

CITY OF MONTCLAIR

**AGENDA FOR CITY COUNCIL, REDEVELOPMENT AGENCY, AND
MONTCLAIR HOUSING CORPORATION MEETINGS**

To be held at the Montclair Police Department
4870 Arrow Highway, Montclair, California

October 20, 2008

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

VII. PUBLIC HEARINGS

A. Consider Adoption of the Following Resolutions:

Resolution No. 08-2769 Approving a General Plan Amendment to Change the Land Use Designation of 1.75 Acres at 10319 Mills Avenue from "Business Park" to "Medium Density Residential" [CC]

Resolution No. 08-2770 Approving an Amendment to the Holt Boulevard Specific Plan to Change the Land Use Designation of 1.75 Acres at 10319 Mills Avenue from "Business Park" to "R-3/14 DU/AC" [CC]

(continued to next page)

Resolution No. 08-2771 Approving a Density Bonus Pursuant to Chapter 11.85 of the Montclair Municipal Code to Allow Construction of a 50-Unit Affordable Family Housing Development on 1.75 Acres at 10319 Mills Avenue [CC]

Resolution No. 08-2772 Approving a Precise Plan of Design Associated with a Proposed 50-Unit Affordable Family Housing Development at 10319 Mills Avenue [CC]

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B. Consider Adoption of Resolution No. 08-2773 Authorizing Recovery of Abatement Costs Incurred by the City Related to Property Owned by California Reconveyance Corporation and HomeQ Servicing and Located at 5428 Rosewood Street, Montclair, California [CC]

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C. Consider Adoption of Resolution No. 08-2774 Authorizing Recovery of Abatement Costs Incurred by the City Related to Property Owned by Ofelia Carmona, Fremont Investment and Loan, and Carrington Mortgage and Located at 9440 Vernon Avenue, Montclair, California [CC]

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VIII. CONSENT CALENDAR

A. Approval of Minutes

1. Minutes of Regular Joint Council/Agency/MHC Meeting of October 6, 2008 [CC/RDA/MHC]

B. Administrative Reports

1. Consider Receiving and Filing of Treasurer's Report [CC]

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2. Consider Approval of Warrant Register and Payroll Documentation [CC]

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3. Consider Receiving and Filing of Treasurer's Report [RDA]

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4. Consider Approval of Warrant Register [RDA]

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5. Consider Receiving and Filing of Treasurer's Report [MHC]

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6. Consider Approval of Warrant Register [MHC]

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7. Consider "No Action" on Alcoholic Beverage Permit Application - Romano's Macaroni Grill Italian Restaurant [CC]

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8. Consider Authorizing the Sale of a 2004 Chevrolet Astro Van to the Federal Bureau of Investigation [CC]

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C. Agreements

1. Consider Approval of Agreement No. 08-110 with All American Asphalt, Inc., and Community Bank for Escrow Account In Lieu of Retention Associated with Construction of the Central Avenue and Monte Vista Avenue Intersection Improvement Project [CC]

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2. Consider Approval of Agreement No. 08-111 with All American Asphalt, Inc., and Community Bank for Escrow Account In Lieu of Retention Associated with Construction of the Mission Boulevard Improvement Phases 5 and 6 Project [CC]

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3. Consider Approval of Agreement No. 08-112, a Purchase and Sale Agreement with Tim McDaniel for the Purchase of an Easement on the East Side of Monte Vista Avenue North of Mission Boulevard [CC]

Consider Authorizing City Manager to Execute Agreement No. 08-112 [CC]

Consider Acceptance of an Easement for Street, Highway, and Utility Construction and Maintenance Purposes for the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project [CC]

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D. Resolutions - None

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

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

Property: 9010 Fremont Avenue

Negotiating Parties: City of Montclair Redevelopment Agency and Bank of New York

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

Under Negotiation: Recommendations Regarding Purchase Offer

B. City Manager/Executive Director

C. Mayor/Chairman

D. Council/Agency Board

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

1. Minutes of the Public Works Committee Meeting of September 18, 2008

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2. Minutes of the Personnel Committee Meeting of October 6, 2008

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XII. COUNCIL/AGENCY WORKSHOP

A. Update on Montclair Plaza Remodel by General Growth Properties

(Council/Agency may consider continuing this item to an adjourned joint meeting on Monday, November 3, 2008, at 5:45 p.m. in the City Council Chambers).

XIII. ADJOURNMENT OF CITY COUNCIL AND MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS

This evening's meeting will be adjourned in memory of Council Member Matt Garcia, City of Fairfield, California, who passed away in a tragic incident on September 1, 2008.

(At this time, the Redevelopment Agency Board of Directors will meet in Closed Session regarding real property negotiations).

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. ADJOURNMENT OF REDEVELOPMENT AGENCY BOARD OF DIRECTORS

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, November 3, 2008, at 7:00 p.m. in the Council Chambers.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the City Council, Redevelopment Agency Board, or Montclair Housing Corporation Board after distribution of the Agenda packet are available for public inspection in the Office of the City Clerk located at 5111 Benito Street, Montclair, California, 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 October 16, 2008.