

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, OCTOBER 3, 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

Council Member Ruh gave the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Raft led those assembled in the Pledge.

IV. ROLL CALL

Present: Mayor/Chairman Eaton; Mayor Pro Tem/Vice Chairperson Raft; Council Members/Directors 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

Absent: Council Member/Director Dutrey (excused)

V. PRESENTATIONS

A. Introduction of New Employee

Public Safety Executive Director Avels introduced **Mr. Anthony Del Rio**, who was appointed to the position of Police Officer effective September 19, 2016.

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

VI. PUBLIC COMMENT — None

VII. PUBLIC HEARINGS

A. First Reading — Consider Ordinance No. 16-957 Amending Sections 11.02.010 and 11.72.370 of the Montclair Municipal Code Related to Electronic Message Center Signs and Setting a Public Hearing for Second Reading and Adoption of Ordinance No. 16-957 on Monday, October 17, 2016, at 7:00 p.m. in the City Council Chambers

Mayor Eaton declared it the time and place set for a public hearing related to Ordinance No. 16-957 amending Sections 11.02.010 and 11.72.370 to the Montclair Municipal Code related to electronic message center signs (EMCS) and invited comments from the public.

There being no one in the audience wishing to speak, Mayor Eaton closed the public hearing and returned the matter to the City Council for its consideration.

Council Member Ruh asked whether staff researched statistics related to distracted driving-related incidents caused by EMCS displays.

City Manager Starr noted the consulting firm that developed the City's EMCS regulations took the brightness of the displays into consideration, which includes the requirement that all signs contain sensors that adjust illumination levels based on the current lighting conditions to reduce distraction to drivers, pedestrians, and neighboring businesses and residences.

Council Member Ruh noted he feels that **Chino Basin Water Conservation District's (CBWCD)** EMCS display should be an example for future displays used throughout the City.

City Manager Starr concurred, noting that the regulations for future signs are even stricter in relation to brightness than the display used by **CBWCD**.

Moved by Council Member Martinez and seconded by Mayor Pro Tem Raft that Ordinance No. 16-957, entitled, "**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING SECTIONS 11.02.010 AND 11.72.370 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO ELECTRONIC MESSAGE CENTER SIGNS,**" be read by number and title only, further reading be waived, and this be declared its first reading; and that the City Council set a public hearing to consider the second reading and adoption of Ordinance No. 16-957 on Monday, October 17, 2016, at 7:00 p.m. in the City Council Chambers.

The City Council waived the reading of the Ordinance.

First Reading of Ordinance No. 16-957 was unanimously adopted by the following vote:

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

B. Second Reading — Adoption of Ordinance No. 16-960 Amending Section 3.36.160 of the Montclair Municipal Code Related to Utility Users Tax Refunds

Mayor Eaton declared it the time and place set for public hearing related to adoption of Ordinance No. 16-960 amending Section 3.36.160 of the Montclair Municipal Code related to Utility Users Tax refunds and invited comments from the public.

There being no one in the audience wishing to speak, Mayor Eaton closed the public hearing and returned the matter to the City Council for its consideration.

Moved by Council Member Martinez and seconded by Mayor Pro Tem Raft that Ordinance No. 16-960, entitled, "**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING SECTION 3.36.160 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO UTILITY USERS TAX REFUNDS,**" be read by number and title only, further reading be waived, and this be declared its second reading.

The City Council waived the reading of the Ordinance.

Second Reading of Ordinance No. 16-960 was unanimously adopted by the following ROLL CALL vote:

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

VIII. CONSENT CALENDAR

Moved by Council Member/Director Ruh, seconded by Mayor Pro Tem/Vice Chairperson Raft, and carried to approve 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 September 19, 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 September 19, 2016 regular joint meeting.

B. Administrative Reports

1. Setting a Public Hearing for Monday, October 17, 2016, at 7:00 p.m. in the City Council Chambers to Consider Approval of Tentative Tract Map No. 19713, a 23-Unit Medical Office Condominium Airspace Subdivision at 4950 San Bernardino Street

The City Council set a public hearing for Monday, October 17, 2016, at 7:00 p.m. in the City Council Chambers to consider approval of Tentative Tract Map No. 19713, a 23-unit medical office condominium airspace subdivision at 4950 San Bernardino Street.

2. Granting Southern California Gas Company a Non-Exclusive Easement for Gas Service Across City-Owned Property Located at 10825 Monte Vista Avenue

The City Council granted Southern California Gas Company a non-exclusive easement for gas service across City-owned property located at 10825 Monte Vista Avenue.

3. Approval of the Human Services Department's Grant Fund Balance Carryover from Prior Fiscal Years

The City Council approved the Human Services Department's grant fund balance carryover from prior fiscal years in the amount of \$3,173.18.

4. Approving the Purchase of a Leightonix Ultranexus-HD Video Server and Two Sony HXR-NX5R HD Camcorders for Content Production for the Montclair Public Education and Governmental Access Channel

The City Council approved the purchase of a Leightonix Ultranexus-HD video server and two Sony HXR-NX5R HD camcorders for content production for the Montclair Public Education and Governmental Access Channel.

5. Approval of Warrant Register and Payroll Documentation

The City Council approved the City Warrant Register dated October 3, 2016, totaling \$855,186.85, and the Payroll Documentation dated September 18, 2016, amounting to \$571,152.82 gross, with \$391,561.61 net being the total cash disbursement.

C. Agreements

1. Approval of Agreement No. 16-92 with Jack Yeh, Structural Engineer, to Provide Contract Services for Structural

Building Plan Review

The City Council approved *Agreement No. 16-92* with Jack Yeh, Structural Engineer, to provide contract services for structural building plan review.

2. **Approval of *Agreement No. 16-93* with Frick, Frick & Jetté Architects for Design Services for the City Hall Building Improvement Project Phase I**

The City Council approved *Agreement No. 16-93* with Frick, Frick & Jetté Architects for design services for the City Hall Building Improvement Project Phase I.

3. **Approval of *Agreement No. 16-94*, Amendment No. 1 to *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**

Consider Authorizing a \$52,500 Appropriation from Redevelopment Project Area No. III Tax Allocation Bonds to Finance the Costs Related to *Agreement No. 16-94*

The City Council took the following actions:

- (a) Approved *Agreement No. 16-94*, Amendment No. 1 to *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) Authorized a \$52,500 appropriation from Redevelopment Project Area No. III Tax Allocation Bonds to finance the costs related to *Agreement No. 16-94*.
4. **Consider Approval of *Agreement No. 16-95* with David Evans and Associates, Inc., Amending *Agreement No. 15-61* for Consultant Services and Preparation of a Sanitary Sewer Master Plan**

Consider Authorizing a \$34,360 Appropriation from the Sanitary Sewer Replacement Fund

The City Council took the following actions:

- (a) Approved *Agreement No. 16-95* with David Evans and Associates, Inc., amending *Agreement No. 15-61* for Consultant Services and preparation of a Sanitary Sewer Master Plan.
- (b) Authorized a \$34,360 appropriation from the Sanitary Sewer Replacement Fund for costs associated with *Agreement No. 16-95*.

D. Resolutions

1. **Adoption of Resolution No. 16-3137 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges**

The City Council adopted Resolution No. 16-3137 authorizing placement of liens on certain properties for delinquent sewer and trash charges.

IX. PULLED CONSENT CALENDAR ITEMS — None

X. RESPONSE — None

XI. COMMUNICATIONS

A. Department Reports

1. Human Services Department

Upcoming Events — Senior Human Services Supervisor Castillo announced the following upcoming Human Services Department events:

- **Candidate's Forum** — Wednesday, October 12, 2016, at 7:00 p.m. in the Senior Center; sponsored by the **Community Action Committee** and the **Montclair Chamber of Commerce**. All five candidates running for Montclair City Council have agreed to participate in a structured debate. The public will be allowed to submit questions for the candidates.
- **Youth Talent Showcase** — Friday, October 14, 2016, at 6:00 p.m. in the Community Center. Children from ages 6 to 17 will share their talents.
- **Montclair Community Health Fair** — Tuesday, October 18, 2016, from 9:00 a.m. to noon in the Community Center. The fair offers free health screenings, flu shots, and will feature more than 35 health and community agencies.
- **Lights On After-School** — Thursday, October 20, 2016, from 6:30 to 7:30 p.m. in the Community Center. The event showcases the City's after-school program, including representation from all twelve of the City's after-school program sites. Exhibits will show how inventors inspire young people to make a difference in their world.
- **Children's Halloween Party** — Monday, October 31, 2016, from 5:30 p.m. to 8:00 p.m. in the Community Center; sponsored by **Montclair Place** and the **Montclair-Ontario Junior Women's Club**. The event is free for children 12 years and younger, and includes games, candy, and a costume contest.

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 commented as follows:

1. He advised the City of Upland has terminated the agreement with the City of Montclair for Fire Department command staff sharing, noting the termination process will take up to six months although shared dispatch and boundary dropping conditions will remain in place due to a mutual agreement that was entered into by both agencies with **San Bernardino County Fire (CONFIRE)**.
2. He reported that the **Metro Gold Line Foothill Extension Construction Authority** has approved the advanced conceptual engineering designs for the proposed **Gold Line** stations from Glendora to Montclair, and noted that if Measure M passes in November, construction should begin on the **Gold Line** extension by the end of 2017 or early 2018.

D. Mayor/Chairman

Mayor/Chairman Eaton noted he is happy to finally be back after a hiatus due to medical issues.

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

1. Council Member/Director Martinez commented as follows:
 - (a) She welcomed Mayor Eaton back, noting he was missed during his absence.
 - (b) She noted she attended **Inland Empire United Way's 211 San Bernardino County** Tenth Anniversary Event, advising she is very proud of the housing, food, health, employment, and financial resources that she learned are available in Montclair.
 - (c) She noted she is looking forward to attending the *State of the City and Candidate's Forum* events.
2. Mayor Pro Tem/Vice Chairperson Raft commented as follows:
 - (a) She noted she attended *Montclair Day at the Fair* on September 22nd, where she had the honor to present certificates of recognition to Montclair Community Heroes **Miss Erin Algeria** (Youth), **Mr. Abel Benitez** (Adult), and **Mr. Frank Corsaro** (Senior Citizen).
 - (b) She stated, "It is nice to have our Mayor back!"
3. Council Member/Director Ruh commented as follows:
 - (a) He recognized Community Hero **Frank Corsaro**, who is a longtime friend and certainly deserves the honor. He noted it is important to continue the tradition of recognizing Community Heroes to encourage the spirit of volunteerism in our community.

Mayor Eaton concurred, noting he was able to personally congratulate **Mr. Corsaro** who was so thankful and very honored by the recognition.
 - (b) With the news of the **Gold Line's** initial success and the continued progress of its extension, he emphasized the need for mass transportation noting even if voters do not feel they need it right now, they should consider that they may need it someday if or when they can no longer drive.
 - (c) In response to Upland's decision to terminate the Fire Department command staff sharing agreement with Montclair, he noted it is unfortunate but ultimately it is their decision to make as a sovereign entity. He noted that many cities are realizing that the sharing of services is becoming necessary in today's economic climate.
 - (d) He advised that October 24th is the last day to register to vote for the November 8th Presidential Election and urged everyone to exercise this right that so many had to fight to earn.

F. Committee Meeting Minutes — None

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 7:41 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 7:41 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