

**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

December 5, 2005

7:00 p.m.

*As a courtesy please silence your cell phones, pagers, and other electronic devices while the meeting is in session. Thank you.*

*The City Council/Redevelopment Agency/Montclair Housing Corporation meetings are now available in audio format on the City's website at [www.ci.montclair.ca.us](http://www.ci.montclair.ca.us) and can be accessed after 10:00 a.m. on the day following the meeting.*

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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. Presentation of Online to College Essay Contest Winners

**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. 05-2617 Amending the Master User Fee Schedule [CC]

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- B. Second Reading - Consider Adoption of Ordinance No. 05-870 Amending Chapter 11.14 of Title 11 of the Montclair Municipal Code Related to Rezoning and the Establishment of an Official Prezone Map [CC] 44

**VIII. CONSENT CALENDAR**

A. Approval of Minutes

- 1. Minutes of Regular Joint Council/Agency/MHC Meeting of November 21, 2005 [CC/RDA/MHC]

B. Administrative Reports

- 1. Consider Authorizing Redevelopment Agency Chairman to Execute a Modification of Deed of Trust and Assignment of Rents Regarding Agreement No. 01-90, a Commercial Rehabilitation Loan Agreement by and between the City of Montclair Redevelopment Agency and Darryl L. Snyder and Jana Marie Campbell, as Trustees of the Jan Fred Silletto and Donna Ray Silletto Revocable Trust, First Reinstatement of Trust Dated July 13, 2000 [RDA]

Consider Authorizing Redevelopment Agency Chairman to Execute a Modification of Deed of Trust with Assignment of Rents Regarding Agreement No. 90-35, a Disposition and Development Agreement by and between the City of Montclair Redevelopment Agency and Gary H. Sherman and Directing Gary H. Sherman to Provide the Redevelopment Agency with a Title Insurance Policy [RDA] 47

- 2. Consider Approval of Lot Line Adjustment No. 2005-4 Affecting Three Parcels Located on the North Side of Holt Boulevard and the South Side of Bandera Street West of Central Avenue [CC] 52

- 3. Consider Redevelopment Agency Board of Directors' Authorization to Advertise for Bid Proposals for the Palo Verde Street Storm Drain Project [RDA] 56

- 4. Consider Approval of Filing of a Notice of Completion for Construction of the Montclair Lighted Crosswalk Pedestrian Safety Project; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC] 57

- 5. Consider Declaring Unclaimed Property in Police Custody as Surplus and Available for Auction [CC] 58

- 6. Consider Approval of Warrant Register and Payroll Documentations [CC] 62

C. Agreements

- 1. Consider Redevelopment Agency Board of Directors' Approval of Agreement No. 05-150 with L. D. King, Inc., Modifying Agreement Nos. 99-77, 00-86, and 04-92 Concerning Engineering Services for the Ramona Avenue/Union Pacific Railroad Grade Separation Project [CC/RDA]

2.	Consider Approval of Settlement and Release Agreement No. 05-152 with Adelphia Cablevision of Inland Empire, LLC, Resolving a Dispute Regarding Underpaid Franchise Fees [CC]	70
D. Resolutions		
1.	Consider Adoption of Resolution No. 05-2618 Fixing the Salaries for Certain Fire Department Employees Represented by the Montclair Fire Fighters Association [CC]	74
2.	Consider Adoption of Resolution No. 05-2621 Opposing the President's Advisory Panel on Federal Tax Reform's Proposal to Eliminate the Mortgage Interest Deduction for Homeowners [CC]	78
<b>IX. PULLED CONSENT CALENDAR ITEMS</b>		
<b>X. RESPONSE - None</b>		
<b>XI. COMMUNICATIONS</b>		
A. City Attorney/Agency Counsel		
B. City Manager/Executive Director		
C. Mayor/Chairman		
D. City Council/Agency Board		
E. Committee Meeting Minutes <i>(For Informational Purposes Only)</i>		
1.	Minutes of the Public Works Committee Meeting of October 20, 2005	81
2.	Minutes of the Code Enforcement Committee Meeting of November 21, 2005	86
3.	Minutes of the Personnel Committee Meeting of November 21, 2005	88
<b>XII. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS</b>		

*The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, December 19, 2005, 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 December 1, 2005.*