

**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

February 17, 2004

7:00 p.m.

Page No.

**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** – None

**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 Redevelopment Agency Board of Directors' Adoption of Resolution No. 04-02 Approving and Authorizing the Execution of Agreement No. 04-14, a Housing Rehabilitation Agreement and Lease by and between the City of Montclair Redevelopment Agency and the Montclair Housing Corporation Concerning the Properties Located at 10330, 10380, 10390, and 10410 Amherst Avenue, 9855 Central Avenue, and 9448 Carrillo Avenue [RDA/MHC]

Consider Montclair Housing Corporation Board of Directors' Approval of Agreement No. 04-26 Approving Promissory Note No. 04-1, in the Amount of \$25,000, by and between the Montclair Housing Corporation and the City of Montclair Redevelopment Agency [RDA/MHC] 6

B. Second Reading – Consider Adoption of Ordinance No. 04-842, Pursuant to Chapter 11.84 of the Montclair Municipal Code, Establishing a Pre-Zone Designation of R-1 to Approximately 17.45 Acres and a Pre-Zone Designation of R-2 to Approximately Five Acres Within the City's Sphere of Influence [CC] 13

C. Second Reading – Consider Adoption of Ordinance No. 04-844 Amending Section 8.32.10 of Title 8 of the Montclair Municipal Code Related to Maximum Speed Limits [CC] 19

D. First Reading – Consider Adoption of Ordinance No. 04-845 Repealing Sections 9.24.260 through 9.24.430 and Adding Sections 9.24.260 through 9.24.400 of Chapter 9.24 of the Montclair Municipal Code Related to the City Storm Drain System [CC] 51

### VIII. CONSENT CALENDAR

#### A. Approval of Minutes

1. Minutes of Regular Council/Agency/Corporation Meeting of February 2, 2004 [CC/RDA/MHC]

#### B. Administrative Reports

1. Consider Setting a Public Hearing to Consider Resolution No. 04-2488 Requesting the Local Agency Formation Commission Initiate Proceedings for Reorganization to Include City of Montclair Annexation No. 23 and Detachment from Monte Vista Fire Protection District [CC] 62

2. Consider Setting a Public Hearing to Consider Resolution No. 04-2495 Adjusting Taxicab Service Rates in the City of Montclair [CC] 65

3. Consider Setting a Public Hearing to Prioritize Funding for Fiscal Year 2004-05 Community Development Block Grant Projects [CC] 69

4. Consider Acceptance of the Housing Improvement Task Force *Action Plan 2004* and Authorize Staff to Pursue Recommendations Described Therein [RDA] 70

5. Consider Approval of Filing of Notice of Completion for the Construction of the Engineering Remodel Project; Reduce Faithful Performance Bond to 10 Percent; and Retain Payment Bond for Six Months [CC] 72

6.	Consider “No Action” on Alcoholic Beverage Permit Application – Sunshine Market [CC]	73
7.	Consider Receiving and Filing of Treasurer's Report [CC]	74
8.	Consider Approval of Warrant Register and Payroll Documentation [CC]	75
9.	Consider Receiving and Filing of Treasurer's Report [RDA]	76
10.	Consider Approval of Warrant Register [RDA]	77
11.	Consider Receiving and Filing of Treasurer's Report [MHC]	78
12.	Consider Approval of Warrant Register [MHC]	79
<b>C. Agreements</b>		
1.	Consider Approval of Agreement No. 04–15 with the City of Ontario for the Resurfacing of Benson Avenue between Moreno Street and Orchard Street [CC]	
	Consider an Appropriation of \$95,000 from the Gas Tax Fund [CC]	80
2.	Consider Authorization to Transfer \$18,396 from the Contingency Account for the Purchase of Fire Records Management Software [CC]	
	Consider Approval of Agreement No. 04–16 with Aether Systems, Inc., for the Purchase of Fire Records Management Software [CC]	92
3.	Consider Approval of Agreement No. 04–17, a Lease Agreement by and between the City of Montclair Redevelopment Agency and Montclair Town Center, LLC, a Delaware Limited Liability Corporation, on Behalf of the Montclair Chamber of Commerce for the Office Suite Located at 5220 Benito Street [RDA]	94
4.	Consider Approval of Agreement No. 04–18, an Agreement for Planning Services by and between the City of Montclair Redevelopment Agency and L. D. King, Inc. [RDA]	96
5.	Consider Redevelopment Agency Board of Directors' Approval of Agreement Nos. 04–19 through 04–25, Rehabilitation Grant Agreements by and between the City of Montclair Redevelopment Agency and Exterior Housing Improvement Program Participants [RDA]	109
<b>D. Resolutions</b>		
1.	Consider Adoption of Resolution No. 04–2492 Rescinding Resolution No. 03–2474 Designating Restricted Parking on Public Streets and Alleys [CC]	119

2. Consider Adoption of Resolution No. 04-2493 Supporting Proposition 57, the Economic Recovery Bond and Proposition 58, the Balanced Budget Act [CC]

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**IX. PULLED CONSENT CALENDAR ITEMS**

**X. RESPONSE** – None

**XI. COMMUNICATIONS**

**A. City Attorney/Agency Counsel**

1. Closed Session Pursuant to Section 54956.9(a) of the Government Code Regarding Pending Litigation

House to Home v. City of Montclair

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

Property: Vacant Property Located on the South Side of Holt Boulevard West of Ramona Avenue (APN: 1012-051-04)

Negotiating Parties: City of Montclair Redevelopment Agency and Shyh-Hau Leu and Huey-Meei Leu

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

Under Negotiation: Recommendations Regarding Purchase Price

**B. City Manager/Executive Director**

**C. Mayor/Chairman**

1. Announcement of Appointment of West Valley Mosquito and Vector Control District Board Member

**D. City Council/Agency Board**

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

1. Minutes of the Personnel Committee Meeting of February 2, 2004

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**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 pending litigation and real property negotiations).*

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AGENCY

*The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, March 1, 2004, 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 February 12, 2004.*