

**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

June 4, 2007

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 CC/RDA/MHC 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 the day following the meeting after 10:00 a.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 Employees/Promotee
- B. Presentation of Plaque by San Bernardino Associated Governments Executive Director Tony Grasso to Council Member Leonard Paulitz for His Past Years of Service to SANBAG

**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 Council/Agency/ MHC is prohibited from taking action on items not listed on the agenda.*

**VII. PUBLIC HEARINGS**

- A. Consider Adoption of Resolution No. 07-2690 Approving a General Plan Amendment to the Official Land Use Map for Approximately 2.31 Acres at the Northwest Quadrant of Central Avenue and Phillips Boulevard, Modifying the Land Use Designation from "Low-Density Residential" to "Neighborhood Commercial" [CC]

- B. First Reading - Consider Adoption of Ordinance No. 07-893, an Ordinance of the City Council of the City of Montclair Containing the City of Montclair Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in Redevelopment Project Area No. I [RDA]

Consider Adoption of Ordinance No. 07-894, an Ordinance of the City Council of the City of Montclair Containing the City of Montclair Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in Redevelopment Project Area No. II [RDA]

Consider Adoption of Ordinance No. 07-895, an Ordinance of the City Council of the City of Montclair Containing the City of Montclair Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in Redevelopment Project Area No. III [RDA]

Consider Adoption of Ordinance No. 07-896, an Ordinance of the City Council of the City of Montclair Containing the City of Montclair Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in Redevelopment Project Area No. IV [RDA]

Consider Adoption of Ordinance No. 07-897, an Ordinance of the City Council of the City of Montclair Containing the City of Montclair Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in Redevelopment Project Area No. V [RDA]

Consider Adoption of Ordinance No. 07-898, an Ordinance of the City Council of the City of Montclair Containing the City of Montclair Redevelopment Agency's Program to Acquire Real Property by Eminent Domain in the Mission Boulevard Joint Redevelopment Project [RDA]

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**VIII. CONSENT CALENDAR**

- A. Approval of Minutes

- 1. Minutes of Adjourned Joint Council/Agency Meeting of May 7, 2007 [CC/RDA]
- 2. Minutes of Regular Joint Council/Agency/MHC Meeting of May 7, 2007 [CC/RDA/MHC]

- B. Administrative Reports

- 1. Consider Receiving and Filing of Treasurer's Report [CC] 34
- 2. Consider Approval of Warrant Registers and Payroll Documentations [CC] 35
- 3. Consider Receiving and Filing of Treasurer's Report [RDA] 36
- 4. Consider Approval of Warrant Register [RDA] 37
- 5. Consider Receiving and Filing of Treasurer's Report [MHC] 38
- 6. Consider Approval of Warrant Register [MHC] 39

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|---------------|---|-----|
| 7.            | Consider Declaring Two Handguns as Surplus and Authorizing Their Sale to Private Parties [CC]   | 40  |
| 8.            | Consider Approval of Filing of a Notice of Completion for Construction of the Phase One Infrastructure Concrete Repair Project; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC] | 41  |
| 9.            | Consider "No Action" on Alcoholic Beverage Permit Application – Sushi Hiroba [CC]   | 43  |
| C. Agreements |   |     |
| 1.            | Consider Approval of Agreement No. 07-47 to Retain the Law Firm of Liebert Cassidy Whitmore to Provide Legal and Consulting Services for Employee Relations Issues [CC]   | 44  |
| 2.            | Consider Approval of Agreement No. 07-48 with L. D. King, Inc., in the Amount of \$75,000 for Engineering and Design Services for the Intersection Improvement Project at Various Locations Within the City [CC]                        |     |
|               | Consider Authorization for City Manager to Amend the Agreement Scope of Services as May be Necessary for a Total Increase not to Exceed \$5,000 [CC]  | 51  |
| 3.            | Consider Approval of Agreement No. 07-49 with K.A.R. Construction, Inc., and Vineyard Bank for Escrow Account in Lieu of Retention Associated with Construction of the New City of Montclair Police Department Facility [CC]            | 69  |
| 4.            | Consider Approval of Agreement No. 07-50 with Liebert Cassidy Whitmore for Participation in the East Inland Empire Employment Relations Consortium [CC]   | 74  |
| 5.            | Consider Award of Contract for the Signalization of the Central Avenue and Howard Street Intersection Project to Oak Engineering, Inc., in the Amount of \$236,055 [CC]   |     |
|               | Consider Approval of Agreement No. 07-51 with Oak Engineering, Inc. [CC]  |     |
|               | Consider Authorization of a \$24,000 Construction Contingency [CC]  | 77  |
| 6.            | Consider Approval of Agreement No. 07-52 with San Bernardino County Department of Aging and Adult Services to Provide a Senior Citizen Nutrition Program [CC]   | 79  |
| 7.            | Consider Approval of Agreement No. 07-53 with First 5, the Children and Families Commission for San Bernardino County, in Support of Case Management and Mental Health Services for Children Ages 0-5 [CC]                              | 132 |
| 8.            | Consider Approval of Agreement No. 07-54 Amending Agreement No. 06-152 with the Ontario-Montclair School District to Provide After-School Programs [CC]   | 161 |

9. Consider Approval of Agreement No. 07-55 with the County of San Bernardino for Allocation and Expenditure of Justice Assistance Grant Program Funds [CC]  
  
Consider Authorizing the City Manager to Sign the Agreement on Behalf of the Montclair City Council [CC]  
  
Consider Reallocating Funds from the Fiscal Year 2006-07 Supplemental Law Enforcement Services Funds Grant [CC] 163

D. Resolutions

1. Consider Adoption of Resolution No. 07-2691 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges [CC] 174
2. Consider Adoption of Resolution No. 07-2692 Fixing the Salaries for City Employees Represented by the Montclair Fire Fighters Association [CC] 179
3. Consider Adoption of Resolution No. 07-2693 Authorizing Approval of the Change in Population in the City of Montclair During 2006 for the Purpose of Calculating the Gann Spending Limit for Fiscal Year 2007-08 [CC] 183
4. Consider Adoption of Resolution No. 07-2694 Authorizing Approval of the Percentage Change in Montclair Nonresidential New Construction During Fiscal Year 2005-06 as the Final Fiscal Year 2005-06 Change in the Cost-of-Living Factor for Use in Calculating the Gann Spending Limit for Fiscal Year 2006-07 and Provisional Adoption of the Percentage Change in California Per Capita Personal Income During Calendar Year 2006 as the Change in the Cost-of-Living Factor for Fiscal Year 2006-07 for Use in Calculating the Gann Spending Limit for Fiscal Year 2007-08 [CC] 185
5. Consider Adoption of Resolution No. 07-2695 Establishing an Appropriations Limit for Fiscal Year 2007-08 Pursuant to Article 13-B of the California Constitution and to Section 7910 of the Government Code [CC] 189
6. Consider Adoption of Resolution No. 07-2696 Fixing the Salaries for Management Employees Represented by the City Manager [CC] 193
7. Consider Adoption of Resolution No. 07-2697 Fixing the Salaries for City Employees Represented by the San Bernardino Public Employees Association [CC] 196
8. Consider Adoption of Resolution No. 07-2698 Fixing the Salaries for Certain Police Department Employees Represented by the Montclair Police Officers Association [CC] 200
9. Consider Adoption of Resolution No. 07-2699 Fixing the Salaries for Part-Time Employees Not Represented by Formally Recognized Employee Organizations [CC] 204

**IX. PULLED CONSENT CALENDAR ITEMS**

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

A. City Attorney/Agency Counsel

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 19, 2007 208

2. Minutes of the Personnel Committee Meeting of May 7, 2007 214

**XII. COUNCIL/AGENCY WORKSHOP**

A. Consider Review of City of Montclair Fiscal Year 2007-08 Preliminary Budget, Redevelopment Agency Fiscal Year 2007-08 Preliminary Budget, and Montclair Housing Corporation Fiscal Year 2007-08 Preliminary Budget [CC/RDA/MHC]

(Council/Agency/MHC may consider continuing this item to an adjourned joint meeting on Tuesday, June 12, 2007, at 5:00 p.m. in the City Council Chambers).

(Information related to this item will be distributed under separate cover).

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

*The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, June 18, 2007, 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 M. 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 May 31, 2007.*