

**CITY OF MONTCLAIR**

**AGENDA FOR CITY COUNCIL, REDEVELOPMENT AGENCY, AND  
MONTCLAIR HOUSING CORPORATION MEETINGS**

To be held in the Council Chambers  
5111 Benito Street, Montclair, California

September 3, 2002

7:00 p.m.

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**I. CALL TO ORDER** – City Council, Redevelopment Agency, and Montclair  
Housing Corporation

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. ROLL CALL**

**V. PRESENTATIONS**

A. Introduction of New Community Action Committee Members

**VI. PUBLIC COMMENT**

*This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Each speaker will be afforded five minutes to address the City Council Members and Redevelopment Agency and Montclair Housing Corporation Boards of Directors. (Government Code Section 54954.3)*

*Under the provisions of the Brown Act, the City Council/Agency/ Corporation is prohibited from taking action on items not listed on the agenda.*

**VII. PUBLIC HEARINGS**

A. Consider Continuance of the Public Hearing Regarding Review and Approval of Bond Financing Authority Documentation with Respect to Nonprofit Acquisition of Hacienda Mobile Home Park [RDA]

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B. Second Reading – Consider Adoption of Ordinance No. 02-822 Pursuant to Chapter 11.84 of the Montclair Municipal Code Establishing Pre-Zone Designations of "R-1" and "C-3" to Approximately 9.35 Acres within the City's Sphere of Influence [CC]

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C. First Reading – Consider Adoption of Ordinance No. 02-823 Prohibiting Camping in the City of Montclair [CC]

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- D. First Reading – Consider Adoption of Ordinance No. 02–825 Repealing Ordinance No. 99–789, and Adopting by Reference the 1997 Editions of the Uniform Building Codes, the 2000 Editions of the Uniform Plumbing and Mechanical Codes, and the 1999 Edition of the National Electrical Code, the 1997 Edition of the Uniform Administrative Code, the 1997 Edition of the Uniform Housing Code, and the 1997 Edition of the Uniform Code for Abatement of Dangerous Buildings, Including Applicable Amendments by the California Building Standards Commission as Set Forth in Title 24 of the 2001 California Code of Regulations, Together with Certain Amendments, Additions, Deletions and Exceptions, Including Fees and Penalties [CC] 14
- E. Consider Adoption of Resolution No. 02–2409 Authorizing Recovery of Abatement Costs Incurred by the City Related to Property Owned by James R. and Rosa Mallek and Located at 4730 Bandera Street, Montclair, California [CC] 24
- F. Consider Receiving Input on the Allocation of State Supplemental Law Enforcement Services Funds [CC] 31

**VIII. CONSENT CALENDAR**

- A. Approval of Minutes
  - 1. Minutes of Regular Council/Agency/Corporation Meeting of August 19, 2002 [CC/RDA/MHC]
- B. Administrative Reports
  - 1. Consider Setting a Public Hearing to Consider Ordinance No. 02–824 Related to Adoption of the 2001 California Fire Code [CC] 33
  - 2. Consider Setting a Public Hearing to Consider Ordinance No. 02–827 Establishing Pre-Zone Designations of "R-1" and "C-3" to Approximately 4.18 Acres within the City's Sphere of Influence [CC] 34
  - 3. Consider Setting a Public Hearing for the Following:
    - Adoption of Resolution No. 02–2414 Approving a General Plan Amendment to the Official Land Use Map for a 10.16-Acre Site at the Southwest Corner of Monte Vista Avenue and Palo Verde Street, Modifying the Land Use Designation from "Public/Quasi-Public" to "Planned Development" [CC]
    - Adoption of Ordinance No. 02–826 Approving a Zone Change to the Montclair Municipal Code from "R-1" (Single-Family Residential) to "R-1(SL)" (Single Family Residential Small-Lot Detached Housing Overlay) for 10.16 Acres at the Southwest Corner of Monte Vista Avenue and Palo Verde Street [CC]

	Approval of Tentative Tract Map No. 16381 for a 61-Lot Residential Subdivision at the Southwest Corner of Monte Vista Avenue and Palo Verde Street (Former Margarita School Site) [CC]	38
4.	Consider Approval of Conceptual Design of the Montclair Skate Park [CC]	46
5.	Consider Acceptance of the United States Department of Justice "Cops in Schools" Grant Award [CC]	
	Consider Authorization of \$57,235 from the Contingency Account to Employ an Additional Police Officer [CC]	50
6.	Consider Acceptance of Grant Deed No. 1611 for the Purpose of Construction, Maintenance, and Use of Sidewalks and Appurtenances [CC]	52
7.	Consider Approval of Recommendations from the August 22, 2002 Real Estate Committee Meeting [RDA]	57
8.	Consider "No Action" on Alcoholic Beverage Permit Application - Central Avenue Market [CC]	59
9.	Consider Approval of Warrant Register and Payroll Documentation [CC]	60
 C. Agreements		
1.	Consider Authorizing the City Manager to Execute License Agreement No. 02-129 with Kiewit Pacific Co., a Delaware Corporation, for the Short-Term Lease of Redevelopment Agency-Owned Property [RDA]	61
2.	Consider Award of Contract to Inland Asphalt & Coatings in the Amount of \$37,092.45 [CC]	
	Consider Approval of Agreement No. 02-130 with Inland Asphalt & Coatings, for the Construction of Columbine Avenue Sidewalk Improvement Project [CC]	
	Consider Authorization of a \$5,000 Construction Contingency [CC]	72
3.	Consider Approval of Agreement No. 02-131 with Ontario-Montclair School District for use of Facilities at Serrano Middle School for an After-School Program [CC]	74
4.	Consider Approval of Agreement No. 02-132 Amending Agreement No. 98-73 with All City Management Services, Inc., for Providing School Crossing Guard Services [CC]	83

**D. Resolutions**

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|---|----|
| 1. Consider Adoption of Resolution No. 02-2407 Fixing the Salaries for Certain Part-Time Employees not Represented by Formally Recognized Employee Organizations [CC]   | 85 |
| 2. Consider Adoption of Resolution No. 02-2411 Fixing the Salaries for Certain City Employees Represented by the San Bernardino Public Employees Association [CC]   | 89 |
| 3. Consider Adoption of Resolution No. 02-2412 Fixing the Salaries for Certain Management Employees Represented by the City Manager [CC]  | 94 |
| 4. Consider Adoption of Resolution No. 02-2413 Authorizing the Mayor to Sign a Three-Year Cooperation Agreement with the County of San Bernardino for Community Development Block Grant Funds for Fiscal Years 2003-05 [CC] | 98 |

**IX. PULLED CONSENT CALENDAR ITEMS**

**X. RESPONSE**

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| A. Update Regarding Heritage Park Senior Apartments [CC] | 101 |
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**XI. COMMUNICATIONS**

**A. City Attorney/Agency Counsel**

1. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations

Property: 9644 Central Avenue

Negotiating Parties: City of Montclair Redevelopment Agency and Eleuterio Lira-Barrios and Pennie Lira

Negotiators: Marilyn J. Staats, Director of Redevelopment and Public Works and Christine S. Caldwell, Assistant Director of Redevelopment

Under Negotiation: Recommendations Regarding Purchase Price

2. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations

Property: 9835 Central Avenue

Negotiating Parties: City of Montclair Redevelopment Agency and Ronald Coon

Negotiators: Marilyn J. Staats, Director of Redevelopment and Public Works and Christine S. Caldwell, Assistant Director of Redevelopment

Under Negotiation: Recommendations Regarding Purchase Price

3. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations

Property: 9963 Central Avenue

Negotiating Parties: City of Montclair Redevelopment Agency and Berry and Eloise Houston

Negotiators: Marilyn J. Staats, Director of Redevelopment and Public Works and Christine S. Caldwell, Assistant Director of Redevelopment

Under Negotiation: Recommendations Regarding Purchase Price

B. City Manager/Executive Director

C. Mayor/Chairman

D. City Council/Agency Board

E. Committee Meeting Minutes *(For Informational Purposes Only)*

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| 1. Minutes of the Code Enforcement Committee Meeting of August 19, 2002 | 102 |
| 2. Minutes of the Personnel Committee Meeting of August 19, 2002        | 104 |
| 3. Minutes of the Real Estate Committee Meeting of August 22, 2002      | 105 |

**XII. ADJOURNMENT OF CITY COUNCIL AND MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS**

*(At this time, the Redevelopment Agency will meet in Closed Session regarding real property negotiations.)*

**XIII. ADJOURNMENT OF REDEVELOPMENT AGENCY BOARD OF DIRECTORS**

*The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, September 16, 2002, at 7:00 p.m. in the Council Chambers.*

*Reports and documents related to each agenda item are on file in the Office of the City Clerk and are available for public inspection between 7:00 a.m. and 6:00 p.m., Monday through Thursday.*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (909) 625-9415. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)*

*I, Donna Jackson, Deputy City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the bulletin board adjacent to the south door of Montclair City Hall on August 29, 2002.*