

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

May 5, 2003

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**
 - A. Proclamation Declaring May 2003, as "Water Awareness Month" in the City of Montclair
 - B. Presentation of Annual Performance Bonus by Burrtec Waste Industries, Inc. to Chaffey Joint Union High School District for Use at Montclair High School, Particularly the Environmental Group, Project Earth, for their Efforts Related to the School's Recycling and Waste Diversion Programs
- 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/MHC is prohibited from taking action on items not listed on the agenda.
- VII. **PUBLIC HEARINGS**
 - A. Second Reading – Consider Adoption of Ordinance No. 03–830 Related to Decorum at Public Meetings [CC] 6
 - B. Second Reading – Consider Adoption of Ordinance No. 03–831 Amending Section 9.20.460 of the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value [CC] 12

VIII. CONSENT CALENDAR

A. Approval of Minutes

1. Minutes of Regular Joint Council/Agency/Corporation Meeting of April 21, 2003 [CC/RDA/MHC]

B. Administrative Reports

1. Consider Setting a Public Hearing Regarding Agreement No. 03-58, a Lease Agreement by and between the City of Montclair Redevelopment Agency and Metro Nissan of Montclair Concerning Property Located at 4840 Arrow Highway [RDA] 15
2. Consider Setting a Public Hearing to Consider Resolution No. 03-2444 Requesting the Local Agency Formation Commission to Initiate Proceedings for Reorganization to Include City of Montclair Annexation No. 22 and Detachment from Monte Vista Fire Protection District [CC] 17
3. Consider Conceptual Approval of Agreement to Accept Additional Sewer Discharge from the City of Upland [CC] 22
4. Consider Authorization to Transfer \$4,400 from the Contingency Account to Fire Department Account No. 001-400-4531-4202 for the Purpose of Hiring a Temporary Clerical Assistant [CC] 24
5. Consider Authorization to Advertise for Bid Proposals for the Construction of Signal Upgrades at Various Locations in the City of Montclair [CC] 25
6. Consider Authorization to Advertise for Bid Proposals for Construction of the Skateboard Park at Alma Hofman Park [CC] 26
7. Consider "No Action" on Alcoholic Beverage Permit Application - Les Allymes Inc. [CC] 27
8. Consider Approval of Warrant Register and Payroll Documentation [CC] 28

C. Agreements

1. Consider Approval of Agreement No. 03-57 with In Touch Communications, Inc., a Settlement Agreement Related to Utility Tax Revenue [CC] 29
2. Consider Approval of Agreement No. 03-59-I-51, an Irrevocable Annexation Agreement with Elizabeth A. Garcia, for 11324 Monte Vista Avenue [CC] 35

- 3. Consider Award of Signal Maintenance Contract to Team Econolite Traffic Engineering and Maintenance [CC]

Consider Approval of Agreement No. 03-60 with Team Econolite Traffic Engineering and Maintenance [CC] 40
- 4. Consider Redevelopment Agency Board of Directors' Approval of Agreement Nos. 03-61 and 03-62, Rehabilitation Grant Agreements by and between the City of Montclair Redevelopment Agency and Exterior Housing Improvement Program Participants [RDA] 70
- 5. Consider Approval of Agreement No. 03-63, a Memorandum of Understanding with the City of Moreno Valley Related to a 12-City Joint Audit of Adelphia Communications

Consider Authorization to Transfer \$1,245 from the Contingency Account 75

D. Resolutions

- 1. Consider Adoption of Resolution No. 03-2442 Approving Agreement No. 03-56 (State Agreement No. 75GS6097) and Authorizing City Engineer Hudson to Execute the Agreement on Behalf of the City [CC] 120
- 2. Consider Adoption of Resolution No. 03-2443 Approving and Adopting Final Disadvantaged Business Enterprise (DBE) Program and Established Overall Annual DBE Goal of 8 Percent for Federal Fiscal Year 2003 [CC] 129
- 3. Consider Adoption of Resolution No. 03-2445 Authorizing the Submittal of a 2003/2004 Used Oil Recycling Block Grant Application to the California Integrated Waste Management Board [CC] 133

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE

- A. Update Regarding Heritage Park Senior Apartments [CC] 137

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

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

Property: 5326 San Bernardino Street

Negotiating Parties: City of Montclair Redevelopment Agency and Pomona First Federal Bank and Trust as Trustee for the Philip T. and Martha E. Hurst Trust

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

Properties: 1009-521-49
1009-521-51
1009-511-80

Negotiating Parties: City of Montclair Redevelopment Agency and KHS Construction Co.

Negotiators: Marilyn J. Staats, Director of Redevelopment and Public Works, Christine S. Caldwell, Assistant Director of Redevelopment, and Robert W. Clark, Director of Community Development

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 Personnel Committee Meeting of April 21, 2003

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

NOTE: The City Council/Redevelopment Agency/Montclair Housing Corporation meeting of May 19, 2003, has been cancelled due to the lack of a quorum.

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

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. 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, June 2, 2003, 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 May 1, 2003.