

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 15, 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. SWEARING IN OF APPOINTED MEMBERS OF THE CITY COUNCIL

VI. SELECTION OF MAYOR PRO TEM

VII. PRESENTATIONS

A. Presentation of 2008 Holiday Home Decoration Contest Winners

VIII. 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.

IX. PUBLIC HEARINGS

- A. Consider Receiving Public Comment and Authorizing the Allocation and Expenditure of Supplemental Law Enforcement Services Funds [CC] 5
- B. Consider Adoption of Resolution No. 08-2779 Adjusting Transportation Development Impact Fees [CC] 7
- C. Consider Review of the Implementation Plan for Redevelopment Project Area Nos. I, II, III, IV, and V [RDA] 12
- D. Consider Adoption of Resolution No. 08-06, a Resolution of the City of Montclair Redevelopment Agency Adopting the Implementation Plan for the Mission Boulevard Joint Redevelopment Project Area for Fiscal Years 2008-09 through 2012-13 [RDA] 14
- E. First Reading – Consider Adoption of Ordinance No. 08-905 Amending Chapters 11.02, 11.18, and 11.22, and Adding Chapter 11.23 to Title 11 of the Montclair Municipal Code Related to Second Dwelling Units [CC] 18
- F. First Reading – Consider Adoption of Ordinance No. 08-906 Amending Chapter 10.02 and Adding Chapter 10.46 to Title 10 of the Montclair Municipal Code Related to Abandoned and Vacant Property Registration and Maintenance [CC] 28

X. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Minutes of Adjourned Joint Council/Agency Meeting of December 1, 2008 [CC/RDA]
 - 2. Minutes of Regular Joint Council/Agency/MHC Meeting of December 1, 2008 [CC/RDA/MHC]
- B. Administrative Reports
 - 1. Consider Receiving and Filing of Treasurer's Report [CC] 40
 - 2. Consider Approval of Warrant Register and Payroll Documentation [CC] 41
 - 3. Consider Receiving and Filing of Treasurer's Report [RDA] 42
 - 4. Consider Approval of Warrant Register [RDA] 43
 - 5. Consider Receiving and Filing of Treasurer's Report [MHC] 44
 - 6. Consider Approval of Warrant Register [MHC] 45
 - 7. Consider Setting a Public Hearing to Consider Adoption of Resolution No. 08-2782, a Resolution of Necessity for the Acquisition of a Fee Interest in Certain Real Property, Described as Assessor's Parcel Numbers 1011-301-04 and 1011-301-05, by Eminent Domain, for Public Right-of-Way and the Construction of the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project in the City of Montclair, County of San Bernardino, California [CC] 46

8. Consider Approval of an Updated Listing of Designated Employees Required to File Statements of Economic Interests [CC] 63

C. Agreements

1. Consider Approval of Agreement No. 08-116 Amending Agreement No. 99-95 with Commercial Protective Services, Inc., for a Fee Increase for Security Guard Services at the Montclair Transcenter [CC] 74
2. Consider Approval of Agreement No. 08-117, a Reimbursement Agreement by and between the City of Montclair Redevelopment Agency and Montclair Partners, L. P., Regarding Undergrounding Overhead Utilities at 8660 Central Avenue [CC] 76
3. Consider Approval of Agreement No. 08-119 with Graffiti Tracker, Inc., for Continued Use of Database to Track and Analyze Graffiti [CC] 80
4. Consider Approval of Agreement No. 08-121, a Sewer Reimbursement Agreement with Crestwood Corporation [CC] 89

D. Resolutions - None

XI. PULLED CONSENT CALENDAR ITEMS

XII. RESPONSE - None

XIII. COMMUNICATIONS

A. City Attorney/Agency Counsel

1. Closed Session Pursuant to Section 54956.8 of the Government Code Regarding Real Property Negotiations
- Property: Assessor's Parcel No. 1009-521-024
Address: 4113 Kingsley Street, Montclair, CA
- Negotiating Parties: Antonio and Suzanne Gutierrez
- Negotiators: Marilyn J. Staats, Director of Redevelopment/
Public Works and Christine S. Caldwell, Assistant Director of Redevelopment
- Under Negotiation: Recommendations Regarding Acquisition, Terms, and Price
2. Closed Session Pursuant to Section 54957.6 of the Government Code Regarding Conference with Designated Labor Negotiators City Manager Lee C. McDougal and Deputy City Manager Edward C. Starr

Agency: City of Montclair

Employee Organizations: City Manager
Management
Montclair Fire Fighters Association
Montclair Police Officers Association
San Bernardino Public Employees Assoc.

- 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 Personnel Committee Meeting of December 1, 2008

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**XIV. ADJOURNMENT OF MONTCLAIR HOUSING CORPORATION
BOARDS OF DIRECTORS**

(At this time, the City Council and Redevelopment Agency Board will meet in Closed Session regarding real property and labor negotiations).

XV. CLOSED SESSION ANNOUNCEMENTS

**XVI. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT
AGENCY BOARDS OF DIRECTORS**

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, January 5, 2009, 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 December 11, 2008.