

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 6, 2003

7:00 p.m.

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

II. INVOCATION

In keeping with our long-standing tradition of opening our Council meetings with an invocation, this City Council Meeting may include a non-sectarian invocation. Such invocations are not intended to proselytize or advance any faith or belief or to disparage any faith or belief. Neither the City nor the City Council endorse any particular religious belief or form of invocation.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS

1. Proclamation Declaring October as "Domestic Violence Awareness Month" in the City of Montclair
2. Presentation of \$4000 Check from Kiwanis Club of Montclair for Use at Montclair Skate Park

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 an Appeal by the City of Pomona Related to the Planning Commission's Approval of Case No. 2003-15 [CC]

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B. Consider Approval of Tentative Tract Map No. 16345 for a 35-Lot Subdivision on the West Side of Fremont Avenue South of Mission Boulevard [CC]	8
C. Consider Approval of Tentative Tract Map No. 16484 for an 18-Lot Residential Subdivision at 4961-4985 Howard Street [CC]	17
D. Consider Adoption of Resolution No. 03-2473 Authorizing Recovery of Abatement Costs Incurred by the City Related to Property Owned by Thomas Rees and Located at 10170 Columbine Avenue, Montclair, California [CC]	28
E. Second Reading - Consider Adoption of Ordinance No. 03-834 Amending Chapter 11.38 of the Montclair Municipal Code Related to Fences [CC]	35

VIII. CONSENT CALENDAR

A. Approval of Minutes	
1. Minutes of Regular Council/Agency/Corporation Meeting of September 15, 2003 [CC/RDA/MHC]	
B. Administrative Reports	
1. Consider Rejecting All Bids for the Construction of the Traffic Signal Interconnect Project [CC]	
Consider Authorizing Staff to Readvertise for Bid Proposals for the Construction of the Traffic Signal Interconnect Project [CC]	41
2. Consider Approval of Warrant Register and Payroll Documentation [CC]	43
C. Agreements	
1. Consider Approval of Agreement No. 03-132 with Wells Fargo Merchant Services for Banking Services [CC]	
Consider Authorization to Transfer \$35,000 from the Contingency Account for Banking Services [CC]	44
2. Consider Approval of Agreement No. 03-133 Approving State Program Supplemental Agreement No. 947 Related to the Use of Federal Funds for the Safe Routes to School Program [CC]	
Consider Adoption of Resolution No. 03-2471 Authorizing City Engineer Hudson to Sign Agreement No. 03-133 Approving State Program Supplemental Agreement No. 947 Related to the Use of Federal Funds for the Safe Routes to School Program [CC]	68
3. Consider Approval of Tract Map No. 16345 Generally Located on the West Side of Fremont Avenue South of Mission Boulevard [CC]	

Consider Approval of Agreement No. 03-135, a Subdivision Agreement with Bade Construction Co., Inc., for Tract Map No. 16345 [CC]	
Consider Authorizing City Engineer Hudson to Reduce and Release Payment Bond and Performance Bond Upon Satisfactory Completion of Improvements within the Public Right-of-Way [CC]	75
4. Consider Approval of Agreement No. 03-136 Approving State Program Supplemental Agreement No. 002-M1 Related to the Use of Federal Funds for the Traffic Signal Interconnect Program [CC]	
Consider Adoption of Resolution No. 03-2475 Authorizing City Engineer Hudson to Sign Agreement No. 03-136 Approving State Program Supplemental Agreement No. 002-M1 Related to the Use of Federal Funds for the Traffic Signal Interconnect Program [CC]	101
5. Consider Approval of Agreement No. 03-137, a Professional Services Agreement by and between the City of Montclair Redevelopment Agency and Elizabeth Moule & Stefanos Polyzoides, Architects and Urbanists, Regarding the Fremont Corridor Focus Area [CC/RDA]	108
6. Consider Approval of Agreement No. 03-138 with Southern California Edison for Illuminated Holiday Decorations on Ornamental Street Light Poles [CC]	136
D. Resolutions	
1. Consider Adoption of Resolution No. 03-2472 Determining the Status of Local Safety Employee Robert Ellis Steele [CC]	140
2. Consider Adoption of Resolution No. 03-2474 Rescinding Resolution No. 03-2430 Designating Restricted Parking on Public Streets and Alleys [CC]	146
3. Consider Adoption of Resolution No. 03-2476 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges [CC]	169
IX. PULLED CONSENT CALENDAR ITEMS	
X. RESPONSE	
A. Update Regarding Heritage Park Senior Apartments [CC]	174
XI. COMMUNICATIONS	
A. City Attorney/Agency Counsel	
1. Closed Session Pursuant to Section 54956.8 of the Government Code Regarding Real Property Negotiations	

Properties: Assessor's Parcel Numbers indicated below:

<u>APN</u>	<u>Location</u>	<u>Owner</u>	<u>R/W</u>
1012-111-05	NWC Mission Blvd & Monte Vista	Gabae	Easement
1012-111-04	10788 Monte Vista Avenue	Willoughby	Easement
1012-111-03	4871 State Street	Barco	Easement
1012-111-02	4790 Mission Boulevard	Kessler	Easement
1011-301-01	10807 Monte Vista Avenue	McDaniel	Easement
1011-301-02	10777 Monte Vista Avenue	Dempsey	Fee/Full
1011-301-25	10787 Monte Vista Avenue	Dempsey	Fee/Full
1011-301-24	10763 Monte Vista Avenue	McCoy	Fee/Full
1011-301-04	10751 Monte Vista Avenue	Ealy	Fee/Full
1011-301-05	10745 Monte Vista Avenue	Ealy	Fee/Full
1011-301-06	SEC Monte Vista and State Street	Medina	Fee/Full
1011-301-07	SEC Monte Vista and State Street	Medina	Fee/Full
1012-101-11	10632 Monte Vista Avenue	Avalon	Easement
1011-012-03	10635 Monte Vista Avenue	Moore	Easement
1011-012-04	10625 Monte Vista Avenue	Foreman	Easement
1012-101-15	N/S Brooks, W/O Monte Vista	Kelly	Easement
1012-101-16	NWC Brooks St. & Monte Vista	Kelly	Easement
1011-101-03	10541 Monte Vista Avenue	TLC	Easement
1011-311-14	Fire Station No. 2-Montclair	Montclair	Easement
1011-311-13	4918 West Mission Boulevard	Chin	Easement
1012-101-07	4889 Holt Boulevard	Haserjian	Easement

Negotiating Parties: City of Montclair and Property Owners as Indicated

Negotiators: Michael C. Hudson, City Engineer, and Overland, Pacific & Cutler, Inc., as Real Estate Acquisition Agent for the City

Under Negotiation: Easements and Fee Acquisitions for Right-of-Way Required for the Monte Vista Avenue Grade Separation Project

- 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 Public Works Committee Meeting of August 20, 2003 175
 - 2. Minutes of the Personnel Committee Meeting of September 15, 2003 182

XII. COUNCIL/AGENCY WORKSHOP

A. Update on San Antonio Gateway Project

(Council/Agency may consider continuing this item to an adjourned joint meeting on Monday, October 20, 2003, at 5:45 p.m. in the City Council Chambers).

XIII. ADJOURNMENT OF REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS

(At this time the City Council will meet in Closed Session regarding real property negotiations).

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. ADJOURNMENT OF CITY COUNCIL

(This evening's meeting will be adjourned in memory of Mrs. Kyra Norma Milhiser, mother of former City Manager G. Michael Milhiser, who passed away on Saturday, September 20, 2003, and Mrs. Delores I. Gomez, mother of Senior Building Inspector Rudy Gomez, who passed away on Tuesday, September 30, 2003).

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, October 20, 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, 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 2, 2003.