

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

April 6, 2009

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

- A. Proclamation Congratulating Montclair High School for Being Named an Advancement Via Individual Determination National Demonstration School
- B. Presentation of \$2500 Donation by Montclair Chamber of Commerce to Chaffey College for its *Online to College* Program

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. 09-2791 Authorizing Recovery of Abatement Costs Incurred by the City Related to Property Owned by Alek and Romilia Hematsiraki and Saxon Mortgage Services, Inc., and Located at 4739 Berkeley Street, Montclair, California [CC] 6

VIII. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Minutes of Special Joint Council/Agency Meeting of March 2, 2009 [CC/RDA]
 - 2. Minutes of Regular Joint Council/Agency/MHC Meeting of March 2, 2009 [CC/RDA/MHC]
- B. Administrative Reports
 - 1. Consider Receiving and Filing of Treasurer's Report [CC] 13
 - 2. Consider Approval of Warrant Registers and Payroll Documentations [CC] 14
 - 3. Consider Receiving and Filing of Treasurer's Report [RDA] 15
 - 4. Consider Approval of Warrant Register [RDA] 16
 - 5. Consider Receiving and Filing of Treasurer's Report [MHC] 17
 - 6. Consider Approval of Warrant Register [MHC] 18
 - 7. Consider Setting a Public Hearing to Consider Ordinance No. 09-908 Amending Section 9.20.460 of the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value [CC] 19
 - 8. Consider Acceptance of Grant Deed No. 1653, an Easement for Street, Highway, and Utility Construction and Maintenance [CC]

Consider Acceptance of Grant Deed No. 1654, a Temporary Construction Easement for the Purpose of Installing, Constructing, Maintaining, and Removing Overhead Power Lines in Conjunction with the Construction of the Ramona Avenue/Union Pacific Railroad Grade Separation Project [CC]

Consider Authorizing Grant Deed Nos. 1653 and 1654 to be Recorded with the Office of the San Bernardino County Recorder [CC] 22
 - 9. Consider Approval of Filing of a Notice of Completion for City of Montclair Police Department Facility Bid Package No. 6-Structural Concrete and Reinforcing Steel; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC]

Consider Release of Retention 30 Days After Recordation of Notice of Completion [CC] 41

10.	Consider Approval of Filing of a Notice of Completion for City of Montclair Police Department Facility Bid Package No. 9-Finish Carpentry and Architectural Woodwork; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC]	
	Consider Release of Retention 30 Days After Recordation of Notice of Completion [CC]	43
11.	Consider Approval of Filing of a Notice of Completion for City of Montclair Police Department Facility Bid Package No. 21-Heating Ventilation and Air Conditioning; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC]	
	Consider Release of Retention 30 Days After Recordation of Notice of Completion [CC]	45
12.	Consider Approval of Filing of a Notice of Completion for City of Montclair Police Department Facility Bid Package No. 22-Electrical; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months [CC]	
	Consider Release of Retention 30 Days After Recordation of Notice of Completion [CC]	48
13.	Consider Authorization to Advertise for Bid Proposals for Construction of the Bleacher Storage Project [CC]	50
14.	Consider Redevelopment Agency Board of Directors' Authorization to Advertise for Bid Proposals for the 9916 Central Avenue Improvement Project [RDA]	51
15.	Consider Redevelopment Agency Board of Directors' Acceptance of Housing Improvement Task Force <i>Action Plan 2009</i> and Authorization for Staff to Pursue Recommendations Described Therein [RDA]	52
16.	Consider Authorization to Purchase One 2008 Ford Crown Victoria Police Interceptor Sedan from Clippinger Ford [CC]	54
17.	Consider Declaring Certain City Property as Surplus and Available for Auction [CC]	56
C.	Agreements	
1.	Consider Approval of Agreement No. 09-20, a Settlement Agreement with Praxair in Conjunction with the Ramona Avenue/Union Pacific Railroad Grade Separation Project [CC]	73
2.	Consider Approval of Agreement Nos. 09-22 and 09-23, Purchase and Sale Agreements with Dempsey and Sons Concrete Pumping, Inc., for Properties Located on the East Side of Monte Vista Avenue South of State Street in the City of Montclair [CC]	
	Consider Authorizing City Manger to Execute Agreement Nos. 09-22 and 09-23 [CC]	80

3. Consider Approval of Agreement No. 09-24 with Ontario-Montclair School District to Provide Case Management Services [CC] 125
4. Consider Redevelopment Agency Board of Directors' Approval of Agreement No. 09-25 with R. Richard Fleener for Planning Services [RDA] 131
5. Consider Approval of Agreement No. 09-26 with the County of San Bernardino for the Allocation and Expenditure of Justice Assistance Grant Program Funds [CC]
- Consider Authorization of the City Manager to Sign the Agreement on Behalf of the Montclair City Council [CC] 143
6. Consider Approval of Agreement No. 09-27 with the California Insurance Pool Authority Amending Workers' Compensation Pool Agreement No. 03-122 [CC] 157
7. Consider Approval of Agreement No. 09-28 Amending Agreement No. 98-73 with All City Management Services, Inc., for School Crossing Guard Services [CC] 165

D. Resolutions

1. Consider Adoption of Resolution No. 09-2788 Authorizing the Destruction of Certain Police Department Records Pursuant to the Montclair Police Department Policy for the Retention and Destruction of Records [CC] 167
2. Consider Adoption of Resolution No. 09-2790 Authorizing Staff to Submit an Application to the State for Funding Under the State's Safe Routes to Schools Program for Fiscal Years 2009-10 [CC] 173
3. Consider Adoption of Resolution No. 09-2792 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service [CC] 175
4. Consider Adoption of Resolution No. 09-2793 Amending the Fee Structure for the Collection and Disposal of Residential Refuse [CC] 179
5. Consider Adoption of Resolution No. 09-2794 Requesting the Los Angeles County Metro Board of Directors to Modify the Long Range Transportation Plan to Include the Metro Gold Line Foothill Extension to the City of Montclair [CC] 191

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

- A. City Attorney/Agency Counsel
- B. City Manager/Executive Director

- C. Mayor/Chairman
 - 1. Announcement of Two (2) Vacancies on the Planning Commission
- D. Council/Agency Board
- E. Committee Meeting Minutes *(For Informational Purposes Only)*
 - 1. Minutes of the Personnel Committee Meeting of March 2, 2009

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

(The City Council and Redevelopment Agency and Montclair Housing Corporation Boards of Directors will adjourn this evening's meeting in memory of long-time Montclair resident and Volunteer of Distinction, Mrs. Rose McClure, who passed away on Thursday, March 5, 2009).

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, April 20, 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 April 2, 2009.