeland Security Grant Program to reimburse the Safety Department Grant Fund.

**6. Authorizing a \$5,400 Allocation in Federal Asset Forfeiture Funds for the Purchase of “Active Shooter” Ammunition/ Medical Bags for Patrol Vehicles**

The City Council authorized a \$5,400 allocation in Federal Asset Forfeiture Funds for the purchase of “active shooter” ammunition/medical bags for patrol vehicles.

**7. Approval of City Warrant Register and Payroll Documentation**

The City Council approved the City Warrant Register dated August 1, 2016, totaling \$1,991,594.01 and the Payroll Documentation dated July 10, 2016, amounting to \$715,461.50 gross, with \$494,683.27 net being the total cash disbursement.

**C. Agreements**

**1. Approval of *Agreement No. 16-66* with Kaiser Foundation Hospitals, Ontario, to Support the Montclair Online to College Program**

The City Council approved *Agreement No. 16-66* with Kaiser Foundation Hospitals, Ontario, to support the Montclair Online to College Program.

**2. Approval of *Agreement No. 16-67* with Kaiser Foundation Hospitals, Ontario, for the Montclair Golden Express Senior Transportation Program**

The City Council approved *Agreement No. 16-67* with Kaiser Foundation Hospitals, Ontario, for the Montclair Golden Express Senior Transportation Program.

**3. Approval of Tract Map Nos. 19926 and 19926-1 Located on the South Side of Mission Boulevard East of Monte Vista Avenue**

**Authorizing Tract Map Nos. 19926 and 19926-1 to be Recorded with the Office of the San Bernardino County Recorder**

**Approval of *Agreement No. 16-68* with Avondale Collection, LLC, a Subdivision Agreement for Tract Nos. 19926 and 19926-1**

The City Council took the following actions:

- (a) Approved Tract Map Nos. 19926 and 19926-1 located on the south side of Mission Boulevard east of Monte Vista Avenue.
- (b) Authorized Tract Map Nos. 19926 and 19926-1 to be recorded with the Office of the San Bernardino County Recorder.
- (c) Approved *Agreement No. 16-68* with Avondale Collection, LLC, a Subdivision Agreement for Tract Nos. 19926 and 19926-1.

**4. Approval of Tract Map No. 19971 Located on the West Side**

of Central Avenue South of ~~Holt~~ Mission Boulevard

**Authorizing Tract Map No. 19971 to be Recorded with the Office of the San Bernardino County Recorder**

**Approval of *Agreement No. 16-69* with Central 13, LLC, a Subdivision Agreement for Tract No. 19971**

The City Council took the following actions:

- (a) Approved Tract Map No. 19971 located on the west side of Central Avenue south of Mission Boulevard.
- (b) Authorized Tract Map Nos. 19971 to be recorded with the Office of the San Bernardino County Recorder.
- (c) Approved *Agreement No. 16-69* with Central 13, LLC, a Subdivision Agreement for Tract No. 19971.

**5. Approval of *Agreement No. 16-71* with Sue Yoakum to Provide Case Management Services**

The City Council approved *Agreement No. 16-71* with Sue Yoakum to provide case management services.

**6. Approval of *Agreement No. 16-72* with the YWCA San Gabriel Valley and Inland Communities to Serve as a Resource Agency for the Human Services Department**

The City Council approved *Agreement No. 16-72* with the YWCA San Gabriel Valley and Inland Communities to serve as a resource agency for the Human Services Department.

**8. Approval of *Agreement No. 16-74* with the Hope through Housing Foundation to Provide an After-School Program at San Antonio Vista and Vista Del Cielo Apartments**

The City Council approved *Agreement No. 16-74* with the Hope through Housing Foundation to provide an after-school program at San Antonio Vista and Vista Del Cielo Apartments.

**9. Approval of *Agreement No. 16-75* with the California Office of Traffic Safety for Acceptance of a Selective Traffic Enforcement Program Grant**

The City Council approved *Agreement No. 16-75* with the California Office of Traffic Safety for acceptance of a Selective Traffic Enforcement Program Grant.

**D. Resolutions**

**IX. PULLED CONSENT CALENDAR ITEMS**

**B. Administrative Reports**

**2. Approval of Demolition of the Single-Family Residential Structure and Detached Garage/Carport Located at 11244 Vernon Avenue**

**Authorizing a \$35,000 Appropriation from the Park Development Fund to Perform Lead and Asbestos Testing, Possible Remediation, and Demolish the Structures Located at 11244 Vernon Avenue**

Council Member Ruh asked whether this property would be turned in to a park.

City Manager Starr noted this property is currently located in an unincorporated area of San Bernardino County and could not be developed into a City park until it is incorporated into the City.

Council Member Ruh stated he supports this action because the City is in need of more park space.

Moved by Council Member Ruh, seconded by Mayor Pro Tem Raft, and carried unanimously that the City Council take the following actions:

- (a) Approved the demolition of the single-family residential structure and detached garage/carport located at 11244 Vernon Avenue.
- (b) Approved the appropriation of \$35,000 from the Park Development Fund for the lead and asbestos environmental testing, possible remediation and demolition of the structures located at 11244 Vernon Avenue.

**3. Authorizing a \$15,552.70 Appropriation from 2014 Lease Revenue Bond Proceeds for the Human Services Recreation Building Improvement Project Phase 2**

**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 Human Services Recreation Building Improvement Project Phase 2**

**Release of Retention 30 Days after Recordation of Notice of Completion**

Council Member Dutrey asked if there are funds to purchase exercise equipment for the new weight room facility that was completed in the last phase of this project.

City Manager Starr noted there are several different alternatives being explored. The Human Services Department also has applied for a \$150,000 grant for purchasing weight room equipment, and if that does not go through then the Police Department will apply for a new equipment grant and can then donate its old equipment to the recreation building. Failing both of those options, the City Council would be asked to appropriate additional funding from the General Fund for the purchase of new equipment.

Moved by Council Member Dutrey, seconded by Council Member Ruh, and carried unanimously that the City Council take the following actions in relation to the Human Services Recreation Building Improvement Project Phase 2:

- (a) Authorized a \$15,552.70 appropriation from 2014 Lease Revenue Bond proceeds.
- (b) Approved the filing of a Notice of Completion with the Office of the San Bernardino County Recorder.
- (c) Reduce the Faithful Performance Bond to 10 percent.
- (d) Retain the Payment Bond for six months.
- (e) Release retention 30 days after recordation of the Notice of Completion.

**C. Agreements**

**7. Approval of Agreement No. 16-73 with the HdL Companies to Develop a Marijuana Management Program**

**Authorizing Allocation of up to \$99,750 from the General Fund Operating Reserve Budget for the Purpose of Developing a Marijuana Management Program in Consultation with the HdL Companies**

City Attorney Robbins requested the City Council adopt this

item subject to her review and final approval, noting she would like to add some standard provisions to the contract.

Moved by Council Member Martinez, seconded by Mayor Pro Tem Raft, and carried unanimously that the City Council approve *Agreement No. 16-73* with the HdL Companies to develop a Marijuana Management Program, subject to amendment and approval by the City Attorney.

Council Member Dutrey requested this item be brought back for review by the City Council after the completion of each phase before moving forward with the next.

Council Member Ruh concurred.

#### D. Resolutions

##### 1. Adoption of Resolution No. 16-3133 Authorizing Placement of Assessments on Certain Properties for Delinquent Sewer and Trash Accounts

City Manager Starr requested the removal of the \$965.91 delinquency for 5051 Flora Street from Exhibit A, "August 2016 - Property Assessments," to proposed Resolution No. 16-3133, advising that the property owner has promised to work out payments tomorrow with the Finance Department.

Moved by Council Member Ruh, seconded by Council Member Dutrey, and carried unanimously that the City Council adopt Resolution No. 16-3133 authorizing placement of assessments on the 669 properties listed on Exhibit A to the Resolution for delinquent sewer and trash accounts, noting the removal from Exhibit A of the \$965.91 delinquency for 5051 Flora Street.

#### X. RESPONSE — None

### XI. COMMUNICATIONS

#### A. Department Reports

##### 1. Police Department

- **National Night Out** — Executive Director of Public Safety/Police Chief Avels invited the community to attend *National Night Out* tomorrow night beginning at 7:00 p.m. at **Alma Hofman Park**, with a **Red Cross** blood drive that starts earlier in the day at 4:00 p.m. He stated **Congresswoman Norma Torres** is expected to be in attendance as well as representation from **Assembly-member Freddie Rodriguez's** office, **Target**, the Montclair Police Department, and other community and resource organizations. He noted there will be fun activities for the kids, a photo booth, and *Star Wars: The Force Awakens (2015)* will be shown on a big screen starting at 8:00 p.m. with popcorn and snacks sold by the Montclair Senior Center.

#### B. City Attorney

City Attorney Robbins stated she would like to pull all closed session items listed on the agenda, noting the Council will not be meeting in closed session this evening.

#### C. City Manager/Executive Director

City Manager/Executive Director Starr reported the following:

1. He announced that the **California Public Employee Retirement System (CalPERS)** just completed an audit of the

City's compliance with **CalPERS** requirements, and the auditor commented that Montclair was the cleanest city of over 400 audited in the state, which indicates the high caliber of work that is done at this agency.

2. He noted an article published in the *Inland Valley Daily Bulletin* erroneously reported that Deputy City Clerk Phillips was one of the persons who had pulled papers for candidacy for a seat on the City Council. He emphasized that Deputy City Clerk Phillips is ineligible to run for City Council because not only is she not a resident, but she works for the City and is charged with administering the election process *for* the City Council seats. The *Bulletin* has acknowledged the error and corrected the article that was posted on its website.

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 stated that she hopes everyone is able to attend *National Night Out*.
- (b) She wished those who pulled papers for election "good luck!"

2. Mayor Pro Tem/Vice Chairperson Raft commented as follows:

- (a) She warned that the Zika virus is officially in the United States with several cases reported in Florida that originated on U.S. soil. She advised the community to take extra precautions to prevent mosquito bites when going outside.
- (b) She acknowledged that the City Council adopted two agreements with **Kaiser Foundation Hospitals, Ontario** this evening that will provide funding for the City's *Online to College* and *Senior Transportation* programs.
- (c) She congratulated Planning Commissioner Vodvarka and Sergeant Minook for being selected as *Veterans of the Year* by **Assemblymember Freddie Rodriguez's** office, and **Mrs. Virginia Eaton** for being chosen as *Woman of the Year*.

3. Council Member/Director Dutrey commented as follows:

- (a) He recognized "the First Lady of Montclair," **Mrs. Eaton**, and Planning Commissioner Vodvarka on their awards.
- (b) He noted several upcoming development projects that he previewed during recent Real Estate Committee meetings including a **Metro Acura** building expansion and a new gas station and car wash at Vernon Avenue and Holt Boulevard.
- (c) He recognized the hard work of the four Montclair Firefighters who were sent to assist with the recent wildfire in Santa Clarita.
- (d) He noted he will not be in attendance at the next City Council meeting because he will be in Utah visiting national parks with his family.
- (e) He recognized his parents in the audience and thanked them for attending the meeting.

4. Council Member/Director Ruh commented as follows:

- (a) He noted he attended the Montclair Police Department's Reserve Officers Recognition Dinner at **The Magic Lamp** restaurant and emphasized his gratitude for the countless hours those reserve officers put in to serve the residents of Montclair.
- (b) He noted he attended the Volunteer of the Year and Open House event at **Assemblymember Rodriguez's** office and noted a majority of the honorees were Montclair residents or were honored for their work with Montclair businesses and organizations.
- (c) He recounted a recent trip to the **Reagan Library** in Simi Valley, California, where he experienced the *Vatican Splendors* exhibit.

**F. Committee Meeting Minutes**

**1. Minutes of Personnel Committee Meeting of July 18, 2016**

The City Council received and filed the minutes of the Personnel Committee meeting of July 18, 2016, for informational purposes.

**XII. ADJOURNMENT OF SUCCESSOR AGENCY BOARD OF DIRECTORS, MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS, MONTCLAIR HOUSING AUTHORITY COMMISSIONERS, AND MONTCLAIR COMMUNITY FOUNDATION BOARD OF DIRECTORS**

At 7:33 p.m., Chairman Eaton adjourned the Successor Agency Board, the Montclair Housing Corporation Board, the Montclair Housing Authority Commission, and the Montclair Community Foundation Board.

**XIII. CLOSED SESSION ANNOUNCEMENTS**

The City Council did not meet in closed session.

**XIV. ADJOURNMENT OF CITY COUNCIL**

At 7:33 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