

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

October 21, 2002

7:00 p.m.

Page No.

- I. **CALL TO ORDER** – City Council, Redevelopment Agency, and Montclair Housing Corporation
- II. **INVOCATION**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **ROLL CALL**
- V. **PRESENTATIONS**
 1. Introduction of New Employees
 2. Presentation of \$500,000 Check by South Coast Air Quality Management District for the Ramona Avenue Grade Separation
 3. Presentation of Certificates to Montclair Little League Senior All-Star Winners
 4. Update by State Legislative Advocate, Mr. Charles W. Bader, CWB Consulting
- 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 Acceptance of Recommendations of Advisory Review Board and Authorize the Expenditure of Local Law Enforcement Block Grant Program Funds and Federal Forfeiture Funds [CC]

- B. Consider Adoption of Resolution No. 02-2420 Related to an Amendment of the Fee Structure for the Collection and Disposal of Commercial Refuse for 2002-03 [CC] 7
- C. Second Reading – Consider Adoption of Ordinance No. 02-824 Related to the Adoption of the 2001 California Fire Code [CC]
- Consider Adoption of Resolution No. 02-2410 Making Express Findings Regarding Modifications to the California Fire Code [CC] 13
- D. First Reading – Consider Adoption of Ordinance No. 02-828 Amending Chapters 11.04 and 11.78 of the Montclair Municipal Code Related to Appeals [CC] 27

VIII. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Minutes of Regular Council/Agency/Corporation Meeting of October 7, 2002 [CC/RDA/MHC]
- B. Administrative Reports
 - 1. Consider Authorization to Purchase Five 2003 Model Ford Crown Victoria Marked Police Vehicles [CC] 33
 - 2. Consider Real Estate Committee Recommendation of Implementing a Drought-Tolerant Landscape Plan Option for the Exterior Housing Improvement Program [RDA] 34
 - 3. Consider Approval of Fiscal Year 2002-03 Recommendations for the Schedule of Community Benefits Funding [CC] 36
 - 4. Consider "No Action" on Alcoholic Beverage Permit Application – Thai Racha Cuisine [CC] 40
 - 5. Consider Receiving and Filing of Treasurer's Report [CC] 41
 - 6. Consider Approval of Warrant Register and Payroll Documentation [CC] 42
 - 7. Consider Receiving and Filing of Treasurer's Report [RDA] 43
 - 8. Consider Approval of Warrant Register [RDA] 44
 - 9. Consider Receiving and Filing of Treasurer's Report [MHC] 45
 - 10. Consider Approval of Warrant Register [MHC] 46

C. Agreements

- 1. Consider Approval of Agreement No. 02-152-I-49, an Irrevocable Annexation Agreement with Freddy J. Torres and Eugenia Torres, for 11208 College Avenue [CC] 47

D. Resolutions

- 1. Consider Redevelopment Agency Board of Directors Adoption of Resolution No. 02-13, a Resolution of the City of Montclair Redevelopment Agency Approving the Forms of Agreement No. 02-142, an Indenture of Trust Agreement; Agreement No. 02-143, a Loan Agreement; Agreement No. 02-144, a Regulatory Agreement; Agreement No. 02-145, an Affordable Housing Agreement; Agreement No. 02-146, a Continuing Disclosure Agreement; Agreement No. 02-147, a Bond Purchase Contract; an Official Statement; and Authorizing the Execution of the Bond Purchase Contract Related to the Issuance of the City of Montclair Redevelopment Agency's Mobile Home Park Revenue Bonds, Making Certain Findings and Approving Certain Action in Connection Therewith [RDA]

Consider Redevelopment Agency Board of Directors' Appropriation of \$1,000,000 from the Housing Fund for the Purpose of Assisting in the Acquisition of Hacienda Mobile Home Park [RDA] 52
- 2. Consider Adoption of Resolution No. 02-2422 Authorizing Placement of a Lien on a Certain Property for Delinquent Sewer and Trash Charges [CC] 63

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE

- A. Update Regarding Heritage Park Senior Apartments [CC] 67

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

- 1. Closed Session Pursuant to Section 54957.6 of the Government Code Regarding Conference with Designated Labor Negotiators City Manager Lee McDougal and Administrative Services Director Edward Starr

Agency: City of Montclair

Employee Organizations: City Manager
Management
Montclair Fire Fighters Association
Montclair Police Officers Association
San Bernardino Public Employees Assoc.

2. Closed Session Pursuant to Section 54956.9(a) of the Government Code Regarding Pending Litigation
City of Montclair v. Raft, et al
3. Closed Session Pursuant to Section 54956.8 of the Government Code Regarding Real Property Negotiations
Property: 4385 Holt Boulevard (APN 1012-051-04)
Negotiating Parties: City of Montclair Redevelopment Agency and Leu Shyh-Hau and Huey-Meei
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)*

1. Minutes of the Code Enforcement Committee Meeting of September 16, 2002 68
2. Minutes of the Personnel Committee Meeting of October 7, 2002 70

XII. ADJOURNMENT OF MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS

(At this time, the City Council and Redevelopment Agency Board of Directors will meet in Closed Session regarding labor negotiations and real property negotiations).

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AGENCY BOARD OF DIRECTORS

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, November 4, 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 October 17, 2002.