

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 1, 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 – 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 - None

VIII. CONSENT CALENDAR

A. Approval of Minutes

1. Minutes of Regular Joint Council/Agency/MHC Meeting of May 18, 2009 [CC/RDA/MHC]

B. Administrative Reports

1. Consider Setting a Public Hearing to Consider Resolution No. 09-2799 Repealing Resolution No. 05-2584 and Revising the Schedule of Fines for Administrative Citations [CC] 5
2. Consider Setting a Public Hearing to Consider Ordinance No. 09-909 Amending Chapters 6.02 and 6.12 of the Montclair Municipal Code Regulating Loud and Unreasonable Noises and Disturbances [CC] 15
3. Consider Approval of Filing of a Notice of Completion for the City of Montclair Police Department Facility- Miscellaneous Construction and Repairs Project [CC] 24
4. Consider Approval of Filing of a Notice of Completion for City of Montclair Police Department Facility Bid Package No. 17-Miscellaneous Specialties; Reduction of Faithful Performance Bond to 10 Percent; and Retention of Payment Bond for Six Months

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6. Consider Authorization to Advertise for Bid Proposals for Construction of the Alma Hofman Senior Center and Park Improvements Project [CC] 30
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IX. PULLED CONSENT CALENDAR ITEMS		
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XI. COMMUNICATIONS		
A. City Attorney/Agency Counsel		
1.	Closed Session Pursuant to Section 54957.6 Regarding Conference With Designated Labor Negotiators	
	Agency: City of Montclair	
	Employee Organizations: City Manager Management Montclair Fire Fighters Association Montclair Police Officers Association San Bernardino Public Employees Assn.	
B. City Manager/Executive Director		
C. Mayor/Chairman		
D. Council/Agency Board		
E. Committee Meeting Minutes <i>(For Informational Purposes Only)</i>		
1.	Minutes of the Personnel Committee Meeting of May 18, 2009	70
XII. COUNCIL/AGENCY WORKSHOP		
A. Preliminary Budget Review		
(The Council/Agency Board may consider continuing this item to an adjourned joint meeting on Monday, June 15, 2009, at 5:30 p.m. in the City Council Chambers.)		

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

(At this time, the City Council will meet in Closed Session regarding labor negotiations.)

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. ADJOURNMENT OF CITY COUNCIL

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, June 15, 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, Yvonne L. Smith, Deputy 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 28, 2009.

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING
TO CONSIDER RESOLUTION NO. 09-2799
REPEALING RESOLUTION NO. 05-2584
AND REVISING THE SCHEDULE OF FINES
FOR ADMINISTRATIVE CITATIONS

DATE: June 1, 2009
SECTION: ADMIN. REPORTS
ITEM NO.: 1
FILE I.D.: FLP110
DEPT.: FIRE

**BUSINESS
PLAN:** N/A

REASON FOR CONSIDERATION: The City Council is requested to consider setting a public hearing to consider Resolution No. 09-2799 repealing Resolution No. 05-2584 and revising the schedule of fines for administrative citations.

BACKGROUND: On August 3, 1998, the City Council adopted Ordinance No. 98-779 adding Chapter 1.04 of Title 1 of the Montclair Municipal Code establishing a process for imposing administrative fines for violations of the Montclair Municipal Code by means of an administrative citation. This process was created as a means to encourage property owners' compliance; deter future violations; and protect the health, safety, and welfare of the City's residents, businesses, and general public. Proposed Resolution No. 09-2799 would repeal Resolution No. 05-2584 and revise the schedule of fines for administrative citations.

Unless otherwise specified in Exhibit A to proposed Resolution No. 09-2799, the administrative fine for violations of the Montclair Municipal Code (and other technical codes adopted therein) enforced pursuant to the provisions of Chapter 1.04 of Title 1 of the Montclair Municipal Code shall be as follows:

- \$100 for the first offense
- \$200 for the second offense of the same provision within a 36-month period of time
- \$500 for the third or greater offense of the same provision within a 36-month period of time

FISCAL IMPACT: The cost to publish a Notice of Public Hearing related to Resolution No. 09-2799 should not exceed \$300. Potential revenues from the implementation of proposed Resolution No. 09-2799 are unknown.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, June 15, 2009, at 7:00 p.m. in the Council Chambers to consider adoption of Resolution No. 09-2799 repealing Resolution No. 05-2584 and revising the schedule of fines for administrative citations.

Prepared by: _____

Reviewed and
Approved by: _____

Proofed by: _____

Presented by: _____

RESOLUTION NO. 09-2799

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MONTCLAIR REPEALING RESOLUTION
NO. 05-2584 AND REVISING THE SCHEDULE
OF FINES FOR ADMINISTRATIVE CITATIONS**

WHEREAS, on August 3, 1998, the City Council of the City of Montclair adopted Ordinance No. 98-779 (enacted as Chapter 1.04 of the Montclair Municipal Code) that establishes a process for imposing administrative/civil fines for violations of the Montclair Municipal Code (and other technical codes adopted therein) by means of an administrative citation; and

WHEREAS, Montclair Municipal Code Section 1.04.030(A) provides that the amount of the administrative fine for violations of the Montclair Municipal Code shall be set forth in a schedule of fines established by resolution of the City Council; and

WHEREAS, Montclair Municipal Code Section 1.04.030(B) requires that the schedule of fines provides for increased fines for repeat violations of the same code provision within a 36-month period of time by the same responsible person; and

WHEREAS, Montclair Municipal Code Section 1.04.030(C) requires that the schedule of fines shall specify the amount of late payment charges that will be assessed and imposed as a result of a failure by a citee to tender the requisite administrative fine within 30 calendar days of the citation; and

WHEREAS, the City of Montclair has determined that the presence of vacant, abandoned properties has detrimental effects upon the health, safety, and welfare of the City's residents, businesses, visitors, and the general public; and

WHEREAS, many vacant, abandoned properties (and structures thereon) are the responsibility of out-of-area or out-of-state lenders and trustees who, in many instances, fail to adequately maintain and secure these vacant properties; and

WHEREAS, on January 5, 2009, the City Council of the City of Montclair adopted Ordinance No. 08-906 (enacted as Chapter 10.46) regulating the registration and maintenance standards for abandoned and vacant distressed properties within the City; and

WHEREAS, the State of California has adopted and enacted Section 2929.3 of the California Civil Code authorizing governmental agencies to impose a civil fine of up to \$1,000 per day upon any owner of vacant residential property acquired through foreclosure proceedings who fails to maintain said property; and

WHEREAS, it is the intention of the City Council of the City of Montclair to develop a revised schedule of fines in order to protect the health, safety, and welfare of its residents, businesses, and general public.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby find and determine as follows:

Section 1. The Schedule of Administrative Fines as set forth in Exhibit A is hereby adopted and shall be applied effective June 15, 2009.

Section 2. A late payment charge of 100 percent shall be assessed on any fine that is not fully paid to the City within 30 calendar days of its imposition/issuance when it is not contested in accordance with the provisions of Section 1.04.050 of Chapter 1.04 of Title 1 of the Montclair Municipal Code, or if it is not fully paid to the City as specified in any decision of a hearing officer or a judicial officer to uphold or confirm the fine if contested in accordance with the provisions of Sections 1.04.050 and 1.04.130 of Chapter 1.04 of Title 1 of the Montclair Municipal Code.

APPROVED AND ADOPTED this XX day of XX, 2009.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 09-2799 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2009, and that it was adopted by the following vote, to-wit:

AYES: XX
NOES: XX
ABSTAIN: XX
ABSENT: XX

Donna M. Jackson
City Clerk

EXHIBIT A

SCHEDULE OF ADMINISTRATIVE FINES FOR VIOLATIONS OF THE MONTCLAIR MUNICIPAL CODE (AND OTHER CODES ADOPTED THEREIN)

Unless otherwise specified in the following schedule, the administrative fine for violations of the Montclair Municipal Code (and other codes adopted therein) enforced pursuant to the provisions of Chapter 1.04 of Title 1 of the Montclair Municipal Code shall remain as follows:

- \$100 for the first offense
- \$200 for the second offense of the same provision within a 36-month period of time
- \$500 for the third or greater offense of the same provision within a 36-month period of time

<i>Code Section</i>	<i>Description of Violation</i>	<i>First Offense</i>	<i>Second Offense</i>	<i>Third Offense</i>
Title 4 (Business Taxes, Licenses, and Regulations)				
Chapter 4.04 (Business Licenses Generally)				
MMC §4.04.020	Business license and fee	\$250	\$500	\$1,000
Chapter 4.08 (Distribution of Advertising Matter)				
MMC §4.08.020	Permit required	\$250	\$500	\$1,000
MMC §4.08.040	Business license required	\$250	\$500	\$1,000
Chapter 4.12 (Alarm Systems)				
MMC §4.12.040	Permit required	\$250	\$500	\$1,000
MMC §4.12.080	Separate permit required	\$250	\$500	\$1,000
MMC §4.12.100	Alarm system regulations	\$250	\$500	\$1,000
Chapter 4.16 (Ambulances)				
MMC §4.16.010	Permit required	\$1,000	\$2,500	\$5,000
MMC §4.16.130	Ambulance safety and emergency equipment	\$1,000	\$2,500	\$5,000
MMC §4.16.140	Ambulance personnel	\$1,000	\$2,500	\$5,000
MMC §4.16.150	Ambulance rates	\$1,000	\$2,500	\$5,000

Chapter 4.20 (Bingo Games)				
All Violations	Requirements and standards for Bingo games	\$1,000	\$2,500	\$5,000
Chapter 4.24 (Card Rooms)				
MMC §4.24.010	Gaming club prohibited	\$1,000	\$2,500	\$5,000
Chapter 4.28 (Closing-Out Sales)				
MMC §4.28.020	Permit required	\$1,000	\$2,500	\$5,000
MMC §4.28.050	Conduct of sale	\$1,000	\$2,500	\$5,000
MMC §4.28.060	Removal of signs and cleaning of premises	\$1,000	\$2,500	\$5,000
Chapter 4.40 (Dances)				
MMC §4.40.010	License required	\$1,000	\$2,500	\$5,000
MMC §4.40.090	Hours of dancing	\$1,000	\$2,500	\$5,000
MMC §4.40.110	Intoxicating liquor	\$1,000	\$2,500	\$5,000
Chapter 4.44 (Fortune Telling)				
MMC §4.44.020	Fraudulent practice unlawful	\$1,000	\$2,500	\$5,000
MMC §4.44.030	License, permit, and fees required	\$1,000	\$2,500	\$5,000
Chapter 4.48 (Hypnotism)				
MMC §4.48.020	License, permit, and fees required	\$1,000	\$2,500	\$5,000
Chapter 4.52 (Live Entertainment)				
MMC §4.52.020	Live entertainment permit required	\$1,000	\$2,500	\$5,000
MMC §4.52.030	Hours of live entertainment	\$1,000	\$2,500	\$5,000
MMC §4.52.100	Business license required - Adult business performer	\$1,000	\$2,500	\$5,000
MMC §4.52.130	Display of license/ID card by adult performer	\$1,000	\$2,500	\$5,000
MMC §4.52.140	Register of adult performers required	\$1,000	\$2,500	\$5,000
Chapter 4.53 (Adult Businesses)				
MMC §4.53.030	Business license required - Adult business	\$1,000	\$2,500	\$5,000

MMC §4.53.060	Adult business operating standards	\$1,000	\$2,500	\$5,000
MMC §4.53.090	Employment of and/or service to minors at adult business	\$1,000	\$2,500	\$5,000
Chapter 4.56 (Massage Establishments and Technicians)				
MMC §4.56.010	Permit required - Massage establishment and/or services	\$1,000	\$2,500	\$5,000
MMC §4.56.050	Massage facility requirements	\$1,000	\$2,500	\$5,000
MMC §4.56.070	Display of permit/photograph of massage technicians	\$1,000	\$2,500	\$5,000
MMC §4.56.090	Employee permit required - Employer liability	\$1,000	\$2,500	\$5,000
MMC §4.56.110	Records of patrons and technicians - Massage establishment	\$1,000	\$2,500	\$5,000
Chapter 4.64 (Private Patrol Services)				
MMC §4.64.010	Business license required	\$1,000	\$2,500	\$5,000
MMC §4.64.020	Uniforms	\$1,000	\$2,500	\$5,000
Chapter 4.68 (Taxicabs)				
MMC §4.68.010	Business license required - Taxicab operator	\$250	\$500	\$1,000
Title 5 (Animals)				
MMC §5.08.050	Harboring or keeping vicious dog	\$1,000	\$2,500	\$5,000
Title 6 (Health & Safety)				
Chapter 6.14 (Fireworks)				
MMC §6.14.020	Prohibition of fireworks	\$1,000*	\$2,500*	\$5,000*

*In addition to the fine referenced in this schedule, a citee shall be assessed, and shall be liable and responsible for the payment of, the actual costs associated with the collection, transportation, and disposal of any seized fireworks, in accordance with regulations duly adopted by the State Fire Marshal.

Chapter 6.28 (Environmental Health Code)				
All Violations	Uniform Environmental Health Code	\$1,000	\$2,500	\$5,000

Title 7 (Public Peace, Morals, and Welfare)				
Chapter 7.04 (Graffiti)				
MMC §7.04.060	Furnishing graffiti implements to minors	\$1,000	\$2,500	\$5,000
MMC §7.04.070	Sale of graffiti implements at swap meet/yard sale	\$250	\$500	\$1,000
MMC §7.04.080	Accessibility to graffiti implements	\$250	\$500	\$1,000
MMC §7.04.090	Maintenance of graffiti prohibited	\$250	\$500	\$1,000
Title 8 (Vehicles and Traffic)				
Chapter 8.16 (Designated Streets)				
MMC §8.16.020	Truck routes	Equal to penalty set forth in CVC §42030	Twice the penalty set forth in CVC §42030	Three times the penalty set forth in CVC §42030
Title 9 (Public Services and Public Places)				
Chapter 9.08 (Public Improvements)				
MMC §9.08.010	Public improvement permit required	\$1,000	\$2,500	\$5,000
Chapter 9.12 (Public Parks)				
MMC §9.12.040	Vandalism in parks	\$1,000	\$2,500	\$5,000
Chapter 9.20 (Sewer Systems)				
All Violations	Standards and requirements for construction, use, and maintenance of sewer systems	\$1,000	\$2,500	\$5,000
Chapter 9.24 (Storm Drain System)				
All Violations	Storm drain systems and illicit discharges	\$1,000	\$2,500	\$5,000
Title 10 (Buildings & Construction)				
Chapter 10.04 (Uniform Codes for the Abatement of Dangerous Buildings)				
All Violations	Dangerous buildings	\$500	\$2,500	\$5,000
Chapter 10.08 (Building Code)				
All Violations	Minimum building standards	\$500	\$2,500	\$5,000

Chapter 10.20 (Electrical Code)				
All Violations	Minimum electrical standards	\$500	\$2,500	\$5,000
Chapter 10.28 (Fire Code)				
All Violations	Fire and hazardous material protections	\$500	\$2,500	\$5,000
Chapter 10.32 (Housing Code)				
All Violations	Substandard buildings	\$250	\$500	\$1,000
Chapter 10.40 (Plumbing Code)				
All Violations	Substandard buildings	\$500	\$2,500	\$5,000
Chapter 10.46 (Abandoned and Vacant Property Registration and Maintenance)				
All Violations	Registration and maintenance requirements for distressed, abandoned, and vacant properties	\$1,000	\$2,500	\$5,000
Chapter 10.48 (Swimming Pools)				
All Violations	Minimum swimming pool standards	\$500	\$2,500	\$5,000
Chapter 10.52 (Temporary Structures)				
All Violations	Minimum standards for temporary structures	\$500	\$2,500	\$5,000
Title 11 (Zoning and Development)				
Chapter 11.18 (R-1 - Single-Family Residential)				
MMC §11.18.020	Prohibited uses	\$250	\$500	\$1,000
Chapter 11.20 (R-2 - Two-Family Residential)				
MMC §11.20.020	Uses permitted	\$250	\$500	\$1,000
Chapter 11.22 (R-3 - Residential Medium-High Density)				
MMC §11.22.020	Uses permitted	\$250	\$500	\$1,000
MMC §11.22.030	Conditional uses permitted	\$250	\$500	\$1,000
MMC §11.22.040	Prohibited uses	\$250	\$500	\$1,000
Chapter 11.24 (AP - Administrative Professional)				
All Violations	Use and development standards for AP zone	\$250	\$500	\$1,000

Chapter 11.26 (C-2 - Restricted Commercial)				
All Violations	Use and development standards for C-2 zone	\$250	\$500	\$1,000
Chapter 11.28 (C-3 - General Commercial)				
All Violations	Use and development standards for C-3 zone	\$250	\$500	\$1,000
Chapter 11.30 (MIP - Manufacturing Industrial Park)				
All Violations	Use and development standards for MIP zone	\$250	\$500	\$1,000
Chapter 11.32 (M-1 - Limited Manufacturing)				
All Violations	Use and development standards for M-1 zone	\$250	\$500	\$1,000
Chapter 11.34 (M-2 - General Manufacturing)				
All Violations	Use and development standards for M-2 zone	\$250	\$500	\$1,000
Chapter 11.36 (SL - Small-Lot, Detached-Housing Overlay)				
All Violations	Use and development standards for SL zone	\$250	\$500	\$1,000
Chapter 11.40 (Adult-Oriented Business)				
All Violations	Zoning criteria for adult-oriented businesses	\$1,000	\$2,500	\$5,000
Chapter 11.42 (Alcoholic Beverages - Regulations of Sale)				
All Violations	Zoning criteria for on-sale and off-sale liquor establishments	\$1,000	\$2,500	\$5,000
Chapter 11.44 (Amusement Game Arcades)				
All Violations	Zoning criteria for amusement game arcades	\$1,000	\$2,500	\$5,000
Chapter 11.48 (Children's Day-Care Facilities)				
All Violations	Zoning criteria for children's day-care facilities	\$1,000	\$2,500	\$5,000
Chapter 11.50 (Drive-In Businesses)				
All Violations	Zoning criteria for drive-in businesses	\$1,000	\$2,500	\$5,000
Chapter 11.52 (Foster Homes)				
All Violations	Zoning criteria for foster homes	\$1,000	\$2,500	\$5,000

Chapter 11.54 (Hazardous Waste Facilities)				
All Violations	Zoning criteria for hazardous waste facilities	\$1,000	\$2,500	\$5,000
Chapter 11.68 (Seasonal and Promotional Outdoor Sales)				
All Violations	Zoning criteria for seasonal and promotional outdoor sales	\$250	\$500	\$1,000
Chapter 11.70 (Service Stations)				
All Violations	Zoning criteria for service stations	\$1,000	\$2,500	\$5,000
Chapter 11.72 (Signs)				
All Violations	Zoning criteria for signs	\$250	\$500	\$1,000
Chapter 11.80 (Precise Plan of Design)				
MMC §11.80.010	Precise plan of design required	\$500	\$1,000	\$2,500
MMC §11.80.090	Violation of precise plan of design	\$500	\$1,000	\$2,500
California Civil Code				
CCC §2929.3	Maintenance of vacant residential property	\$1,000	\$1,000	\$1,000

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO CONSIDER ORDINANCE NO. 09-909 AMENDING CHAPTERS 6.02 AND 6.12 OF THE MONTCLAIR MUNICIPAL CODE REGULATING LOUD AND UNREASONABLE NOISES AND DISTURBANCES	DATE: June 1, 2009
	SECTION: ADMIN. REPORTS
	ITEM NO.: 2
BUSINESS PLAN: N/A	FILE I.D.: ENV315
	DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to consider setting a public hearing to consider Ordinance No. 09-909 amending Chapters 6.02 and 6.12 of the Montclair Municipal Code regulating loud and unreasonable noises and disturbances.

BACKGROUND: In 1992, the City updated its Noise Ordinance with a listing of prohibited noises that were more reflective of the technological and urbanization changes that occurred in Montclair over the previous 30 years.

In 2008, the Code Enforcement Committee directed staff to examine the current Noise Ordinance and recommended changes to conform to other municipal code noise ordinances.

One of the problems with the existing Montclair Noise Ordinance is the inability to recover financial resources incurred by responding to noise disturbances. Police and Fire Department personnel are frequently required to expend valuable City resources above and beyond those normally provided by responding a second time to loud or unusual noise disturbances after warning the responsible person of the unlawful behavior or conduct and after requesting the person to cause the termination of the disturbance.

Excessive, loud, and unreasonable noise is a serious hazard to public health and welfare and the quality of life. Residents have a right to and should be ensured an environment that is free from noise or disturbances which may jeopardize their health and welfare or degrade their quality of life. Proposed Ordinance No. 09-909 would allow the City to recover from those persons responsible for the noise disturbance the costs incurred by the City for the Police and/or Fire Department services as a result of a second response.

FISCAL IMPACT: The cost to publish a Notice of Public Hearing in the Inland Valley Daily Bulletin related to Ordinance No. 09-909 should not exceed \$300.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, June 15, 2009, at 7:00 p.m. in the Council Chambers to consider adoption of Ordinance No. 09-909 amending Chapters 6.02 and 6.12 of the Montclair Municipal Code regulating loud and unreasonable noises and disturbances.

Prepared by: <u><i>K.E. Jones</i></u>	Reviewed and Approved by:	Prepared by: <u><i>K.E. Jones</i></u>
Proofed by: <u><i>[Signature]</i></u>	Presented by:	<u><i>[Signature]</i></u>

ORDINANCE NO. 09-909

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF MONTCLAIR AMENDING CHAPTERS 6.02
AND 6.12 OF THE MONTCLAIR MUNICIPAL CODE
REGULATING LOUD AND UNREASONABLE NOISES
AND DISTURBANCES**

**THE CITY COUNCIL OF THE CITY OF MONTCLAIR DOES ORDAIN AS
FOLLOWS:**

WHEREAS, Section VII of Article XI of the California Constitution provides that a city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and,

WHEREAS, California Government Code Section 38771 provides that legislative bodies of cities may declare what constitutes a nuisance; and,

WHEREAS, the City Council of the City of Montclair finds that the City police and fire departments spend a significant amount of their time and resources responding to complaints of loud and unusual noise that disturbs the public peace, safety, and welfare; and,

WHEREAS, the City Council of the City of Montclair finds that Police and Fire Department personnel are frequently required to expend resources above and beyond those normally provided by responding a second time to loud or unusual noise disturbances after warning a responsible person of the unlawful behavior or conduct and after requesting that said person cause the termination of the disturbance because the responsible person(s) fail(s) to take adequate action to terminate the unlawful disturbance; and,

WHEREAS, the City Council of the City of Montclair finds that it would be appropriate to recover from those persons responsible for the noise disturbance the costs incurred by the City for the police and/or fire department services as a result of a second response to such an event in those situations in which such person or persons were duly warned that a second response fee would be assessed against them at the time of the initial response to the event.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTCLAIR,
CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

SECTION I. Section 6.02.010 ("Definitions") of the Montclair Municipal Code is hereby amended to include the following:

Noise level shall mean the A-weighted sound pressure level as measured using the slow dynamic characteristic for sound level meters specified in ANSI/ASA S1.43-1997 (R2007), American National Standard Specifications for Integrating-Averaging Sound Level Meters, or latest revision.

SECTION II. Section 6.12.010 ("Excessive Noise Control") of the Montclair Municipal Code is hereby amended to read as follows:

Sec. 6.12.010 Excessive Noise Prohibited.

A. Notwithstanding any noise level specified within this Chapter, it is unlawful and a public nuisance for any person to cause, create, permit, maintain, or suffer any loud or unusual noise that unreasonably disturbs or interferes with the peace, comfort, quiet, health, or safety of any neighborhood or of any reasonable person of normal sensitivities.

B. The following factors shall be considered in determining whether a violation of the provisions of this Section exists shall include, but shall not be limited to, the following:

1. The volume of the noise.
2. The intensity of the noise.
3. The distance from the source of the noise from which the noise is plainly audible.
4. The time of day or night the noise occurs.
5. The duration of the noise.
6. Whether the noise is recurrent, intermittent, or constant.
7. The volume and intensity of the background/ambient noise.
8. The zoning classification of the property from which the noise emanates.
9. Whether the noise is produced or generated from commercial or non-commercial activity.
10. Whether the noise is an expected consequence or expected result from an otherwise lawful use of the property from which the noise emanates.
11. The number of persons affected by the noise.

C. A noise level reading measured pursuant to and in accordance with the provisions of this Chapter shall be deemed prima facie evidence of a violation of the provisions of this Section; however, a noise level reading is not required to demonstrate that a noise violates the provisions of this Chapter.

SECTION III. Subsection (B) of Section 6.12.020 ("Noise Level Measurement Criteria") of the Montclair Municipal Code is hereby repealed.

SECTION IV. Section 6.12.030 ("Exterior Noise Level Measurement") of the Montclair Municipal Code is hereby amended to read as follows:

Sec. 6.12.030 Exterior Noise Level Measurement.

Exterior noise levels made pursuant to the provisions of this Chapter shall be measured from the source of the noise or from the property line at a relative point closest to the source of the noise if lawful entry onto the property cannot be obtained.

SECTION V. Section 6.12.100 ("Noises Prohibited") of the Montclair Municipal Code is hereby amended to read as follows:

Sec. 6.12.100 Specific Noises Prohibited.

Notwithstanding any provision of this Chapter, the following specified acts are declared to be unlawful and a nuisance in violation of this Chapter:

C. Portable or Mobile Radios, Audio Equipment, or other Similar Devices. The operation of portable or mobile radios, audio equipment, or other similar devices designed or used for the amplification or reproduction of sound on any public or private property where the noise from such device is plainly audible at a distance of fifty (50) feet from the source of said noise.

G. Exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat, or motor vehicle, except through a muffler device that effectively prevents loud or explosive noises therefrom.

H. Motor Vehicle Radios or Similar Sound Amplification Devices. In accordance with Montclair Vehicle Code Section 27007, the use or operation of any radio or sound amplification device in a vehicle which can be heard outside of the vehicle from fifty (50) or more feet when the vehicle is parked or being operated upon a highway, unless that system is being operated to request assistance or warn of a hazardous situation.

I. Motor Vehicle Alarms. The emission of an audible sound from an alarm located in a motor vehicle for a period in excess of ten (10) minutes. Notwithstanding the provisions of Montclair Vehicle Code Section 22651.5, the sound shall be calculated based upon the emission of the first audible sound, and end ten (10) minutes thereafter, notwithstanding any variation or delay in the emissions of audible sound.

In addition to other remedies, if a motor vehicle alarm emits an audible sound in excess of twenty (20) minutes, any police officer may have the vehicle summarily removed from any zone within the City to abate such nuisance in accordance with the provisions of Montclair Vehicle Code Section 22651.5 *et seq.*

j. Animals and Fowl. Any sound, bark, cry, or behavior from any fowl or animal (including, but not limited to, a dog) otherwise permitted to be kept within the City that disturbs or interferes with the peace, comfort, quiet, health, or safety of any neighborhood or of any reasonable person of normal sensitivities.

SECTION VI. Section 6.12.110 of the Montclair Municipal Code is hereby added to read as follows:

Sec. 6.12.110 Second Response Costs for Police Services.

A. Any person who causes, creates, permits, maintains, or suffers any loud or unusual noise on private property that unreasonably disturbs or interferes with the peace, comfort, quiet, health, or safety of any neighborhood or of any reasonable person of normal sensitivities, and that results in a response from the police and/or fire department within 24 hours after the issuance of a written warning to cease the disturbance shall be responsible for all costs incurred in response to the second or subsequent response ("Second Response Costs"), including, but not limited to, the following:

1. Salaries of the police officers and/or fire department personnel, at the salary then in effect for each classification of each individual officer, for a one-hour period of time or the actual amount of time spent responding to or remaining at the property where the disturbance was created, beginning when one or more police officer or fire department personnel leaves a location to go to the scene of the event and ending when all responding personnel are available for other duties, or, if their shifts are ended, when they are finished with those duties related to the event which they are required to complete before going off duty, whichever is greater. Such actual costs shall include wages and fringe benefits for the responding personnel and the sergeant or other superior directing them, including overtime if applicable.

2. Vehicle and equipment usage at such rates as established by resolution of the City Council.

3. Replacement cost of any material expended, including the cost of the recording medium if audio or video recording equipment is used.

4. The cost of any medical treatment to any police or fire department personnel.

5. The cost of repairing any damaged City equipment or property.

B. Second Response Costs shall not be assessed against a responsible person unless a written warning has first been issued advising said person that the loud or unusual noise violates applicable State or local laws and that the person would be responsible for any costs resulting from a second or subsequent response within 24 hours by police and/or fire department personnel.

C. A responsible person, as used in this Section, shall include, but shall not be limited to:

1. The person who is actually causing, creating, permitting, maintaining, or suffering any loud or unusual noise on private property in violation of this Chapter or other applicable law;

2. The person in charge of the premises from which a loud or unusual noise is being emanated in violation of the provisions of this Chapter or other applicable law;

3. The person responsible for any event that causes or generates a loud or unusual noise that violates the provisions of this Chapter or other applicable law; and/or,

4. The parents or guardians of any responsible person that is under the age of 18 years.

SECTION VII. Section 6.12.120 of the Montclair Municipal Code is hereby added to read as follows:

Sec. 6.12.120 Assessment and Payment of Second Response Costs.

A. Upon determining that a person is responsible for Second Response Costs pursuant to the provisions of this Chapter, the Chief of Police (or designee thereof) shall cause a Notice of Assessment on Second Response Costs to be served upon such person by depositing such Notice, first class, postage prepaid, with the United States Postal Service to the responsible person at the person's last known address. In addition to setting forth the amount of the Second Response Costs, such Notice shall also set forth the right of the responsible person to request administrative review by the City Manager (or designee thereof) in accordance with Section 1.08.010. A Notice of Assessment on Second Response Costs shall also warn the responsible person that failure to pay the Second Response Costs within thirty (30) calendar days may result in:

1. A delinquency penalty in the amount of ten percent (10%) of the Second Response Costs per month, up to an aggregate maximum of fifty percent (50%) of the Second Response Costs;

2. Interest at the rate of ten percent (10%) per annum of the Second Response Costs (exclusive of any delinquency penalties), from the date the costs first became delinquent until the date the costs are paid; and,

3. The recordation of a lien against the real property from which the disturbance emanated or the delay in issuance or renewal of any City license and/or permit in connection with the real property and/or business establishment from which the disturbance emanated.

B. Notwithstanding the provisions of Chapter 1.08, a Notice of Assessment on Second Response Costs is not appealable to the Planning

Commission or the City Council, and an Order to Comply issued by the City Manager or designee thereof is final and binding.

C. Second Response Costs shall be due and payable within thirty (30) calendar days of the issuance of the Notice of Assessment on Second Response Costs. All responsible persons shall be jointly and severally liable for all Second Response Costs. In the event of the failure of a responsible person assessed Second Response Costs to pay such fee within thirty (30) calendar days of the issuance of a Notice of Assessment on Second Response Costs, a delinquency penalty in the amount of ten percent (10%) of the Second Response Costs per month, up to an aggregate maximum of fifty percent (50%) of the Second Response Costs. In the event of the failure of a responsible person assessed Second Response Costs to pay such fee within thirty (30) calendar days of the issuance of a Notice of Assessment on Second Response Costs, interest shall accrue at the rate of ten percent (10%) per annum of the Second Response Costs (exclusive of any delinquency penalties), from the date the costs first became delinquent until the date the costs are paid.

D. Second Response Costs and other charges or fees imposed in accordance with this Chapter shall constitute a debt that may be collected in any manner allowed by law, including, but not limited to, the recordation of a lien (secured or unsecured) with the County Recorder's Office and/or California Franchise Tax Board "Inter-Agency Offset Program" (pursuant to Section 12419.10 of the California Government code). The City may also withhold issuance or renewal of any license, permit, or other entitlement for any property or business whenever an administrative penalty resulting from a code violation at said property or business remains unpaid. The City shall be entitled to recover its attorney fees and costs arising from an action to collect an administrative fine and other shares, fees, or costs imposed in accordance with this Chapter if it is the prevailing party and provided it made the election to seek attorney fees at the commencement of the action. A Citee shall be entitled to recover his or her attorney fees if the City made the election to seek attorney fees at the outset of the action and the Citee prevails thereon.

E. Second Response Costs shall also constitute restitution pursuant to Penal Code Sections 1202.4, 1203.1, and 1214, as well as pursuant to Welfare and Institutions Code Section 730.6.

SECTION VIII. Section 6.12.130 of the Montclair Municipal Code is hereby added to read as follows:

Sec. 6.12.130 Cumulative Penalties and Remedies.

A. Any person who causes, permits, or suffers a violation of any provision of this Chapter, is guilty of a misdemeanor violation punishable in accordance with Section 1.12.010 of this Code.

B. A violation of the provisions of this Chapter shall also be subject to an administrative fine or penalty in accordance with the provisions of Chapter 1.04 of this Code.

C. Nothing contained within this Chapter requires a police officer, fire department personnel, or other official authorized to enforce the provisions of this Chapter to issue a warning before issuing an administrative citation or criminal, misdemeanor citation, or before commencing any other action to seek the abatement of the noise disturbance.

D. This Chapter does not exclusively regulate loud, unusual, and/or unreasonable noises or disturbances within the City, and the remedies and penalties provided in this Chapter are in addition to other remedies and penalties authorized by this Code, or by the laws of the State of California or of the United States.

SECTION IX. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional.

SECTION X. Effective Date.

This Ordinance shall be in full force and effect thirty (30) days after passage.

SECTION XI. Posting.

The City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933.

APPROVED AND ADOPTED this XX day of XX, 2009.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 09-909 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2009, and finally passed not less than five (5) days thereafter on the XX day of XX, 2009, by the following vote, to-wit:

AYES: XX
NOES: XX
ABSTAIN: XX
ABSENT: XX

Donna M. Jackson
City Clerk

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF FILING OF A NOTICE OF COMPLETION FOR THE CITY OF MONTCLAIR POLICE DEPARTMENT FACILITY-MISCELLANEOUS CONSTRUCTION AND REPAIRS PROJECT	DATE: June 1, 2009 SECTION: ADMIN. REPORTS ITEM NO.: 3 FILE I.D.: PDT765
BUSINESS PLAN: STRATEGIC PRIORITY NOS. 4 AND 5	DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: State law requires Notices of Completion to be recorded with the County Recorder upon acceptance of a public works project. Notices of Completion require City Council approval.

Approval of this Notice of Completion would satisfy a portion of Strategic Priority Nos. 4 and 5 as contained in Montclair's "Business Plan."

BACKGROUND: On September 5, 2006, the City Council awarded 20 of 22 separate construction contracts necessary to construct the City's new Police Department facility. During the course of construction, several contractors were found to be behind schedule, or the quality of their work was unacceptable. On October 6, 2008, the City entered into Agreement No. 08-108 with Toby B. Hayward, Inc., for Miscellaneous Construction and Repairs. All work required by Agreement No. 08-108 has been completed in a satisfactory manner. There have been no Stop Notices submitted against this project, nor are any expected.

FISCAL IMPACT: The contract awarded to Toby B. Hayward, Inc., included a payment provision not to exceed \$85,000. By three construction change orders, the total compensation was raised to \$101,414.66. However, because the primary purpose of this contract was to correct deficiencies found in other contractors' work, most of the cost, approximately 90 percent according to the construction manager, was recovered through deductive change orders issued to the other contractors initially responsible for the work.

RECOMMENDATION: Staff recommends the City Council approve the filing of a Notice of Completion for the City of Montclair Police Department Facility-Miscellaneous Construction and Repairs Project.

Prepared by: <u><i>M. Staats</i></u>	Reviewed and Approved by:	<u><i>M. Staats</i></u>
Proofed by: <u><i>Diana Burke</i></u>	Presented by:	<u><i>Cheryl</i></u>

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Montclair, City Clerk's Office
5111 Benito Street/P. O. Box 2308
Montclair, CA 91763

APN NO. : 1007-711-07

(Space above this line for Recorder's Use)

NOTICE OF COMPLETION

NOTICE is hereby given that:

The undersigned is the owner of an interest of estate in the hereinafter described property, the nature of which said interest or estate is: fee

The full name and address of the undersigned is Michael C. Hudson, City Engineer
City of Montclair
5111 Benito Street
Montclair, CA 91763

The work was completed on that certain work known as Police Department Facility-Miscellaneous Construction and Repairs

for the undersigned City of Montclair, a Municipal Corporation, on the 18th day of May, 2009

The City accepted the job on the 1st day of June, 2009

The Contractor on said job was Toby B Hayward, Inc.
1951 S. Myrtle Ave.
Monrovia, CA 91016

The improvement consisted of Miscellaneous Construction and Repairs

The property upon which said work of improvement was completed is described as: 4870 Arrow Highway
Montclair, CA

VERIFICATION

I, the undersigned, say that I am agent for the owner of the aforesaid interest or estate in the property described in the above notice.

I have read the foregoing notice and know and understand the contents thereof, and the facts stated herein are true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____ at 5111 Benito Street, Montclair, California

City Engineer, City of Montclair

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF FILING OF A NOTICE OF COMPLETION FOR CITY OF MONTCLAIR POLICE DEPARTMENT FACILITY BID PACKAGE NO. 17-MISCELLANEOUS SPECIALTIES; REDUCTION OF FAITHFUL PERFORMANCE BOND TO 10 PERCENT; AND RETENTION OF PAYMENT BOND FOR SIX MONTHS	DATE: June 1, 2009 SECTION: ADMIN. REPORTS ITEM NO.: 4 FILE I.D.: PDT765 DEPT.: PUBLIC WORKS
CONSIDER RELEASE OF RETENTION 30 DAYS AFTER RECORDATION OF NOTICE OF COMPLETION	

BUSINESS PLAN: STRATEGIC PRIORITY NOS. 4 AND 5

REASON FOR CONSIDERATION: State law requires Notices of Completion to be recorded with the County Recorder upon acceptance of a public works project. Notices of Completion require City Council approval.

Approval of this Notice of Completion would satisfy a portion of Strategic Priority Nos. 4 and 5 as contained in Montclair's "Business Plan."

BACKGROUND: On September 5, 2006, the City Council awarded 20 of 22 separate construction contracts necessary to construct the City's new Police Department facility. Bid Package No. 17-Miscellaneous Specialties was awarded to Inland Building Companies Division. All work required under Bid Package No. 17 pursuant to Agreement No. 06-135 has been completed in a satisfactory manner. There have been no Stop Notices submitted against this project, nor are any expected.

FISCAL IMPACT: Bid Package No. 17-Miscellaneous Specialties was awarded to Inland Building Companies Division in the amount of \$1,530,000. A total of 23 construction change orders amounting to \$40,765 were issued, reducing the total cost of the contract to \$1,489,235.

RECOMMENDATION: Staff recommends the City Council take the following actions:

1. Approve the filing of a Notice of Completion for City of Montclair Police Department Facility-Bid Package No. 17-Miscellaneous Specialties.
2. Reduce Faithful Performance Bond to 10 percent.
3. Retain Payment Bond for six months.
4. Release retention 30 days after recordation of Notice of Completion.

Prepared by: <u><i>M. SCKD</i></u>	Reviewed and	Approved by: <u><i>M. STAAZ</i></u>
Proofed by: <u><i>Diana Berke</i></u>	Presented by:	<u><i>[Signature]</i></u>

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Montclair, City Clerk's Office
5111 Benito Street/P. O. Box 2308
Montclair, CA 91763

APN NO. : 1007-711-07

(Space above this line for Recorder's Use)

NOTICE OF COMPLETION

NOTICE is hereby given that:

The undersigned is the owner of an interest of estate in the hereinafter described property, the nature of which said interest or estate is: fee

The full name and address of the undersigned is Michael C. Hudson, City Engineer
City of Montclair
5111 Benito Street
Montclair, CA 91763

The work was completed on that certain work known as Police Department Facility-Bid Package No. 17

for the undersigned City of Montclair, a Municipal Corporation, on the 18th day of May, 2009

The City accepted the job on the 1st day of June, 2009

The Contractor on said job was Inland Acoustics, Inc.
323 S. Sierra Way
San Bernardino, CA 92408

The improvement consisted of Miscellaneous Specialties

The property upon which said work of improvement was completed is described as: 4870 Arrow Highway
Montclair, CA

VERIFICATION

I, the undersigned, say that I am agent for the owner of the aforesaid interest or estate in the property described in the above notice.

I have read the foregoing notice and know and understand the contents thereof, and the facts stated herein are true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____ at 5111 Benito Street, Montclair, California

City Engineer, City of Montclair

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF FILING OF A NOTICE OF COMPLETION FOR CITY OF MONTCLAIR POLICE DEPARTMENT FACILITY BID PACKAGE NO. 19-HYDRAULIC ELEVATOR; REDUCTION OF FAITHFUL PERFORMANCE BOND TO 10 PERCENT; AND RETENTION OF PAYMENT BOND FOR SIX MONTHS	DATE: June 1, 2009 SECTION: ADMIN. REPORTS ITEM NO.: 5 FILE I.D.: PDT765 DEPT.: PUBLIC WORKS
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CONSIDER RELEASE OF RETENTION 30 DAYS AFTER RECORDATION OF NOTICE OF COMPLETION

BUSINESS PLAN: STRATEGIC PRIORITY NOS. 4 AND 5

REASON FOR CONSIDERATION: State law requires Notices of Completion to be recorded with the County Recorder upon acceptance of a public works project. Notices of Completion require City Council approval.

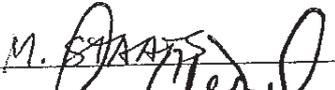
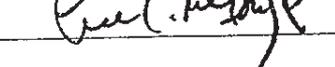
Approval of this Notice of Completion would satisfy a portion of Strategic Priority Nos. 4 and 5 as contained in Montclair's "Business Plan."

BACKGROUND: On September 5, 2006, the City Council awarded 20 of 22 separate construction contracts necessary to construct the City's new Police Department facility. Bid Package No. 19-Hydraulic Elevator was awarded to Mitsubishi Electric. All work required under Bid Package No. 19 pursuant to Agreement No. 06-137 has been completed in a satisfactory manner. There have been no Stop Notices submitted against this project, nor are any expected.

FISCAL IMPACT: Bid Package No. 19-Hydraulic Elevator was awarded to Mitsubishi Electric in the amount of \$106,000. There was one construction change order issued, but the change order had no effect on the total cost of the contract.

RECOMMENDATION: Staff recommends the City Council take the following actions:

1. Approve the filing of a Notice of Completion for City of Montclair Police Department Facility-Bid Package No. 19-Hydraulic Elevator.
2. Reduce Faithful Performance Bond to 10 percent.
3. Retain Payment Bond for six months.
4. Release retention 30 days after recordation of Notice of Completion.

Prepared by: <u></u>	Reviewed and	Approved by: <u></u>
Proofed by: <u></u>	Presented by:	<u></u>

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Montclair, City Clerk's Office
5111 Benito Street/P. O. Box 2308
Montclair, CA 91763

APN NO. : 1007-711-07

(Space above this line for Recorder's Use)

NOTICE OF COMPLETION

NOTICE is hereby given that:

The undersigned is the owner of an interest of estate in the hereinafter described property, the nature of which said interest or estate is: fee

The full name and address of the undersigned is Michael C. Hudson, City Engineer
City of Montclair
5111 Benito Street
Montclair, CA 91763

The work was completed on that certain work known as Police Department Facility-Bid Package No. 19

for the undersigned City of Montclair, a Municipal Corporation, on the 18th day of May, 2009

The City accepted the job on the 1st day of June, 2009

The Contractor on said job was Mitsubishi Electric & Electronics USA, Inc.
5065 Plaza Drive
Cypress, CA 90630

The improvement consisted of Hydraulic Elevator

The property upon which said work of improvement was completed is described as: 4870 Arrow Highway
Montclair, CA

VERIFICATION

I, the undersigned, say that I am agent for the owner of the aforesaid interest or estate in the property described in the above notice.

I have read the foregoing notice and know and understand the contents thereof, and the facts stated herein are true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____ at 5111 Benito Street, Montclair, California

City Engineer, City of Montclair

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION TO ADVERTISE FOR BID PROPOSALS FOR CONSTRUCTION OF THE ALMA HOFMAN SENIOR CENTER AND PARK IMPROVEMENTS PROJECT	DATE: June 1, 2009
	SECTION: ADMIN. REPORTS
	ITEM NO.: 6
	FILE I.D.: HSV151
BUSINESS PLAN: STRATEGIC PRIORITY NOS. 4 AND 5	DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: Advertising for bid proposals is subject to City Council approval.

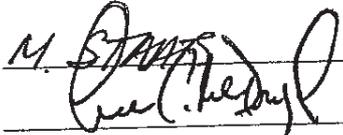
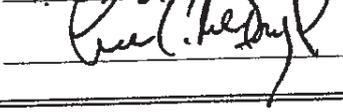
Construction of this project would satisfy a portion of Strategic Priority Nos. 4 and 5, as contained in Montclair's "Business Plan."

BACKGROUND: The Fiscal Years 2008-2012 Capital Improvement Program includes funding for construction of Alma Hofman Park improvements as well as a new Senior Citizen Center. Park improvements will include a new public restroom while the new Senior Center will consist of an 8,800-square-foot senior citizen facility and social gathering space.

The Alma Hofman Senior Center and Park Improvement Project is expected to be under construction by the end of July 2009 with an expected grand opening date of May 2010.

FISCAL IMPACT: The cost of advertising this project should not exceed \$3,500.

RECOMMENDATION: Staff recommends the City Council authorize staff to advertise for bid proposals for construction of the Alma Hofman Senior Center and Park Improvements Project.

Prepared by: <u></u>	Reviewed and	
	Approved by: <u></u>	
Proofed by: <u></u>	Presented by: <u></u>	

AGENDA REPORT

SUBJECT: CONSIDER "NO ACTION" ON ALCOHOLIC BEVERAGE PERMIT APPLICATION - BOMBAY BISTRO

DATE: June 1, 2009

SECTION: ADMIN. REPORTS

ITEM NO.: 7

BUSINESS PLAN: N/A

FILE I.D.: FLP025

DEPT.: ADMIN. SVCS.

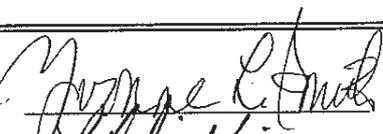
REASON FOR CONSIDERATION: Applications for Alcoholic Beverage Licenses are routinely presented to the City Council for review.

BACKGROUND: Amarjit Kaur, Satwant Kaur, and Jagir Singh have applied for an "On-Sale General" license for Bombay Bistros, 8851 Central Avenue, Suites E and F, Montclair, California.

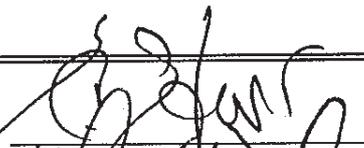
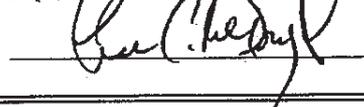
FISCAL IMPACT: No fiscal impact

RECOMMENDATION: Staff recommends the City Council take "No action" on the California Department of Alcoholic Beverage Control Application for Alcoholic Beverage License(s) for Bombay Bistro, 8851 Central Avenue, Suites E and F, Montclair, California.

Prepared by:




Reviewed and Approved by:

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER "NO ACTION" ON ALCOHOLIC BEVERAGE PERMIT APPLICATION - EL GRAN CHAPARAL MARKET

DATE: June 1, 2009
SECTION: ADMIN. REPORTS
ITEM NO.: 8
FILE I.D.: FLP025
DEPT.: ADMIN. SVCS.

BUSINESS PLAN: N/A

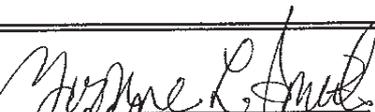
REASON FOR CONSIDERATION: Applications for Alcoholic Beverage Licenses are routinely presented to the City Council for review.

BACKGROUND: Gurchran Singh has applied for an "Off-Sale Beer and Wine" license for El Gran Chaparal Market, 9686 Central Avenue, Montclair, California.

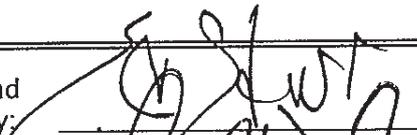
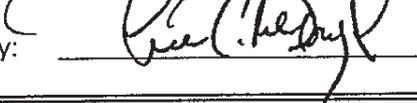
FISCAL IMPACT: No fiscal impact

RECOMMENDATION: Staff recommends the City Council take "No action" on the California Department of Alcoholic Beverage Control Application for Alcoholic Beverage License(s) for El Gran Chaparal Market, 9686 Central Avenue, Montclair, California.

Prepared by:




Reviewed and Approved by:

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER
AND PAYROLL DOCUMENTATION

DATE: June 1, 2009

SECTION: ADMIN. REPORT

ITEM NO.: 9

FILE I.D.: FIN540

BUSINESS

PLAN: N/A

DEPT.: ADMIN. SVCS.

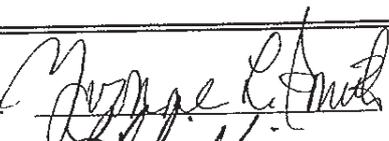
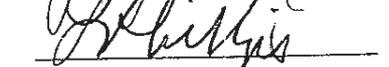
REASON FOR CONSIDERATION: The City Council is requested to consider approval of the Warrant Register and Payroll Documentation.

BACKGROUND: Mayor Pro Tem Dutrey has examined the Warrant Register dated June 1, 2009, and Payroll Documentation dated March 29, 2009, finds them to be in order, and recommends their approval.

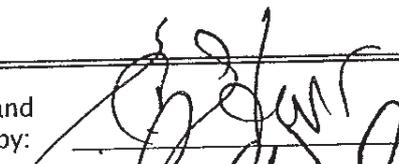
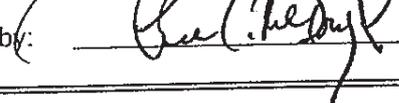
FISCAL IMPACT: The Warrant Register dated June 1, 2009, totals \$1,655,264.80. The Payroll Documentation dated March 29, 2009, totals \$613,218.35, with \$483,594.66 being the total cash disbursement.

RECOMMENDATION: Staff recommends the above referenced Warrant Register and Payroll Documentation be approved as presented.

Prepared by:

Reviewed and
Approved by:

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT
NO. 09-38 WITH CHAFFEY JOINT UNION
HIGH SCHOOL DISTRICT FOR LAW
ENFORCEMENT SERVICES DURING FISCAL
YEAR 2009-10

DATE: June 1, 2009

SECTION: AGREEMENTS

ITEM NO.: 1

FILE I.D.: SCH125/350

**BUSINESS
PLAN:** N/A

DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 09-38 with Chaffey Joint Union High School District to continue the Safe School Zone Officer assignment at Montclair High School.

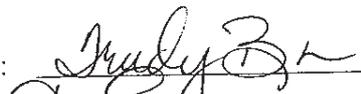
BACKGROUND: Since 1995, the Montclair Police Department has provided the community with the services of a Safe School Zone Officer at Montclair High School.

Pursuant to the terms of proposed Agreement No. 09-38, the Chaffey Joint Union High School District would pay \$64,000 toward the cost of a Safe School Zone Officer. The Police Department would be obligated to provide an on-campus presence for eight hours each school day. Our experience has shown that an Officer's presence has a positive impact at the high school with little change to the allocation of patrol resources.

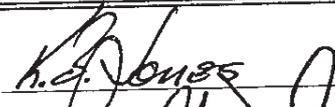
FISCAL IMPACT: The Chaffey Joint Union High School District would pay \$64,000 toward the salary of the Safe School Zone Officer during Fiscal Year 2009-10 should this item be approved.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 09-38 with Chaffey Joint Union High School District for law enforcement services during Fiscal Year 2009-10.

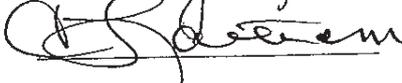
Prepared by:



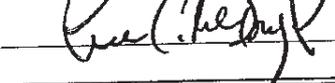
Reviewed and
Approved by:



Proofed by:



Presented by:



**AGREEMENT
FOR SPECIALIZED LAW ENFORCEMENT SERVICES**

This Agreement is made and entered into this 1st day of July, 2009, by and between the City of Montclair (hereinafter referred to as CITY) and the Chaffey Joint Union High School District (hereinafter referred to as DISTRICT), both of whom understand as follows:

WITNESSETH

WHEREAS, the following services are to be performed subject to the conditions hereinafter set forth:

NOW, THEREFORE in consideration of these services and mutual conditions hereinafter provided, the parties hereto agree as follows:

- A. Beginning with the school year through the end of the school year, the CITY will perform specialized law enforcement services for the DISTRICT at and about the campus of Montclair High School. It is understood that these services are to be provided, to the extent possible, on regularly scheduled school days between 7:00 a.m. and 4:00 p.m., and during mutually agreed upon "in-service" or familiarization periods.
 - 1. It is acknowledged that the provision of services may be interrupted by the normal working conditions experienced by law enforcement agencies, which include, but are not limited to: employee illness, court appearances, training requirements, prisoner transportation, emergency circumstances taxing on other departmental resources, etc. Should the interruption of services, for any reason, extend beyond four successive days, the CITY shall meet its obligation through the assignment of an alternate sworn employee.

- B. This Agreement will allow the CITY, through its Police Department, to provide the following specialized law enforcement services to the DISTRICT:
 - 1. Sworn Community Oriented Officers, known as Safe School Zone Officers, shall, through random patrol and their on-campus presence, strive to maintain a crime-free zone on and around each school campus.
 - 2. Through these Safe School Zone Officers, provide a consistent and timely response to calls for assistance from the high school or concerning students from the high school.
 - 3. Through these Safe School Zone Officers, provide a consistent liaison for the high school administration on law enforcement matters.

4. Through these Safe School Zone Officers, provide resources and materials necessary for classroom presentations on law enforcement matters.
 5. Through one Safe School Zone Officer, maintain a physical presence on campus during the hours of approximately 7:00 a.m. and 4:00 p.m. on each school day. While on campus, the role of the officer is to:
 - a. Act as a positive role model for students.
 - b. Facilitate a positive and interactive student/law enforcement relationship.
 - c. Maintain a proactive stance toward crime prevention and order maintenance.
 - d. Act as first responder to criminal conduct or order maintenance issues occurring on or about the high school campus.
 - e. Within the confines of the law, act as information resource for school administrators on matters of mutual concern.
- C. In addition to the above, beginning with the summer session of 2009, the Safe School Zone Officers will provide similar services to the high school, adjusting the hours to the school schedule.
1. One Safe School Zone Officer will maintain a physical presence on campus each day during the regularly scheduled school hours.
- D. In consideration for providing these services, the DISTRICT will pay to the CITY a total of \$64,000 invoiced in two equal \$32,000 amounts; the first during November 2009, and the second due in May 2009.
- E. It is understood by both parties that the Safe School Zone Officers or other CITY officers providing this service shall remain CITY's employee at all times. As such, the CITY shall be responsible for all employment costs, supervision, control, and assignment of said officers.
- F. This Agreement is not assignable, either in whole or in part, by DISTRICT without the prior written consent of the CITY. The laws of the State of California shall govern the rights, obligation, duties, and liabilities of the parties to this Agreement and shall also govern the interpretation of the Agreement, if in dispute.

TERMINATION OR MODIFICATION OF AGREEMENT

This Agreement shall end on May 26, 2009, unless extended by both the CITY and DISTRICT. The CITY or DISTRICT may terminate all or any portion of this Agreement at any time upon providing a thirty (30) day written notice delivered to the addresses below. In the event the Agreement is terminated by either party prior to May 26, 2009, DISTRICT shall pro-rate its final payment for services rendered at \$5,500 per month.

CITY: City of Montclair
5111 Benito Street
Montclair, California 91763

DISTRICT: Chaffey Joint Union High School District
211 West Fifth Street
Ontario, California 91762

INDEMNIFICATION

DISTRICT shall defend, indemnify and hold harmless the CITY, its elective and appointive boards, officers, agents, and employees from all liability from loss, damage, or injury to persons or property, in any manner arising out of any negligent or intentional or willful acts or omissions of DISTRICT under this Agreement.

CITY shall defend, indemnify and hold harmless the DISTRICT, its elective and appointive boards, officers, agents, and employees from all liability from loss, damage, or injury to persons or property, in any manner arising out of any negligent or intentional or willful acts or omissions of CITY under this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date hereinabove written.

CITY OF MONTCLAIR

Paul M. Eaton,
Mayor

ATTEST:

Donna Jackson,
City Clerk, City of Montclair

CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT

Judy Post,
Assistant Superintendent

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT
NO. 09-39 AMENDING AGREEMENT
NO. 08-37 WITH THE SAN BERNARDINO
COUNTY DEPARTMENT OF AGING AND
ADULT SERVICES TO CONTINUE THE
SENIOR CITIZEN NUTRITION PROGRAM

DATE: June 1, 2009
SECTION: AGREEMENTS
ITEM NO.: 2
FILE I.D.: HSV105
DEPT.: COMMUNITY DEV.

**BUSINESS
PLAN:** N/A

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 09-39 with the San Bernardino County Department of Aging and Adult Services (DAAS) that serves to amend a term of Agreement No. 08-37 with DAAS and continue the Senior Citizen Nutrition Program through Fiscal Year 2009-10.

BACKGROUND: The San Bernardino County Department of Aging and Adult Services has awarded the City a contract to continue the City's Senior Citizen Nutrition Program for persons aged 60 and older. Proposed Agreement No. 08-39 would amend Agreement No. 08-37 by decreasing our funding by \$15,000 from the original contract amount of \$80,017 to the proposed amount of \$65,017 for Fiscal Year 2008-09. The new contract amount would pay for program operating costs including part-time salaries, consultant fees, volunteer expenses, consumable supplies, and catering services through the end of Fiscal Year 2008-09. In addition, proposed Agreement No. 09-39 would provide grant funding for Fiscal Year 2009-10 in the amount of \$94,287 for the third year of a three-year renewable grant. The funds would pay for the above program operating costs involved in serving 68 meals per day for 251 days.

The term of proposed Agreement No. 09-39 are from July 1, 2009, through June 30, 2010.

FISCAL IMPACT: Should Agreement No. 09-39 be approved, the Fiscal Year 2008-09 funding would be decreased by \$15,000, and funding for Fiscal Year 2009-10 in the amount of \$94,287 for the third year of the three-year renewable grant would be awarded to the City. These funds have been allocated to the City through Title III of the Older Americans Act.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 09-39 amending Agreement No. 08-37 with the San Bernardino County Department of Aging and Adult Services to continue the Senior Citizen Nutrition Program.

Prepared by:

M. Richter

Reviewed and
Approved by:

Steve Luster

Proofed by:

Christine Smedley

Presented by:

Joe (The Dog)

FOR COUNTY USE ONLY



County of San Bernardino

F A S

STANDARD CONTRACT

<input type="checkbox"/> New	Vendor Code	SC	Dept.	A	Contract Number			
<input checked="" type="checkbox"/> Change	CITYOFM731		00A		07-480 A-4			
<input type="checkbox"/> Cancel								
County Department			Dept.	Orgn.	Contractor's License No.			
Aging and Adult Services			OOA	NUT				
County Department Contract Representative			Telephone		Total Contract Amount			
Sharon Alston			(909) 386-8145		\$241,323			
Contract Type								
<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Encumbered <input type="checkbox"/> Unencumbered <input type="checkbox"/> Other:								
If not encumbered or revenue contract type, provide reason:								
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount			
95200		July 1, 2008	June 30, 2010	\$82,019	\$79,287			
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
AAF	OOA	OOA	200	2445	210	\$66,801		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
AAF	OOA	OOA	200	2445	235	\$12,224		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
AAF	OOA	OOA	200	2445	280	\$262		
Project Name			Estimated Payment Total by Fiscal Year					
Senior Nutrition Services			FY	Amount	I/D	FY	Amount	I/D
			08/09	(\$15,000)	D			
			09/10	\$94,287	I			

THIS CONTRACT is entered into in the State of California by and between the County of San Bernardino, Department of Aging and Adult Services, hereinafter called the County, and

Name
 City of Montclair hereinafter called Contractor
 5111 Benito Street
 Montclair, CA 91763
 Phone Birth Date
 (909) 626-8571
 Federal ID No. or Social Security No.

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 4

It is hereby agreed to amend Contract No. 07-480 as follows:

III. CONTRACTOR GENERAL RESPONSIBILITIES:

Paragraph G is amended to read as follows:

~~G. Subcontracts~~

The Assistant County Administrator for Human Services is designated the authority to approve one or more subcontracts, provided each subcontract meets the following terms and conditions:

Auditor/Controller-Recorder Use Only

<input type="checkbox"/> Contract Database	<input type="checkbox"/> FAS
Input Date	Keyed By

1. The policies and procedures used in processing and awarding the subcontracts were:
 - a. Organized and structured;
 - b. Reasonable and equitable;
 - c. Documented and approved by appropriate authorities;
 - d. Consistent with applicable federal, state, and local procurement requirements;
 - e. Uniformly applied; and
 - f. Open for public review and scrutiny.
2. All subcontracts require the advance written approval of the Assistant County Administrator for Human Services.
3. Any subcontractor shall be subject to the same provisions as Contractor. Contractor shall be fully responsible for the performance of any subcontractor.
4. Funds for this Contract shall not be obligated in subcontracts for services beyond the termination date of this Contract.
5. The Contractor shall have no authority to contract for, on behalf of, or incur obligations on behalf of the County.
6. Copies of subcontracts, memoranda and/or letters of understanding shall be on file with the Contractor and shall be made available for review at the request of the County.
7. A copy of the executed subcontract shall be submitted to the Director of DAAS.

Paragraph H is amended to read as follows:

- H. Contractor shall maintain all records and books pertaining to the delivery of services under this Contract and demonstrate accountability for contract performance. Said records shall be kept and maintained within the County of San Bernardino or within a reasonable driving distance. County shall have the right upon reasonable notice and at reasonable hours of business to examine and inspect such records and books.

Records, should include, but are not limited to, monthly summary sheets, sign-in sheets, and other primary source documents. Fiscal records shall be kept in accordance with Generally Accepted Accounting Principles and must account for all funds, tangible assets, revenue and expenditures. Fiscal records must also comply with the appropriate Office of Management and Budget (OMB) Circulars that state the administrative requirements, cost principles and other standards for accountancy.

All records shall be complete and current and comply with all Contract requirements. Failure to maintain acceptable records per the preceding requirements shall be considered grounds for withholding of payments for billings submitted and for termination of the Contract.

Paragraph M is amended to read as follows:

- M. Contractor shall keep the County apprised of any and all actions taken by its Board of Directors which may impact on the Contract. Further, a County representative shall have the option of attending Board meetings during the term of this Contract.

Paragraph N is amended to read as follows:

N. Conflict of Interest

1. The Contractor shall prevent employees, consultants, or members of governing bodies from using their positions for purposes including, but not limited to, the selection of subcontractors, that are, or give the appearance of being, motivated by a desire for private gain for themselves or others, such as family, business, or other ties. In the event that the County determines that a conflict of interest exists, funds may be disallowed by the County and such conflict may constitute grounds for termination of the Agreement.
2. This provision shall not be construed to prohibit employment of persons with whom the Contractor's officers, agents, or employees have family, business, or other ties, so long as the employment of such persons does not result in a conflict of interest (real or apparent) or increased costs over those associated with the employment of any other equally qualified applicant, and such persons have successfully competed for employment with the other applicants on a merit basis.

V. FISCAL PROVISIONS

Paragraph A is amended to read as follows:

- A. The maximum amount of reimbursement under this Contract shall not exceed \$241,323, of which \$220,869 (\$62,378 for FY 2007/08, \$68,767 for FY 2008/09 and \$89,724 for FY 2009/10) may be federally funded, and shall be subject to availability of funds to the County. The consideration to be paid to contractor, as provided herein, shall be in full payment for all Contractor's services and expenses incurred in the performance hereof, including travel and per diem and is broken out as follows:

Original Contract	\$82,019	July 1, 2007 through June 30, 2008
Amendment No. 1	No Change	July 1, 2007 through June 30, 2008
Amendment No. 2	\$80,019	July 1, 2008 through June 30, 2009
Amendment No. 3	(\$2)	Decrease for July 1, 2008 through June 30, 2009
Amendment No. 4	(\$15,000)	Decrease for July 1, 2008 through June 30, 2009
Amendment No. 4	\$94,287	July 1, 2009 through June 30, 2010

Paragraph T is amended to read as follows:

T. Matching Contributions

The Contractor shall provide in-kind matching contributions of a minimum of \$20,026 (\$5,696 for FY 2007/08, \$5,242 for FY 08/09 and \$9,088 for FY 09/10), which is the Title III portion of the Contract multiplied by 11.11%. Allowable match shall be in compliance with the following requirements:

1. Matching in-kind contributions must be for allowable costs as determined by CDA PM. Allowable costs include but are not limited to rent, utilities, supplies, and personnel (volunteer).
2. To qualify as a matching in-kind contribution, indirect or Contractor allocated overhead expenses must be supported by a documented cost allocation plan.
3. Matching in-kind contributions in excess of the minimum required in one service component may be used to match another service component within the Older Americans Act. As an example, match exceeding the minimum requirement in a transportation program may be used to offset an under match in in-home supportive services.

ATTACHMENT A
WORK PLAN/SCOPE OF WORK
FY 2009-2010

This work plan/scope of work contains the measurable objectives mandated by DAAS of the Nutrition Contractor. The work plan specifies and establishes time frames either on an annual basis or where required by State regulations on a quarterly basis. The work plan constitutes the primary document for on-going monitoring and Annual Program Performance Review/Fiscal Audit, and will be used to measure the Contractor's efforts towards providing quality nutrition services.

Contractor: City of Montclair
Region: Montclair and surrounding communities

I. Program Description

A. Purpose/Definition of the Program

Purpose

The purpose of the Elderly Nutrition Program is to provide nutrition services as described in the Older Americans Act (OAA) of 1965, as amended, and to assist older individuals in California to live independently, by promoting better health through improved nutrition, and reduced isolation through programs coordinated with nutrition-related supportive services.

Definition

Nutrition Services means the procurement, preparation, transport, and service of meals, nutrition education, nutrition screening, and nutrition counseling, to eligible individuals at congregate sites or in their homes.

B. Target Population

The Nutrition Provider shall target individuals who are sixty (60) years old or older, minorities, low income and living in rural areas of the County of San Bernardino.

C. Eligibility for Nutrition Services

1. Congregate Meals (C-1): Individuals eligible to receive a meal at a congregate nutrition site are:

- a. Any older individual who is 60 years old or older.
- b. The spouse of any older individual.
- c. A person with disability, under the age of sixty (60) who resides in a housing facility occupied primarily by older individuals at which congregate nutrition services are provided.
- d. A disabled individual who resides at home and accompanies an older individual who participates in the program.

2. Home Delivered Meals (C-2): Individuals eligible to receive a home-delivered meal are:

- a. ~~Any older individual who is frail, as defined in Title 22 Section 7119, and homebound by reason of illness, disability, or isolation.~~
- b. A spouse of an individual described in Section I, Paragraph C, Item 2a, regardless of age or condition, if an assessment concludes that it is in the best interest of the homebound older individual.

- c. An individual with a disability who resides at home with older individuals if an assessment concludes that it is in the best interest of the homebound older individual who participates in the program.
- d. Priority shall be given to older individuals.

3. The Nutrition Contractor who is providing home delivered meals shall:

- a. Maintain a waiting list.
- b. Develop a written Policy and Procedure for the implementation of the program that includes the manner in which clients will be prioritized.
- c. Follow the above eligibility criteria listed in Section I, Paragraph C, Item 2. If the C-2 provider chooses to add or subtract additional requirements, the criteria shall be approved by DAAS prior to implementation.
- d. Have a designated staff member that completes the initial and quarterly re-assessments.
- e. Screen the clients for eligibility by phone and in home visits within two weeks of the beginning of the meal service.
- f. Maintain appropriate documentation on each client. Documentation shall be kept on file and monitored by DAAS.
- g. Provide an emergency home delivered meal for a minimum of five (5) working days until the assessment can be completed.

D. **Service Area**

The geographic area served by this contractor covers Montclair and surrounding communities.

II. **Program Outcomes**

A. **Total Number of Meals to be Served: 17,000**

<u>Program</u>	<u># of days</u>	<u>Number of Meals</u>
C-1	251	17,000

A minimum of 95% of the total number of meals is to be provided. The Director of DAAS must approve provision of less than 95% of the total number of meals to be provided. All such requests must be in writing.

B. **Sites to be served:**

C-1 Sites
Montclair

III. **Staffing**

A. **Manager or Director**

- 1. The Contractor shall have a manager or staff who conducts the day-to-day management and administrative functions on the program and has one of the following:
 - a. Possess an associate degree in institutional food service management, or a closely related field, such as, but not limited to, restaurant management, plus two (2) years experience as a food service supervisor.
 - b. Demonstrate experience in food service, such as, but not limited to, cooking at a restaurant, and within twelve (12) months of hire successfully complete a minimum of twenty (20) hours specifically related to food service management, business

administration, or personnel management at a college level. Prior to completion of meeting the hours, this individual's performance shall be evaluated through quarterly monitoring by a Registered Dietitian.

- c. Two years experience managing food services. Such experience shall be verified and approved by a Registered Dietitian prior to hire.
2. The Contractor shall maintain documentation on file of the qualifications of the Program Manager or staff.
3. If the Contractor has more than one site, the Manager/Director shall monitor the sites on a regular basis. The bi-monthly visit should not only monitor the food service practices of the employees, but also the implementation of the program requirements at the site level. Documentation of each visit shall be maintained on file for DAAS review.

B. Food Service Personnel

1. There shall be sufficient qualified paid staff or volunteer staff with the appropriate education and experience to carry out the requirements of the Program. The total number of staff should be based on the method and level of services provided and size of the service area.
2. Contractor is encouraged to hire multi-lingual/multi-cultural staff to increase low-income and ethnic minority program participation in accordance with federal mandates.
3. Contractor shall recruit for vacant positions in an open and competitive application process free of discriminatory questions. Written job descriptions for all paid and volunteer employees shall be maintained.
4. Contractor shall complete a written work performance evaluation on all paid and volunteer employees.

C. Volunteers

1. Volunteers shall be recruited and used in any phase of the program operation where qualified.
 2. Volunteers shall be screened and selected through a formal process that assesses their capabilities.
 3. Volunteers shall receive the same training as paid staff.
 4. Volunteers that will be handling food must be in possession of a current Food Handlers Card issued by the local community colleges.
 5. Volunteers that are paid through other job training programs are not considered volunteers and must be paid the agreed upon rate charged for regular paid staff.
-
6. The Contractor shall maintain a written Volunteer policy that describes how volunteers are recruited, screened, what topics they are taught at orientation and how often their performance is evaluated.

7. Volunteers who perform services under this contract are mandated to report elder and dependent adult abuse and will sign a statement prior to providing services acknowledging their reporting requirements and their compliance with them.

D. Registered Dietitian

1. Each Senior Nutrition Provider shall establish and administer nutrition services with the advice of a Registered Dietitian in accordance with Section 339 of the OAA, and follow the general requirements in Title 22, Division 1.8, and Section 7500.
2. The Registered Dietitian will provide the following activities to meet the mandated requirements:
 - a. At a minimum, quarterly monitor for safe food handling and sanitation practices of food facilities.
 - b. Review and approve the content of staff training prior to presentation.
 - c. Develop, or review and approve the monthly or cycle menus.
 - d. Develop, or review and approve the nutrition education plan for participants.
 - e. Provide the nutrition education to seniors or staff training if the Provider and Registered Dietitian determine that is the best choice.
 - f. Provide technical support and assistance as needed.

IV. Staff Training Activities

- A. A yearly written plan for staff in-service shall be developed in collaboration with the Contract Registered Dietitian.
- B. The Contract Registered Dietitian shall review and approve the content of the plan prior to presentation.
- C. The training plan must identify who is to be trained, who will conduct the training, content of the training and when it is scheduled.
- D. A copy of the written plan must be sent to DAAS by September 3, 2009.
- E. All Paid staff and volunteers shall be provided annually a minimum of four (4) hours of training.
- F. Paid staff and volunteers attending the training shall be provided the opportunity to evaluate the training session.
- G. The provider shall maintain on file documentation of each training session. Documentation includes, but is not limited to, sign-in-sheets, agendas, handouts and completed evaluations.
- H. New paid staff or volunteers shall be oriented and trained to perform their assigned responsibilities and tasks. Training shall include:
 1. Food safety, prevention and food-borne illness, and HACCP principles.
 2. Accident prevention, instruction on fire safety, first aid, choking, earthquake preparedness, and other emergency procedures.
 3. All staff shall be trained on the Elder Abuse Law and reporting procedures.

V. Senior Participants

A. Satisfaction Survey

The provider shall conduct a client satisfaction survey at least once a year. The survey instrument must be approved by DAAS prior to its use, and all findings from the surveys must be used to improve services. The completed surveys and the tabulated results must be kept on file. A copy of the tabulated results must be received by DAAS by March 3, 2010.

B. Complaint Procedure

1. Each provider shall have a written complaint procedure.
2. The complaint procedure will be available for the participants and will provide them the opportunity to provide positive as well as negative feedback to the Program Manager.
3. The Contractor shall have an assessment tool readily accessible for the seniors attending the congregate site or receiving a home delivered meal.

C. Nutrition Education for Seniors

1. The provider shall provide one nutrition education presentation quarterly, including appropriate handouts that have been approved by the Contract Registered Dietitian.
2. The provider in conjunction with the Contract Registered Dietitian shall conduct a needs assessment of the seniors attending the congregate site and/or seniors receiving a home delivered meal.
3. Results of the needs assessment will provide information for the development of the Nutrition Education Plan for seniors.
4. The Nutrition Education Plan for seniors is due to DAAS September 3, 2009.
5. Nutrition Education Units of Service:

Nutrition Education Units of Service	# of sites C-1	Allocation for FY 2008/09
500	1	\$262

VI. Menu Planning Guidelines/Menu Requirements

- A. A minimum of a 3 month cycle shall be planned.
- B. Menu cycles shall include the availability of seasonal foods.
- C. Health, cultural, ethnic and regional dietary practices shall be considered in menu planning, food selection and meal preparation.
- D. The menu cycle shall be approved by the Contract Registered Dietitian and upon approval forwarded to the DAAS Nutritionist for certification 45 days prior to the menu start date. Allow thirty (30) days for the menu certification process. Menus will be returned to the Contractor at least fifteen (15) days prior to the menu start date. Contractor is required have menus certified prior to the implementation date. All signatures on the menu shall be original signatures.
- E. A copy of the certified menu must be posted in a spot conspicuous to clients at each congregate site.
- F. Copies of the menus shall be made available to the participants.
- G. When planning the menus, the California Daily Food Guide and the Dietary Guidelines for Americans are to be considered. Menu shall conform to the following criteria referenced in these sources:
 1. Provide an average of 550-750 calories per meal.
 2. Limit total fat to no more than 25-30% of the calories averaged for the week.
 3. Choose and prepare foods with low amounts of salt, soy sauce and other high sodium items.
 4. ~~Include good sources of dietary fiber such as whole grains and cooked dry beans at least four times a week.~~
 5. Include a variety of foods and preparation methods with consideration to color, combinations, texture, size, shape, taste, and preference of the participants served.

6. Dietary Reference Intake Values:

Table 1 represents the most current Dietary Reference Intakes values and daily compliance range for target nutrients. The values provided are based on the U.S. Department of Agriculture (USDA) Food Guide calculated for one meal for a woman over 70 years old whose activity level is sedentary. This example represents a majority of the older adult population served by the Program statewide.

The nutrients selected for this Table are based on the target nutrients to:

- Promote health and prevent disease
- Prevent deficiencies
- Indicate diet quality
- Manage disease

Table 1

B. Target Nutrients

Nutrient	Target Value * per meal	Daily Compliance Range
Calories (Kcal)	>550 Kcal	>550 – 700 Kcal
Protein	14 gm	14 gm (in the entrée)
Fat (% of total calories)	30%	<35% weekly average
Vitamin A (ug)	250 ug	> 250 ug 3 out of 5 days /wk or 4 out of 7 days/wk
Vitamin C (mg)	25 mg	25 mg
Vitamin B6 (mg)	0.5 mg	>0.5 mg
Vitamin B12 (ug) **	0.8 ug	0.8 ug **
Calcium (mg)	400 mg	>400 mg
Magnesium (mg)	140 mg	>140 mg
Zinc (mg) **	2.6 mg	>2.6 mg **
Sodium (mg)	<800 mg	<1,200 mg (over 1,000 mg place an icon on the menu)
Fiber (gm)	>7 gm	>7 gm
Potassium (gm) **	1565 mg	1565 mg **
Vitamin D	200 IU	200 IU
Vitamin E **	5 IU	Provide education **

*Target Value: This value represents one-third of the Dietary Reference Intake for a 1600 calorie range. The 1600 calorie range was chosen based on the requirements for a 70-year-old sedentary female. If a majority of the senior population served by the AAA Elderly Nutrition Program differs from the above example, use your Elderly Nutrition Program predominate demographic characteristics to calculate target nutrient values.

** If these elements are not provided to the level noted as a weekly average, the Program must educate the participants on how to obtain these elements.

NOTE: Fortified foods should be used to meet vitamin B12 needs.

Recommended sodium content was liberalized based on the information from the Mathematical study data which indicated that, for many participants, the Elderly Nutrition Program meal provides 40-50 percent of the participants' daily intake.

7. Component Meal Pattern Requirements

The California 1600 calorie component meal pattern has been developed to reflect the new Dietary Guidelines for Americans requirements for those programs that are not using computerized nutrient analysis (see attachment)

The Contractor has the discretion to allow occasional flexibility in planning meals that may not meet the meal pattern, but does meet the nutrient value requirements. Fortified food products and combination dishes used in a menu may not match the meal pattern, but may provide for the required nutrient values. For example, a fortified snack bar as a dessert could be used to boost the nutrient value of a boxed lunch or special occasion meal.

Items that provide the following target nutrients should be identified on the menu when using a component meal pattern template:

- Vitamin C – Provide one-third of the Dietary Reference Intake for vitamin C each meal - 25 mg (for a 1600 calorie menu).
- Vitamin A – Provide one-third of the Dietary Reference Intake for vitamin A at least three times per week, 250 µg (for a 1600 calorie menu).
- Sodium - meals that contain over 1,000 mg must be noted on the menu as a high sodium meal.

Table 2 describes the elements in the California 1600 Calorie meal pattern. Serving sizes are based on the USDA Food Guide Pyramid. This sample component meal pattern does not assure that meals meet one-third of the Dietary Reference Intakes and the Dietary Guidelines for Americans. Meals will require specific types of fruits and vegetables, whole grains, and high fiber foods in order to assure the target nutrients are provided. The component meal pattern may be deficient in vitamins E, B12, and Zinc, requiring additional nutrition education for participants on the selection of foods that are good sources of these nutrients.

The meal pattern below is based on the minimum requirements for a sedentary female 70 years old. If the majority of the population served by a provider falls within another requirement range (active 60-year-old men), the serving sizes and minimum number of servings required can be adjusted to meet the service population. Contractors should verify the population served and develop menu criteria accordingly.

Table 2

California 1600 Calorie per Day Component Meal Pattern
Minimum Recommended Elements

Food Group	Required servings for 550 calories per meal	Serving sizes for 1600 calorie level
Lean meat or beans	1 serving 2 ounces per meal	2 ounces = 1 serving
Vegetable	1 – 2 servings	½ cup = 1 serving
Fruit	1 serving	½ cup = 1 serving
Bread or Grain At least ½ whole grain	1 – 2 servings	1 slice Bread = 1 serving ½ cup of rice or pasta = 1 serving
Low-fat milk or milk alternate	1 serving	1 cup or equivalent measure
Fat	Optional	
Dessert	Optional - limit sweets use fruit	Select foods high in fiber and low in fat and sugar

(1) The number of servings per meal estimates provision of one-third of the Dietary Reference Intakes.

(2) Caloric value (1,600 Kcal/day) based on a 70-year-old female, "sedentary" physical activity level using Table 3 - Estimated Caloric Requirements in Each Gender and Age Group at Three Levels of Physical Activity, from the Dietary Guidelines for Americans 2005.

H. Meal Components -- required for both computerized and component menus:

1. Protein – Meat, Fish, Poultry, Legumes, Eggs, and Cheese:

A minimum of 2.0-ounces of cooked, edible portions of meat, fish, poultry, legumes, eggs, cheese, (or a combination thereof) providing at least 14 grams of protein. Programs should consider the preferences of the participants they serve.

Legumes should not be counted as both vegetable and protein. Elderly Nutrition Program providers may use other protein sources to provide the occasional vegetarian meal.

2. Vegetables (1-2 half-cup servings):

Vegetables as a primary ingredient in soups, stews, casseroles, or other combination dishes should total ½ cup per serving.

Raw leafy vegetables (salads) should equal 1 cup if they are to be considered a serving.

3. Fruit (1 Serving):

A serving of fruit equals:

- 1 medium sized whole fruit
- ½ cup fresh, chopped, cooked, frozen or canned, drained fruit
- ½ cup 100 percent fruit juice

Fresh, frozen, or canned fruit should be packed in juice, light syrup, or without sugar. (Fruit packed in high sugar content syrup may be rinsed before using)

4. Breads/Grains (1 ounce-equivalent serving):

One-half of the daily intake of grains should be from whole grains. Grains that are processed (not whole) must be fortified.

5. Milk (8 fl. Oz):

Each meal shall contain eight fluid ounces of fortified skim, low-fat, or buttermilk. If religious preference precludes the acceptance of milk with the meal, it may be omitted from the menu (however, an equivalent substitute must be used).

6. Fat (Optional):

Each meal may contain fat components to increase the palatability and acceptability of the meal. When selecting and preparing meat, poultry, dry beans, and milk or milk products, make choices that are lean, low-fat, or fat-free.

- Consume less than ten percent of calories from saturated fatty acids and less than 300 mg/day of cholesterol, and keep trans fatty acid consumption as low as possible.
- Keep total fat intake between 20 to 35 percent of calories, with most fats coming from sources of polyunsaturated and monounsaturated fatty acids such as fish, nuts, and vegetable oils.

7. Dessert (Optional):

Dessert may be provided as an option to satisfy the caloric requirements or for additional nutrients. Use fruit as a dessert as often as possible and limit sweets. The fruit, grains, and dairy products served as dessert can count towards the fruit, grain, or dairy requirements. Desserts that are low in fat and/or low in sugar are encouraged.

• ~~When a dessert contains ½ cup of fruit per serving, it may be counted as a serving of fruit.~~

- When a dessert contains the equivalent of 1 serving (1 ounce) starches/grains per serving, it may be counted as a serving of starches/grains (example: rice pudding or oatmeal cookie).

- When a dessert contains the equivalent of ½ cup milk per serving, it may be counted as ½ serving of milk.

8. Condiments and Product Substitutes:

- Sugar substitutes, pepper, herbal seasonings, lemon, vinegar, non-dairy coffee creamer, salt, and sugar may be provided, but should not be counted as fulfilling any part of the nutritive requirements.
- Condiments such as salad dressings, ketchup, soy sauce, mustard, and mayonnaise do not need to be counted in a menu analysis if they are served "on the side" and are not combined with the food.

9. Sodium:

The commitment to reduce sodium in the meals stems from the fact that nutrition-related chronic diseases remain the primary cause of death among people aged 65 and older. California has a diverse population, and the Elderly Nutrition Program () in the State provide culturally appropriate meals for many ethnicities. Asian meals traditionally have higher sodium levels. Programs that choose to provide culturally appropriate meals, but are concerned with the sodium content of the meals, may consider:

- Using low sodium soy sauce or diluting soy sauce with water to produce low sodium soy sauce;
- Offering soy sauce as a condiment to be added by the senior;
- Providing nutrition education on sodium;
- Continuing to work with the sodium levels of meals, making small steps to reduce the levels of sodium over time;
- Consistently placing foods that are a good source of potassium on the menus. A potassium-rich diet blunts the effect of salt on blood pressure, may reduce the risk of developing kidney stones, and possibly decrease bone loss with age;
- Not providing potassium chloride salt substitutes;
- Noting meals that have more than 1000 mg of sodium on the menu as such: "This meal contains more than 1000 mg of sodium," or using an icon denoting a high sodium meal; and
- Using low sodium versions of high sodium foods when available and feasible within budget allowances.

I. Meal Component/Nutrient Analysis

1. A meal component /nutrient analysis of the entire menu cycle conducted and/or approved by a Registered Dietitian shall be done to ensure compliance with the Older Americans Act (OAA), Section 339, and California Regulations, Title 22, Division 1.8, Chapter 4, Article 5, Section 7638.5.
 - a. Computerized Nutrient Analysis Requirements:

Although not required, use of computerized nutrient analysis is strongly recommended and will help ensure and verify the nutritional adequacy of meals.

The goal of assessing nutrient intakes of groups is to determine the prevalence of inadequate or excessive nutrient intakes within a particular group of individuals. While meal patterns serve as a basic framework for menu planning, providers are encouraged to use computerized nutrient analysis because it provides specific information on nutrients the menu may not be providing. The information that a

menu is not supplying all of the desired nutrients will guide the development of future menus. As required menu elements are expanded, it is more difficult to meet all of the requirements on a daily basis. Elderly Nutrition Programs should focus on:

- Vitamin A
- Vitamin C
- Protein
- Fat
- Sodium
- Fiber

Not all nutrient guidelines will be met with each meal. However, areas that do not meet the requirements should be the focus of future menu revisions and nutrition education.

The following nutrients should be included in the analysis when the computerized nutrient analysis method is used: calories; protein; carbohydrates; total fat; saturated fat; total fiber; vitamins A, C, D, E, K, thiamin, riboflavin, niacin, B6, folate, B12, calcium, chromium, copper, iron, magnesium, sodium, and zinc. In addition to meeting one-third of the Dietary Reference Intakes, the menus should also follow the Dietary Guidelines for Americans.

2. Menu cycle shall be analyzed on a regular basis and documentation maintained for DAAS review.

VII. Food Procurement

- A. Food procurement procedures shall comply with Title 22, CRFC standards and HACCP best practices guidelines.
- B. All food shall be of good quality and shall be obtained from sources which conform to Federal, State and local regulatory standards for quality, sanitation and safety.
- C. To the extent possible, providers are encouraged to participate in group food purchasing.
- D. A comparative cost analysis shall be performed either by the provider or its group purchasing organization on an on-going basis to obtain the highest quality food for the lowest price available.

VIII. Food Storage

- A. Food storage procedures shall comply with Title 22, California Retail Food Code, which is a uniform statewide health and sanitation standard for food facilities, found in Section 113700 et seq., California Health and Safety Code and the Hazard Analysis Critical Control Point (HACCP) principles.
- B. Adequate and suitable space free from vermin, dirt and contamination or adulteration shall be provided for the storage of food and beverages, and cooking, serving and eating supplies.

IX. Food Production

- A. Food production procedures shall comply with Title 22, California Retail Food Code, which is a uniform statewide health and sanitation standard for food facilities, found in Section 113700 et seq., California Health and Safety Code and the Hazard Analysis Critical Control Point (HACCP) principles.
- B. Food production and meal service shall be under the supervision of a trained staff in food service management to ensure food service sanitation and the practice of hygienic food handling techniques are followed. This person shall function with the advice of the Contract Registered Dietitian.
- C. Meals shall be served as indicated on the certified menus.
 1. The Contract Registered Dietitian must approve all menu substitutions.
 2. A menu substitution form must be completed and signed by the Contract Registered Dietitian.

3. The completed menu substitution form shall be kept on file for DAAS review.

D. Production Control

1. Production schedules or worksheets must be available in the food preparation area.
2. Food shall be prepared in sufficient quantities to serve all participants. Careful planning shall minimize leftover food and prevent waste.
3. Standardized recipes shall be used to ensure consistency of quality and quantity and adherence to menu guidelines.
4. Appropriate utensils for correct and consistent portion control shall be available and used at each site.

E. Meal Service/Temperature Monitoring

1. All food for congregate sites shall be packaged and transported in a manner which protects it from potential contamination and maintains appropriate hot and cold food temperatures.
2. Meal shall be served to seniors "Offer versus Serve," meaning participants are to be given an opportunity to decline a menu item. Food trays shall not be served ahead of time.
3. Temperature Checks:
 - a. All hot, cold and frozen potentially hazardous meal components, including milk, shall be checked daily immediately prior to dispatch from the central kitchen.
 - b. All hot, cold and frozen potentially hazardous meal components, including milk, shall be checked at satellite congregate sites upon delivery and at all congregate sites immediately before meal service.
 - c. The provider must have written procedures for monitoring food temperature.
 - d. The provider must use a form to document food temperature daily.
 - e. The provider shall have a staff member review the completed temperature logs at random a minimum of every other month. If problems are discovered, an action plan must be developed to resolve the issue.
 - f. All completed food temperature logs must be maintained on file for DAAS review.
4. To maintain quality in prepared foods, holding times shall be kept to a minimum. Long periods of holding hot foods at required temperatures diminishes the nutrient content and palatability of foods.
5. Holding time shall not exceed 2 hours between the end of production and the beginning of food service at the congregate site.
6. Milk and milk products shall be provided in individual, commercially filled containers, or shall be poured by a staff member directly from commercially filled bulk containers into the glass or cup from which it is consumed.
- ~~7. Single service utensils and tableware shall be used one time only and then discarded.~~
8. Safety of the food after it has been served at the congregate site and then removed by the participant from the congregate site is the sole responsibility of the participant and may be consumed by the participant as he/she deems it appropriate.

9. The Provider shall have a sign posted in the congregate site stating, "Food removed from the congregate site is at your own risk."

X. Food Service Requirements

The Contractor shall ensure that the following forms are available, completed daily, and maintained at each nutrition site for a minimum of 12 months.

- A. **Food Temperature Log** – one should be available for congregate and one for home delivered meals if hot foods are delivered to the client.
- B. **Cleaning Schedule**
- C. **Equipment Temperature Log** -- for all dish machines, refrigerators, and freezers.
- D. **Production Schedule** – applicable only if food is cooked at the site.
- E. The current environmental health inspection shall be available at the site for review.
- F. Staff and volunteers who are handling food shall possess a current food handlers' card that shall be available for review.

XI. Program Requirements

A. Client Intake Forms

The Contractor will assure that each participant shall complete the Client Intake Sheet form (provided by DAAS) to determine his or her level of nutritional risk. Forms shall be completed at the beginning of service for the home delivered meal participants and once a year for congregate meal participants.

B. Outreach/Marketing Activities

Provide outreach in the community through community organizations, and other groups. All outreach and marketing activities shall be documented and kept on file for the Annual Program Performance Review.

The Contractor shall develop and have on hand handouts, brochures or signs in languages other than English and posted in locations such as churches, community service locations and small stores serving the minority communities.

D. Emergency Procedures

1. Each Contractor shall have a written Emergency/Disaster Plan.
2. Each nutrition site shall have an evacuation plan posted identifying the emergency exits and assembly areas.
3. Staff must be knowledgeable of emergency procedures, and evacuation drills shall be conducted as appropriate.
4. The emergency plan shall include a day or week's supply of emergency food depending on the availability of space.

E. Donations and Confidentiality

1. The provider shall establish written procedures to protect contributions and fees from loss, mishandling, and theft. Such procedures shall be kept on file for DAAS review.
2. The provider shall provide each participant the opportunity to contribute to the meal.
3. The provider shall develop a suggested contribution/donation. When developing the contribution amount, the income ranges of the older individuals in the community and the provider's other sources of income shall be considered.
- ~~4. A sign indicating the suggested contribution for eligible individuals, and the fee for guests shall be posted near the contribution container at each congregate meal site. The guest fee shall cover all meal costs.~~
5. No eligible individual shall be denied participation because of failure or inability to contribute.
6. The provider shall ensure that the amount of eligible participant's contribution is kept confidential.

7. All contributions and fees shall be identified as program income and used to increase the number of meals served, to facilitate access to such meals, and to provide nutrition-related supportive services.
8. The Contractor will not in any way employ tactics, which could be viewed as coercion, embarrassing and/or obligatory to the meal being provided to the participant.
9. The Contractor shall encourage the participant to place their donation in the box by themselves in strict confidentiality.
10. The Contractor shall ensure that the donation box is not right in front of the hostess or in view of the other participants.

F. "No Soliciting" Signs

The Contractor shall ensure that a "No Soliciting" sign is posted on the door leading to the congregate nutrition site. No soliciting of any kind is permitted on the premises during the lunch hours for services or goods promoted by businesses.

G. Coordination

1. If applicable, develop a fair and equitable policy and procedure for referring elderly participants to the appropriate transportation provider for securing public transportation to and from nutrition sites and have the policy fully in place.
2. Include the following statement on all advertising, brochures, posters, etc., "Funding for this service has been provided by the San Bernardino County Department of Aging and Adult Services through a grant award from the California Department of Aging."
3. Coordinate service with other county departments and local agencies by providing time for presentations or special activities that promote a Community Based System of Care for the elderly participants attending their sites. All such activities must be documented and kept on file for review by DAAS.

G. Reporting

1. Report all fiscal and meal counts monthly. The reports are due the 20th working day of every month. DAAS will provide training as needed.
2. The provider shall maintain support files including, but not limited to, invoices, payroll, and other supporting documents to substantiate the monthly report.
3. Report all known or suspected cases of elder abuse to DAAS Adult Protective Services or law enforcement immediately, or as soon as possible, by telephone, and send a written report within two (2) working days. Abuse of an elder or dependent adult means physical abuse, neglect, intimidation, cruel punishment, fiduciary abuse, abandonment, isolation or other treatment with resulting physical harm or pain or mental suffering or the deprivation by a care custodian of goods or services which are necessary to avoid physical harm or mental suffering.
4. Maintain records, by month, that support claimed in-kind expenditures.
5. Report expenditures funded with Deferred Income by September 30, 2009.
6. Develop and have on hand for review by DAAS, a cost allocation plan which explains the methods used to allocate costs between Congregate and Home Delivered Meals or any other program funded by DAAS, such as Home Repairs.
In the event additional funds become available, the Contractor will use the funds to increase the number of meals being provided to elderly participants by either increasing the number of individuals attending its present sites, or by opening new sites in communities not already served by the Contractor. Exceptions to this requirement must be fully documented in writing and submitted to the department for prior approval.
7. Other Reporting Requirements:
 - a. Computerized Client Tracking System:

- 1) The following reports are to be completed and submitted to DAAS by the 5th working day of the month following the month of service if the Contractor is serving less than 500 clients per month:
 - DAAS NAPIS Client Intake Sheets

- Meal Rosters
- 2) Contractors that are serving more than 500 clients shall be responsible for entering the data into an Internet based client tracking system. The Contractor shall secure the appropriate licensing, have a dedicated staff responsible for maintaining the client tracking software, obtain and maintain an Internet service provider and the appropriate hardware that can support the program.
- 3) The Contractor shall update the Internet based Client Tracking system on a monthly basis. DAAS will monitor to ensure that the information is maintained and current.
- 4) DAAS shall provide training and technical support and assistance.

b. Nutrition Monthly Service Unit Report

The Nutrition Monthly Service Unit Report is a tool that is used to report the number of actual meals served and the number of seniors served per site. This report is to be completed and submitted to DAAS by the 20th working day of the month.

H. Disposal of Equipment

1. If the Contractor has equipment that was purchased with Nutrition grant funding and wishes to discard it, a letter should be submitted to DAAS stating the equipment type, the serial number, the location of the equipment and the reason for disposal.
2. Contractor shall submit a list of equipment purchased with grant funding by location.

XII. Per DAAS contract with CDA, Article II.A.(27), Attachment G identifies Community Focal points which provides contractors with additional resources for their customers.

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4/30/2009

CITY OF MONTCLAIR
BUDGET LINE ITEMS FOR NUTRITION SERVICES
Fiscal Year 2008 - 2009

CONGREGATE SITES C 1

HOME DELIVERED MEALS C 2

Expenditure Category:	a	b	C=a+b
	Cost to Provider for the year		
	Cash	in-Kind	Annual Expense
1 Personnel	68,294		68,294
2 Staff Travel			0
3 Staff Training	400		400
4 Equipment			0
5 Consultants	2,000		2,000
6 Food Cost	58,867		58,867
7 Consumable Supplies	10,970		10,970
8 Insurance	5,000		5,000
9 Repair & Maintenance	1,100		1,100
10 Rent/Building Space	5,653		5,653
11 Utilities	7,500		7,500
12 Vehicle Operations	7,650		7,650
13 Volunteer Expenses		48,500	48,500
14 Other Expenses	660		660
15 Nutrition Education	209		209
Total Expenditures	168,303	48,500	216,803

County Contract Revenue Sources:			
Title III C	47,191		47,191
NSIP	9,837		9,837
One Time Only			0
CDBG - DAAS			0
CDBG - ECD			0
County Funding	7,782		7,782
Nutrition Education	209		209
Total County Contract Revenue Sources	65,019		65,019

Other Revenue Sources:			
Program Income	30,156		30,156
Deferred Income			0

Matching Cash	73,128		73,128
Matching In-Kind	48,500		48,500
Non-Match Cash			0
Non-Match In-Kind			0
Total Other Revenue Sources	151,784		151,784
Total Revenue	216,803		216,803

Date: 5/18/2009

City of Montclair
BUDGET LINE ITEMS FOR NUTRITION SERVICES
 Fiscal Year 2009/2010

CONGREGATE SITES C-1

HOME DELIVERED MEALS C-2

		a	b	C=a+b
		Cost to Provider for the year		
Expenditure Category:		Cash	In-Kind	Annual Expense
1	Personnel	68,294		68,294
2	Staff Travel			0
3	Staff Training	400		400
4	Equipment			0
5	Consultants	2,000		2,000
6	Food Cost	73,814		73,814
7	Consumable Supplies	10,970		10,970
8	Insurance	5,000		5,000
9	Repair & Maintenance			0
10	Rent/Building Maintenance			0
11	Utilities			0
12	Vehicle Operations	7,650		7,650
13	Volunteer Expenses		48,500	48,500
14	Other Expenses	660		660
15	Nutrition Education	262		262
Total Expenditures		169,050	48,500	217,550

County Contract Revenue Sources:			
Title IIIC	81,801		81,801
NSIP	12,224		12,224
One Time Only	0		0
CDBG - DAAS	0		0
CDBG -ECD	0		0
County Funding	0		0
Nutrition Education	262		262
Total County Contract Revenue Sources	94,287		94,287

Other Revenue Sources:			
Program Income	27,656		27,656
Deferred Income			0
Matching Cash	47,107		47,107
Matching In-Kind	48,500		48,500
Non-Match Cash			0
Non-Match In-Kind			0
Total Other Revenue Sources	123,263		123,263
Total Revenue	217,550		217,550

COMMUNITY FOCAL POINTS LIST

 CCR Title 22, Article 3, Section 7302(a)(14), 45 CFR Section 1321.53(c), OAA 2006 306(a)

Adelanto Senior Center	11565 Cortez Street	Adelanto	92301	(760) 246-7736
Apple Valley Senior Center	14933 Wakita Road	Apple Valley	92307	(760) 247-3155
Baker Valley Senior Center	P.O. Box 28	Baker	92309	(760) 733-4485
Barstow Senior Center	555 Melissa	Barstow	92311	(760) 256-9111
Big Bear Valley Senior Center	42651 Big Bear Blvd.	Big Bear	92314	(909) 584-0323
Bloomington Senior Center	18317 Valley Blvd.	Bloomington	92316	(909) 877-4310
Bonnie Baker Senior Center	149350 Ukiah Trail	Big River	92242	(760) 665-2667
Casa Ramona Senior Center	1524 W. 7 th St.	San Bernardino	92311	(909) 889-0011
Chino Senior Center	13170 Central Ave.	Chino	91710	(909) 591-9836
Delmann Heights Senior Center	2969 North Flores	San Bernardino	92405	(909) 887-2115
El Mirage Senior Club	1488 Milton	El Mirage	92301	(760) 388-4429
George White Senior Center	856 S. Nuevo Ave.	Fontana	92335	(909) 822-4493
Gibson Senior Center	250 N. Third St.	Upland	91786	(909) 981-4501
Grand Terrace Senior Center	22627 Grand Terrace Rd.	Grand Terrace	92313	(909) 824-1491
Havasu Lake Senior Center	So. 17 Mile Rd.	Havasu Lake	92363	(760) 858-4336
Hesperia Senior Center	16292 Lime St.	Hesperia	92345	(760) 244-1680
Highland Senior Center	3102 E. Highland Ave.	Highland	92369	(909) 862-8104
Hinkley Senior Center	35779 Mt. View	Hinkley	92347	(760) 253-4677

Home of Neighborly Senior Center	839 N. Mt. Vernon	San Bernardino	92311	(909) 885-3491
Hootman Senior Center	2929 School Rd.	Running Springs	92382	(909) 867-3176
Hutton Senior Center	660 Colton Ave.	Colton	92324	(909) 370-6168
James Bruite Senior Center	1120 Baseline Rd.	Rancho Cucamonga	91730	(909) 477-2780
Jessie Turner Senior Center	6396 Citrus Ave.	Fontana	92336	(909) 428-8372
Josephine Knopf Senior Center	8384 Cypress Ave.	Fontana	82335	(909) 428-8376
Landers Senior Center	58380 Reche Rd.	Landers	92285	(760) 364-3936
Leisure Shores Senior Center	24658 San Moritz Dr.	Crestline	92325	(909) 338-5036
Luque Senior Center	292 East "O" Street	Colton	92324	(909) 370-5087
Lucerne Valley Senior Club	10431 Allen Way	Lucerne Valley	92356	(760) 248-2248
Mentone Senior Center	1331 Opal Ave.	Mentone	92359	(909) 794-0327
Montclair Senior Center	5111 Benito	Montclair	91763	(909) 625-9462
Mountain Communities Senior Center	675 Grandview Rd.	Twin Peaks	92391	(909) 337-1824
Needles Senior Center	1699 Bailey	Needles	92363	(760) 326-5643
Newberry Springs Senior Center	3383 Newberry Rd.	Newberry Springs	92365	(760) 257-3284
Oldtimers Foundation Senior Center	8572 Sierra Ave.	Fontana	92335	(909) 829-0384
Ontario Community Senior Center	225 East "B" St.	Ontario	92764	(909) 395-2021
Perris Hill Park Senior Center	780 E. 21 st St.	San Bernardino	92418	(909) 384-5436
Phelan Senior Center	9856 Sheep Creek Rd.	Phelan	92371	(760) 868-8067
Pinon Hills Senior Center	10433 Mountain Rd.	Pinon Hills	92371	(760) 868-8637
Red Mountain Senior Center	P.O. Box 824	Red Mountain	92558	(760) 374-2201

Redlands Community Senior Center	111 W. Lugonia	Redlands	92373	(909) 798-7579
Redlands Joslyn Senior Center	21 Grant St.	Redlands	92373	(909) 798-7550
Rialto Senior Center	14111 S. Riverside Ave.	Rialto	92376	(909) 877-9706
San Bernardino Senior Center	600 W. 5 th St.	San Bernardino	92410	(909) 38-5430
Trona Senior Center	13187 Market St.	Trona	93562	(760) 372-5889
Victorville Activity Center	15075 Hesperia Rd.	Victorville	92392	(760) 245-7047
Victorville Senior Center	14874 South Mojave Dr.	Victorville	92392	(760) 245-5018
Wonder Valley Senior Center	80526 ½ Amboy Rd.	Twentynine Palms	92277	(760) 367-1678
Wrightwood Senior Center	P.O. Box 607	Wrightwood	92397	(760) 249-3854
Yucaipa Senior Center	12202 First St.	Yucaipa	92399	(909) 797-1177
Yucca Valley Senior Center	57088 29 Palms Hwy	Yucca Valley	92284	(760) 228-5453

Following are the addresses of the Department of Aging and Adult Services offices.

City	Address	Zip	Phone
Barstow	536 East Virginia Way	92311	(760) 256-5544
Needles	1300 Bailey Avenue	92363	(760) 326-9328
Rancho Cucamonga	9445 Fairway View Place	91730	(909) 948-6200
San Bernardino	686 E. Mill Street	92415	(909) 891-3900
Victorville	17270 Bear Valley Road, Suite 108	92395	(760) 843-5100
Yucca Valley	56357 Pima Trail	92284	(760) 228-5390

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 09-2800 AUTHORIZING PLACEMENT
OF LIENS ON CERTAIN PROPERTIES FOR
DELINQUENT SEWER AND TRASH CHARGES

DATE: June 1, 2009

SECTION: RESOLUTIONS

ITEM NO.: 1

FILE I.D.: STB300-17

**BUSINESS
PLAN:** N/A

DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: Staff has identified 171 sewer and trash accounts in the even-numbered-month billing cycle that are more than three billing periods delinquent. Pursuant to Montclair Municipal Code Chapter 1.12, these properties are subject to lien.

BACKGROUND: Ordinance No. 02-815 authorizes the placement of liens on properties on which delinquent civil debts have accrued and makes property owners responsible for delinquent sewer and trash charges accrued after the effective date of the Ordinance (March 1, 2002) for accounts in tenants' names. Prior to adoption of the Ordinance, property owners were responsible only for those accounts in their own names.

The 171 liens presented for approval are for accounts which are at least 90 days delinquent.

FISCAL IMPACT: Recoverable amount is \$41,054.47 plus \$8,550.00 in lien fees for a total of \$49,604.47.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 09-2800 authorizing placement of liens on certain properties for delinquent sewer and trash charges as listed on Exhibit A of said Resolution.

Prepared by:

Jane Kullbeck
Kathy Dalton

Reviewed and
Approved by:

[Signature]
[Signature]

Proofed by:

Presented by:

RESOLUTION NO. 09-2800

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR AUTHORIZING
PLACEMENT OF LIENS ON CERTAIN
PROPERTIES FOR DELINQUENT SEWER
AND TRASH ACCOUNTS**

WHEREAS, Chapter 1.12 of the Montclair Municipal Code authorizes the City to place liens on properties on which delinquent civil debts have accrued; and

WHEREAS, all owners of property in the City of Montclair were notified about the adoption of Ordinance No. 02-815 authorizing placement of liens on properties on which delinquent civil debts have accrued; and

WHEREAS, it has been determined that there are 171 sewer and/or trash accounts on which there are delinquencies in excess of 90 days; and

WHEREAS, the owners of these properties have received regular billing statements and late notices since the onset of such delinquencies; and

WHEREAS, the owners of these properties were notified on May 7, 2009, that their delinquent accounts are subject to causing a lien to be placed on their properties for settlement of such delinquencies; and

WHEREAS, the owners of these properties were again notified on May 21, 2009, that such liens would be considered for approval by the Montclair City Council on Monday, June 1, 2009.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair approve the placement of liens on the properties and in the amounts specified in Exhibit A, entitled, *Report of Delinquent Civil Debts - June 2009*, attached hereto.

BE IT FURTHER RESOLVED that the City Clerk is authorized to provide the San Bernardino County Auditor/Controller-Recorder with the documents required to cause such liens to be placed.

APPROVED AND ADOPTED this XX day of XX, 2009.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 09-2800 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2009, and that it was adopted by the following vote, to-wit:

AYES: XX
NOES: XX
ABSTAIN: XX
ABSENT: XX

Donna M. Jackson
City Clerk

Exhibit A to Resolution No. 09-2800
Report of Delinquent Civil Debts - June 2009

Service Address	Account Type	Delinquency	Lien Fee	Total Lien Amount
10208 Benson Avenue	Residential	\$233.36	\$50.00	\$283.36
10395 Vernon Avenue	Residential	\$168.70	\$50.00	\$218.70
10231 Mills Avenue	Residential	\$349.74	\$50.00	\$399.74
10145 Bel Air Avenue	Residential	\$233.36	\$50.00	\$283.36
10141 Canary Court	Residential	\$233.36	\$50.00	\$283.36
11142 Amherst Avenue	Residential	\$190.02	\$50.00	\$240.02
10166 Fremont Avenue	Residential	\$178.55	\$50.00	\$228.55
10137 Mills Avenue	Residential	\$190.02	\$50.00	\$240.02
10248 Del Mar Avenue	Residential	\$155.51	\$50.00	\$205.51
5171 Fauna Street	Residential	\$165.95	\$50.00	\$215.95
4912 Canoga Street	Residential	\$166.39	\$50.00	\$216.39
10221 Santa Anita Avenue	Residential	\$173.30	\$50.00	\$223.30
4103 Howard Street	Residential	\$244.82	\$50.00	\$294.82
4811 Orchard Street	Residential	\$156.45	\$50.00	\$206.45
4852 Fauna Street	Residential	\$349.80	\$50.00	\$399.80
10231 Coalinga Avenue	Residential	\$349.77	\$50.00	\$399.77
10123 Fremont Avenue	Residential	\$348.32	\$50.00	\$398.32
10124 Poulsen Avenue	Residential	\$350.20	\$50.00	\$400.20
10154 Poulsen Avenue	Residential	\$166.52	\$50.00	\$216.52
10265 Saratoga Avenue	Residential	\$250.86	\$50.00	\$300.86
10201 Columbine Avenue	Residential	\$164.21	\$50.00	\$214.21
10166 Santa Anita Avenue	Residential	\$237.17	\$50.00	\$287.17
10148 Del Mar Avenue	Residential	\$181.73	\$50.00	\$231.73
10212 Del Mar Avenue	Residential	\$173.04	\$50.00	\$223.04
5476 Kingsley Street	Residential	\$233.36	\$50.00	\$283.36
5051 Flora Street	Residential	\$383.69	\$50.00	\$433.69
10282 Greenwood Avenue	Residential	\$166.52	\$50.00	\$216.52
10289 Tudor Avenue	Residential	\$349.86	\$50.00	\$399.86
4668 Kingsley Street	Residential	\$129.85	\$50.00	\$179.85
10129 Galena Avenue	Residential	\$167.40	\$50.00	\$217.40
10241 Camulos Avenue	Residential	\$242.35	\$50.00	\$292.35
10252 Camulos Avenue	Residential	\$137.74	\$50.00	\$187.74
4490 Kingsley Street	Residential	\$173.30	\$50.00	\$223.30
4219 Fauna Street	Residential	\$168.75	\$50.00	\$218.75
10445 Tudor Avenue	Residential	\$233.36	\$50.00	\$283.36
4949 Canoga Street	Residential	\$148.05	\$50.00	\$198.05
5019 Kingsley Street	Residential	\$167.04	\$50.00	\$217.04
5533 Vernon Court	Residential	\$205.96	\$50.00	\$255.96
4595 Oakdale Street	Residential	\$232.78	\$50.00	\$282.78
4839 Mane Street	Residential	\$166.38	\$50.00	\$216.38
4846 Mane Street	Residential	\$176.10	\$50.00	\$226.10
11221 Greycliff Avenue	Residential	\$351.19	\$50.00	\$401.19

Service Address	Account Type	Delinquency	Lien Fee	Total Lien Amount
11158 Carriage Avenue	Residential	\$233.36	\$50.00	\$283.36
4675 Saddleback Street	Residential	\$175.68	\$50.00	\$225.68
5198 Kingsley Street	Multifamily	\$699.51	\$50.00	\$749.51
8919-21 Felipe Avenue	Multifamily	\$614.09	\$50.00	\$664.09
4693 Canoga Street	Multifamily	\$665.34	\$50.00	\$715.34
10360 Amherst Avenue	Multifamily	\$499.16	\$50.00	\$549.16
10431 Amherst Avenue	Multifamily	\$332.77	\$50.00	\$382.77
10421 Amherst Avenue	Multifamily	\$332.77	\$50.00	\$382.77
4602 Canoga Street	Multifamily	\$115.04	\$50.00	\$165.04
4548 Yosemite Drive	Residential	\$344.74	\$50.00	\$394.74
4505 Donner Court	Residential	\$166.39	\$50.00	\$216.39
4558 Humboldt Court	Residential	\$351.03	\$50.00	\$401.03
4542 Yosemite Drive	Residential	\$165.03	\$50.00	\$215.03
4515 Yosemite Drive	Residential	\$166.81	\$50.00	\$216.81
5223 Belvedere Way	Residential	\$165.95	\$50.00	\$215.95
5177 San Antonio Way	Residential	\$148.05	\$50.00	\$198.05
10955 San Miguel Way	Residential	\$173.30	\$50.00	\$223.30
11032 San Juan Way	Residential	\$183.16	\$50.00	\$233.16
9201 Central Avenue	Commercial	\$378.88	\$50.00	\$428.88
4315 Clydesdale Way	Residential	\$163.40	\$50.00	\$213.40
4924 Canoga Street	Residential	\$166.40	\$50.00	\$216.40
4269 Clydesdale Way	Residential	\$178.87	\$50.00	\$228.87
10310-12 Lehigh Avenue	Multifamily	\$332.76	\$50.00	\$382.76
5105 Bandera Street	Residential	\$135.57	\$50.00	\$185.57
10290 Monte Vista Avenue	Senior	\$159.94	\$50.00	\$209.94
10614 Oak Glen Avenue	Multifamily	\$296.10	\$50.00	\$346.10
10963 San Juan Way	Residential	\$190.28	\$50.00	\$240.28
9802 Central Avenue	Residential	\$2,715.81	\$50.00	\$2,765.81
4843 Orchard Street	Residential	\$166.94	\$50.00	\$216.94
4742 Canoga Street	Multifamily	\$663.77	\$50.00	\$713.77
10235 Columbine Avenue	Residential	\$149.45	\$50.00	\$199.45
10487 Adobe Court	Residential	\$271.76	\$50.00	\$321.76
10919 Fremont Avenue	Residential	\$153.71	\$50.00	\$203.71
4661 Mane Street	Residential	\$142.87	\$50.00	\$192.87
4999 Grand Avenue	Residential	\$243.48	\$50.00	\$293.48
4865 Orchard Street	Residential	\$250.92	\$50.00	\$300.92
5093 Bandera Street	Residential	\$166.29	\$50.00	\$216.29
10493 Adobe Court	Residential	\$180.21	\$50.00	\$230.21
11013 Wesley Avenue	Residential	\$169.21	\$50.00	\$219.21
4674 Evart Street	Residential	\$148.05	\$50.00	\$198.05
5554 Vernon Court	Residential	\$166.39	\$50.00	\$216.39
10236 Del Mar Avenue	Residential	\$167.30	\$50.00	\$217.30
10436 Helena Avenue	Residential	\$155.81	\$50.00	\$205.81
5425 Howard Street	Multifamily	\$190.39	\$50.00	\$240.39
10477 Yosemite Drive	Residential	\$119.50	\$50.00	\$169.50

Service Address	Account Type	Delinquency	Lien Fee	Total Lien Amount
4528 Donner Court	Residential	\$244.49	\$50.00	\$294.49
10462 Yosemite Drive	Residential	\$350.11	\$50.00	\$400.11
10213 Columbine Avenue	Residential	\$148.05	\$50.00	\$198.05
10186 Fremont Avenue	Residential	\$165.93	\$50.00	\$215.93
11049 Fremont Avenue	Residential	\$108.73	\$50.00	\$158.73
10250 Poulsen Avenue	Residential	\$172.45	\$50.00	\$222.45
5101 Bandera Street	Residential	\$166.37	\$50.00	\$216.37
5572 Kingsley Street	Residential	\$233.36	\$50.00	\$283.36
4612 Canoga Street	Multifamily	\$665.34	\$50.00	\$715.34
5185 Evert Street	Residential	\$177.91	\$50.00	\$227.91
4555 Mane Street	Residential	\$148.05	\$50.00	\$198.05
5229 Belvedere Way	Residential	\$164.21	\$50.00	\$214.21
4234 Fauna Street	Residential	\$173.30	\$50.00	\$223.30
4780 Bandera Street	Multifamily	\$660.22	\$50.00	\$710.22
5422 Orchard Street	Residential	\$349.97	\$50.00	\$399.97
4592 Canoga Street	Multifamily	\$565.23	\$50.00	\$615.23
5232 Hanover Way	Residential	\$166.41	\$50.00	\$216.41
11040 Buckingham Way	Residential	\$166.94	\$50.00	\$216.94
5162 Canoga Street	Multifamily	\$637.58	\$50.00	\$687.58
11122 Coalinga Avenue	Residential	\$233.36	\$50.00	\$283.36
11007 Monte Vista Avenue	Residential	\$211.47	\$50.00	\$261.47
11148 Coalinga Avenue	Residential	\$234.70	\$50.00	\$284.70
10150 Helena Avenue	Residential	\$164.21	\$50.00	\$214.21
9617 Central Avenue	Commercial	\$229.39	\$50.00	\$279.39
4748 Fauna Street	Residential	\$350.25	\$50.00	\$400.25
5115 Bandera Street	Residential	\$166.94	\$50.00	\$216.94
4224 Appaloosa Way	Residential	\$165.95	\$50.00	\$215.95
5071 Fauna Street	Residential	\$189.44	\$50.00	\$239.44
4535 Mane Street	Residential	\$105.03	\$50.00	\$155.03
5230 Bandera Street	Multifamily	\$141.00	\$50.00	\$191.00
4855 Mane Street	Residential	\$166.39	\$50.00	\$216.39
10259 Camulos Avenue	Residential	\$166.38	\$50.00	\$216.38
5242 Monte Verde Street	Residential	\$148.05	\$50.00	\$198.05
4502 Donner Court	Residential	\$130.25	\$50.00	\$180.25
11178 Whitewater Avenue	Residential	\$166.37	\$50.00	\$216.37
4780 Kingsley Street	Residential	\$164.21	\$50.00	\$214.21
4975 Canoga Street	Residential	\$167.52	\$50.00	\$217.52
10225 Lehigh Avenue	Residential	\$166.28	\$50.00	\$216.28
10213 Camulos Avenue	Residential	\$140.42	\$50.00	\$190.42
11169 Carrillo Avenue	Residential	\$173.30	\$50.00	\$223.30
11073 Monte Vista Avenue	Residential	\$215.52	\$50.00	\$265.52
4230 Via Amore	Residential	\$233.36	\$50.00	\$283.36
5239 Monte Verde Street	Residential	\$148.05	\$50.00	\$198.05
11246 Poulsen Avenue	Residential	\$173.50	\$50.00	\$223.50
4534 Yosemite Drive	Residential	\$350.08	\$50.00	\$400.08

Service Address	Account Type	Delinquency	Lien Fee	Total Lien Amount
11285 Ada Avenue	Residential	\$133.36	\$50.00	\$183.36
10865 Pipeline Avenue #A	Residential	\$138.16	\$50.00	\$188.16
11254 Poulsen Avenue	Residential	\$233.36	\$50.00	\$283.36
5210 Kingsley Street	Senior	\$147.17	\$50.00	\$197.17
10203 Vernon Avenue	Residential	\$399.72	\$50.00	\$449.72
10238 Monte Vista Avenue	Residential	\$349.90	\$50.00	\$399.90
10271 Camulos Avenue	Residential	\$176.72	\$50.00	\$226.72
10244 Oak Glen Avenue	Residential	\$190.65	\$50.00	\$240.65
8912 Felipe Avenue	Residential	\$350.10	\$50.00	\$400.10
4780 Howard Street	Residential	\$166.52	\$50.00	\$216.52
11020 San Pasqual Avenue	Residential	\$173.30	\$50.00	\$223.30
10468 Calico Court	Residential	\$166.78	\$50.00	\$216.78
4501 Donner Court	Residential	\$349.77	\$50.00	\$399.77
4337 Appaloosa Way	Residential	\$233.36	\$50.00	\$283.36
4909 Kingsley Street	Residential	\$233.36	\$50.00	\$283.36
4596 Mane Street	Residential	\$166.39	\$50.00	\$216.39
11143 San Pasqual Avenue	Residential	\$100.00	\$50.00	\$150.00
10845 Pipeline Avenue	Residential	\$144.95	\$50.00	\$194.95
10885 Pipeline Avenue	Residential	\$145.56	\$50.00	\$195.56
4912 Carlton Street	Residential	\$110.11	\$50.00	\$160.11
10768 Fremont Avenue	Residential	\$138.16	\$50.00	\$188.16
4980 Howard Street	Residential	\$110.58	\$50.00	\$160.58
5022 Evert Street	Residential	\$109.91	\$50.00	\$159.91
10956 Shetland Avenue	Residential	\$233.36	\$50.00	\$283.36
5225 Saddleback Street	Residential	\$105.67	\$50.00	\$155.67
5271 Saddleback Street	Residential	\$220.77	\$50.00	\$270.77
5358 Orchard Street	Residential	\$72.92	\$50.00	\$122.92
5181 Fauna Street	Residential	\$150.35	\$50.00	\$200.35
5225 Arrow Hwy	Commercial	\$170.97	\$50.00	\$220.97
10557 Morgan Circle	Residential	\$349.80	\$50.00	\$399.80
10472 Yosemite Drive	Residential	\$164.21	\$50.00	\$214.21
11159 Essex Avenue	Residential	\$444.82	\$50.00	\$494.82
4944 Carlton Street	Residential	\$205.39	\$50.00	\$255.39
5225 Hanover Way	Residential	\$241.33	\$50.00	\$291.33
11036 Buckingham Way	Residential	\$148.05	\$50.00	\$198.05
4664 Evert Street	Residential	\$162.71	\$50.00	\$212.71
10171 Canary Court	Residential	\$173.30	\$50.00	\$223.30
10296 Bel Air Avenue	Residential	\$114.92	\$50.00	\$164.92
5485 Applegate Street	Residential	\$260.87	\$50.00	\$310.87
		\$41,054.47	\$8,550.00	\$49,604.47

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
MAY 18, 2009 AT 7:18 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Council Member Ruh called the meeting to order at 7:18 p.m.

II. ROLL CALL

Present: Council Member Ruh; Council Member Raft; City Manager McDougal; and Deputy City Manager/Director of Administrative Services Starr

III. APPROVAL OF MINUTES

A. Minutes of Regular Personnel Committee Meeting of May 4, 2009

Moved by Council Member Ruh, seconded by City Manager McDougal, and carried unanimously to approve the minutes of the Personnel Committee meeting of May 4, 2009.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

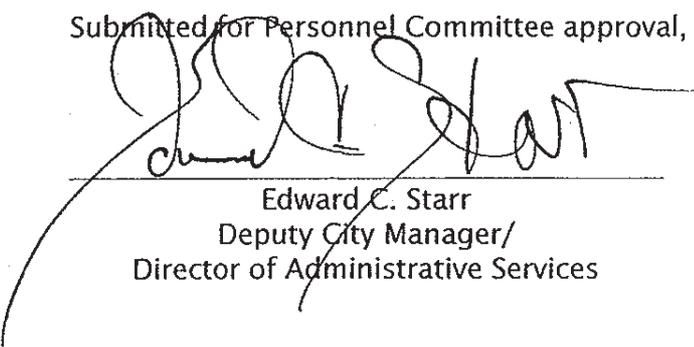
At 7:19 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 7:28 p.m., the Personnel Committee returned from Closed Session. Council Member Ruh stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 7:28 p.m., Council Member Ruh adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
Deputy City Manager/
Director of Administrative Services