

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

July 6, 2004

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 nonsectarian 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

A. Introduction of New Community Action Committee Member

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 Adoption of Resolution No. 04-2516 Requesting that the Local Agency Formation Commission Initiate Proceedings for Reorganization to Include City of Montclair Annexation No. 24 and Detachment from Monte Vista Fire Protection District [CC]

5

B. First Reading – Consider Adoption of Ordinance No. 04-843 Repealing Montclair Municipal Code Subsections 8.36.030(b) and 8.36.160(a) Related to the Parking of Private Vehicles for Sale on Public Roadways or Private Properties that are not the Residences of the Vehicle Owners [CC]

10

- C. First Reading – Consider Adoption of Ordinance No. 04-849 Adding Chapter 3.30 to Title 3 of the Montclair Municipal Code Related to Imposing a Transactions and Use Tax to be Administered by the State Board of Equalization [CC] 12

VIII. CONSENT CALENDAR

A. Approval of Minutes

- 1. Minutes of Regular Joint Council/Agency/MHC Meeting of June 21, 2004 [CC/RDA/MHC]

B. Administrative Reports

- 1. Consider Setting a Public Hearing to Consider the Following:

Adoption of Resolution No. 04-2524 Approving a General Plan Amendment to the Official Land-Use Map for an 8.61-Acre Site at the Southwest Corner of Central Avenue and Howard Street, Modifying the Land-Use Designation from "General Commercial" to "Low-Density Residential" [CC]

Adoption of Ordinance No. 04-850 Approving a Zone Change to the Montclair Municipal Code from "R-1(20)" (Single-Family Residential, Minimum 20,000-Square-Foot Lot Area) to "R-1(SL)" (Single-Family Residential Small-Lot Detached Housing Overlay) for 8.61 Acres at the Southwest Corner of Central Avenue and Howard Street [CC]

Approval of Tentative Tract Map No. 16884 for a 46-Lot Residential Subdivision at the Southwest Corner of Central Avenue and Howard Street [CC]

32

- 2. Consider Authorization to Advertise for Bid Proposals for Construction of the Street Name Sign Replacement, Phase 2, Project [CC]

40

- 3. Consider Approval of Filing of Notice of Completion for Construction of the Street Name Sign Replacement, Phase 1, Project; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC]

Consider Increasing Construction Contingency by \$6,858 [CC]

41

- 4. Consider Approval of Filing of Notice of Completion for Construction of the Traffic Signal Upgrades at Various Locations Project; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC]

43

- 5. Consider Approval of City Warrant Register and Payroll Documentation [CC]

45

C. Agreements

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| 1. Consider Approval of Agreement No. 04-74-I-59, an Irrevocable Annexation Agreement with Linh My Nguyen for 4715 Howard Street [CC] | 46
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| 2. Consider Approval of Agreement No. 04-91 with Padilla & Associates, Inc., for Establishing the Disadvantaged Business Enterprise Goal for Federal Fiscal Year 2004-05 [CC] | 51 |
| 3. Consider Approval of Agreement No. 04-92 with L.D. King, Inc., Modifying Agreement Nos. 00-86 and 99-77 Concerning Engineering Services for the Ramona Avenue/Union Pacific Grade Separation Project [CC] | 71 |
| 4. Consider Approval of Agreement No. 04-95-I-61, an Irrevocable Annexation Agreement with Mary L. Charrette for 11147 Roswell Avenue [CC] | 89 |
| 5. Consider Award of Contract for the Huntington Drive to Arrow Highway Sewer Line Project to C.P. Construction Company, Inc., in the Amount of \$60,260 [CC] | |
| Consider Approval of Agreement No. 04-96 with C.P. Construction Company, Inc., for the Construction of the Huntington Drive to Arrow Highway Sewer Line Project [CC] | |
| Consider Authorization of a \$6,000 Construction Contingency [CC] | 94 |
| 6. Consider Approval of Agreement No. 04-97 with Government Finance Officers Association for Strategic Plan Advisory Services [CC] | 96 |
| 7. Consider Approval of Agreement No. 04-98 with Office of the State Controller, Division of Audits, for Annual Street Report Preparation Services [CC] | 105 |

D. Resolutions

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| 1. Consider Adoption of Resolution No. 04-2525 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges [CC] | 109 |
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IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

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| 1. Closed Session Pursuant to Section 54956.8 of the Government Code Regarding Real Property Negotiations | |
| Property: Assessors Parcel Nos. 1012-072-04 and 1012-072-05
10611 Ramona Avenue, Montclair
Southeast corner of Ramona Avenue and Brooks
Street | |

Negotiating Parties: City of Montclair, City of Montclair
Redevelopment Agency and Bentley 7/23/99/L.T./Cecil J.
Johnson Trust

Negotiators: Marilyn J. Staats, Director of Redevelopment and
Public Works and Michael C. Hudson, City Engineer

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Under Negotiation: Recommendations Regarding Purchase of
Subject Property in Conjunction with Ramona Avenue/Union
Pacific 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 April 15,
2004 114
 - 2. Minutes of the Public Works Committee Meeting of May 20,
2004 121
 - 3. Minutes of the Personnel Committee Meeting of June 21, 2004 126
 - 4. Minutes of the Real Estate Committee Meeting of June 24,
2004 127

XII. COUNCIL/AGENCY WORKSHOP

- A. Strategic Planning Workshop

(Council/Agency may consider continuing this item to an adjourned joint meeting on
Wednesday, July 7, 2004, at 5:00 p.m. in Conference Room South).

XIII. 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 real property negotiations).

XIV. CLOSED SESSION ANNOUNCEMENTS

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

(The City Council and Redevelopment Agency Board of Directors will adjourn to
Wednesday, July 7, 2004, at 5:00 p.m. in Conference Room South).

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, July 19, 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, Yvonne Smith, 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 July 1, 2004.