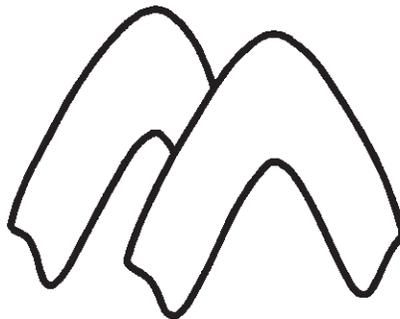


AGENDA FOR CITY COUNCIL, REDEVELOPMENT AGENCY, AND
MONTCLAIR HOUSING CORPORATION

To be held in the Council Chambers
5111 Benito Street, Montclair, California

September 7, 2010

7:00 p.m.



MONTCLAIR

Mayor Paul M. Eaton

Mayor Pro Tem J. John Dutrey

Council Member Leonard Paulitz

Council Member Carolyn Raft

Council Member Bill Ruh

City Manager Edward C. Starr

City Attorney Diane E. Robbins

City Clerk Donna M. Jackson

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

September 7, 2010

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.

Page No.

I. CALL TO ORDER - City Council, Redevelopment Agency, and Montclair Housing Corporation

II. INVOCATION

In keeping with our long-standing tradition of opening our Council meetings with an invocation, this City Council Meeting may include a nonsectarian invocation. Such invocations are not intended to proselytize or advance any faith or belief or to disparage any faith or belief. Neither the City nor the City Council endorse any particular religious belief or form of invocation.

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS

- A. Introduction of New Employees
- B. Introduction of New Community Action Committee Members
- C. Presentation of Certificates of Appreciation to Outgoing Community Action Committee Members Darleen Hartman and Edward Cook for Their Many Years of Service to the Community
- D. Presentation of Certificates of Recognition to Target and Heart of America in Appreciation of Their Generosity in Renovating the Monte Vista Elementary School's Library Makeover

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 August 16, 2010	
B. Administrative Reports	
1. Consider Setting a Public Hearing to Consider Ordinance No. 10-916 Amending Chapters 11.02, 11.18, and 11.38, and Adding Chapter 11.19 to the Montclair Municipal Code Related to Accessory Structures in Single-Family Residential Zones [CC]	6
2. Consider Setting a Public Hearing to Consider Ordinance No. 10-917 Adding Chapter 6.26 to Title 6 of the Montclair Municipal Code Related to the Splash Pad at Alma Hofman Park [CC]	18
3. Consider Setting a Public Hearing to Consider a Plan Amendment for Fiscal Year 2010-11 Community Development Block Grant Projects CC]	22
4. Consider Approval of Parcel Merger No. 2010-1 for Three Parcels Located at 10543 Mills Avenue [CC]	
Consider Acceptance of Grant Deed No. 1658, an Easement for Construction, Reconstruction, Maintenance, and Use of Public Street and Appurtenances for One of These Three Parcels Located at 10543 Mills Avenue [CC]	24
5. Consider Authorization of a \$9,200 Appropriation from the Contingency Account to Retain Emergency Management Services Initiative to Update and Enhance the City's Hazard Mitigation Plan [CC]	
Consider Authorization to Receive \$9,200 from the Homeland Security Grant Program to Retain Emergency Management Services Initiative to Update and Enhance the City's Hazard Mitigation Plan [CC]	33
6. Consider Declaring Certain City Property as Surplus and Authorized for Destruction [CC]	35
7. Consider "No Action" on Alcoholic Beverage Permit Application - Mi Pueblo Market [CC]	36
8. Consider Approval of Warrant Register and Payroll Documentation [CC]	37
C. Agreements	
1. Consider Approval of Agreement No. 10-103, the Second Amendment to Agreement No. 92-38, a National Pollutant Discharge Elimination System Stormwater Implementation Agreement with the County of San Bernardino, the San Bernardino County Flood Control District, and Copermittee Cities [CC]	38

2. Consider Approval of Assigning Agreement No. 09-129, a Communication Site Lease with T-Mobile West Corporation, to Mobilite Investments II, LLC, through Agreement No. 10-104 Regarding the Alma Hofman Park Cellular Tower [CC] 55

3. Consider Redevelopment Agency Board of Directors' Approval of Rehabilitation Grant Agreement No. 10-105 by and between the City of Montclair Redevelopment Agency and One Exterior Housing Improvement Program Participant [RDA] 59

4. Consider Award of Contract to Creative Contractors Corp. in the Amount of \$142,427 [CC]

Consider Approval of Agreement No. 10-106 with Creative Contractors Corp. for Construction of the Replacement of Playground Equipment at Alma Hofman Park Project [CC]

Consider Authorization of a \$15,000 Construction Contingency [CC] 63

D. Resolutions

1. Consider Adoption of Resolution No. 10-2859 Rescinding Resolution No. 09-2817 Designating Restricted Parking on Public Streets [CC] 70

2. Consider Adoption of Resolution No. 10-2861 Adopting a Measure I Five-Year Capital Improvement Program [CC]

Consider Adoption of Resolution No. 10-2862 Adopting a Measure I Five-Year Capital Project Needs Analysis [CC] 107

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

1. Closed Session Pursuant to Section 54956.9(b)(1)

Tort Claim Filed by Debra Camou

2. Closed Session Pursuant to Section 54957.6 of the Government Code Regarding Conference with Designated Labor Negotiator City Manager Edward C. Starr

Agency: City of Montclair

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

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

Property:	Assessor's Parcel No.	Address
	1011-012-08-0000	5011 Brooks Street Montclair, CA 91763
Negotiating Parties: City and Basin Ventures-LA, Inc.		
	1011-012-04-0000	10625 Monte Vista Avenue Montclair, CA 91763
Negotiating Parties: City and Delbert Darrell Foreman		
	1011-012-03-0000	10635 Monte Vista Avenue Montclair, CA 91763
Negotiating Parties: City and Zion's First Nat'l Bank		

Negotiators: Marilyn J. Staats, Director of Redevelopment and Public Works and Michael C. Hudson, City Engineer

Under Negotiation: Recommendations Regarding Acquisition of Easements on Subject Properties in Conjunction with Monte Vista Avenue/Union Pacific Grade Separation Project

B. City Manager/Executive Director

C. Mayor/Chairman

D. Council/Agency Board

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

1. Minutes of the Public Works Committee Meeting of June 17, 2010	115
2. Minutes of the Code Enforcement Committee Meeting of August 16, 2010	121
3. Minutes of the Personnel Committee Meeting of August 16, 2010	123

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

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

XIII. CLOSED SESSION ANNOUNCEMENTS

**XIV. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT
AGENCY BOARD OF DIRECTORS**

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, September 20, 2010, at 7:00 p.m. in the Council Chambers.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the City Council, Redevelopment Agency Board, or Montclair Housing Corporation Board after distribution of the Agenda packet are available for public inspection in the Office of the City Clerk located at 5111 Benito Street, Montclair, California, between 7:00 a.m. and 6:00 p.m., Monday through Thursday.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (909) 625-9415. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

I, Donna M. Jackson, City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the bulletinboard adjacent to the south door of Montclair City Hall on September 2, 2010.

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO CONSIDER ORDINANCE NO. 10-916 AMENDING CHAPTERS 11.02, 11.18, AND 11.38 AND ADDING CHAPTER 11.19 TO THE MONTCLAIR MUNICIPAL CODE RELATED TO ACCESSORY STRUCTURES IN SINGLE-FAMILY RESIDENTIAL ZONES	DATE: September 7, 2010 SECTION: ADMIN. REPORTS ITEM NO.: 1 FILE I.D.: LDU410 DEPT.: COMMUNITY DEV.
BUSINESS PLAN: N/A	

REASON FOR CONSIDERATION: Amendments to the Municipal Code require public hearing review and approval by the City Council.

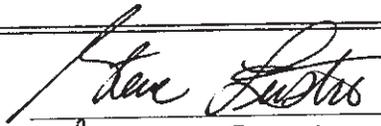
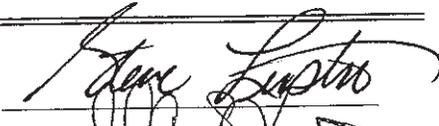
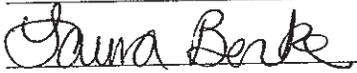
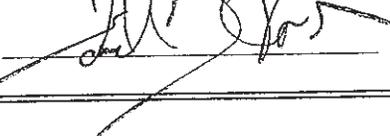
BACKGROUND: On several occasions in the past few years, staff has been approached by property owners seeking to build larger accessory structures on their property. The Montclair Municipal Code has historically limited accessory structures to a maximum size of 400 square feet, with the exception of a 700-square-foot second dwelling unit pursuant to Chapter 11.23 of the Municipal Code.

Staff has determined that there has been an inconsistent pattern of approving large, detached accessory structures, particularly on estate-zoned lots in the southerly portion of the City, over the past 15 to 20 years. Some of these structures are unsightly and do not appear to have been designed to be compatible with the home or neighborhood. The purpose of this code amendment would be to clarify the standards that apply to accessory structures to ensure that such structures are compatible within a single-family environment.

Proposed Ordinance No. 10-916 adds or clarifies definitions, including distinguishing between "major" and "minor" accessory structures, and sets forth general requirements, design standards, setback requirements, height limits, and the maximum number and size allowed for accessory structures. A copy of proposed Ordinance No. 10-916 is included in the Council packet for reference.

Staff conducted public hearings on the proposed Ordinance before the Planning Commission on June 14 and August 9, 2010. The two Montclair residents who are the proponents of the code amendment spoke at both public hearings and are supportive of the Ordinance as written. At the August 9 public hearing, the Commission expressed unanimous support for the proposed Ordinance and directed staff to submit it to City Council for consideration.

FISCAL IMPACT: The cost to publish a Notice of Public Hearing in the *INLAND VALLEY DAILY BULLETIN* related to Ordinance No. 10-916 should not exceed \$400.

Prepared by: 	Reviewed and Approved by: 
Proofed by: 	Presented by: 

RECOMMENDATION: The Planning Commission and staff recommend the City Council set a public hearing for Monday, September 20, 2010, at 7:00 p.m. in the Council Chambers to consider adoption of Ordinance No. 10-916 amending Chapters 11.02, 11.18, and 11.38 and adding Chapter 11.19 to the Montclair Municipal Code related to accessory structures in single-family residential zones.

ORDINANCE NO. 10-916

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING CHAPTERS 11.02, 11.18, AND 11.38 AND ADDING CHAPTER 11.19 TO THE MONTCLAIR MUNICIPAL CODE (ACCESSORY STRUCTURES IN SINGLE-FAMILY RESIDENTIAL ZONES)

WHEREAS, California Government Code Section 65800 *et seq.* authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan; and

WHEREAS, on several occasions in the past few years, staff has been approached by property owners desiring to build larger accessory structures on their residential property; and

WHEREAS, the Montclair Municipal Code currently limits accessory structures to a maximum size of 400 square feet, with the exception of a 700-square-foot second dwelling unit pursuant to the provisions of Chapter 11.23 of the Municipal Code; and

WHEREAS, an application for a code amendment was filed by two residents seeking a change in the existing code that would allow them to construct a larger accessory structure on their respective properties; and

WHEREAS, from time to time, it becomes necessary and/or advantageous to amend particular portions of the Zoning and Development Code of the City of Montclair to address new development issues or to improve the general welfare of the community and encourage attractive and logical development; and

WHEREAS, the purpose of this code amendment is intended to allow proportionately larger accessory structures on larger properties, and to provide development and design standards for the construction of said accessory structures on single-family zoned properties within the City to promote the general welfare of the community, and to ensure attractive and logical development; and

WHEREAS, the proposed Ordinance and subsequent code amendment applies only to single-family residential zoned properties within the City boundaries; and

WHEREAS, the City Council finds that the proposed Ordinance is consistent with the General Plan's goal of protecting residential property values and privacy by preventing the intrusion of incompatible land uses in that the proposed code amendment provides enhanced development criteria and design guidelines for accessory structures in single-family residential districts of the City; and

WHEREAS, the proposed code amendments regarding accessory structures would be incorporated into Title 11 of the Montclair Municipal Code

(Zoning and Development) and will modify and supersede the existing provisions addressing accessory structures on single-family properties in Title 11; and

WHEREAS, the City Council finds that this Ordinance is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The code amendment is an enactment of a zoning ordinance to modify existing development standards applicable to accessory (appurtenant) improvements on existing residential properties. The accessory structures envisioned with this code amendment would be categorically exempt as improvements to new construction of small structures under Section 15303(e) of the CEQA Guidelines. Moreover, the code amendment will not have a significant effect on the environment as it does not in itself directly approve any construction activities, but instead establishes standards, permit requirements, and other measures that regulate the design, installation, and maintenance of accessory (appurtenant) structures on existing residential properties; and

WHEREAS, the Director of Community Development is directed to file a Notice of Exemption in accordance with CEQA and the State CEQA Guidelines.

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

SECTION I. Section 11.02.010 ("Definitions") of Title 11 ("Zoning and Development") of the Montclair Municipal Code is hereby amended to include the following. In cases where a definition currently exists, it shall be replaced in its entirety by the definition contained herein.

11.02.010 Definitions.

Accessory Structure/Building - A structure that is subordinate to, smaller in floor area than, and detached from the primary structure of a residential property. Typical residential accessory structures include, but are not limited to, pool houses, storage buildings, patio covers, canopies, garages, carports, workshops, greenhouses (for noncommercial raising of plants), outdoor fireplaces, light poles, gazebos, tree houses, and play structures. A cargo/shipping container is not considered an accessory structure in any residential district.

Attached Accessory Structure - An accessory building or structure shall be considered an integral part of the principal building if it is connected to the primary building including by a covered passageway.

Floor Area, Gross - Gross floor area of the primary structure or residence, including the area of attached garages and solid roof covered patios.

Lot Coverage - The sum of the footprint area of the primary and all accessory structures on a lot.

Minor Accessory Structure - An accessory building or structure with a footprint of 120 square feet or less and which is 8 feet or less in height. Minor accessory buildings or structures shall not be connected to utilities without necessary permits.

Major Accessory Structure – Any accessory building or structure with a footprint greater than 120 square feet in area, and/or greater than 8 feet in height. Major accessory buildings or structures shall not be connected to utilities without necessary permits.

Open Patio or Trellis Structure – An accessory structure having a roof constructed of lattice or other roof material that allows light and air to pass through a minimum of 50 percent of the roof surface. Additionally, the sides of an open structure consist only of support posts and decorative or functional elements such as braces and railings such that light and air can pass through a minimum of 75 percent of each side. Open patio structures include, but are not limited to, trellises, trellis-like patio covers, and other shade structures.

Space, Habitable – A room or rooms meeting the minimum requirements of the California Building Code and that is intended for sleeping, living, cooking or dining purposes, excluding enclosed places (*e.g.*, closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms, garages, and similar spaces).

Structure, Primary – A structure that houses the primary legal use on a property or lot. It shall not apply to accessory structures (*e.g.*, garages, pool houses, sheds, etc.).

SECTION II. Section 11.18.010 is hereby repealed and replaced in its entirety as follows:

11.18.010 Single-Family Residential Zone.

The R-1 Single-Family Residential Zone is intended as a district of single-family homes with not more than one primary dwelling unit, a maximum of one second dwelling unit pursuant to Chapter 11.23 of this title, and detached accessory building(s) pursuant to Chapter 11.19 of this title, upon one lot. Except as specifically provided elsewhere in this title, any and every building and premises or land in the R-1 Zone shall be used for, or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained, and moved into or within such R-1 Zone exclusively and only in accordance with the provisions set forth in this chapter.

SECTION III. Section 11.18.030.H is hereby repealed and replaced in its entirety as follows:

11.18.030 Uses Permitted.

H. Second dwelling units pursuant to Chapter 11.23 of this title and accessory buildings pursuant to Chapter 11.19 of this title or improvements incidental to any of the permitted uses in this chapter. No motor home, mobile home, tank, shipping container, trailer, bus or other vehicle or similar item shall be considered or permitted as accessory buildings.

SECTION IV. Sections 11.38.050.E-G are hereby repealed and replaced in their entirety as follows:

11.38.050 Yards.

E. Detached accessory building(s) shall not occupy more than 35 percent of a rear yard and shall meet the setback criteria set forth in Chapter 11.19 of this Title.

SECTION V. Chapter 11.19 is hereby added to Title 11 ("Zoning and Development") of the Montclair Municipal Code to read as follows:

Chapter 11.19

**ACCESSORY STRUCTURES
IN SINGLE-FAMILY RESIDENTIAL ZONES**

Sections:

11.19.010	Purpose and Intent.
11.19.020	Applicability.
11.19.030	General Requirements.
11.19.040	Accessory Structures in Multifamily Districts.
11.19.050	Size and Number of Accessory Structures Allowed.
11.19.060	Setbacks.
11.19.070	Height.
11.19.080	Building Separation.
11.19.090	Lot Coverage.
11.19.100	Design.
11.19.110	Additional Standards for Recreational Vehicle Garages.
11.19.120	Maintenance.

11.19.010 Purpose and Intent.

The purpose and intent of this Chapter is to:

- A. Establish development standards that apply to accessory structures in single-family residential zoning districts.
- B. Ensure accessory structures are consistent with the residential character of the surrounding neighborhood.
- C. Minimize the visual impact associated with the design of accessory structures.

11.19.020 Applicability.

- A. This Chapter shall apply to the construction of any accessory structure in single-family residential districts within the City as defined herein.
- B. Except as provided elsewhere in this Title, it shall be unlawful for any person to erect, construct, enlarge, move or replace any accessory use or structure without first complying with the development standards established herein and obtaining necessary construction and alteration permits, as may be required by adopted codes listed in Title 10 of the Montclair Municipal Code.
- C. Existing accessory structures that were legally constructed prior to the date of this Ordinance but which do not conform to the provisions of this Chapter are deemed to be legal nonconforming and shall be subject to the provisions of Chapter 11.78.060 of the Montclair Municipal Code.
- D. The provisions of this Chapter shall in no way validate any existing accessory structure constructed without City approval. Accessory structures erected without benefit of City approval and a building permit shall be removed upon notification, or if possible, modified to comply with the provisions of this Chapter and any applicable requirements in the adopted codes listed in Title 10 of the Montclair Municipal Code.

11.19.030 General Requirements.

Accessory buildings and structures, except walls and fences, in the R-1 Single-Family Residential Zone shall be subject to the following provisions:

A. An accessory structure may only be constructed on a lot containing a primary structure that is occupied by the appropriate use.

B. Accessory structures may only be used for purposes permitted in the district in which they are located. It shall be the responsibility of the Director to determine if a proposed accessory structure or use is appropriate, incidental, and subordinate to the principal permitted use.

C. No major accessory structure shall be allowed on a property that does not provide minimum required covered parking meeting the development standards of the underlying zoning district.

D. When an accessory structure is proposed on a property that is comprised of more than one lot or parcel, the parcels or lots in question shall be merged and recorded with County Recorder's office.

E. No mobile home, tank, shipping container, trailer, bus or other vehicle or similar item shall be utilized as an accessory building or storage structure in any single-family or multifamily residential zoning district.

F. Accessory buildings or structures containing machinery or other fixed equipment capable of creating noise audible outside of the structure shall comply with City noise standards as set forth in the Montclair Municipal Code.

G. No accessory building shall be used as a dwelling unit, sleeping quarters, or a housekeeping unit, or contain a kitchen unless permitted within an approved Second Dwelling Unit, subject to the provisions of Chapter 11.23 of the Montclair Municipal Code.

H. A bathroom may be allowed within an enclosed accessory structure if approved by the Community Development Director.

I. Accessory structures shall not be used for a commercial or industrial business, or home occupations. Other activities (*e.g.* hobbies) involving the use, manufacturing/processing, or the storage of flammable, combustible, explosive, toxic, or other hazardous materials in quantities that are not normally associated with a household use as determined by the Montclair Fire Department, shall be prohibited.

J. Accessory buildings or structures shall not be located in any utility or drainage easement.

K. Accessory structures shall be located and designed so as not to directly drain onto another property.

L. All accessory structures may be subject to the review and approval of the Montclair Fire Department including the requirement to install fire suppression (sprinkler) systems, monitoring, and/or alarms.

11.19.040 Accessory Structures in Multifamily Districts.

A. No accessory structure shall be erected in a multifamily zoning district unless pursuant to a Precise Plan of Design (PPD).

B. For multifamily developments, all accessory structures including carports and garages, trash enclosures, common open space structures, etc., shall be subject to the approval of, or included as an element of a PPD.

C. Where a development standard in an underlying Specific Plan (SP) or Planned Unit Development (PUD) project site addresses a specific accessory

structure standard (e.g., height or setback) those standards shall take precedence over this Chapter.

11.19.050 Size and Number of Accessory Structures Allowed.

The maximum size and number of accessory structures on any single-family residential lot shall be as follows:

Maximum Allowable Size for Accessory Structures on R-1 (Single-Family Residential) Properties			
<i>Lot Size</i>	<i>Maximum Total Size¹</i>	<i>Maximum Number²</i>	<i>Maximum Height³</i>
Less than 6,000 s.f.	200 square feet	1	1 story or 15 feet
6,001 – 9,000 s.f.	400 square feet	2	
9,001 – 12,000 s.f.	600 square feet		
12,001 – 15,000 s.f.	800 square feet		
15,001 – 18,000 s.f.	1,000 square feet		
18,001 – 20,000 s.f.	1,200 square feet		
Over 20,000 s.f.	1,400 square feet		
¹ Maximum cumulative floor area of all accessory structures on the property, including approved second units. Does not include attached accessory structures. ² In cases where the required garage is not part of the primary structure, it shall count as one of the two accessory buildings allowed, provided that the total floor area of the accessory buildings does not exceed the size limit or total lot coverage. ³ For RV garages see Sections 11.19.070 and 11.19.110.			

11.19.060 Setbacks.

Accessory buildings and structures shall comply with the following setback standards:

Setbacks for Minor Accessory Structures (less than 120 square feet)	
<i>Location</i>	<i>Setback Requirement*</i>
Front Yard	<ul style="list-style-type: none"> No accessory structures allowed except for fences or walls pursuant to Section 11.38.050.
Interior Side Yard	<ul style="list-style-type: none"> None for structures less than 6 feet in height behind a solid fence or wall and not visible to the street or adjacent properties. 3 feet minimum from side property line for structures greater than 6 feet but less than 8 feet in height. A 4-foot wide minimum unobstructed passageway to the rear yard shall be maintained at all times for access and onsite circulation.
Street Side Yard	<ul style="list-style-type: none"> No accessory structures allowed except for fences or walls pursuant to Section 11.38.050.
Rear Yard	<ul style="list-style-type: none"> None for structures less than 6 feet in height behind a solid fence or wall and not visible to the street or adjacent properties. 3 feet for structures up to 8 feet in height.
* Setbacks for all structures shall be measured from property line.	

Setbacks for Major Accessory Structures (120 square feet or greater)	
<i>Location</i>	<i>Setback Requirement**</i>
Front Yard	<ul style="list-style-type: none"> No major accessory structures allowed except for fences or walls pursuant to Section 11.38.050. No swimming pools, spas, or hot tubs shall be allowed. Required garage shall meet applicable setback requirements of the underlying district. A minimum of 20 feet is required in front of garage structures that directly face a public or private street.
Interior Side Yard	<ul style="list-style-type: none"> 5 or 12 feet as required by the underlying zoning district. A 4-foot wide minimum unobstructed passageway to the rear yard shall be maintained at all times for access and onsite circulation.
Street Side Yard	<ul style="list-style-type: none"> 15 feet minimum No accessory structures allowed except for fences or walls pursuant to Section 11.38.050. No swimming pools, spas, or hot tubs shall be allowed. Required garage shall meet applicable setback requirements of the underlying district. A minimum of 20 feet is required in front of garage structures that directly face a public or private street.
Rear Yard	<ul style="list-style-type: none"> 5 feet minimum
Alley	<ul style="list-style-type: none"> 25 feet from the opposite side of the alley for required garages taking direct access from the alley. 5 feet minimum for all other major accessory structures.
Equestrian Trails	<ul style="list-style-type: none"> 5 feet minimum as measured from fence line designating nearest side of equestrian trail easement in interior side or rear yards.
Through Lots	<ul style="list-style-type: none"> Accessory buildings may be placed in the apparent rear yard that is enclosed with a solid wall or fence and behind the required front yard setback of the opposite street.
** Setbacks for all structures shall be measured from property line except as noted. Eaves, cornices, and canopies shall not extend beyond 2 feet into the required setback.	

11.19.070 Height.

A. All accessory structures shall be limited to one (1) story and a maximum height of 15 feet, or the height of the primary structure, whichever is less. A rooftop designed so that it may be used as a deck shall be considered a second story for the purposes of this Chapter, and shall not be permitted.

B. For recreational vehicle (RV) garages, building height may exceed the stated height limit provided that overall height of the structure is the minimum necessary to achieve necessary clearances and allow a roof pitch that complements the roof pitch of the primary structure on the property. In no case, shall the maximum height of the portion of the accessory structure intended for accommodating an RV exceed 20 feet in height.

C. Accessory structures shall not have side walls taller than ten feet in height. In the case of subsection (B) above, vertical walls exceeding ten feet in height shall contain architectural design elements as described in Section 11.19.100.B herein.

11.19.080 Building Separation.

A. Major accessory buildings or structures shall be separated from the primary structure and any other major accessory building or structure by a minimum distance of 10 feet, as measured from nearest exterior vertical wall or post surface.

B. No accessory structure shall be attached to a property line fence or wall.

11.19.090 Lot Coverage.

A. The sum total of all accessory structures (except in-ground pools) shall not occupy more than 35 percent of the rear yard of a property.

B. All accessory buildings or structures shall be counted toward the overall total lot coverage limit allowed by the underlying zoning district.

11.19.100 Design.

Plans for an accessory structure shall be reviewed for conformity with the following guidelines:

A. Roofing and siding materials shall match as closely as possible the predominant materials on the principal dwelling. Alternate materials may be approved if the Director finds that the alternate roofing and siding materials effectively complement the character and appearance of the primary structure on the property.

B. A single, large, dominant building mass shall be avoided. When large accessory structures are proposed, the overall mass of the structure should be broken up through the change in wall planes, setbacks, projecting and recessed elements, and similar design techniques. Roofline offsets shall be provided to lend an architectural interest and variety to the massing of a building and to relieve the effect of a single long roof.

C. The color(s) shall reflect, or be complementary to, the color scheme of the primary structure or dwelling.

D. Trim detailing, including but not limited to fascia, window trim, and door trim shall reflect and be complementary to the trim detailing of the principal dwelling.

E. Any lighting affixed to an accessory structure shall be designed or shielded so as to not cause glare upon neighboring properties.

11.19.110 Additional Standards for Recreational Vehicle Garages.

Recreational vehicles (RVs) may be parked and stored within a completely or partially enclosed garage structure. Such structures shall be subject to the additional development criteria provided in the following standards:

A. The RV garage shall be located in the rear yard meeting all applicable setback requirements.

B. An RV garage structure shall be designed to minimize volume and mass and comply with the general design standards for large accessory structures contained in this Chapter. Rooflines shall be varied to reduce the scale of structures and add visual interest.

C. RVs shall not be covered solely by means of a carport structure. A carport for an RV may be considered when it is a part of, and appropriately integrated into, the overall design of a large accessory structure meeting the intent of the design standards for large accessory structures.

D. An RV garage structure shall not be placed on the property in any manner that blocks or obstructs direct vehicular access to required covered parking for the property.

E. Garages that are visible to the street shall have an automatic garage door opener and a decorative garage door design (e.g., "carriage style" garage doors) in keeping with the architectural style of the main house.

11.19.120 Maintenance.

All accessory structures shall be maintained in good repair, in conformance with the property maintenance standards of the Montclair Municipal Code at all times.

Section VI. 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 VII. Effective Date.

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

Section VIII. 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, 2010.

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. 10-916 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2010, and finally passed not less than five (5) days thereafter on the XX day of XX, 2010, by the following vote, to-wit:

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

Donna M. Jackson
City Clerk

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO CONSIDER ORDINANCE NO. 10-917 ADDING CHAPTER 6.26 TO TITLE 6 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO THE SPLASH PAD AT ALMA HOFMAN PARK	DATE: September 7, 2010 SECTION: ADMIN. REPORTS ITEM NO.: 2 FILE I.D.: PRK200 DEPT.: PUBLIC WORKS
BUSINESS PLAN: N/A	

REASON FOR CONSIDERATION: As the City Council is aware, the Splash Pad at Alma Hofman Park was opened in July 2010. Temporary rules and regulations were posted at the Splash Pad pending adoption of an Ordinance providing enforcement authority. The City Council is requested to consider setting a public hearing to consider adoption of proposed Ordinance No. 10-917 establishing rules and regulations for the Splash Pad.

A copy of the proposed Ordinance is attached for review and consideration. In addition, the proposed Rules and Regulations to be permanently posted at the Splash Pad are attached as Exhibit A.

BACKGROUND: The Splash Pad at Alma Hofman Park was opened on July 1, 2010. At the time the Splash Pad was opened, staff posted Rules and Regulations regarding operating hours and use of the facility. Since opening the Splash Pad, staff has gathered information regarding rules and regulations adopted by other cities for their water features and has had an opportunity to observe the Montclair Splash Pad in operation.

It is important to implement rules and regulations for use of the Splash Pad for public safety and in order to maintain the integrity of the Splash Pad mechanical and filtration systems. In order to give staff the legal authority to enforce the Rules and Regulations for the Splash Pad, it is necessary for the City Council to adopt an Ordinance regarding the establishment and posting of such rules and regulations. Proposed Ordinance No. 10-917 was drafted by the City Attorney and would provide the necessary authority to post and enforce rules and regulations for the Splash Pad.

FISCAL IMPACT: The cost to publish a Notice of Public Hearing related to proposed Ordinance No. 10-917 is not anticipated to exceed \$400.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, September 20, 2010, at 7:00 p.m. in the City Council Chambers to consider the first reading of Ordinance No. 10-917 adding Chapter 6.26 to Title 6 of the Montclair Municipal Code related to the Splash Pad at Alma Hofman Park.

Prepared by: <u>M. STAATS</u>	Reviewed and Approved by: <u>M. STAATS</u>
Proofed by: <u>Gyome Land</u>	Presented by: <u>[Signature]</u>

Exhibit A
CITY OF MONTCLAIR
SPLASH PAD
RULES AND REGULATIONS

Hours of Operation:
10:00 a.m. to 6:00 p.m.

Memorial Day Weekend Through Labor Day

Safety First

- No lifeguard or attendant on duty. Play at your own risk.
- Children shall be supervised by an adult at all times.
- Surface may be hot/slippery—appropriate footwear recommended.
- Climbing on water play equipment is strictly prohibited.

Courtesy to Others

- Running or rough play in Splash Pad area is not permitted.
- No bikes, skates, roller shoes, scooters, skateboards, strollers, toys, or wheeled vehicles (wheelchairs excluded) permitted in the Splash Pad area.
- No smoking allowed.
- No radios or other music-playing devices with audible sound are permitted.

Health and Sanitation

- Spray features use sanitized, treated, and recirculated water.
- Swimwear required.
- Swim diapers are required for children under the age of 4 years.
- No hanging of clothes or towels on trees, walls, fences, structures, or benches.
- Food, beverages (including water), gum, and glass are prohibited in the Splash Pad area.
- No pets in the Splash Pad area.
- All articles left at the Splash Pad will be disposed of at closing time.

The Splash Pad is subject to closure at any time.

The City reserves the right to revise and add new rules and regulations as required and prohibit anyone from using the Splash Pad at any time, for any reason, if determined to be in the best interest of all present including limiting the number of users in the Splash Pad.

Montclair Municipal Code Title 6, Section 6.26

ORDINANCE NO. 10-917

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADDING CHAPTER 6.26 TO TITLE 6 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO THE SPLASH PAD AT ALMA HOFMAN PARK

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

SECTION I. Addition to Code.

6.26.010 Definitions.

For the purpose of this Chapter, words, phrases, and terms used in this Chapter shall have their ordinary meaning, unless otherwise provided as follows:

Director means the Director of Public Works or other designee.

6.26.020 Purpose.

It is the purpose of this Chapter to establish rules and regulations for use of the Splash Pad at Alma Hofman Park in the City of Montclair.

6.26.030 Hours of Operation-Closure.

The Splash Pad shall be open from 10:00 a.m. until 6:00 p.m. from Memorial Day through Labor Day or as otherwise posted by the Director. The Splash Pad is subject to closure without notice at any time for maintenance or as otherwise determined by the Director.

6.26.040 Rules and Regulations.

Swimwear is required for any person using the Splash Pad. All children must be supervised by an adult at all times. Users of the Splash Pad play at their own risk. Other rules and regulations for the use of the Splash Pad may be established by the Director as he or she deems appropriate, provided that signs describing such rules and regulations are placed and posted pursuant to Section 6.26.050. All persons using the Splash Pad shall comply with all rules and regulations specified herein.

6.26.050 Signage and Posting Requirements.

In order to provide reasonable notice to the public, the Director shall place and post signs in one or more conspicuous and visible areas at or near the Splash Pad specifying the rules and regulations established pursuant to Section 6.26.040. The signs required pursuant to this Section shall cite the respective code section being invoked.

6.26.060 Enforcement.

Violation of any of the provisions of this Section may be grounds for removal from the Splash Pad. Any person failing to comply with the provisions

of this Chapter shall be subject to citation or other applicable enforcement authority available to the City. Criminal violations of this Chapter shall be punishable as infractions.

SECTION II. 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 III. Effective Date.

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

SECTION IV. 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, 2010.

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. 10-917 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2010, and finally passed not less than five (5) days thereafter on the XX day of XX, 2010, by the following vote, to-wit:

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

Donna M. Jackson
City Clerk

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO
CONSIDER A PLAN AMENDMENT FOR FISCAL
YEAR 2010-11 COMMUNITY DEVELOPMENT
BLOCK GRANT PROJECTS

DATE: September 7, 2010

SECTION: ADMIN. REPORTS

ITEM NO.: 3

BUSINESS

PLAN: N/A

FILE I.D.: GRT050

DEPT.: COMMUNITY DEV.

REASON FOR CONSIDERATION: Each fiscal year, the City of Montclair is required to conduct a public hearing to prioritize funding for various competing Community Development Block Grant (CDBG) projects. In addition, a public hearing is required when a major plan amendment is proposed for approved CDBG funding. These hearings are conducted in compliance with requirements of the Department of Housing and Urban Development and the County of San Bernardino Department of Community Development and Housing (CDH).

BACKGROUND: In assessing the status of the City's CDBG-funded projects, staff has determined that two existing programs are not likely to incur any expenses in the near future and another has been completed but has excess funds.

Work in subarea A of the Foundation Area 11 Neighborhood Revitalization Project is largely complete; however, it does not appear that the subsequent two phases will move forward soon. Just under \$2 million of CDBG funds have been expended in Foundation Area 11. The program currently has a fund balance of \$243,068.38. In Fiscal Year 2006-07, \$25,000 was allocated for the purchase and installation of a prefabricated restroom building for Sunset Park. Staff has determined that the CDBG funding for this project is not needed because alternative funding sources are available from the Redevelopment Agency should the City decide to pursue this project.

Accordingly, staff is proposing that the balances in the above two programs be transferred to provide seed funding for a new project: Community Center Accessibility Enhancement. The proposed project, which has a total estimated cost of just under \$400,000, would include construction of new, disabled-accessible restroom facilities in the Community Center and installation of automatic doors at the east and south entrances to enhance accessibility to the building. If the City Council approves the proposed Plan Amendment and it is subsequently approved by the County Board of Supervisors, the intent would be to contract for the preparation of plans during Fiscal Year 2010-11 and request the balance of the funding for the project during the regular Fiscal Year 2011-12 CDBG application cycle, with the goal of constructing the project in Fiscal Year 2011-12.

Prepared by:

Steve Lustrro

Reviewed and
Approved by:

Steve Lustrro

Proofed by:

Sauna Berke

Presented by:

Steve Lustrro

The Mills Avenue Alley Project, which involved the complete reconstruction of approximately 1,300 lineal feet of an alley east of Mills Avenue and north of Evert Street, was also completed earlier this year under budget, leaving a balance of \$116,798. Staff is proposing the excess funding for this project be transferred to the Mills Avenue Rehabilitation Project, which was approved by the County during the Fiscal Year 2010-11 CDBG application cycle. This transfer would result in the total funding for the Mills Avenue Rehabilitation Project being increased to \$455,389.01, which would allow the City to perform a more comprehensive renovation of Mills Avenue within the CDBG target area, generally between Orchard Street and the Union Pacific Railroad tracks. Work would include pavement rehabilitation, extensive removal and replacement of substandard sidewalks and disabled-accessible ramps, and removal of architectural barriers.

FISCAL IMPACT: The cost to publish a Notice of Public Hearing related to the Council's consideration of a proposed CDBG Plan Amendment for Fiscal Year 2010-11 should not exceed \$400.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, September 20, 2010, at 7:00 p.m. in the City Council chambers to consider a Plan Amendment for Fiscal Year 2010-11 Community Development Block Grant projects.

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF PARCEL MERGER NO. 2010-1 FOR THREE PARCELS LOCATED AT 10543 MILLS AVENUE

DATE: September 7, 2010

SECTION: ADMIN. REPORTS

CONSIDER ACCEPTANCE OF GRANT DEED NO. 1658, AN EASEMENT FOR CONSTRUCTION, RECONSTRUCTION, MAINTENANCE, AND USE OF PUBLIC STREET AND APPURTENANCES FOR ONE OF THESE THREE PARCELS LOCATED AT 10543 MILLS AVENUE

ITEM NO.: 4

FILE I.D.: LDU225

DEPT.: PUBLIC WORKS

BUSINESS

PLAN: N/A

REASON FOR CONSIDERATION: Parcel mergers and Grant Deeds are permitted under the Subdivision Map Act and the Montclair Municipal Code, subject to the approval of the City Council.

BACKGROUND: Southern Pacific Latin American District has expressed its wish to merge three adjacent parcels located at 10543 Mills Avenue. A parcel merger application has been submitted and reviewed. The properties are currently developed and used for religious purposes and associated parking. Neither the Public Works Department nor the Community Development Department has any objection to this proposal.

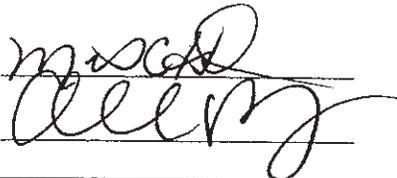
During the review of the documentation submitted as part of the parcel merger request, staff was unable to find a record of street right-of-way dedication for one of the parcels fronting Mills Avenue. Although full street improvements have existed through the frontage of this parcel for well over 30 years, it is not clear that the right-of-way for these improvements exists. Staff has requested, and the property owner has consented to, the dedication of this missing right-of-way.

FISCAL IMPACT: The merger of the affected parcels would have no fiscal impact to the City. The City's acceptance of Grant Deed No. 1658 would allow for continued maintenance and use of public street and appurtenances and would create no fiscal impact to the City.

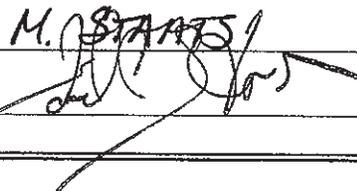
RECOMMENDATION: Staff recommends the City Council take the following actions:

1. Approve Parcel Merger No. 2010-1 for three parcels located at 10543 Mills Avenue.
2. Consider acceptance of Grant Deed No. 1658, easement for construction, reconstruction, maintenance, and use of public street and appurtenances for one of these three parcels located at 10543 Mills Avenue.

Prepared by:



Reviewed and
Approved by:



Proofed by:

Presented by:

RECORDING REQUESTED
BY AND MAIL TO:

CITY OF MONTCLAIR
CITY ENGINEER
P. O. BOX 2308
MONTCLAIR, CA 91763

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CERTIFICATE OF PARCEL MERGER NO. 2010-1

RECORD OWNERS	EXISTING PARCELS ASSESSOR PARCEL NUMBERS
Southern Pacific latin American District	Parcel 1 - 1012-021-08
Southern Pacific latin American District	Parcel 2 - 1012-021-18
Southern Pacific latin American District	Parcel 3 - 1012-021-50

LEGAL DESCRIPTION OF MERGED PARCEL

SEE EXHIBIT B

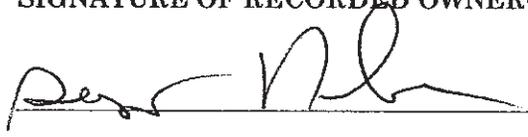
State of _____

DATED: 12-22-2009

County of _____

SIGNATURE OF RECORDED OWNER(S)

On _____ before me,
personally appeared _____



who proved to me on the basis of satisfactory evidence to be the
person(s) _____



whose name(s) is/are subscribed to the within instrument
and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State
Of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

See attached
document

Signature of Notary

CERTIFICATE OF PARCEL MERGER NO. 2010-1 WAS APPROVED BY THE MONTCLAIR CITY COUNCIL

ON: _____

BY: _____

TITLE: _____

DATE: _____

(Engineer's Stamp)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles }

On Dec. 23, 2009 before me, N. Gamez
Date Here Insert Name and Title of the Officer

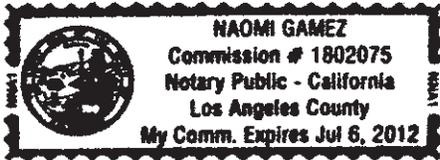
personally appeared Sergio Navarrete, Jose Espinoza
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Naomi Gamez*
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Application for Certificate of Parcel Merger

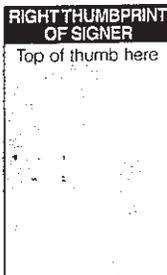
Document Date: 12/22/09 Number of Pages: 6

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Sergio Navarrete

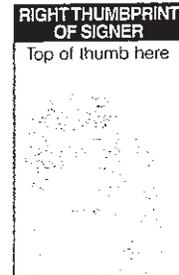
- Individual
- Corporate Officer — Title(s): owner
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: Southern Pacific Latin American District

Signer's Name: Jose Espinoza

- Individual
- Corporate Officer — Title(s): owner
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: Southern Pacific Latin American District

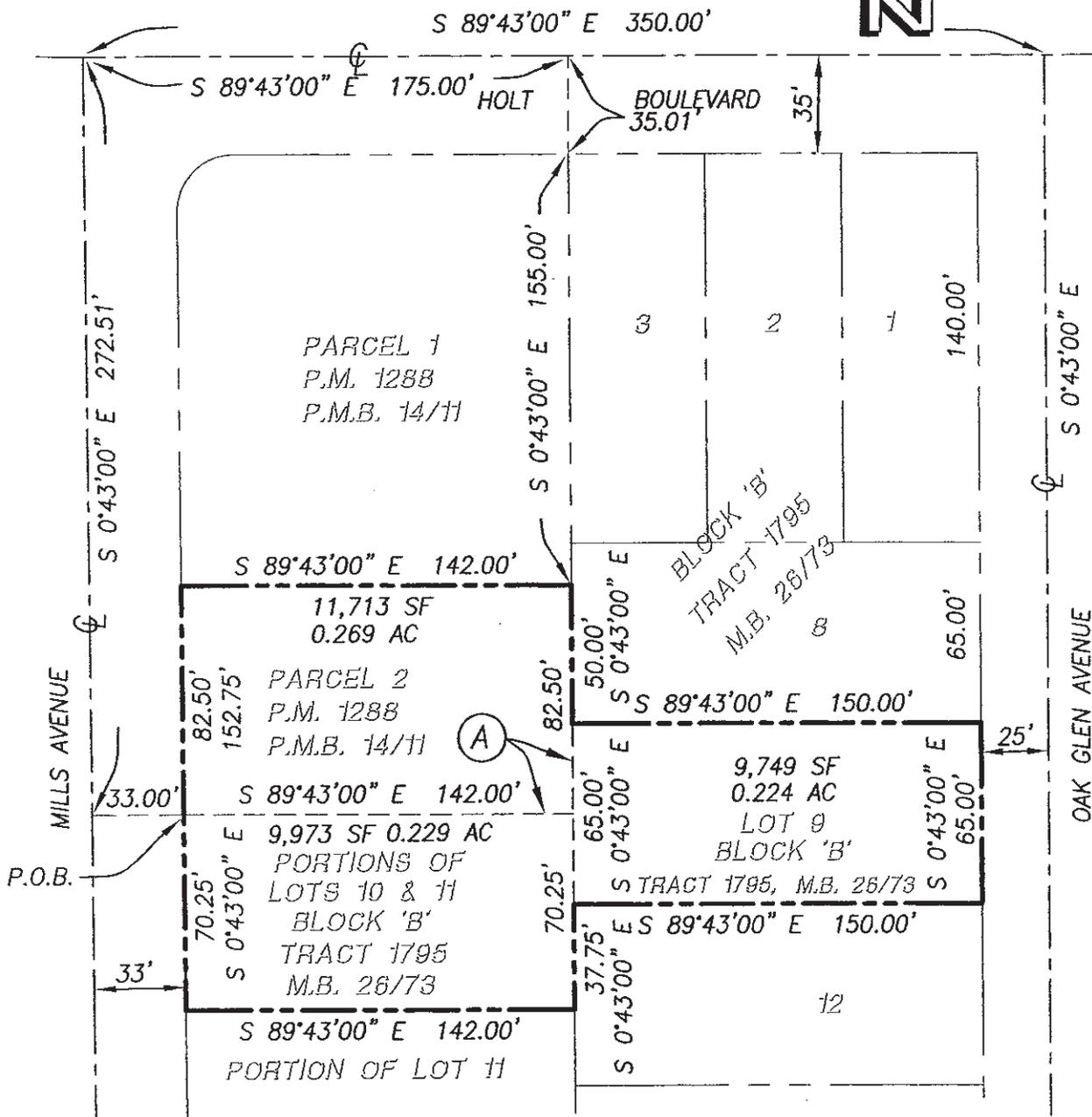
EXHIBIT "A"

CERTIFICATE OF MERGER NO. 2010-1

SHEET 1 OF 1



SCALE: 1"=60'



(A) - INDICATES LOT LINE TO BE ELIMINATED

PROPERTY ADDRESS: 10543 MILLS AVENUE

TOTAL SITE AREA: 31,435 SF, 0.722 AC

PLAT PREPARED BY

Lane & Associates

274 West 9th Street
Upland, CA 91786
909-981-1800

Civil Engineering
Land Surveying
Site Planning

T.A. Lane

8/5/11

TERRANCE A. LANE DATE
R.C.E. 24838 EXPIRES 12/31/11



EXHIBIT 'B'

CERTIFICATE OF MERGER NO. 2010-1

EXISTING LEGAL DESCRIPTIONS TO BE MERGED

EXISTING PARCEL A (APN 1012-021-50)

PARCEL 2 OF PARCEL MAP NO. 1288, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 14 OF PARCEL MAPS, PAGE 11, RECORDS OF SAID COUNTY.

EXISTING PARCEL B (APN 1012-021-18)

LOT 9, BLOCK "B" OF TRACT NO. 1795, EAST POMONA HOME ACRES, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 26 OF MAPS, PAGE 73, RECORDS OF SAID COUNTY.

EXISTING PARCEL C (APN 1012-021-08)

PARCEL 1: LOT 11, BLOCK "B" TRACT NO. 1795, EAST POMONA HOME ACRES, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 26 OF MAPS, PAGE 73, RECORDS OF SAID COUNTY.

EXCEPT THE SOUTH 27.250 FEET THEREOF

PARCEL 2: THE SOUTH 32.250 FEET OF LOT 10, BLOCK "B" TRACT NO. 1795, EAST POMONA HOME ACRES, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 26 OF MAPS, PAGE 73, RECORDS OF SAID COUNTY.

ALSO EXCEPT THAT PORTION OF SAID PARCELS 1 AND 2, AS DEDICATED TO THE CITY OF MONTCLAIR, LYING WESTERLY OF A LINE THAT IS PARALLEL WITH AND 33.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF MILLS AVENUE.

EXHIBIT 'B'

CERTIFICATE OF MERGER NO. 2010-1

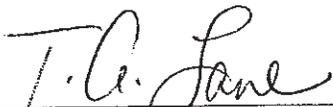
PROPOSED LEGAL DESCRIPTION OF MERGED PARCELS

BEING LOT 9, AND PORTIONS OF LOTS 10 AND 11, BLOCK "B" OF TRACT NO. 1795, EAST POMONA HOME ACRES, AS PER PLAT RECORDED IN BOOK 26 OF MAPS, PAGE 73, AND PARCEL 2 OF PARCEL MAP NO. 1288, AS PER PLAT RECORDED IN BOOK 14 OF PARCEL MAPS, PAGE 11, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, RECORDS OF SAID COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 2 OF PARCEL MAP NO. 1288, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 00° 43' 00" W ALONG THE WESTERLY LINE OF SAID PARCEL 2, ALSO BEING THE EASTERLY RIGHT OF WAY OF MILLS AVENUE, A DISTANCE OF 82.50 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 2; THENCE S 89° 43' 00" E ALONG THE NORTHERLY LINE OF SAID PARCEL, A DISTANCE OF 142.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 2; THENCE S 00° 43' 00" E ALONG THE EASTERLY LINE OF SAID PARCEL 2, A DISTANCE OF 50.00 FEET TO THE NORTHWEST CORNER OF LOT 9, BLOCK "B" TRACT 1795; THENCE S 89° 43' 00" E ALONG THE NORTHERLY LINE OF SAID LOT 9, A DISTANCE OF 150.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE S 00° 43' 00" E ALONG THE EASTERLY LINE OF LOT 9 ALSO BEING THE WESTERLY RIGHT OF WAY OF OAK GLEN AVENUE, A DISTANCE OF 65.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE N 89° 43' 00" W ALONG THE SOUTHERLY LINE OF SAID LOT 9 A DISTANCE OF 150.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9 AND ALSO THE NORTHEAST CORNER OF LOT 11 OF TRACT NO. 1795; THENCE S 00° 43' 00" E ALONG THE EASTERLY LINE OF SAID LOT 11 A DISTANCE OF 37.75 FEET TO A POINT ON A LINE PARALLEL WITH AND 27.25 FEET NORTHERLY OF THE SOUTH LINE OF LOT 11; THENCE N 89° 43' 00" W ALONG SAID PARALLEL LINE A DISTANCE OF 142.00 FEET, TO A POINT ON THE EASTERLY RIGHT OF WAY OF MILLS AVENUE; THENCE N 00° 43' 00" W ALONG THE EASTERLY RIGHT OF WAY OF MILLS AVENUE, A DISTANCE OF 70.25 FEET TO THE POINT OF BEGINNING.

AREA= 31,435 SQUARE FEET
0.722 ACRES

Legal description prepared by:
Lane & Associates



Terrance A. Lane
R.C.E. 24838, Expires 12/31/11



Recording Requested
By and Mail to:

CITY OF MONTCLAIR
P.O. BOX 2308
5111 BENITO STREET
MONTCLAIR, CALIFORNIA 91763

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Affix Internal Revenue Stamps in This Place

APN: 1012-021-08

GRANT DEED

Affix I.R.S. \$ _____

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

SOUTHERN PACIFIC LATIN AMERICAN DISTRICT

hereby GRANTS to the **CITY OF MONTCLAIR** an easement for the purpose of constructing, reconstructing, maintaining, and use of public street and appurtenances over the following described real property in the City of Montclair, County of San Bernardino, State of California:

See attached Exhibits A and B

Grant Deed No. 1658



Sergio Navarrete, Corporate Officer



Jose Espinoza, Corporate Officer

State of California

County of Los Angeles

On 8-16-2010 before me, C. VISITOR, NOTARY public

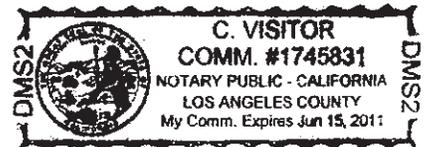
personally appeared Jose A. Espinoza and Sergio Navarrete, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature C. Visitor

Signature of Notary Public



Place Notary Seal Above

ACCEPTANCE

This is to certify that the interest in real property conveyed by the within instrument to the **CITY OF MONTCLAIR**, State of California, a body corporate and politic, is hereby accepted by order of the **MONTCLAIR CITY COUNCIL** made on _____, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated: _____

By: _____
City Clerk

(Seal)

EXHIBIT 'A'

DEDICATION (MILLS AVENUE)

EXISTING PARCEL (APN 1012-021-08)

PARCEL 1: LOT 11, BLOCK "B" TRACT NO. 1795, EAST POMONA HOME ACRES, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 26 OF MAPS, PAGE 73, RECORDS OF SAID COUNTY.

EXCEPT THE SOUTH 27.250 FEET THEREOF

PARCEL 2: THE SOUTH 32.250 FEET OF LOT 10, BLOCK "B" TRACT NO. 1795, EAST POMONA HOME ACRES, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 26 OF MAPS, PAGE 73, RECORDS OF SAID COUNTY.

PORTION TO BE DEDICATED (MILLS AVENUE)

THAT PORTION OF SAID PARCEL LYING WESTERLY OF A LINE THAT IS PARALLEL WITH AND 33.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF MILLS AVENUE.

Legal description prepared by:
Lane & Associates

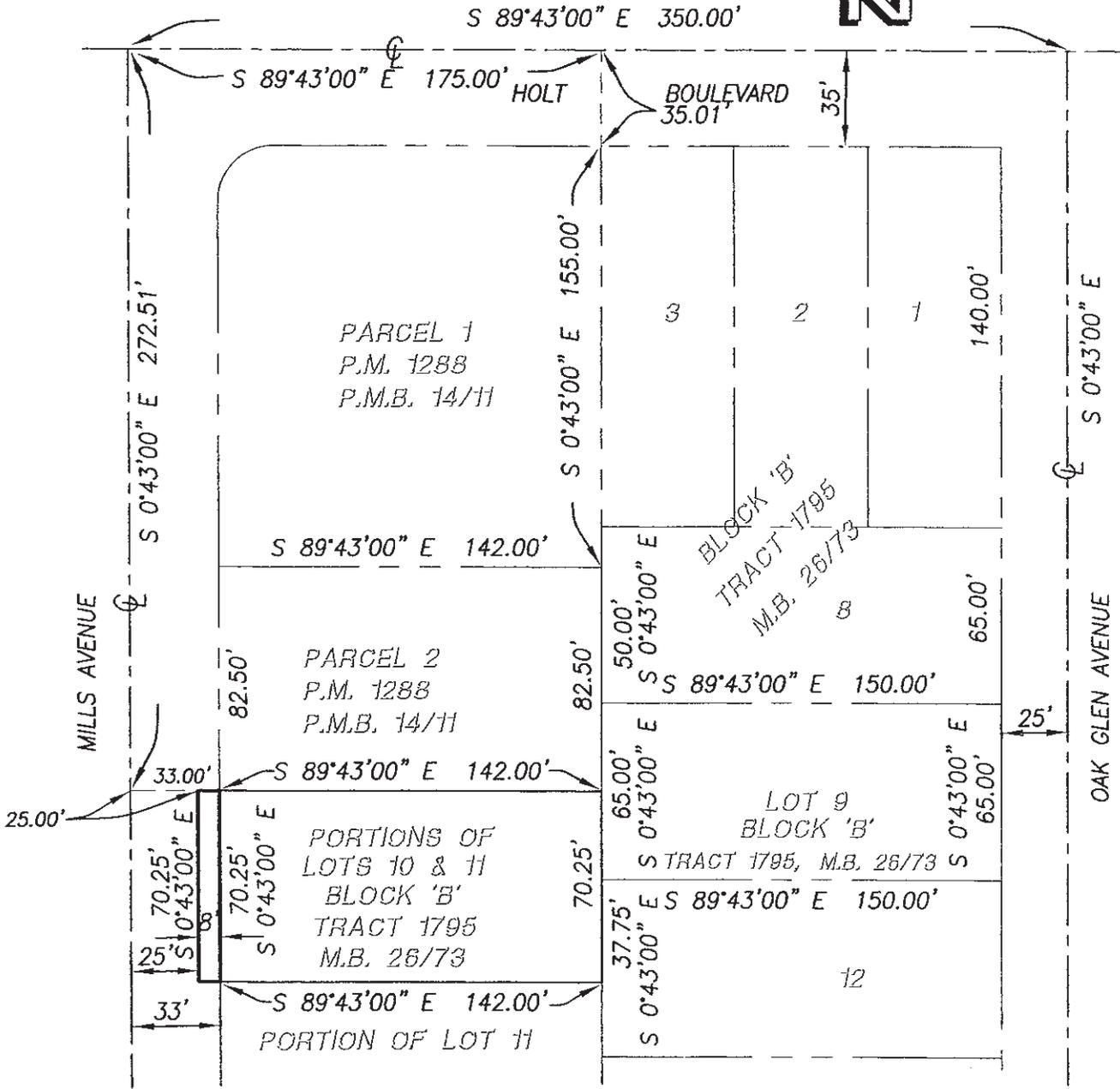


Terrance A. Lane
R.C.E. 24838, Expires 12/31/11

DEDICATION PLAT

SHEET 1 OF 1

SCALE: 1"=60'



PROPERTY ADDRESS: 10543 MILLS AVENUE

PLAT PREPARED BY

Lane & Associates

274 West 9th Street
Upland, CA 91786
909-981-1800

Civil Engineering
Land Surveying
Site Planning

Terrance A. Lane

8/11/10

TERRANCE A. LANE
R.C.E. 24838 EXPIRES 12/31/11

DATE



AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A \$9,200 APPROPRIATION FROM THE CONTINGENCY ACCOUNT TO HIRE EMERGENCY MANAGEMENT SERVICES INITIATIVE TO UPDATE AND ENHANCE THE CITY'S HAZARD MITIGATION PLAN

CONSIDER AUTHORIZATION TO RECEIVE \$9,200 FROM THE HOMELAND SECURITY GRANT PROGRAM TO HIRE EMERGENCY MANAGEMENT SERVICES INITIATIVE TO UPDATE AND ENHANCE THE CITY'S HAZARD MITIGATION PLAN

DATE: September 7, 2010

SECTION: ADMIN. REPORTS

ITEM NO.: 5

FILE I.D.: EMR100

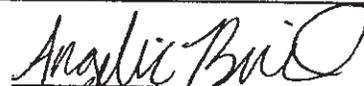
DEPT.: FIRE

BUSINESS PLAN: N/A

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing a \$9,200 appropriation from the Contingency Account to hire Emergency Management Services Initiative (EMSI) to update and enhance the City's Hazard Mitigation Plan. The Fire Department is entitled to a 100 percent reimbursement of the cost to hire EMSI from the Fiscal Year 2008 Homeland Security Grant Program (HSGP).

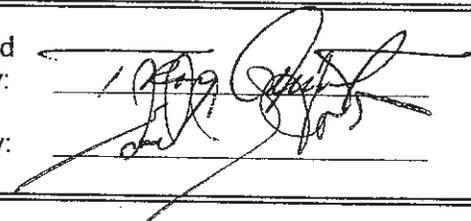
BACKGROUND: On March 9, 2005, the City of Montclair adopted a Hazard Mitigation Plan as required by the Disaster Act of 2000. In accordance with Code of Federal Regulations, Title 44, Section 201.6(d)(3), local jurisdictions are required to update this plan every five years. The California Emergency Management Agency (Cal EMA) approved the San Bernardino County Fire Department Office of Emergency Service's request to fund the enhancement or development of participating jurisdictions' Hazard Mitigation Plans through the Fiscal Year 2008 HSGP. Each participating jurisdiction with a population of less than 70,000 will receive a total of \$12,500 to enhance or develop its Hazard Mitigation Plan. All eligible applicants are required to pay for the consulting services in advance and would be entitled to 100 percent reimbursement through the grant program. Through the HSGP, the Fire Department has been authorized to receive \$9,200 in nonmatching grant funds. The distribution of grant funds shall be coordinated through each Operational Area. The coordinating agency for the City of Montclair is the San Bernardino County Fire Department Office of Emergency Services.

Hiring a consultant would provide an effective approach to updating and enhancing the City's Hazard Mitigation Plan. The benefits of hiring a consultant include having access to a highly specialized expert in the fields of risk assessment and mitigation strategies, receiving guidance on Federal Emergency Management Agency and Cal EMA requirements, and establishing an efficient schedule to complete the update within the timeline set by the Operational Area.

Prepared by: 

Reviewed and Approved by:

Proofed by: 

Presented by: 

Staff received the following bid quotations for consulting services to update the City's Hazard Mitigation Plan:

<i>Vendor</i>	<i>Bid Amount</i>
Emergency Management Services Initiative	\$ 9,200
Emergency Planning Consultants	\$10,000
MLC & Associates, Inc.	\$12,000
RBF Consulting	\$12,500

Based on the four bids received, the Fire Department recommends EMSI as the lowest responsible, responsive bidder to update and enhance the City's Hazard Mitigation Plan.

FISCAL IMPACT: The cost to hire EMSI is \$9,200. Should the City Council approve this item, \$9,200 would be temporarily transferred from the Contingency Account to Emergency Preparedness Special Consulting Services Account No. 1001-400-4537-52190 to pay for the consulting services provided by EMSI. The City would be reimbursed in full from the Fiscal Year 2008 HSGP for this expenditure.

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

1. Authorize a \$9,200 appropriation from the Contingency Account to hire Emergency Management Services Initiative to update and enhance the City's Hazard Mitigation Plan.
2. Authorize the Fire Department to receive \$9,200 from the Fiscal Year 2008 Homeland Security Grant Program to hire Emergency Management Services Initiative to update and enhance the City's Hazard Mitigation Plan.

AGENDA REPORT

SUBJECT: CONSIDER DECLARING CERTAIN CITY PROPERTY AS SURPLUS AND AUTHORIZED FOR DESTRUCTION	DATE: September 7, 2010 SECTION: ADMIN. REPORTS ITEM NO.: 6 FILE I.D.: EQS052
BUSINESS PLAN: N/A	DEPT.: POLICE

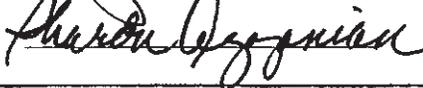
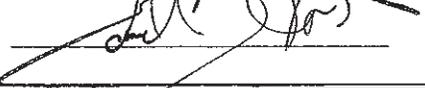
REASON FOR CONSIDERATION: The City Council is requested to declare certain City property as surplus and authorized for destruction.

BACKGROUND: The following weapons in Police Department inventory are obsolete and no longer serviceable. Upon being declared as surplus by the City Council, they would be destroyed.

Remington Model 870 shotgun, Serial No. 1211007V
Remington Model 870 shotgun, Serial No. V110059V
Remington Model 870 shotgun, Serial No. V110212V
Make Unknown muzzle loader, two-shot pistol, Serial No. 00083

FISCAL IMPACT: Destruction of the surplus weapons would create no fiscal impact for the City.

RECOMMENDATION: Staff recommends the City Council declare certain City property as surplus and authorized for destruction.

Prepared by: 	Reviewed and Approved by:	
Proofed by: 	Presented by:	

AGENDA REPORT

SUBJECT: CONSIDER "NO ACTION" ON ALCOHOLIC BEVERAGE PERMIT APPLICATION - MI PUEBLO MARKET

DATE: September 7, 2010

SECTION: ADMIN. REPORTS

ITEM NO.: 7

BUSINESS PLAN: N/A

FILE I.D.: FLP025

DEPT.: ADMIN. SVCS.

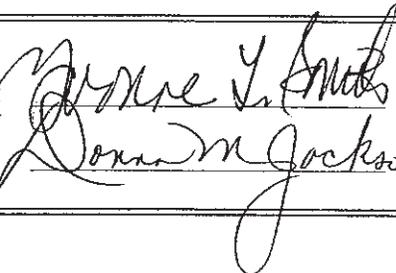
REASON FOR CONSIDERATION: Applications for Alcoholic Beverage Licenses are routinely presented to the City Council for review.

BACKGROUND: Ms. Maria Delia Figueroa de Moreira has applied for an "Off-Sale Beer and Wine" license for Mi Pueblo Market, 5002 Holt Boulevard, Montclair, California.

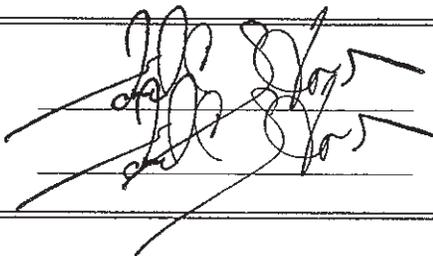
FISCAL IMPACT: No fiscal impact

RECOMMENDATION: Staff recommends the City Council take "No action" on the California Department of Alcoholic Beverage Control Application for Alcoholic Beverage License(s) for Mi Pueblo Market, 5002 Holt Boulevard, Montclair, California.

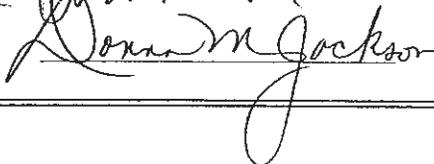
Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:

AGENDA REPORT

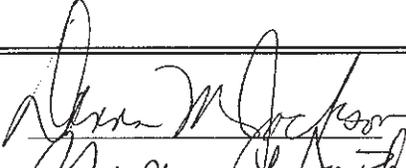
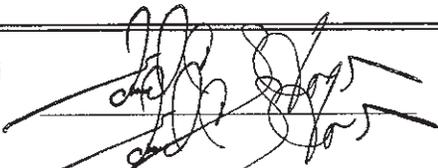
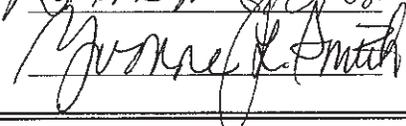
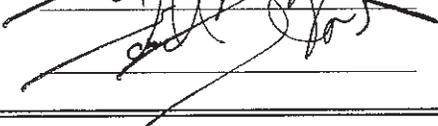
SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION	DATE: September 7, 2010
	SECTION: ADMIN. REPORTS
	ITEM NO.: 8
BUSINESS PLAN: N/A	FILE I.D.: FIN540
	DEPT.: ADMIN. SVCS.

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 September 7, 2010, and Payroll Documentation dated July 4, 2010, finds them to be in order and recommends their approval.

FISCAL IMPACT: The Warrant Register dated September 7, 2010, totals \$1,795,104.93. The Payroll Documentation dated July 4, 2010, totals \$601,957.48, with \$441,078.20 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. 10-103, THE SECOND AMENDMENT TO AGREEMENT NO. 92-38, A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM STORMWATER IMPLEMENTATION AGREEMENT WITH THE COUNTY OF SAN BERNARDINO, THE SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT, AND CO-PERMITTEE CITIES

DATE: September 7, 2010
SECTION: AGREEMENTS
ITEM NO.: 1
FILE I.D.: FLC600
DEPT.: PUBLIC WORKS

BUSINESS PLAN: N/A

REASON FOR CONSIDERATION: The City Council is requested to consider approval of a proposed Second Amendment to National Pollutant Discharge Elimination System (NPDES) Stormwater Implementation Agreement No. 92-38 with the County of San Bernardino, the San Bernardino County Flood Control District, and each co-permittee city in the National Pollutant Discharge Elimination System Program. Proposed Agreement No. 10-103 is attached for the City Council's review and consideration.

BACKGROUND: The City Council approved NPDES Stormwater Implementation Agreement No. 92-38 on April 20, 1992, and Agreement No. 95-69, the First Amendment to Agreement No. 92-38 on November 20, 1995. Agreement No. 92-38 implemented the NPDES Program to regulate stormwater and to reduce pollution into United States receiving waters. The program is designed to comply with Environmental Protection Agency regulations and is mandated by the Federal Clean Water Act.

Proposed Agreement No. 10-103 provides an updated formula to determine each co-permittee's cost share percentage for areawide program costs for the NPDES permit. The revised cost share formula is based on three different aspects: base, population, and area. The base portion is applied equally to all permittees; the population portion applies more heavily to program elements related to population, such as public education and outreach, where greater numbers of residents benefit; and the area portion applies more heavily to size of area program elements, such as monitoring, where more program cost is needed for larger areas.

FISCAL IMPACT: The cost share percentage for the City of Montclair pursuant to Agreement No. 95-69 is 2.19 percent. Pursuant to proposed Agreement No. 10-103, the revised cost share formula would increase to 2.62 percent. The City's share as a Co-permittee in this program would increase approximately 20 percent, from \$8,000 to \$10,000 annually.

Prepared by:

M. SCHO
all

Reviewed and Approved by:

M. STARRS

Proofed by:

Presented by:

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 10-103, the Second Amendment to Agreement No. 92-38, a National Pollutant Discharge Elimination System Stormwater Implementation Agreement with the County of San Bernardino, the San Bernardino County Flood Control District, and co-permittee cities.

40 **WHEREAS**

41 The California State Water Resources Control Board (SWRCB), as designee of the EPA,
42 has delegated authority to the California Regional Water Quality Control Board, Santa Ana
43 Region (SARWQCB) for administration of the MS4 Permit program and issuance of MS4
44 Permits within the boundaries of their Region; and

45 **WHEREAS**

46 The DISTRICT, COUNTY, and CITIES have been designated as joint permittees
47 (Permittees) by the SARWQCB for the MS4 Permit issued to the County of San Bernardino; and

48 **WHEREAS**

49 The DISTRICT has been designated as the Principal Permittee in the MS4 Permit; and

50 **WHEREAS**

51 The COUNTY and the CITIES have been designated as the Co-permittees in the MS4
52 Permit; and

53 **WHEREAS**

54 Cooperation between the CITIES, the COUNTY, and the DISTRICT to jointly file an
55 application for the MS4 Permit is in the best interest of the CITIES, the COUNTY, and the
56 DISTRICT; and

57 **WHEREAS**

58 The Permittees shall establish and maintain a Management Committee to coordinate
59 compliance with MS4 Permit requirements and implement a Stormwater Management Program
60 across all jurisdictions covered by this MS4 Permit.

61 **NOW THEREFORE**, the parties hereto do mutually agree as follows:

62 I. **Filing Status.** The COUNTY, DISTRICT, and CITIES will jointly file the application
63 for an areawide stormwater permit. The COUNTY, the DISTRICT, and each
64 individual CITY will be a Permittee.

65 II. **Management Committee.** The DISTRICT, as Principal Permittee, and COUNTY and
66 CITIES, as Co-permittees, shall support and facilitate compliance with areawide MS4
67 Permit requirements and implementation of the Stormwater Management Program
68 through the workings of the Management Committee. The responsibilities and
69 structure of this committee shall include:

70 A. The purpose of the Management Committee shall be to develop policies,
71 (including goals, needs, and priorities) budgets, and implementation
72 strategies and plans for the areawide Stormwater Management Program
73 to ensure compliance with the MS4 Permit. The Management Committee
74 shall evaluate implementation options and strategies and recommend
75 implementation actions to the DISTRICT.

76 B. Each Permittee shall designate in writing at least one authorized
77 representative and one alternate to participate on the Management

- 78 Committee. Management Committee designees and alternates shall be
79 authorized by their respective city council or governing board to cast
80 votes on behalf of their jurisdiction to determine Stormwater
81 Management Program budgets and all other program elements required
82 to implement the areawide Municipal Stormwater Management Plan
83 (MSWMP).
- 84 C. The Principal Permittee shall serve as the chairperson for the
85 Management Committee.
- 86 D. The Management Committee shall meet at least once each month, except
87 during the month of December.
- 88 E. Ten (10) authorized representatives present in person at a scheduled
89 meeting constitute a quorum for the transaction of business of the
90 Management Committee. If a quorum is not present at a scheduled
91 Management Committee meeting, less than a quorum may adjourn the
92 meeting. For all Management Committee actions other than approval of
93 the budget as set forth in Section VII(C)(1) of this AGREEMENT, a
94 majority vote of the quorum shall decide any question brought before the
95 Management Committee for decision.
- 96 F. The Management Committee shall support Stormwater Management
97 Program implementation by providing guidance to the Principal Permittee
98 with respect to stormwater program administration and approving
99 elements of the areawide MSWMP.
- 00 G. The Management Committee may establish subcommittees to support the
01 work of the Management Committee. Subcommittees shall include
02 interested members of the Management Committee, and/or other
03 Permittee staff with necessary expertise. Subcommittees may develop
04 recommendations for Management Committee consideration. Such
05 recommendations require majority approval by members of the
06 subcommittee on a one vote per Permittee basis.
- 07 H. Approval of Management Committee decisions will require a majority
08 vote of the authorized representatives or alternates in attendance, on a
09 one vote per Permittee basis. In the event that the Management
10 Committee does not approve a subcommittee recommendation, the item
11 will be directed back to the subcommittee for reconsideration.
- 12 I. All parties to this AGREEMENT achieve cost savings by working
13 collectively to implement the areawide stormwater program. To
14 maximize these cost savings, the Permittees agree that:
- 15 1. Each authorized representative shall actively participate in at least
16 9 of 11 monthly Management Committee meetings.

17 2. Each Permittee shall actively participate in at least one sub-
18 committee, either through the authorized representative or other
19 authorized designee. Participation will be defined as attendance
20 at fifty percent (50%) or more of subcommittee meetings held in a
21 given fiscal year.

22 **III. Principal Permittee Responsibilities.**

23 The DISTRICT, acting through its Board of Directors, is the Stormwater Program Administrator
24 for purposes of this AGREEMENT. The District shall have administrative responsibilities and
25 shall be reimbursed for its time expended on behalf of the Stormwater Program. These rates
26 include actual hourly rate plus overhead. Materials are to be reimbursed at direct cost.

27 The DISTRICT, while acting as administrator, will strive to implement the policies, budget, and
28 required program elements according to the recommendations of the Management Committee.
29 In turn, the Management Committee will work in good faith with the DISTRICT to make
30 reasonable policy, budget and required program element recommendations to the DISTRICT.
31 The Parties recognize and acknowledge, however, that the DISTRICT, as governed by the
32 San Bernardino County Board of Directors, retains final authority regarding the nature and
33 manner in which the recommendations of the Management Committee shall be executed.

34 In the event that the DISTRICT proposes to implement an approach different than the one
35 recommended by the Management Committee, the DISTRICT's proposed alternative action
36 shall be communicated to the Management Committee at the next available meeting of the
37 Management Committee. If the Management Committee approves the alternative action, then
38 the cost sharing provisions of this AGREEMENT shall govern the allocation of any costs
39 associated with that alternative action. If, in good faith, the Management Committee does not
40 approve the alternative action, the DISTRICT may implement the alternative action, but the
41 DISTRICT shall be solely responsible for paying the increased costs, if any, resulting from the
42 alternative action. This increased cost shall be measured by the difference between the cost of
43 the alternative action and the estimated cost of the action as reasonably recommended by the
44 Management Committee.

45 If the DISTRICT'S proposed alternative implementation action involves an increase in program
46 costs, that alternative implementation action shall not be adopted until such time as each
47 authorized representative of the Management Committee has had 45 days to relay that
48 alternative implementation action to its various governing bodies for approval. CITIES and
49 COUNTY shall have no responsibility for the incremental increase in cost associated with an
50 alternative action that is not approved by the Management Committee after 45 days has passed
51 with the governing bodies failing to approve the alternative implementation action.

52 The DISTRICT will act as the contracting party, on behalf of the Co-permittees for Stormwater
53 Management Program contracts and agreements with all consultants, contractors, vendors or
54 other entities as recommended by the Management Committee.

55 The DISTRICT, if recommended by the Management Committee, may act on behalf of the Co-
56 permittees as applicant in preparing and submitting grant proposals, and may act as
57 administrator for any awarded grant funds.

58 The DISTRICT, if recommended by the Management Committee, will act on behalf of the
59 Stormwater Program as the contracting party and signatory in joint agreements with other
60 municipal stormwater programs and stakeholders for regional benefits and cooperation.

61 As the Principal Permittee under the MS4 Permit, the DISTRICT shall coordinate all areawide
62 MS4 Permit activities and manage the Stormwater Management Program by:

63 A. Conducting chemical, biological and bacteriological water quality
64 monitoring on behalf of the areawide program as required by the MS4
65 Permit.

66 B. Implementing management programs, monitoring programs, and related
67 plans as required by the MS4 Permit.

68 C. Preparing and submitting to the Executive Officer (SARWQCB) unified
69 reports, plans, and programs necessary to comply with the MS4 Permit.

70 D. Coordinating and conducting Management Committee meetings as
71 specified in the MSWMP.

72 E. Taking the lead role in initiating and developing areawide programs and
73 activities necessary to comply with the MS4 Permit.

74 F. Participating, as needed, in any subcommittees formed to facilitate MS4
75 Permit requirements.

76 G. Providing technical and administrative support and inform the Co-
77 permittees of the progress of other pertinent municipal programs, pilot
78 projects, research studies, and other information to facilitate
79 implementation of Co-permittees' stormwater program.

80 H. Coordinating the implementation of areawide Stormwater Management
81 Program activities such as a monitoring program, public education, and
82 pollution prevention.

83 I. Gathering and disseminating information on the progress of statewide
84 municipal stormwater programs and evaluate the information for
85 potential use in the execution of the MS4 Permit.

86 J. Monitoring the implementation of the plans and programs required by
87 the MS4 Permit and determine their effectiveness in attaining water
88 quality standards.

89 K. Coordinating with SARWQCB activities pertaining to implementation of
90 the MS4 Permit, including the submittal of all required reports, plans, and
91 programs.

92 L. Soliciting and coordinating public input for any major proposed
93 stormwater management programs and implementation plans.

94 M. Developing and implementing mechanisms, performance standards, etc.,
95 to promote consistent implementation of Best Management Practices
96 among the Permittees.

97 N. Cooperating in watershed management programs and regional and/or
98 statewide monitoring programs.

99 **IV. Co-permittee Responsibilities.** The Co-permittees shall support the Principal
00 Permittee by:

01 A. Preparing and submitting to the Principal Permittee in a timely manner
02 all required information necessary to comply with permit reporting
03 requirements. Timely completion of Permittee annual report information
04 is considered meeting the deadline if received on or before September 15
05 of each reporting year.

06 B. Notifying the Principal Permittee immediately, in writing, of any changes
07 to the designated representative to the Management Committee.

08 C. Reviewing and commenting on all plans, strategies, management
09 programs, and monitoring programs, as developed by the Principal
10 Permittee or a subcommittee of the Management Committee.

11 D. Conducting and/or coordinating with the Principal Permittee on any
12 surveys or characterizations needed to identify pollutant sources from
13 specific drainage areas.

14 **V. Compliance Responsibilities.** The DISTRICT, COUNTY and CITIES are individually
15 responsible for implementing all MS4 Permit requirements within their respective
16 jurisdictions. The Management Committee does not assume any responsibility for
17 implementing the Stormwater Management Programs for the Principal Permittee or
18 any other Permittee or for ensuring that the Principal Permittee or the Co-permittees
19 implement programs consistent with the recommendations of the Management
20 Committee.

21 **VI. Indemnification and Insurance.** Each party shall indemnify, defend, and hold
22 harmless the other parties to this AGREEMENT from and against any and all liability
23 and expense arising from any act or omission of the indemnifying party, its authorized
24 officers, employees, agents, and volunteers in connection with the performance of this
25 AGREEMENT including, but not limited to reasonable defense costs, reasonable legal
26 fees, claims, actions, damages, liability, and causes of action for damages of any nature
27 whatsoever provided, however, that no party shall indemnify another party for that
28 party's own negligence or willful misconduct.

29 In the event a party, or parties, to this AGREEMENT is/are found to be comparatively
30 at fault for any claim, action, loss or damage which results from their respective
31 obligations under this AGREEMENT, the party, or parties shall indemnify the other
32 party/parties to the extent of its/their comparative fault. Furthermore, if a party
33 attempts to seek recovery from the other for Workers' Compensation benefits paid to

34 an employee, the parties agree that any alleged negligence of the employee shall not be
35 construed against the employer of that employee.

36 The parties to this AGREEMENT are authorized self-insured public entities for
37 purposes of Professional Liability, Automobile Liability, General Liability, and
38 Workers' Compensation and warrant that through their programs of self-insurance,
39 they have adequate coverage or resources to protect against liabilities arising out of
40 their performance under this Agreement.

41 **VII. Program Costs.** The responsibilities for payment of all shared costs of equipment,
42 services, contracted analytical services, and the cost of implementing the MS4 Permit,
43 shall be distributed among the DISTRICT, COUNTY, and CITIES as follows:

44 A. The DISTRICT shall contribute 5 percent of the annual Program Costs; the
45 other Permittees shall be responsible for the remaining 95 percent of the
46 Program Costs.

47 B. The annual budget shall separate program costs into four Program Areas:

48 1. *Monitoring*, which shall include any water quality and hydro-
49 graphic monitoring and laboratory analyses.

50 2. *Public Education*, which shall include all public outreach programs.

51 3. *Program Management & Regulatory Activities*, which includes
52 administrative, reporting and regulatory activities.

53 4. *Training*, which addresses any training conducted to implement
54 the stormwater management program.

55 C. The Principal Permittee shall prepare and implement an annual operating
56 budget with the participation of the Permittees. The budget year shall
57 coincide with the fiscal year of the DISTRICT, July 1-June 30.

58 1. The Principal Permittee will forward the annual operating budget
59 for the forthcoming year to the Co-permittees for review and
60 approval. The review period shall be from the first business day of
61 November to the first business day of December of each year.
62 During the review period, the Co-permittees may provide written
63 comments on the budget to the Principal Permittee. The Fiscal
64 Subcommittee will review the comments on the budget and
65 endorse a draft budget for Management Committee approval. The
66 Management Committee will consider the draft budget for
67 approval at the January meeting. An affirmative response from a
68 majority of the total number of authorized representatives or
69 authorized alternates is required for approval.

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D. For Fiscal Year 2010-11, the Permittees cost share shall be as follows:

PERMITTEE	PERCENTAGE SHARE
Big Bear Lake	1.98
Chino	4.59
Chino Hills	5.08
Colton	3.48
Fontana	7.45
Grand Terrace	0.80
Highland	2.21
Loma Linda	1.36
Montclair	2.19
Ontario	11.99
Rancho Cucamonga	9.81
Redlands	4.84
Rialto	5.58
San Bernardino	12.13
Upland	5.05
Yucaipa	3.42
County	13.04
District	5.00
TOTAL	100.00

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E. For Fiscal Year 2011-12, and all subsequent fiscal years, Permittees' cost share shall be determined annually according to the methodology provided in Appendix A.

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F. For Fiscal Year 2011-12, and all subsequent fiscal years, the Permittees' annual cost share shall be calculated by November 1 of each year and shall be included in the annual budget proposal.

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G. The DISTRICT shall invoice each CITY and the COUNTY for its annual deposit after July 1, the start of the fiscal year. Each CITY and the COUNTY shall pay the deposit within 30 days of the date of the invoice. Each CITY's and the COUNTY's deposit shall be based on their prorated share of the approved annual budget, reduced for any surplus identified in the prior fiscal year-end accounting.

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H. The DISTRICT shall make reasonable efforts to inform the Management Committee during the fiscal year of potential exceedances of the approved budget that may require the Parties to increase the deposits. If at any time during a fiscal year the program costs exceed the sum of the deposits, the

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DISTRICT shall submit invoices to the CITIES and the COUNTY to recover the deficit. The share for each CITY and the COUNTY shall be prorated according to the formula above (see Paragraphs D and E of this Section). Each CITY and COUNTY shall pay the invoice within 30 days of the billing date.

- I. The DISTRICT shall prepare a fiscal year end accounting at the end of each fiscal year and distribute copies to the Permittees for their review by October 31 of that year. Permittees shall have 30 calendar days from the date of their receipt of the fiscal year end accounting to dispute in writing or concur with the findings. If the fiscal year end accounting results in costs exceeding the sum of the deposits (including interest earnings), the DISTRICT shall invoice each CITY and the COUNTY for its prorated share of the excess cost. Each CITY and the COUNTY shall pay the billing within 30 days of the date of the invoice. If the fiscal year end accounting results in the sum of the deposits (including interest earnings) exceeding costs, the excess deposits will carry forward to reduce the billings for the following year.

- J. Upon termination of the program, a final accounting shall be performed by the DISTRICT. If costs exceed the sum of the deposits (including interest earnings), the DISTRICT shall invoice each CITY and the COUNTY for its prorated share of the excess. Each CITY and the COUNTY shall pay the invoice within 30 days of the date of the invoice. If the sum of the deposits (including interest earnings) exceeds the costs, the DISTRICT shall reimburse to each CITY and the COUNTY its prorated share of the excess (including any interest earnings remaining), within 30 days of the final accounting.

- K. Each CITY and the COUNTY shall bear the financial responsibility for implementing the program within its jurisdictional boundaries, including any applicable MS4 permit fees, as outlined in Section V.

- L. The annual administrative costs (includes actual hourly rate plus overhead) incurred by the DISTRICT shall be included in the budget for the Areawide Program Costs and paid according to this Section, Section III, and Appendix A.

- M. The financial responsibility for this AGREEMENT will be effective on the date this AGREEMENT takes effect.

VIII. Term of the AGREEMENT. The term of the AGREEMENT coincides with the term of the current MS4 Permit (Order No. R8-2010-0036). The renewal process of the Implementation Agreement shall begin at the same time as the initiation of the Report of Waste Discharge renewal and shall be completed within 6 months from the SARWQCB approval date of the MS4 Permit that follows Order No. R8-2010-0036. This AGREEMENT shall therefore take effect on the date it is approved by all parties and shall terminate 6 months after SARWQCB approval of the MS4 Permit that follows Order No. R8-2010-0036.

31 IX. **Additional Parties.** Any city or other entity which wishes to be a Permittee on the
32 San Bernardino County MS4 Permit that was issued by SARWQCB shall agree to the
33 provisions in this funding agreement and shall sign this AGREEMENT prior to being
34 included in the permit. The date of initiation, for determining participant costs for any
35 new Permittee shall be the date of inclusion in the San Bernardino County MS4 Permit
36 issued by SARWQCB. The cost for adding any additional Permittee to the program,
37 including additional permit and processing fees, shall be paid by the added Permittee.
38 Moneys, if any, to be reimbursed to the existing Permittees shall be credited to their
39 respective annual program operating fees for the following budget year.

40 X. **Withdrawal from the AGREEMENT.** A Permittee may withdraw from this AGREE-
41 MENT at the end of any fiscal year with written notice being received by the
42 DISTRICT 90 days prior to the end of the fiscal year. A withdrawing Permittee will not
43 be allowed refunds for tasks, projects or studies already underway in which funds
44 have been obligated for the fiscal year. Upon completion of tasks, projects or studies
45 undertaken or ongoing, if any funds are not expended, a refund of the share of the
46 balance shall be paid within sixty (60) days thereafter to the withdrawing Permittee.

47 The withdrawing Permittee shall be responsible for all assessed penalties as a
48 consequence of withdrawal. The cost allocations to the remaining members will be
49 calculated in the following budget year.

50 XI. **Breach.** Failure to comply with the terms of this AGREEMENT is a breach of the
51 agreement. If a breach is not cured within ninety (90) days after receiving a notice to
52 cure the breach by a permittee, permittee in breach may be terminated from this
53 AGREEMENT by a majority vote of the Management Committee.

54 XII. **Noncompliance with MS4 Permit Requirements.** Any Permittee found in non-
55 compliance with the conditions of the MS4 Permit within their jurisdictional
56 responsibilities shall be solely liable for any assessed penalties, pursuant to Section
57 13385 of the Water Code. Penalties that apply to all the Permittees shall be assessed
58 according to the formula in Appendix A.

59 XIII. **Legal Action/Costs/Attorney Fees.** Where any legal action is necessary to declare any
60 party's rights hereunder or enforce any provision hereof for any damages by reason of
61 an alleged breach of any provisions of this AGREEMENT, each party shall bear its
62 own attorney's fees and costs incurred in conjunction with such legal action
63 regardless of who is found to be the prevailing party. This section shall not apply to
64 those costs and attorney's fees arising from any third party legal action against a party
65 hereto and payable under Section VI, Indemnification and Insurance.

66 XIV. **Amendments to the AGREEMENT.** This AGREEMENT may be amended by consent
67 to a two-thirds majority of the Permittees (rounded to the nearest whole number).
68 Amendments to this AGREEMENT may be adopted and executed concurrently, and
69 shall become effective upon its execution by a majority of the Permittees as defined
70 above.

71 XV. **Authorized Signatories:** Each Permittee will determine by either resolution or
72 ordinance who will be the authorized signatory. This person shall be authorized to

73 execute the application(s) for MS4 Permit(s) and take all other procedural steps
74 necessary to file the application(s) for MS4 Permits.

75 **XVI. Notices.** All notices shall be deemed duly given if delivered by hand; or five (5)
76 working days after deposit in the U.S. Mail, certified mail, return receipt requested.

77 **XVII. Governing Law.** This AGREEMENT will be governed and construed in accordance
78 with laws of the State of California. If any provision or provisions of this
79 AGREEMENT shall be held to be invalid, illegal, or unenforceable, the validity,
80 legality, and enforceability of the remaining provisions shall not in any way be
81 affected or impaired hereby. Any legal action which arises out of or is in any way
82 related to this AGREEMENT shall be brought in the Superior Court of the County of
83 San Bernardino.

84 **XVIII. Consent to Breach not Waiver.** No term or provision hereof shall be deemed waived
85 and no breach excused, unless such waiver or consent shall be in writing and signed
86 by any Permittee to have waived or consented. Any consent by any Permittee to, or
87 waiver of, a breach by the other whether expressed or implied, shall not constitute a
88 consent to, waiver of, or excuse for any other different or subsequent breach.

89 **XIX. American Recovery and Reinvestment Act of 2009 ("ARRA").** DISTRICT, while
90 acting as the Stormwater Program Administrator, shall include in any contract funded
91 in whole, or in part, by ARRA provisions that substantially conform to the following:

92 A. *Use of ARRA Funds and Requirements.* This Contract may be funded in
93 whole or in part with funds provided by the American Recovery and
94 Reinvestment Act of 2009 ("ARRA"), signed into law on February 17,
95 2009. Section 1605 of ARRA prohibits the use of recovery funds for a
96 project for the construction, alteration, maintenance or repair of a public
97 building or public work (both as defined in 2 CFR 176.140) unless all of
98 the iron, steel and manufactured goods (as defined in 2 CFR 176.140)
99 used in the project are produced in the United States. A waiver is
00 available under three limited circumstances: (i) Iron, steel or relevant
01 manufactured goods are not produced in the United States in sufficient
02 and reasonable quantities and of a satisfactory quality; (ii) Inclusion of
03 iron, steel or manufactured goods produced in the United States will
04 increase the cost of the overall project by more than 25 percent; or (iii)
05 Applying the domestic preference would be inconsistent with the public
06 interest. This is referred to as the "Buy American" requirement. Request
07 for a waiver must be made to the DISTRICT for an appropriate
08 determination.

09 Section 1606 of ARRA requires that laborers and mechanics employed by
10 contractors and subcontractors on projects funded directly by or assisted
11 in whole or in part by and through the Federal Government pursuant to
12 ARRA shall be paid wages at rates not less than those prevailing on
13 projects of a character similar in the locality as determined by the
14 Secretary of Labor in accordance with the Davis-Bacon Act (40 U.S.C. 31).
15 This is referred to as the "wage rate" requirement.

16 The above described provisions constitute notice under ARRA of the Buy
17 American and wage rate requirements. Contractor must contact the
18 DISTRICT contact if it has any questions regarding the applicability or
19 implementation of the ARRA Buy American and wage rate requirements.
20 Contractor will also be required to provide detailed information
21 regarding compliance with the Buy American requirements, expenditure
22 of funds and wages paid to employees so that the DISTRICT may fulfill
23 any reporting requirements it has under ARRA. The information may be
24 required as frequently as monthly or quarterly. Contractor agrees to fully
25 cooperate in providing information or documents as requested by the
26 DISTRICT pursuant to this provision. Failure to do so will be deemed a
27 default and may result in the withholding of payments and termination
28 of this Contract.

29 Contractor may also be required to register in the Central Contractor
30 Registration (CCR) database at <http://www.ccr.gov> and may be required
31 to have its subcontractors also register in the same database. Contractor
32 must contact the DISTRICT with any questions regarding registration
33 requirements.

34 B. Schedule of Expenditure of Federal Awards. In addition to the require-
35 ments described in "Use of ARRA Funds and Requirements," proper
36 accounting and reporting of ARRA expenditures in single audits is
37 required. Contractor agrees to separately identify the expenditures for
38 each grant award funded under ARRA on the Schedule of Expenditures
39 of Federal Awards (SEFA) and the Data Collection Form (SF-SAC)
40 required by the Office of Management and Budget Circular A-133,
41 "Audits of States, Local Governments, and Nonprofit Organizations."
42 This identification on the SEFA and SF-SAC shall include the Federal
43 award number, the Catalog of Federal Domestic Assistance (CFDA)
44 number, and amount such that separate accountability and disclosure is
45 provided for ARRA funds by Federal award number consistent with the
46 recipient reports required by ARRA Section 1512 (c).

47 In addition, Contractor agrees to separately identify to each subcontractor
48 and document at the time of subcontract and at the time of disbursement
49 of funds, the Federal award number, any special CFDA number assigned
50 for ARRA purposes, and amount of ARRA funds.

51 Contractor may be required to provide detailed information regarding
52 expenditures so that the DISTRICT may fulfill any reporting require-
53 ments under ARRA described in this section. The information may be
54 required as frequently as monthly or quarterly. Contractor agrees to fully
55 cooperate in providing information or documents as requested by the
56 DISTRICT pursuant to this provision. Failure to do so will be deemed a
57 default and may result in the withholding of payments and termination
58 of this Contract.

59 XX. Applicability of Prior Agreements. This document constitutes the entire AGREE-
60 MENT between the Permittees with respect to the subject matter; all prior agreements,
61 representation, statements, negotiations, and undertakings are superseded hereby.

62 XXI. Execution of the AGREEMENT. This AGREEMENT may be executed in counterpart
63 and the signed counterparts shall constitute a single instrument.

64 XXII. No Separate Entity. This AGREEMENT established a framework for PERMITTEE
65 cooperation on stormwater issues. Nothing in this AGREEMENT shall be construed
66 to create an entity separate from the local agencies that join in this cooperative effort.

67 IN WITNESS WHEREOF, the AGREEMENT has been executed as of the day and year first
68 above written.

69	DISTRICT	CITY
70	SAN BERNARDINO COUNTY	CITY OF MONTCLAIR
71	FLOOD CONTROL DISTRICT	

72	By _____	By _____
73		Paul M. Eaton, Mayor

74	Date _____	Date _____
----	------------	------------

75	RECOMMENDED FOR APPROVAL:	ATTEST:
----	---------------------------	---------

76	_____	_____
77	Director of Redevelopment/ Public Works	Donna M. Jackson, City Clerk
78		

79	Date _____	APPROVED AS TO FORM:
----	------------	----------------------

80		_____
81		Diane E. Robbins, City Attorney

82		Date _____
----	--	------------

83

APPENDIX A

84 A. The DISTRICT shall pay five percent (5%) of the total annual cost, and the COUNTY and
85 the remaining Co-permittees, collectively, shall pay the remaining ninety-five percent
86 (95%) of the total annual cost pursuant to the formula set forth in Paragraph C, below.

87 B. The Permittees total annual cost share is the sum of the individual cost-shares calculated
88 for each Program Cost Area.

89 C. The Permittees annual cost share for each Program Cost Area (PCA_i) shall be calculated
90 using three cost factors:

91 1. *Base*, which represents the percentage of the program costs equally applied to all
92 Permittees. The base (B) fraction is calculated as follows:

93
$$B = 1/N, \text{ where } N = \text{number of Permittees}$$

94 2. *Relative Population*, which represents the percentage of the program costs based
95 on the relative population of each Permittee. Relative population (RP) of each
96 Permittee shall be calculated annually from annual population estimates issued
97 by the California Department of Finance (E-1 Table).

98
$$RP_i = (P_i/P_{total}), \text{ where}$$

99 $RP_i =$ relative population of Permittee (i)

00 $P_i =$ population of Permittee (i)

01 $P_{total} =$ total population for area covered by the areawide permit

02 3. *Relative Land Area*, which represents the percentage of the program costs based
03 on the relative land area of each Permittee. Relative Land Area (RLA) shall be
04 calculated as follows:

05 a. The calculation of relative land area within each Permittee's jurisdiction
06 shall exclude land under tribal, state or federal jurisdiction, or any land
07 excluded by the State Water Resources Control Board. Any Permittee
08 seeking to exclude lands under this Section shall specifically request that
09 exclusion from the Principal Permittee by providing the request in
10 writing along with necessary documentation no later than October 1 to be
11 considered for inclusion in the next year's annual budget. The requesting
12 Permittee has the burden of proving entitlement to any exemption so
13 requested.

14 b. The method for calculating relative land area shall be determined from
15 the Assessor's Parcel data provided by the COUNTY Information Services
16 Department.

17
$$RLA_i = (L_i/L_{total}), \text{ where}$$

18 $RLA_i =$ relative land area of Co-permittee (i)

19 $L_i =$ land area of Co-permittee (i), less excluded lands
 20 $L_{total} =$ total land area under permit jurisdiction

21 D. The Permittee's cost share for each individual Program Cost Area is based on the relative
 22 importance of the cost factors to the Program Cost Area as identified in budget year-
 23 specific Tables 1, 2 and 3. The cost share calculation for each Program Cost Area, which
 24 will be phased in over a three year period as shown in Tables 1, 2 and 3, is as follows:

25 $PCA_i = [(B * X_i * AB_i) + (RP_i * Y_i * AB_i) + (RLA_i * Z_i * AB_i)]$

26 Where,

27 $PCA_i =$ Permittee's cost share for PCA_i

28 $AB_i =$ Annual budget for PCA_i

29 $B =$ Base fraction for each Permittee

30 $X_i =$ Percentage apportioned to the base for PCA_i

31 $RP_i =$ Relative population of Permittee(i)

32 $Y_i =$ Percentage apportioned to relative population for PCA_i

33 $RLA_i =$ Relative land area of the Permittee(i)

34 $Z_i =$ Percentage apportioned to relative land are for PCA_i

35 E. The Permittee's total annual cost share shall be calculated by summing the cost shares
 36 calculated for each individual Program Cost Area:

37 Permittee's annual cost share = $PCA_1 + PCA_2 + PCA_3 + PCA_4$
 38

Table 1. Budget Year [DATE]			
Program Cost Areas (PCA_i)	Percent of the Program Cost Area Apportioned to each Cost Factor		
	Base (X_i)	Relative Population (Y_i)	Relative Land Area (Z_i)
Monitoring (PCA_1)	10%	30%	60%
Public Education (PCA_2)	10%	80%	10%
Program Management & Regulatory Activities (PCA_3)	30%	50%	20%
Training (PCA_4)	30%	60%	10%

39

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF ASSIGNING AGREEMENT NO. 09-129, A COMMUNICATION SITE LEASE WITH T-MOBILE WEST CORPORATION, TO MOBILITIE INVESTMENTS II, LLC, THROUGH AGREEMENT NO. 10-104 REGARDING THE ALMA HOFMAN PARK CELLULAR TOWER	DATE: September 7, 2010 SECTION: AGREEMENTS ITEM NO.: 2 FILE I.D.: COM075 DEPT.: PUBLIC WORKS
BUSINESS PLAN: N/A	

REASON FOR CONSIDERATION: T-Mobile West Corporation (T-Mobile) is requesting the City Council consider assignment of Communication Site Lease Agreement No. 09-129 to Mobilitie Investment II, LLC (Mobilitie) through Agreement No. 10-104. The assignment of the lease involves the cellular tower facility recently constructed by T-Mobile at Alma Hofman Park.

A copy of Lease Agreement No. 09-129 and Assignment Agreement No. 10-104 are included in the agenda packet for the City Council's information and consideration.

BACKGROUND: On December 21, 2009, the City Council approved Agreement No. 09-129, a Communication Site Lease with T-Mobile regarding construction of a cellular tower at Alma Hofman Park. T-Mobile designed the telecommunication facility in the park to resemble an evergreen pine tree (monopine). The 70-foot monopine cellular antenna was completed in June 2010. The term of the lease with T-Mobile is for five years with five additional five-year lease extensions. The annual consideration paid to the City for the cellular antenna is \$24,000 per year with a 4 percent annual increase. Agreement No. 09-129 also included a provision that T-Mobile could assign or transfer the lease with the City's prior written consent.

T-Mobile and Mobilitie have entered into a business relationship in which Mobilitie will acquire T-Mobile's ownership interest in the cellular tower at Alma Hofman Park. T-Mobile is, therefore, requesting the transfer of Agreement No. 09-129 to Mobilitie. Mobilitie would assume all obligations and responsibilities of the lease. T-Mobile would continue to remain a user of the cellular antenna. The City Attorney has reviewed the terms of proposed Agreement No. 10-104.

Mobilitie was founded in 2004. Its assets include approximately 2,000 wireless communications facilities in 45 states. Over the last several years, Mobilitie has purchased hundreds of T-Mobile cellular tower sites. In addition to T-Mobile, Mobilitie's customers include Sprint, Verizon, and AT&T. Additional information regarding Mobilitie is attached as Exhibit A.

Prepared by: <u>M. STAATS</u>	Reviewed and Approved by: <u>M. STAATS</u>
Proofed by: <u>[Signature]</u>	Presented by: <u>[Signature]</u>

FISCAL IMPACT: There is no fiscal impact associated with the City Council approval of Agreement No. 10-104. The terms and obligations of Lease Agreement No. 09-129 would transfer from T-Mobile to Mobilitie.

RECOMMENDATION: Staff recommends the City Council approve the assignment of Agreement No. 09-129, a Communications and Site Lease with T-Mobile West Corporation, to Mobilitie Investments II, LLC, through Agreement No. 10-104 regarding the Alma Hofman Park cellular tower.

who is Mobilitie?

Mobilitie (pronounced "mobility"), founded in 2004, has quickly become the fastest growing owner and operator of wireless and telecommunications infrastructure assets in the United States.

Mobilitie's assets include approximately 2,000 wireless communications facilities in 45 states. Mobilitie has purchased hundreds of T-Mobile sites over the last several years. In addition to tower sites, Mobilitie also owns several large fiber optic networks, including over 355 miles of fiber located in Chicago and New York City. A nationwide map of Mobilitie's tower locations can be found on the back of this page.

Mobilitie has over \$350 million in total assets and is well capitalized. Mobilitie's equity partner is Oaktree Capital Management of Los Angeles, CA, a global investor with \$73 billion in assets under management.

Mobilitie is consistently rated one of the top companies to do business with in the telecommunication industry. Our customers are the nation's largest wireless carriers: Sprint, T-Mobile, Verizon, and AT&T.

Mobilitie's management is well known throughout the telecommunications industry for our expertise and relationship focused business. Mobilitie invests in processes and systems to ensure the highest level of service to our carrier customers and landlord partners. Please find Mobilitie's Executive Profiles on the back of this page.

A Delaware Limited Liability Company, Mobilitie currently has offices in Newport Beach CA, Chicago IL, Boston (Concord) MA, Atlanta (Alpharetta) GA, Bellevue WA, Herndon VA, and Chattanooga TN.

For further information visit our website
www.mobilitie.com

mobilitie
telecommunications infrastructure

Mobilitie LLC.
660 Newport Center Drive Suite 200 | Newport Beach, CA 92660
949 515 1500 | mobilitie.com



FAQS frequently asked questions

Will T-Mobile's equipment remain on the tower?

T-Mobile's equipment will remain on the tower and continue to provide wireless services for customers in your area.

What is the relationship between Mobilitie and T-Mobile?

T-Mobile and Mobilitie are not related entities and are separate companies. However, T-Mobile and Mobilitie do have a commercial agreement in which Mobilitie acquires T-Mobile ownership interests in certain sites. In return, Mobilitie manages the site to guarantee your property and the tower are well maintained. This type of transaction is customary in the telecommunications industry as it provides carriers with the flexibility necessary for ongoing expansion and growth. Mobilitie has acquired over a thousand T-Mobile sites over the last several years.

Will the assignment affect my lease?

The terms and conditions agreed to in your lease agreement will not be effected by this assignment. Mobilitie will assume all obligations of T-Mobile following the close of the transactions.

How can I reach Mobilitie with lease, payment or site issues and questions?

Mobilitie leverages a world class asset administration, property management, payment processing, and customer service center. Mobilitie's customer service center is staffed 24 hours a day 7 days a week. The number to our main call center and landlord hotline is 949 515 1500 or email landowner@mobilitie.com

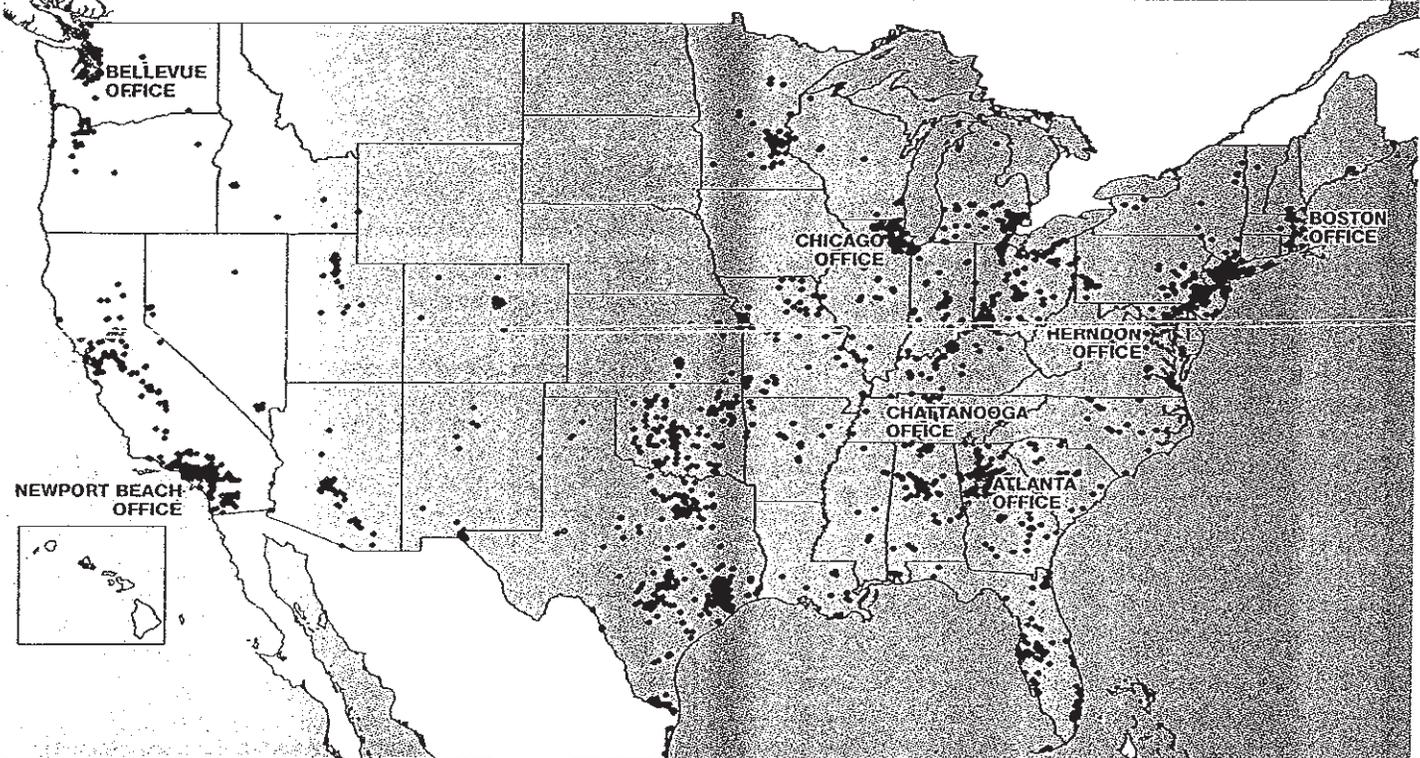
What if I need to report a maintenance issue?

Mobilitie ensures each and every tower is inspected and standard preventative maintenance performed at least four times a year. Additionally, if the site is required to have lighting by the FAA, we install remote monitoring equipment at the site to monitor the status of the lighting. Should there be an outage, we receive an instant notification and work to respond accordingly. We strive to ensure all sites are properly maintained in a proactive manner. However, should you ever need to report a maintenance issue, you can simply call our landlord hotline directly at 949 515 1500 or 877 999 7070.

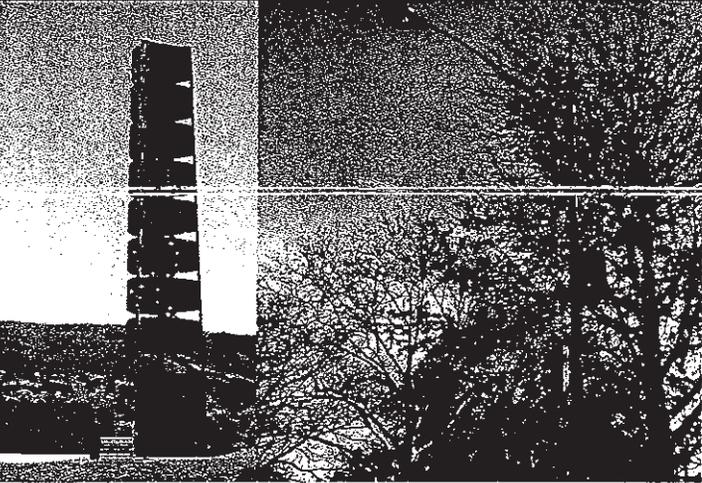
Who can I contact with specific questions?

Please contact Brent Kimball, Director of Network Strategy, at 303 359 1505 or brent@mobilitie.com with any specific questions about this assignment.

national tower portfolio

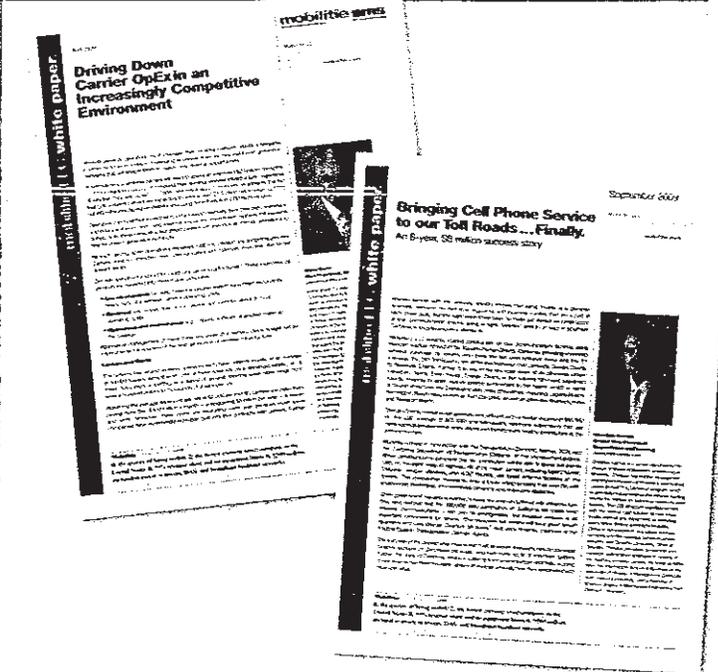


Recent projects Industry leading publications



241 Toll Road,
Orange County, CA

DAS Node, Central Park, NY



Check out our website at www.mobilitie.com

AGENDA REPORT

SUBJECT: CONSIDER REDEVELOPMENT AGENCY BOARD OF DIRECTORS' APPROVAL OF REHABILITATION GRANT AGREEMENT NO. 10-105 BY AND BETWEEN THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY AND ONE EXTERIOR HOUSING IMPROVEMENT PROGRAM PARTICIPANT

DATE: September 7, 2010

SECTION: AGREEMENTS

ITEM NO.: 3

FILE I.D.: RDA720

BUSINESS PLAN: N/A

DEPT.: REDEVELOPMENT

REASON FOR CONSIDERATION: The Redevelopment Agency Board of Directors is requested to consider approval of Rehabilitation Grant Agreement No. 10-105 by and between the City of Montclair Redevelopment Agency and one new participant in the Exterior Housing Improvement Program (EHIP). Information on the proposed EHIP participant is contained on Exhibit A to the agenda report.

Proposed Agreement No. 10-105 is attached for the Redevelopment Agency Board's review and consideration.

BACKGROUND: Traditionally, EHIP was designed to provide exterior improvement rehabilitation grants of up to \$7,000 for owner-occupied residences and \$3,000 for nonowner-occupied single-family residences. The newly developed pilot program offers exterior improvement rehabilitation grants of up to \$10,000 for owner-occupied single-family residences. The additional moneys would allow the Agency to provide enhanced landscape plantings and incorporate hardscape for installation of a 100 percent drought-tolerant design. It should be noted that both grant options include exterior painting of properties. Participants of the \$10,000 grant option would be required to complete a landscape class taught by staff from the Chino Basin Water Conservation District and approved by agency staff. The \$10,000 grant option would include extending the Covenants, Conditions, and Restrictions (CC&Rs) from five years to seven years and would also incorporate a forgivable loan provision for the \$3,000 additional funding. The amount of loan repayment would decline by one seventh, or approximately \$429, per year for each year that the property is maintained.

The pilot EHIP was reviewed by the Agency Board on September 8, 2009; and certain recommendations were approved, one of them being a choice of two different landscape options. One option involves the use of turf combined with drought-tolerant plantings; the other, strictly the use of drought-tolerant plantings.

Other significant improvements incorporated in both grant options include installation of a rain sensor; use of only warm-season versus cool-season turf; and to discontinue installing EHIP landscaping during July, August, and September. These improvements

Prepared by:

Aciligo Donald

Reviewed and Approved by:

M. J. STARR

Proofed by:

Christine P. Valdivia

Presented by:

were recommended while addressing the urgency of water-conservation efforts and the guidelines for mandatory water conservation required by Monte Vista Water District.

FISCAL IMPACT: The Agency Board approved funding for EHIP in the Fiscal Year 2009-10 Redevelopment Agency Budget.

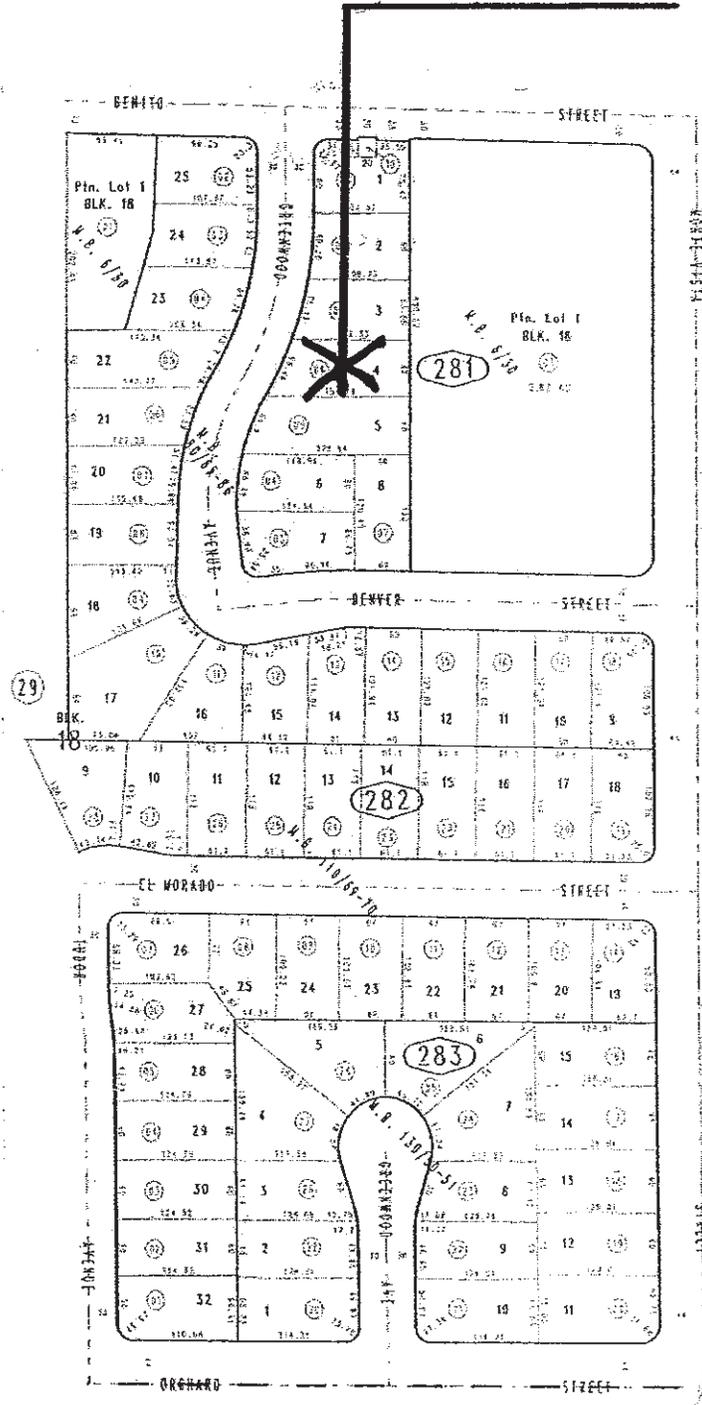
RECOMMENDATION: Agency staff recommends the Redevelopment Agency Board of Directors approve Rehabilitation Grant Agreement No. 10-105 by and between the City of Montclair Redevelopment Agency and one Exterior Housing Improvement Program participant.

EXHIBIT A

Agreement No. 10-105

<i>Agreement Number</i>	<i>Applicant Name and Address</i>	<i>Option of Grant</i>
10-105	Lorraine M. Lara 9955 Greenwood Avenue	\$7,000 Exhibit B

9955 Greenwood Avenue



AGENDA REPORT

<p>SUBJECT: CONSIDER AWARD OF CONTRACT TO CREATIVE CONTRACTORS CORP. IN THE AMOUNT OF \$142,427.00</p> <p>CONSIDER APPROVAL OF AGREEMENT NO. 10-106 WITH CREATIVE CONTRACTORS CORP. FOR CONSTRUCTION OF THE REPLACEMENT OF PLAYGROUND EQUIPMENT AT ALMA HOFMAN PARK PROJECT</p> <p>CONSIDER AUTHORIZATION OF A \$15,000 CONSTRUCTION CONTINGENCY</p>	<p>DATE: September 7, 2010</p> <p>SECTION: AGREEMENTS</p> <p>ITEM NO.: 4</p> <p>FILE I.D.: PRK200</p> <p>DEPT.: PUBLIC WORKS</p>
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BUSINESS PLAN: STRATEGIC PRIORITY NO. 3

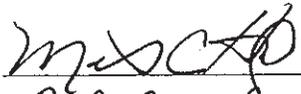
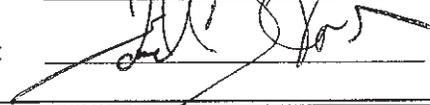
REASON FOR CONSIDERATION: Awards of contracts and agreements with the City require City Council approval.

Approval of Agreement No. 10-106 would satisfy a portion of Strategic Priority No. 3, Goal 3, as contained in Montclair's "Business Plan."

BACKGROUND: The City Council, at its meeting of July 19, 2010, authorized staff to advertise for bids for construction of the Replacement of Playground Equipment at Alma Hofman Park Project. This project will construct new playground equipment and rubberized playground surfaces for both youth and toddlers at Alma Hofman Park.

On Thursday, August 26, 2010, Deputy City Clerk Smith received and opened ten bid proposals for the construction of the Replacement of Playground Equipment at Alma Hofman Park Project. The bid results are as follows:

<i>Contractor</i>	<i>Bid Amount</i>
Creative Contractors Corp.	\$142,427.00
Fleming Environmental, Inc.	\$155,850.00
Nature Tech Landscaping, Inc.	\$156,000.00
Vido Samarzich, Inc.	\$161,500.00
AVA Builders, Inc.	\$163,340.00
DLE Construction, Inc.	\$173,644.00
Micon Construction, Inc.	\$187,299.00
Aramexx Construction	\$189,950.00
Malibu Pacific Tennis Courts Inc.	\$199,900.00
Engineer's Estimate	\$200,000.00
PTM General Engineering Services, Inc.	\$219,019.00

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

Following the bid opening, all bid proposals were reviewed for completeness and accuracy. Creative Contractors Corp. provided all the required documents and was deemed to be the lowest responsible, responsive bidder for the project.

Creative Contractors Corp. has no previous history working for the City. Based on past projects and reference checks, Creative Contractors Corp. is believed to have the personnel, equipment, and job experience necessary to complete this contract in accordance with the plans and specifications.

FISCAL IMPACT: The project is entirely funded by Proposition 40 Per Capita Grant funds.

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

1. Award a contract to Creative Contractors Corp. in the amount of \$142,427.00.
2. Approve Agreement No. 10-106 with Creative Contractors Corp. for construction of the Replacement of Playground Equipment at Alma Hofman Park Project.
3. Authorize a \$15,000 construction contingency.

AGREEMENT NO. 10-106

KNOW ALL MEN BY THESE PRESENTS: That the following Agreement is made and entered into as of the date executed by the City Clerk and the Mayor, by and between **Creative Contractors Corp.**, hereinafter referred to as "CONTRACTOR," and the CITY OF MONTCLAIR, hereinafter referred to as "CITY."

I. Recitals.

- A. Pursuant to Notice Inviting Sealed Bids or Proposals, bids were received, publicly opened, and declared on the date specified in said notice.
- B. CITY did accept the bid of CONTRACTOR.
- C. CITY has authorized the City Clerk and Mayor to enter into a written contract with CONTRACTOR for furnishing labor, equipment, and material for the construction of:

REPLACEMENT OF PLAYGROUND EQUIPMENT AT ALMA HOFMAN PARK PROJECT

"PROJECT" hereinafter.

II. Resolution.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed:

A. GENERAL SCOPE OF WORK. CONTRACTOR shall furnish all necessary labor, tools, materials, appliances, and equipment for and do all work contemplated and embraced for the PROJECT. Said PROJECT to be performed in accordance with specifications and standards on file in the Office of the City Engineer and in accordance with bid prices hereinafter mentioned and in accordance with the instructions of the Engineer.

B. INCORPORATED DOCUMENTS TO BE CONSIDERED COMPLEMENTARY. The aforesaid specifications are incorporated herein by reference thereto and made a part hereof with like force and effect as if all of said documents were set forth in full herein. Said documents, the Notice Inviting Bids, the Instructions to Bidders, the Proposal and any City-issued addenda, together with this written Agreement, shall constitute the contract between the parties. This contract is intended to require a complete and finished piece of work and anything necessary to complete the work properly and in accordance with the law and lawful governmental regulations shall be performed by the CONTRACTOR whether set out specifically in the contract or not. Should it be ascertained that any inconsistency exists between the aforesaid documents and this written Agreement, the provisions of this written Agreement shall control.

C. TERMS OF CONTRACT. The CONTRACTOR agrees to execute the contract within ten (10) calendar days from the date of notice of award of the contract and to complete his portion of PROJECT within the time specified in the Special Provisions. CONTRACTOR agrees further to the assessment of liquidated damages in the amount specified in the Special Provisions or the Standard Specifications, which-ever is higher, for each calendar day PROJECT remains incomplete beyond the expiration of the completion date. CITY may deduct the amount thereof from any moneys due or that may become due the CONTRACTOR under this contract. Progress payments made after the scheduled date of completion shall not constitute a waiver of liquidated damages.

D. INSURANCE. The CONTRACTOR shall not commence work under this contract until he has obtained all insurance required hereunder in a company or companies acceptable to CITY nor shall the CONTRACTOR allow any subcontractor to commence work on his subcontract until all insurance required of the subcontractor has been obtained. The CONTRACTOR shall take out and maintain at all times during the life of this contract the following policies of insurance:

1. Compensation Insurance: Before beginning work, CONTRACTOR shall furnish to the Engineer a policy of insurance or proper endorsement as proof that he has taken out full compensation insurance for all persons whom he may employ directly or through subcontractors in carrying out the work specified herein, in accordance with the laws of the State of California. Such insurance shall be maintained in full force and effect during the period covered by this contract.

In accordance with the provisions of Section 3700 of the California Labor Code, every contractor shall secure the payment of compensation to his employees. CONTRACTOR, prior to commencing work, shall sign and file with CITY a certification as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this contract."

2. For all operations of the CONTRACTOR or any subcontractor in performing the work provided for herein, insurance with the following minimum limits and coverage:

- (a) Public Liability – Bodily Injury (not auto) \$1,000,000 each person; \$2,000,000 each accident.
- (b) Public Liability – Property Damage (not auto) \$500,000 each accident; \$1,000,000 aggregate.
- (c) Contractor's Protective – Bodily Injury \$1,000,000 each person; \$2,000,000 each accident.
- (d) Contractor's Protective – Property Damage \$500,000 each accident; \$1,000,000 aggregate.

- (e) Automobile – Bodily Injury \$1,000,000 each person; \$2,000,000 each accident.
- (f) Automobile – Property Damage \$500,000 each accident.

3. The policy of insurance provided for in subparagraph 1 shall contain an endorsement which:

- (a) Waives all right of subrogation against all persons and entities specified in subparagraph D(4)(b) hereof to be listed as additional insureds in the policy of insurance provided for in paragraph 2 by reason of any claim arising out of or connected with the operations of CONTRACTOR or any subcontractor in performing the work provided for herein.
- (b) Provides it shall not be canceled or altered without thirty (30) days' written notice thereof given to CITY by registered mail.

4. Each such policy of insurance provided for in paragraph 2 shall:

- (a) Be issued by an insurance company approved in writing by CITY, which is qualified to do business in the State of California.
- (b) Name as additional insureds the CITY, its officers, agents and employees, and any other parties specified in the bid documents to be so included.
- (c) Specify it acts as primary insurance and that no insurance held or owned by the designated additional insureds shall be called upon to cover a loss under said policy.
- (d) Contain a clause substantially in the following words:

"It is hereby understood and agreed that this policy may not be canceled nor the amount of the coverage thereof reduced until thirty (30) days after receipt by CITY of a written notice of such cancellation or reduction of coverage as evidenced by receipt of a registered letter."

- (e) Otherwise be in form satisfactory to CITY.

5. The CONTRACTOR shall at the time of the execution of the contract present the original policies of insurance required in paragraphs 1 and 2, hereof, or present an endorsement of the insurance company, showing the issuance of such insurance, and the additional insureds and other provisions required herein.

E. CONTRACTOR'S LIABILITY. The City of Montclair and its respective officers, agents and employees shall not be answerable or accountable in any manner for any loss or damage that may happen to the project or any part thereof, or for any of the materials or other things used or employed in performing the project; or for

injury or damage to any person or persons, either workmen, employees of the CONTRACTOR or his subcontractors or the public, whatsoever arising out of or in connection with the performance of the project. The CONTRACTOR shall be responsible for any damage or injury to any person or property resulting from defects or obstructions or from any cause whatsoever, except the sole negligence or willful misconduct of CITY, its employees, servants, or independent contractors who are directly responsible to CITY during the progress of the project or at any time before its completion and final acceptance.

The CONTRACTOR will indemnify CITY against and will hold and save CITY harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision, or other organization arising out of or in connection with the work, operation, or activities of the CONTRACTOR, his agents, employees, subcontractors, or invitees provided for herein, whether or not there is concurrent passive or active negligence on the part of CITY, but excluding such actions, claims, damages to persons or property, penalties, obligations, or liabilities arising from the sole negligence or willful misconduct of CITY, its employees, servants, or independent contractors who are directly responsible to CITY, and in connection therewith:

1. The CONTRACTOR will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations, or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection therewith.

2. The CONTRACTOR will promptly pay any judgment or award rendered against the CONTRACTOR or CITY covering such claims, damages, penalties, obligations, and liabilities arising out of or in connection with such work, operations, or activities of the CONTRACTOR hereunder or reasonable settlement in lieu of judgment or award, and the CONTRACTOR agrees to save and hold the CITY harmless therefrom.

3. In the event CITY is made a party to any action or proceeding filed or prosecuted against the CONTRACTOR for damages or other claims arising out of or in connection with the project, operation, or activities of the CONTRACTOR hereunder, the CONTRACTOR agrees to pay to CITY any and all costs and expenses incurred by CITY in such action or proceeding together with reasonable attorneys' fees.

Money due to the CONTRACTOR under and by virtue of the contract, as shall be considered necessary by CITY, may be retained by CITY until disposition has been made of such actions or claims for damage as aforesaid.

F. NONDISCRIMINATION. No discrimination shall be made in the employment of persons upon public works because of the race, color, sex, sexual preference, sexual orientation, or religion of such persons, and every contractor for public works violating this Section is subject to all the penalties imposed for a violation of Division 2, Part 7, Chapter 1 of the Labor Code in accordance with the provisions of Section 1735 of said Code.

G. INELIGIBLE SUBCONTRACTORS. The CONTRACTOR shall be prohibited from performing work on this project with a subcontractor who is ineligible to perform on the project pursuant to Sections 1777.1 and 1777.7 of the Labor Code.

H. CONTRACT PRICE AND PAYMENT. CITY shall pay to the CONTRACTOR for furnishing the material and doing the prescribed work the unit prices set forth in accordance with CONTRACTOR's Proposal dated **August 25, 2010.**

I. ATTORNEYS' FEES. In the event that any action or proceeding is brought by either party to enforce any term or provision of this Agreement, the prevailing party shall recover its reasonable attorneys' fees and costs incurred with respect thereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

CITY:

CITY OF MONTCLAIR, CALIFORNIA

By _____
Paul M. Eaton, Mayor

Dated _____

ATTEST:

By _____
Donna M. Jackson, City Clerk

Dated _____

CONTRACTOR:

CREATIVE CONSULTING CORP.

P.O. Box 80784

Rancho Santa Margarita, CA. 92688-0784

By _____
(Title)

By _____
(Title)

By _____
(Title)

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 10-2859 RESCINDING RESOLUTION
NO. 09-2817 DESIGNATING RESTRICTED
PARKING ON PUBLIC STREETS

DATE: September 7, 2010

SECTION: RESOLUTIONS

ITEM NO.: 1

FILE I.D.: PKG275

**BUSINESS
PLAN:** N/A

DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: Staff is requesting the City Council consider adoption of Resolution No. 10-2859 designating restricted parking on public streets. Proposed Resolution No. 10-2859 incorporates changes recommended by staff and the Public Works Committee and is attached hereto for the City Council's review and consideration.

BACKGROUND: Requests from the public as well as recommendations from the Public Works Committee have been incorporated into proposed Resolution No. 10-2859. The changes proposed are as follows:

- Restrict street parking at any time on the south side of Arrow Highway from 250 feet east of Rose Avenue to Vernon Avenue
- Restrict street parking by permit parking only on the west side of Amherst Avenue from alleyway at 10440 Amherst Avenue to 175 feet south
- Restrict street parking on the south side of Kingsley Street from Ramona Avenue to 20 feet east for disabled parking by special license plates or a distinguished placard
- Restrict street parking on the south side of Bandera Street between Ramona and Lehigh Avenues for street sweeping on Tuesday between 7:00 a.m. and 2:00 p.m.
- Restrict street parking on the east side of Kimberly Avenue between Kingsley and Bandera Streets for street sweeping on Tuesday between 7:00 a.m. and 2:00 p.m.
- Restrict street parking on the east side of Lehigh Avenue from Kingsley Street south to its terminus for street sweeping on Tuesday between 7:00 a.m. and 2:00 p.m.
- Restrict street parking on the east side of Amherst Avenue between Kingsley Street and Holt Boulevard for street sweeping on Tuesday between 7:00 a.m. and 2:00 p.m.
- Restrict street parking on the east side of Pradera Avenue between Kingsley Street south to its terminus for street sweeping on Tuesday between 7:00 a.m. and 2:00 p.m.

Prepared by:

Reviewed and
Approved by:

Proofed by:

Presented by:

- Restrict street parking on Kimberly Avenue between Brooks Street south to its terminus between 2:00 a.m. and 6:00 a.m.
- Restrict street parking on west side of Amherst Avenue from Holt Boulevard north 185 feet between 2:00 a.m. and 6:00 a.m.

If approved, all affected property and business owners would be notified about the parking restrictions before the signs would be installed.

FISCAL IMPACT: The cost to purchase signs, posts, and hardware to implement the changes recommended in proposed Resolution No. 10-2859 is approximately \$1,000. Funds for the recommended changes are available in the Public Works Fiscal Year 2010-11 Budget.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 10-2859 rescinding Resolution No. 09-2817 designating restricted parking on public streets.

RESOLUTION NO. 10-2859

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR RELATED
TO RESTRICTED PARKING ON PUBLIC
STREETS AND ALLEYS**

WHEREAS, the State of California provides, under Division 11, Chapter 9, Section 22507 of the Vehicle Code, that the City may adopt regulations by resolution or ordinance; and

WHEREAS, Section 8.16.010 of the Montclair Municipal Code provides that parking restrictions may be adopted by Resolution; and

WHEREAS, parking restrictions that were adopted by the City Council's adoption of Resolution No. 09-2817 are being rescinded by the adoption of this Resolution to incorporate all restricted parking on public streets in one Resolution; and

WHEREAS, an exemption from these parking restrictions may be granted by the Public Works Superintendent on one or more of the following grounds:

- ✓ A residence that has alley access only to the garage (and residents are unable to park in the garage) or has no garage;
- ✓ A residence that has alley access only to the garage (the size of which can only accommodate two or fewer vehicles) at which two or more vehicles are registered;
- ✓ A residence at which a family member with a physical disability resides and such resident possesses a State of California Department of Motor Vehicles Disabled Person Parking placard and/or license plate;
- ✓ Any other situation that would demonstrate a hardship created by the posting of restricted parking signs as determined by the Public Works Superintendent; and

WHEREAS, execution of an agreement with the City would be required for any resident issued the parking exemption. The agreement will require that the resident be responsible for clearing the gutter in front of his/her home.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby rescind Resolution No. 09-2817 and adopt the following parking restriction districts in conformance with Section 8.16.010 of the Montclair Municipal Code:

<i>Street</i>	<i>Hours Parking Restricted</i>
Ada Avenue from Monte Verde Street to its terminus north of Clair Street	Monday 7:00 a.m. to 2:00 p.m.

Alamitos Street between Norton and Amherst Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Alamitos Street between Camulos and Felipe Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Alamitos Street between Camulos and Felipe Avenues	During school sessions, except by permit 7:00 a.m. to 4:00 p.m.
Alamitos Street between Rose and Saratoga Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Alamitos Street from Del Mar Avenue west to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Allesandro Street between Ramona and Felipe Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Amherst Avenue between San Bernardino and Alamitos Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Amherst Avenue between Benito and Rudisill Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Amherst Avenue from Clair Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Amherst Avenue between Fauna and Evert Streets	Monday 7:00 a.m. to 2:00 p.m.
Amherst Avenue west side between Kingsley Street and Holt Boulevard	Monday 7:00 a.m. to 2:00 p.m.
Amherst Avenue east side between Kingsley Street and Holt Boulevard	Tuesday 7:00 a.m. to 2:00 p.m.
Amherst Avenue west side between alleyway at 10440 Amherst Avenue and 175 feet to the south	Permit parking only
Amherst Avenue west side between Holt Boulevard and 185 feet to the north	2:00 a.m. to 6:00 a.m.
Armsley Street from Columbine Avenue east to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Armsley Street between Vernon and Del Mar Avenues	Tuesday 7:00 a.m. to 2:00 p.m.

Arrow Highway on the north side between Central Avenue and the San Antonio Channel	At any time
Arrow Highway on the south side 250 feet east of Rose Avenue to Vernon Avenue	No parking any time
Bandera Street from Amherst Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street between Lehigh and Monte Vista Avenues	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street on the north side between Lehigh and Monte Vista Avenues	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street, on the south side between Lehigh and Monte Vista Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Bandera Street on the south side between 4594 and 4773 Bandera Street	Permit parking only
Bandera Street on the north side between Monte Vista and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street on the south side between Monte Vista Avenue and a point 600 feet west of Central Avenue	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street from Benson Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue between Caroline and Deodar Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue between Cambridge and San Bernardino Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue from Benito Street north to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue between Benito and Orchard Streets	Monday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.

Benito Street between Mills and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Benito Street on the south side between Camulos and Ramona Avenues	Monday through Friday 7:00 a.m. to 4:00 p.m., except by permit
Benito Street on the south side between Ramona and Camulos Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Benito Street on the south side between Camulos and Helena Avenues	No stopping any time
Benito Street on the north side between Ramona and Monte Vista Avenues	7:00 a.m. to 4:00 p.m. during school sessions, 1-hour parking except by permit
Benito Street on the south side between Helena Avenue and 190 feet east	Bus loading zone
Benito Street on the south side from a point 190 feet east of Helena Avenue east to a point 650 feet west of the centerline of Monte Vista Avenue	7:00 a.m. to 4:00 p.m. During school sessions, 20-minute parking except by permit
Benito Street on the south side from a point 650 feet west of the centerline of Monte Vista Avenue to Helena Avenue	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Benito Street on the south side from Monte Vista Avenue to a point 200 feet west of Greenwood Avenue	Thursday 7:00 a.m. to 2:00 p.m.
Benito Street between Monte Vista and Fremont Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Benito Street on the south side from Central Avenue to a point 200 feet west of Poulsen Avenue	Thursday 7:00 a.m. to 2:00 p.m.
Benito Street on the north side between Central and Benson Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Benito Street on the south side between Central and Vernon Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Benito Street on the south side between Vernon and Bel Air Avenues	Thursday 7:00 a.m. to 2:00 p.m.

Benito Street on the south side between Bel Air and Benson Avenues	Monday 7:00 a.m. to 2:00 p.m.
Benson Avenue on the west side between San Jose and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Benson Avenue on the west side between Palo Verde and San Bernardino Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Benson Avenue on the west side between San Bernardino and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
9810 Benson Avenue	Permit parking only
9818 Benson Avenue	Permit parking only
Benson Avenue on the west side between Benito and Orchard Streets	Monday 7:00 a.m. to 2:00 p.m.
Benson Avenue on the west side between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Benson Avenue on the west side between Kingsley Street and Holt Boulevard	Monday 7:00 a.m. to 2:00 p.m.
Benson Avenue on the west side between Holt Boulevard and the Southern Pacific Railroad tracks	Daily 9:00 p.m. to 7:00 a.m.
Berkeley Street between Pradera and Norton Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Berkeley Street between Norton and Kimberly Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Berkeley Street from Felipe Avenue west to its terminus	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Berkeley Street from Felipe Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Berkeley Street between Helena and Greenwood Avenues	Wednesday 7:00 a.m. 2:00 p.m.
Berkeley Street between Helena and Greenwood Avenues	7:00 a.m. to 4:00 p.m. during school sessions, except by permit

Berkeley Street between Rose and Saratoga Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Berkeley Street between Bel Air and Del Mar Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Big Sky Avenue from Grand Avenue north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Bolton Avenue from Harvard Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Bolton Avenue between Rosewood and Berkeley Streets	Wednesday 7:00 a.m. 2:00 p.m.
Bolton Avenue between Rosewood and Berkeley Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Bolton Avenue between Fauna and Flora Streets	Thursday 7:00 a.m. to 2:00 p.m.
Bonnie Brae Street between Mills and Felipe Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Bonnie Brae Street between Columbine and Vernon Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Bonnie Brae Street between Vernon and Del Mar Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
4570 Brooks Street	At any time
4650 Brooks Street	No parking Vehicles over 10,000 GVW
4660 Brooks Street	No parking Vehicles over 10,000 GVW
4664 Brooks Street	No parking Vehicles over 10,000 GVW
Brooks Street on the south side from Monte Vista Avenue west to a point 895 feet west of Monte Vista Avenue	No parking Vehicles over 10,000 GVW
Brooks Street on the south side from Ramona Avenue to a point 480 feet east of Ramona Avenue	No parking Vehicles over 10,000 GVW

Brooks Street between Rose and Benson Avenues	Daily 9:00 p.m. to 7:00 a.m.
Buckskin Avenue between Mane and Rawhide Streets	Monday 7:00 a.m. to 2:00 p.m.
Buckskin Avenue between Phillips Boulevard and Monte Verde Street	Monday 7:00 a.m. to 2:00 p.m.
Buckskin Avenue from Saddleback Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Butterfield Avenue from Phillips Boulevard north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Camarena Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Camarena Avenue between Fauna and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Camarena Avenue between Bandera and Manzanita Streets	Monday 7:00 a.m. to 2:00 p.m.
Cambridge Street between Pradera and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Cambridge Street from Surrey Avenue east to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Cambridge Street from Del Mar Avenue to its terminus west of Vernon Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Arrow Highway and Oakdale Street	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Allesandro and Moreno Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue from San Jose Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between La Denev and Hawthorne Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue from Bonnie Brae Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Palo Verde and Harvard Streets	Wednesday 7:00 a.m. to 2:00 p.m.

Camulos Avenue between Rosewood and Benito Streets

Wednesday
7:00 a.m. to 2:00 p.m.

Camulos Avenue between Alamos and Benito Streets

7:00 a.m. to 4:00 p.m.
during school sessions,
except by permit

Camulos Avenue on the west side between Benito and Orchard Streets

Wednesday
7:00 a.m. to 2:00 p.m.

Camulos Avenue on the west side between Benito and Orchard Streets

7:00 a.m. to 4:00 p.m.
during school sessions,
except by permit

Camulos Avenue between Orchard and Kingsley Streets

Thursday
7:00 a.m. to 2:00 p.m.

Canary Court from Ramona Avenue east and then north to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Canoga Street on the north side between Ramona and Monte Vista Avenues

Tuesday
7:00 a.m. to 2:00 p.m.

Canoga Street on the south side between Ramona and Monte Vista Avenues

Monday
7:00 a.m. to 2:00 p.m.

Canoga Street between Fremont and Monte Vista Avenues

Monday
7:00 a.m. to 2:00 p.m.

Canoga Street from Marion Avenue east to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Carlton Street from Monte Vista Avenue east to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Caroline Street between Bel Air Avenue to its terminus east of Del Mar Avenue

Tuesday
7:00 a.m. to 2:00 p.m.

Carriage Avenue from Grand Avenue north to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Carriage Avenue on the west side between Phillips Boulevard and Ramona Place

Monday
7:00 a.m. to 2:00 p.m.

Carriage Avenue between Rawhide Street and Mission Boulevard

Monday
7:00 a.m. to 2:00 p.m.

Carrillo Avenue between El Morado and Orchard Streets

Thursday
7:00 a.m. to 2:00 p.m.

Carrillo Avenue from Palo Verde Street north to its terminus

Tuesday
7:00 a.m. to 2:00 p.m.

Carrillo Avenue on the west side to its terminus north of Palo Verde Street

Monday through Sunday
7:00 a.m. to 5:00 p.m.

Carrillo Avenue from Saddleback north to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Carrillo Avenue from Saddleback south to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Carrillo Avenue between San Bernardino and Palo Verde Streets

Tuesday
7:00 a.m. to 2:00 p.m.

Central Avenue on the west side between the north City Limits and Arrow Hwy

At any time

Central Avenue on the east side between the north City Limits and San Bernardino Street

No stopping any time

Central Avenue on the west side between Arrow Highway and Palo Verde Street

No stopping any time

Central Avenue between Benito and Orchard Streets

Thursday
7:00 a.m. to 2:00 p.m.

Central Avenue on the west side between San Bernardino and Benito Streets

At any time

Central Avenue on the east side between San Bernardino and Benito Streets

Thursday
7:00 a.m. to 2:00 p.m.

Central Avenue on the west side between Kingsley and Orchard Streets

At any time

Central Avenue service road from its beginning to its terminus

At any time

Central Avenue on the west side from Howard Street to a point 420 feet north

At any time

Clair Street from Kimberly Avenue to its terminus west of Essex Avenue

Monday
7:00 a.m. to 2:00 p.m.

Clair Street between Marion and Ada Avenues	Monday 7:00 a.m. to 2:00 p.m.
Clair Street between Whitewater and Coalinga Avenues	Monday 7:00 a.m. to 2:00 p.m.
Coalinga Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Coalinga Avenue between Fauna and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
College Avenue from Howard Street to a point 650 feet south	Monday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between La Deney and Bonnie Brae Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between Granada and Rudisill Streets	Thursday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between Fauna and Evert Streets	Monday 7:00 a.m. to 2:00 p.m.
Deer Creek Avenue between Grand Avenue north and Grand Avenue south	Monday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between Caroline and San Jose Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between San Jose and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between Yale and Cambridge Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue from Benito Street north to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between Benito and Orchard Streets	Monday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Denver Street between Pradera and Amherst Avenues	Wednesday 7:00 a.m. to 2:00 p.m.

Denver Street between Ramona Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Denver Street from Camulos Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Denver Street from Camulos Avenue west to its terminus	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Denver Street between Greenwood and Monte Vista Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Denver Street between Greenwood and Monte Vista Avenues	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Denver Street from Monte Vista Avenue east to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Denver Street between Rose and Columbine Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Denver Street between Bel Air and Del Mar Avenues	Monday 7:00 a.m. to 2:00 p.m.
Deodar Street between its terminus west of Columbine Avenue to its terminus east of Del Mar Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
El Morado Street from Ramona Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
El Morado Street from Camulos Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
El Morado Street from Camulos Avenue west to its terminus	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
El Morado Street between Tudor and Monte Vista Avenues	Thursday 7:00 a.m. to 2:00 p.m.
El Morado Street between Marion and Central Avenues	Thursday 7:00 a.m. to 2:00 p.m.
El Morado Street between Rose and Vernon Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Essex Avenue between Howard and Clair Streets	Monday 7:00 a.m. to 2:00 p.m.

Evert Street between Mills and Pradera Avenues

Evert Street on the north side between Amherst and Pradera Avenues

Evert Street on the south side between Pradera and Amherst Avenues

Evert Street from Ramona Avenue east to its terminus

Evert Street between Felipe and Tudor Avenues

Evert Street from Coalinga Avenue east to its terminus

Evert Street from Marion Avenue east to its terminus

Evert Street from Rose Avenue east to its terminus

Evert Street between Saratoga and Columbine Avenues

Exeter Avenue between Palo Verde and La Deney Streets

Exeter Avenue between Princeton and San Bernardino Streets

Fauna Street between Oak Glen and Amherst Avenues

Fauna Street between Lehigh and Kimberly Avenues

Fauna Street between Felipe and Tudor Avenues

Fauna Street from Tudor Avenue east to its terminus

Fauna Street from Monte Vista Avenue to its terminus east of Coalinga Avenue

Monday
7:00 a.m. to 2:00 p.m.

Daily
12:00 a.m. to 5:00 a.m.
Monday
7:00 a.m. to 2:00 p.m.

Monday
7:00 a.m. to 2:00 p.m.

Monday
7:00 a.m. to 2:00 p.m.

Thursday
7:00 a.m. to 2:00 p.m.

Monday
7:00 a.m. to 2:00 p.m.

Tuesday
7:00 a.m. to 2:00 p.m.

Tuesday
7:00 a.m. to 2:00 p.m.

Monday
7:00 a.m. to 2:00 p.m.

Monday
7:00 a.m. to 2:00 p.m.

Thursday
7:00 a.m. to 2:00 p.m.

Thursday
7:00 a.m. to 2:00 p.m.

Monday
7:00 a.m. to 2:00 p.m.

Fauna Street between Coalinga and Geneva Avenues

Monday
7:00 a.m. to 2:00 p.m.

Fauna Street from Marion Avenue east to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Fauna Street from west of Saratoga Avenue to Vernon Avenue

Monday
7:00 a.m. to 2:00 p.m.

Felipe Avenue from Oakdale Street north to its terminus

Tuesday
7:00 a.m. to 2:00 p.m.

Felipe Avenue between Moreno and Allesandro Streets

Tuesday
7:00 a.m. to 2:00 p.m.

Felipe Avenue from San Jose Street south to its terminus

Wednesday
7:00 a.m. to 2:00 p.m.

Felipe Avenue from Bonnie Brae Street north to its terminus

Wednesday
7:00 a.m. to 2:00 p.m.

Felipe Avenue between Rosewood and Benito Streets

Wednesday
7:00 a.m. to 2:00 p.m.

Felipe Avenue between Rosewood and Benito Streets

7:00 a.m. to 4:00 p.m.
during school sessions,
except by permit

Felipe Avenue between Orchard and Kingsley Streets

Thursday
7:00 a.m. to 2:00 p.m.

Felipe Avenue from Bandera Street south to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Flora Street between Pradera and Amherst Avenues

Monday
7:00 a.m. to 2:00 p.m.

Flora Street from Ramona Avenue east to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Flora Street between Felipe and Tudor Avenues

Thursday
7:00 a.m. to 2:00 p.m.

Flora Street between Greenwood and Monte Vista Avenues

Thursday
7:00 a.m. to 2:00 p.m.

Flora Street between Monte Vista and Camarena Avenues

Monday
7:00 a.m. to 2:00 p.m.

Flora Street from Coalinga Avenue east to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Flora Street from Fremont Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Flora Street from Poulsen Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Flora Street from Rose Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Fremont Avenue on the east side from Howard Street to a point 120 feet south of Saddleback Street	Monday 7:00 a.m. to 2:00 p.m.
Fremont Avenue on the west side from Howard Street to a point 120 feet south of Grand Avenue	Monday 7:00 a.m. to 2:00 p.m.
Fremont Avenue between Mission Boulevard and Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Fremont Avenue on the east side between Moreno and Olive Streets	At any time
Fremont Avenue on the west side between Olive and Moreno Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Fremont Avenue on the west side between Palo Verde and San Bernardino Streets	Thursday 7:00 a.m. to 2:00 p.m.
Fremont Avenue on the east side between Palo Verde and San Bernardino Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Fremont Avenue on the east side from Palo Verde Street south to 9633 Fremont Avenue	Permit parking only
Fremont Avenue on the west side between Benito and San Bernardino Streets	Thursday 7:00 a.m. to 2:00 p.m.
Fremont Avenue on the east side between Benito and San Bernardino Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Fremont Avenue between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Fremont Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.

Fremont Avenue between Bandera and Kingsley Streets

Monday
7:00 a.m. to 2:00 p.m.

Galena Avenue between Rosewood and Benito Streets

Wednesday
7:00 a.m. to 2:00 p.m.

Galena Avenue between Rosewood and Benito Streets

7:00 a.m. to 4:00 p.m.
during school sessions,
except by permit

Galena Avenue from Fauna Street north to its terminus

Thursday
7:00 a.m. to 2:00 p.m.

Geneva Avenue between Olive and Highland Streets

Tuesday
7:00 a.m. to 2:00 p.m.

Geneva Avenue between Rosewood and Benito Streets

Thursday
7:00 a.m. to 2:00 p.m.

Geneva Avenue between Benito and Rudisill Streets

Thursday
7:00 a.m. to 2:00 p.m.

Geneva Avenue between Fauna and Orchard Streets

Monday
7:00 a.m. to 2:00 p.m.

Granada Street from Pradera Avenue east to its terminus

Wednesday
7:00 a.m. to 2:00 p.m.

Granada Street from Ramona Avenue west to its terminus

Wednesday
7:00 a.m. to 2:00 p.m.

Granada Street from Monte Vista Avenue east to its terminus

Thursday
7:00 a.m. to 2:00 p.m.

Granada Street between Rose and Columbine Avenues

Thursday
7:00 a.m. to 2:00 p.m.

Granada Street between Santa Anita and Del Mar Avenues

Monday
7:00 a.m. to 2:00 p.m.

Grand Avenue between Deer Creek and Fremont Avenues

Monday
7:00 a.m. to 2:00 p.m.

Grand Avenue between Monte Vista and Deer Creek Avenues

Monday
7:00 a.m. to 2:00 p.m.

Grand Avenue north side from Ramona Avenue to a point 130 feet east of Carriage Avenue

Monday
7:00 a.m. to 2:00 p.m.

Grand Avenue on the south side from Ramona Avenue east to 4641 Grand Avenue	Monday 7:00 a.m. to 2:00 p.m.
Greenwood Avenue from Harvard Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Greenwood Avenue between Rosewood and Benito Streets	Wednesday 7:00 a.m. 2:00 p.m.
Greenwood Avenue between Rosewood and Benito Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Greenwood Avenue between Benito and Denver Streets	Thursday 7:00 a.m. to 2:00 p.m.
Greenwood Avenue between Benito and Denver Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Greenwood Avenue from Orchard Street north to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Greenwood Avenue between Fauna and Kingsley Streets	Thursday 7:00 a.m. to 2:00 p.m.
Greycliff Avenue from Grand Avenue north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Harvard Street between Pradera and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Harvard Street between Ramona and Camulos Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Harvard Street between Helena and Monte Vista Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Harvard Street between Fremont and Poulsen Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Harvard Street from Exeter Avenue to its terminus east of Bel Air Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
Hawthorne Street between Ramona and Camulos Avenues	Wednesday 7:00 a.m. to 2:00 p.m.

Hawthorne Street from Columbine Avenue east to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Hawthorne Street between Vernon and Del Mar Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Helena Avenue from Moreno Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Helena Avenue between Palo Verde and San Bernardino Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Helena Avenue between San Bernardino and Benito Streets	Wednesday 7:00 a.m. 2:00 p.m.
Helena Avenue between San Bernardino and Benito Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Helena Avenue from Fauna Street north to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Helena Avenue on the west side between Kingsley and Bandera Streets	Monday 7:00 a.m. to 2:00 p.m.
Helena Avenue on the east side between Kingsley and Bandera Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Helena Avenue between Bandera and Manzanita Streets	Monday 7:00 a.m. to 2:00 p.m.
Highland Street between Ramona and Helena Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Highland Street between Lindero and Geneva Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Highland Street from Surrey Avenue east to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Holt Boulevard on the south side between Central and Rose Avenues	At any time
Holt Boulevard on the south side from 4997 Holt Boulevard east to Central Avenue	At any time
Holt Boulevard on the north side from Ramona Avenue to a point 650 feet east of Ramona Avenue	Monday 7:00 a.m. to 2:00 p.m.

Howard Elementary School 4650 Howard Street	School bus loading zone
Howard Street on the north side between Wesley and Essex Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side between College Avenue to a point 440 feet east	No stopping School bus loading zone
Howard Street on the north side from Central Avenue to a point 110 feet west	At any time
Howard Street between Essex and Ramona Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street between Fremont and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the north side from Fremont Avenue west of 5018 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side from Monte Vista Avenue west to 5043 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the north side from Monte Vista Avenue to a point 200 feet west of Stagecoach Avenue	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side between Poulsen and Central Avenues	At any time
Howard Street on the south side between Pipeline and College Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street north side from Ramona Avenue east to 4580 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side from Ramona Avenue east to 4695 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Huntington Drive on the south side from Claremont Boulevard east to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
James Place from Camulos Avenue east to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.

Kimberly Avenue from Clair Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Kimberly Avenue between Fauna and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Kimberly Avenue from Howard Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Kimberly Avenue west side between Kingsley and Bandera Streets	Monday 7:00 a.m. to 2:00 p.m.
Kimberly Avenue east side between Kingsley and Bandera Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Kimberly Avenue from Brooks Street south to its terminus	No parking 2:00 a.m. to 6:00 a.m.
Kimberly Avenue between Mane and Merle Streets	Monday 7:00 a.m. to 2:00 p.m.
Kimberly Avenue between San Bernardino and Berkeley Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the north side between Mills and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the south side between Mills and Ramona Avenues	Monday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the north side between Ramona and Felipe Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the north side between Felipe and Monte Vista Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the south side between Ramona and Monte Vista Avenues	Monday 7:00 a.m. to 2:00 p.m.
Kingsley Street on south side between Ramona Avenue and 20 feet east	Disabled parking
Kingsley Street on the north side between Monte Vista and Central Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the south side between Monte Vista and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.

Kingsley Street on the north side between Central and Benson Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the south side between Central and Benson Avenues	Monday 7:00 a.m. to 2:00 p.m.
Kingsley Elementary School 5625 Kingsley Street	School bus loading zone Monday through Friday 6:30 a.m. to 8:30 a.m.
La Denev Street between Pradera and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
La Denev Street between Ramona and Camulos Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
La Denev Street from Felipe Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
La Denev Street from Rose Avenue to its terminus east of Columbine Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
La Denev Street between Vernon and Del Mar Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue from Kimberly Avenue north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue between Fauna and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue west side between Kingsley and Bandera Streets	Monday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue west side from Bandera Street south to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue east side between Kingsley and Bandera Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue east side from Bandera Street south to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Lindero Avenue between Olive and Moreno Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Lindero Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.

Lindero Avenue between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Mane Street between Monte Vista and Stallion Avenues	Monday 7:00 a.m. to 2:00 p.m.
Mane Street from Ramona Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Mane Street between San Pasqual and Kimberly Avenues	Monday 7:00 a.m. to 2:00 p.m.
Mane Street from Stagecoach Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Manzanita Street between Helena and Tudor Avenues	Monday 7:00 a.m. to 2:00 p.m.
Manzanita Street between Monte Vista and Camarena Avenues	Monday 7:00 a.m. to 2:00 p.m.
Marion Avenue between Harvard and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Marion Avenue between El Morado and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Marion Avenue between Kingsley and Bandera Streets	Monday 7:00 a.m. to 2:00 p.m.
Marion Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Marion Avenue between Saddleback and Clair Streets	Monday 7:00 a.m. to 2:00 p.m.
Merle Street between Fremont and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Merle Street between Fremont and Poulsen Avenues	Monday 7:00 a.m. to 2:00 p.m.
Merle Street between San Pasqual and Ramona Avenues	Monday 7:00 a.m. to 2:00 p.m.
Mills on the east side between Moreno and San Jose Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Mills Avenue on the east side between San Jose and Bonnie Brae Streets	Wednesday 7:00 a.m. to 2:00 p.m.

Mills Avenue on the east side between Palo Verde Street to a point 230 feet south	At any time
Mills Avenue on the east side between Palo Verde and San Bernardino Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Mills Avenue on the west side between San Bernardino Street to a point 650 feet north	At any time
Mills Avenue on the east side between San Bernardino and Benito Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Mills Avenue on the east side between Benito and Orchard Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Mills Avenue on the east side between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
4770 Mission Boulevard	2-hour parking
4760 Mission Boulevard	2-hour parking
4923 Mission Boulevard	No parking any time
5111 Mission Boulevard	2-hour parking
5141 Mission Boulevard	2-hour parking
Mission Boulevard on the north side from Ada Street west to 5136 Mission Boulevard	No stopping any time
Mission Boulevard on the south side from Central Avenue west to 5141 Mission Boulevard	No stopping any time
Mission Boulevard on the north side from Fremont Avenue east through 5136 Mission Boulevard	2-hour parking
Mission Boulevard on the north side between Fremont and Monte Vista Avenues	No parking any time
Mission Boulevard on the south side from 4925 Mission Boulevard to Fremont Avenue	2-hour parking

Mission Boulevard on the north side from Monte Vista Avenue west through 4780 Mission Boulevard	No parking any time
Mission Boulevard on the north side between Pipeline and Silicon Avenues	2-hour parking
Mission Boulevard on the north side from Pipeline Avenue to the west City limit	No parking any time
Mission Boulevard on the north side from Ramona Avenue east to 4762 Mission Boulevard	No parking any time
Mission Boulevard on the north side from Ramona Avenue to 4284 Mission Boulevard	No parking any time
Mission Boulevard on the south side between Ramona and Monte Vista Avenues	No parking any time
Mission Boulevard on the north side from Silicon Avenue east through 4284 Mission Boulevard	2-hour parking
Mission Boulevard on the south side between the west City limit and Ramona Avenue	No parking any time
Monte Verde Street between Ada and Poulsen Avenues	Monday 7:00 a.m. to 2:00 p.m.
Monte Vista Avenue from Arrow Highway to a point 150 feet north of Richton Street	At any time
Monte Vista Avenue on the west side between Bandera Street and Holt Boulevard	At any time
Monte Vista Avenue from Benito Street to a point 220 feet north of Benito Street	Monday through Friday 7:00 a.m. to 6:00 p.m.
Monte Vista Avenue between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Monte Verde Street from Buckskin Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the west side from Harvard Street to a point 300 feet north

Wednesday
7:00 a.m. 2:00 p.m.

Monte Vista Avenue on the west side from the I-10 Freeway off ramp to a point 650 feet south

At any time

Monte Vista Avenue on the west side between Kingsley and Bandera Streets

Monday
7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the west side between Mission Boulevard and Howard Street

Monday
7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the east side from 11233 Monte Vista Avenue to a point 110 feet south of Grand Avenue

Monday
7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the east side between Moreno Street and Arrow Highway

At any time

Monte Vista Avenue between Moreno Street and the I-10 Freeway

No stopping any time

Monte Vista Avenue on the west side from Moreno Street to a point 100 feet north of Olive Street

Tuesday
7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the east side between Orchard and Kingsley Streets

Monday
7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the west side between Orchard and Kingsley Streets

Thursday
7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the east side from Orchard Street to a point 400 feet north

At any time

Monte Vista Avenue on the east side between San Bernardino and Benito Streets

Thursday
7:00 a.m. to 2:00 p.m.

Monte Vista Avenue on the west side between San Bernardino and Benito Streets

Wednesday
7:00 a.m. 2:00 p.m.

Monte Vista Avenue between State Street and Mission Boulevard

At any time

Moreno Street between Mills Avenue and the San Antonio Channel	Tuesday 7:00 a.m. to 2:00 p.m.
Moreno Street on the north side from Monte Vista Avenue to a point 100 feet west of Surrey Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
Moreno Street on the north side between Lindero and Monte Vista Avenues	At any time
Moreno Street on the north side between Fremont Avenue to a point 100 feet west of Lindero Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
Moreno Street on the north side between Fremont and Central Avenues	No stopping any time
Moreno Street on the south side between Monte Vista and Central Avenues	No parking any time
Moreno Street on the north side from Del Mar Avenue to a point 300 feet east of Vernon Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
Norton Avenue between Alamitos and Benito Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Oak Glen Avenue between Fauna and Evert Streets	Monday 7:00 a.m. to 2:00 p.m.
Oak Glen Avenue from Holt Boulevard north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Oakdale Street from Ramona Avenue to its terminus east of Felipe Avenue	Tuesday 7:00 a.m. 2:00 p.m.
Olive Street between Ramona and Helena Avenues	Tuesday 7:00 a.m. 2:00 p.m.
Olive Street between Surrey and Monte Vista Avenues	Tuesday 7:00 a.m. 2:00 p.m.
Olive Street on the north side from Fremont Avenue west to its terminus	At any time
Olive Street on the south side from Fremont Avenue west to its terminus	Tuesday 7:00 a.m. 2:00 p.m.
Olive Street between Central and Vernon Avenues	Tuesday 7:00 a.m. 2:00 p.m.

Orchard Street on the north side between Mills and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Orchard Street on the south side between Mills and Ramona Avenues	Monday 7:00 a.m. to 2:00 p.m.
Orchard Street on the north side between Ramona and Camulos Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Orchard Street on the south side between Ramona and Felipe Avenues	Monday 7:00 a.m. to 2:00 p.m.
Orchard Street on the north side from Monte Vista Avenue to a point 120 feet west of Tudor Avenue	Thursday 7:00 a.m. to 2:00 p.m.
Orchard Street on the south side between Tudor and Monte Vista Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Orchard Street on the north side between Lindero and Monte Vista Avenues	At any time
Orchard Street on the north side from Fremont Avenue to a point 100 feet west of Lindero Avenue	Thursday 7:00 a.m. to 2:00 p.m.
Orchard Street on the north side between Fremont to Central Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Orchard Street on the south side between Geneva and Monte Vista Avenues	7:00 a.m. to 4:00 p.m. during school sessions except by permit
Orchard Street on the south side between Monte Vista and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Orchard Street on the north side between Central and Vernon Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Orchard Street on the north side between Vernon and Bel Air Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Orchard Street on the north side between Bel Air and Benson Avenues	Monday 7:00 a.m. 2:00 p.m.
Orchard Street on the south side between Central and Benson Avenues	Monday 7:00 a.m. to 2:00 p.m.

Palo Verde Street on the north side from Mills Avenue to a point 470 feet east	At any time
Palo Verde Street between Central and Benson Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Pipeline Avenue on the east side from Howard Street south to 11171 Pipeline Avenue	Monday 7:00 a.m. to 2:00 p.m.
Poulsen Avenue between Benito and Orchard Street	Thursday 7:00 a.m. to 2:00 p.m.
Poulsen Avenue between Clair and Howard Streets	Monday 7:00 a.m. to 2:00 p.m.
Poulsen Avenue between Clair and Monte Verde Streets	Monday 7:00 a.m. to 2:00 p.m.
Poulsen Avenue between Merle and Howard Streets	Monday 7:00 a.m. to 2:00 p.m.
Poulsen Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Poulsen Avenue between Yale and Harvard Streets	Tuesday 7:00 a.m. 2:00 p.m.
Pradera Avenue between La Denev and Bonnie Brae Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Pradera Avenue from San Bernardino Court north to its terminus north of Cambridge Street	Wednesday 7:00 a.m. to 2:00 p.m.
Pradera Avenue between Berkeley and Benito Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Pradera Avenue between Benito and Orchard Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Pradera Avenue between Orchard and Fauna Streets	Monday 7:00 a.m. to 2:00 p.m.
Pradera Avenue between Flora and Evert Streets	Monday 7:00 a.m. to 2:00 p.m.
Pradera Avenue between Evert and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.

Pradera Avenue west side from Kingsley Street south to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Pradera Avenue east side from Kingsley Street south to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Princeton Street between Pradera and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Princeton Street between Surrey and Monte Vista Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Princeton Street between Exeter and Vernon Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Princeton Street from Bel Air east to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue on the west side from Howard Street to a point 265 feet north of Merle Street	No stopping any time
Ramona Avenue on the east side from Oakdale Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue between Olive and Moreno Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue between Moreno and San Jose Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue between San Jose and Bonnie Brae Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue between Palo Verde and San Bernardino Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue between San Bernardino and Benito Streets	Wednesday 7:00 a.m. 2:00 p.m.
Ramona Avenue on the east side between Benito and Orchard Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Ramona Avenue on the west side between Kingsley Street and Holt Boulevard	Monday 7:00 a.m. to 2:00 p.m.

Ramona Avenue on the east side between Kingsley Street and Holt Boulevard	Tuesday 7:00 a.m. to 2:00 p.m.
Ramona Avenue between Holt Boulevard and Brooks Street	No stopping any time
Ramona Avenue between State Street and Mission Boulevard	At any time
Ramona Avenue on the west side from Mission Boulevard to a point 295 feet south	At any time
Ramona Avenue on the west side between Grand Avenue and Howard Street	No stopping any time
Ramona Avenue on the east side between Mission and Phillips Boulevards	No stopping any time
Rawhide Street from Buckskin Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rawhide Street from Stallion Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rawhide Street from Stallion Avenue west to its terminus	Monday
Richton Street between Monte Vista and Central Avenues	No stopping any time
Rodeo Street between Fremont and Whitewater Avenues	Monday 7:00 a.m. to 2:00 p.m.
Rodeo Street from San Pasqual Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rodeo Street from Shetland Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rodeo Street from Stagecoach Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rodeo Street from Wesley Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rose Avenue between San Jose and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.

Rose Avenue between San Bernardino and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Rose Avenue between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Rose Avenue between Flora and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Rose Avenue between Holt Boulevard and Brooks Street	Daily 9:00 p.m. to 7:00 a.m.
Rosewood Street between San Bernardino Street west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Rosewood Street between Bolton and Greenwood Avenues	Wednesday 7:00 a.m. 2:00 p.m.
Rosewood Street between Monte Vista and Ramona Avenues	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Rosewood Street between Monte Vista and Greenwood Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Rosewood Street between Rose and Vernon Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Rudisill Street between Mills and Amherst Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Rudisill Street from Camulos Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Rudisill Street from Camulos Avenue west to its terminus	7:00 a.m. to 2:00 p.m. during school sessions except by permit
Rudisill Street between Lindero and Geneva Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Rudisill Street between Rose and Columbine Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Saddleback Street between Fremont and Carrillo Avenues	Monday 7:00 a.m. to 2:00 p.m.
Saddleback Street between Fremont and Whitewater Avenues	Monday 7:00 a.m. to 2:00 p.m.

Saddleback Street between Poulsen and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Saddleback Street between Ramona and Carriage Avenues	Monday 7:00 a.m. to 2:00 p.m.
San Bernardino Court between San Bernardino Street and Mills Avenue	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street between Mills and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side from San Bernardino Court to a point 400 feet east of Mills Avenue	At any time
San Bernardino Street on the north side from Helena Avenue to a point 300 feet west	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side between Helena and Monte Vista Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side between Ramona Avenue and the San Antonio Channel	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side between Helena and Monte Vista Avenues	Thursday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side between Fremont and Central Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side between Fremont and Central Avenues	Thursday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side between Central and Benson Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side between Central and Vernon Avenues	Thursday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side from Benson Avenue to a point 845 feet west	No parking tow away zone Monday through Friday Noon to 3:00 p.m.
San Jose Street on the north side between Mills and Ramona Avenues	Tuesday 7:00 a.m. to 2:00 p.m.

San Jose Street on the south side
between Mills and Ramona Avenues

Wednesday
7:00 a.m. to 2:00 p.m.

San Jose Street between Ramona Avenue
and the San Antonio Channel

Tuesday
7:00 a.m. to 2:00 p.m.

San Jose Street on the south side
from Monte Vista Avenue to a
point 400 feet west

No parking any time

San Jose Street on the south side
from a point 465 foot east to a
point 620 feet east of the
San Antonio Channel

School bus loading zone

San Jose Street from Benson
Avenue to its terminus
west of Rose Avenue

Tuesday
7:00 a.m. to 2:00 p.m.

San Pasqual Avenue from Howard Street
north to its terminus

Monday
7:00 a.m. to 2:00 p.m.

San Pasqual Avenue between Howard
and Clair Streets

Monday
7:00 a.m. to 2:00 p.m.

San Pasqual Avenue between Mane
and Merle Streets

Monday
7:00 a.m. to 2:00 p.m.

Santa Anita Avenue from Berkeley
Street north to its terminus

Thursday
7:00 a.m. to 2:00 p.m.

Santa Anita Avenue between Benito
and Denver Streets

Monday
7:00 a.m. to 2:00 p.m.

Santa Anita Avenue from Orchard Street
north to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Santa Anita Avenue between Orchard
and Kingsley Streets

Monday
7:00 a.m. to 2:00 p.m.

Saratoga Avenue between Alamos
and Berkeley Streets

Thursday
7:00 a.m. to 2:00 p.m.

Saratoga Avenue between
Fauna and Kingsley Streets

Monday
7:00 a.m. to 2:00 p.m.

Shetland Avenue from Howard Street
north to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Shetland Avenue from Mane Street
north to its terminus

Monday
7:00 a.m. to 2:00 p.m.

Shetland Avenue from Saddleback Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Shirley Lane from Vernon Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Stagecoach Avenue between Howard and Mane Streets	Monday 7:00 a.m. to 2:00 p.m.
Stallion Avenue between Mane and Rodeo Streets	Monday 7:00 a.m. to 2:00 p.m.
Stallion Avenue between Rawhide Street and Mission Boulevard	Monday 7:00 a.m. to 2:00 p.m.
State Street on the south side between Ramona Avenue to a point 230 feet west	At any time
Surrey Avenue between Olive and Moreno Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Surrey Avenue from Harvard Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Surrey Avenue between Rosewood and Berkeley Streets	Wednesday 7:00 a.m. 2:00 p.m.
Surrey Avenue between Rosewood and Berkeley Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Surrey Avenue between Yale and Princeton Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Tudor Avenue from Harvard Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Tudor Avenue between Rosewood and Berkeley Streets	Wednesday 7:00 a.m. 2:00 p.m.
Tudor Avenue between Rosewood and Berkeley Streets	7:00 a.m. to 4:00 p.m. during school sessions except by permit
Tudor Avenue between El Morado and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Tudor Avenue between Orchard and Kingsley Streets	Thursday 7:00 a.m. to 2:00 p.m.

Tudor Avenue between Bandera and Manzanita Streets	Monday 7:00 a.m. to 2:00 p.m.
Vernon Avenue from Deodar Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between San Jose and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between Palo Verde and Princeton Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Vernon Avenue on the east side from Benito Street north to 9775 Vernon Avenue	Thursday 7:00 a.m. to 2:00 p.m.
Vernon Avenue on the west side between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Vernon Avenue on the east side from a point 320 feet to 550 feet south of San Bernardino Street	Loading zone only
Vernon Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between Kingsley Street and Holt Boulevard	Monday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between Holt Boulevard and Brooks Street	Daily 9:00 p.m. to 7:00 a.m.
Wesley Avenue from Howard Street north then west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Wesley Avenue between Rodeo and Howard Streets	Monday 7:00 a.m. to 2:00 p.m.
Whitewater Avenue from Rodeo Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Whitewater Avenue between Saddleback and Clair Streets	Monday 7:00 a.m. to 2:00 p.m.
Yale Street from Surrey Avenue east to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Yale Street between Carrillo and Poulsen Avenues	Tuesday 7:00 a.m. 2:00 p.m.

Yale Street from Del Mar Avenue
to its terminus west of Vernon
Avenue

Tuesday
7:00 a.m. to 2:00 p.m.

APPROVED AND ADOPTED this XX day of XX, 2010.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 10-2859 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, 2010, and that it was adopted by the following vote, to-wit:

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

Donna M. Jackson
City Clerk

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 10-2861 ADOPTING A MEASURE I
FIVE-YEAR CAPITAL IMPROVEMENT
PROGRAM

DATE: September 7, 2010

SECTION: RESOLUTIONS

ITEM NO.: 2

CONSIDER ADOPTION OF RESOLUTION
NO. 10-2862 ADOPTING A MEASURE I
FIVE-YEAR CAPITAL PROJECT NEEDS
ANALYSIS

FILE I.D.: FIN285/TRN510

DEPT.: PUBLIC WORKS

BUSINESS

PLAN: STRATEGIC PRIORITY NO. 3, GOAL 3

REASON FOR CONSIDERATION: The San Bernardino Associated Governments (SANBAG) requires each local jurisdiction to annually update its Measure I Five-Year Capital Improvement Program and Expenditure Strategy proposed to be funded by Measure I. SANBAG is also requiring each local jurisdiction to annually adopt a Five-Year Capital Needs Analysis. The City Council is requested to consider adopting Resolution Nos. 10-2861 and 10-2862 adopting the documents pursuant to SANBAG requirements.

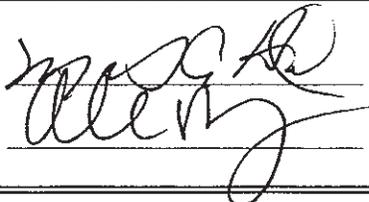
Adoption of Resolution Nos. 10-2861 and 10-2862 would satisfy a portion of Strategic Priority No. 3, Goal 3, as contained in Montclair's "Business Plan."

BACKGROUND: Measure I 2010-2040, the countywide transportation sales tax program, requires that each local jurisdiction receiving pass-through program revenues annually adopt a Measure I Five-Year Capital Improvement Program (CIP) that outlines the specific projects upon which those funds are to be expended. SANBAG has also asked local jurisdictions to adopt an annual five-year Capital Needs Analysis (CPNA). The CPNA differs from the CIP in that the CPNA contains only projects that are included in SANBAG's Nexus program. Nexus projects typically include freeway interchange projects, arterial projects, and grade separation projects. Project funding also includes contributions from developers through the development impact fee program. Both the CIP and the CPNA cover the same five-year period.

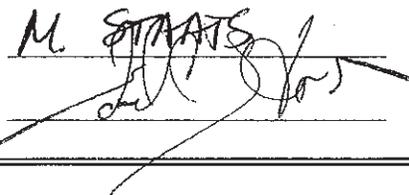
Resolution No. 10-2861 lists various projects proposed to be funded by Measure I for City Council consideration. For most of the 20-year life of the original Measure I, various phases of the Mission Boulevard corridor improvements were the only projects listed. Phases 1-7 are now completed with Phase 8 currently under construction and the last phase scheduled to start early next year. Phases 8 and 9 are using Agency and federal funds for construction.

With the completion of the Mission Boulevard improvements, it is proposed that the pass-through Measure I funds be used for the City's pavement management program for the

Prepared by:



Reviewed and
Approved by:



Proofed by:

Presented by:

next several years, and provide supplemental funding for the Monte Vista Avenue/Union Pacific Railroad Grade Separation Project as needed. This proposal would allow the City to catch up on some deferred maintenance on its local, collector, and arterial streets. SANBAG requires local jurisdictions to include a simple one- or two-paragraph expenditure strategy explaining what they are doing to spend their Measure I money. Resolution No. 10-2861 includes this expenditure strategy.

FISCAL IMPACT: SANBAG estimates that the City would receive \$2,164,139 during the five-year period covered by Fiscal Years 2010-2011 through 2015-2016. Adoption of Resolution No. 10-2861 would allow the City to continue to receive Measure I subventions.

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

1. Adopt Resolution No. 10-2861 adopting a Measure I Five-Year Capital Improvement Program.
2. Adopt Resolution No. 10-2862 adopting a Measure I Five-Year Capital Project Needs Analysis.

RESOLUTION NO. 10-2861

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MONTCLAIR ADOPTING THE MEASURE I
FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, San Bernardino County voters approved passage of Measure I 1990-2010 in November 1989 and renewed as Measure I 2010-2040 in November 2004 authorizing the San Bernardino Associated Governments, acting as the San Bernardino County Transportation Authority, to impose a one half of 1 percent retail transactions and use tax applicable in the incorporated and unincorporated territory of the County of San Bernardino, and

WHEREAS, revenue from the tax can only be used for transportation improvement and traffic management programs authorized in the Expenditure Plans set forth in Ordinance No. 89-1 of the Authority, and

WHEREAS, Expenditure Plans of the Ordinance require each local jurisdiction receiving revenue from the tax to expend those funds pursuant to a Capital Improvement Program adopted by resolution of the local jurisdiction, and

WHEREAS, Expenditure Plans of the Ordinance also require that each local jurisdiction annually adopt and update its Capital Improvement Plan,

WHEREAS, an Expenditure Strategy is also a requirement of the Authority.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Montclair hereby adopts the Measure I Five-Year Capital Improvement Program and Expenditure Strategy, copies of which are attached to this Resolution.

APPROVED AND ADOPTED this XX day of XX, 2010.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 10-2861 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, 2010, and that it was adopted by the following vote, to-wit:

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

Donna M. Jackson
City Clerk

CITY OF MONTCLAIR
EXPENDITURE STRATEGY
2010/2011

With the adoption of Measure I in 1989, the City of Montclair committed the revenue to be generated from the tax to the rehabilitation of the Mission Boulevard Corridor. This two-and-one-quarter-mile corridor extends from the Los Angeles County line at the San Antonio Channel to the City of Ontario at Benson Avenue. The rehabilitation work, mostly now complete, included pavement resurfacing/replacement; installation of curb, gutter, and sidewalk; modifications to or installation of new traffic signals; construction of a landscaped median; and installation of street lighting. Due to the size of the project and the associated cost, the project was complete in multiple phases.

Remaining Mission Boulevard work is expected to be completed by early 2010 and is, therefore, still shown in the six-year Measure I Capital Improvement Program. With the completion of the Mission Boulevard improvements, the City will focus on pavement infrastructure maintenance and rehabilitation.

**VALLEY SUBAREA CITY/TOWN/COUNTY
MEASURE I CAPITAL IMPROVEMENT PLAN 2010/2015**

EXPENDITURE STRATEGY

Local Street Program (LSP): Measure I Local Streets revenues are allocated to:

YEAR	STREET & LIMITS	IMPROVEMENT	COST ESTIMATE
LOCAL STREET PROJECTS (20%)			
2010/2011	Fremont Avenue s/o San José Street	Construct curb and gutter, overlay	\$200,000
	Mills Avenue-Moreno to UPRR	Grind and overlay	\$200,000
	Monte Vista Avenue/UPRR Grade Separation	R/W Acquisition	\$200,000
	Subtotal		\$600,000
2011/2012	Fremont Avenue s/o San José Street	Constr remaining street improvements	\$150,000
	Mills Avenue-Moreno to UPRR	Grind and overlay	\$200,000
	Monte Vista Avenue/UPRR Grade Separation	Asbestos survey/abatement/demo	\$200,000
	Subtotal		\$550,000
2012/2013	Pradera Avenue-San Bernardino Ct. to Cambridge St.	Grind and overlay	\$75,000
	Ramona Avenue-San Bernardino St. to Palo Verde St.	Grind and overlay	\$75,000
	Cambridge Street-Pradera Av. to Ramona Av.	Grind and overlay	\$75,000
	Fremont Avenue-Mission Bl. to State St.	Install curb, gutter, & sidewalk	\$200,000
	Monte Vista Avenue/UPRR Grade Separation	Asbestos survey/abatement/demo	\$200,000
	Subtotal		\$625,000
2013/2014	Princeton Street-Pradera Av. to Ramona Av.	Grind and overlay	\$75,000
	Harvard Street-Pradera Av. to Ramona Av.	Grind and overlay	\$75,000
	Monte Vista Avenue-Richton St. to Arrow Hwy.	Grind and overlay	\$150,000
	Helena Avenue & Benito Street	Install traffic signal	\$250,000
	Subtotal		\$550,000
2014/2015	Monte Vista Avenue-Holt Bl. to Kingsley St.	Grind and overlay	\$300,000
	Various locations throughout City	Miscellaneous Pavement Maintenance	\$225,000
	Subtotal		\$525,000
TOTAL			\$2,164,139

Contact Name: Michael C. Hudson
City Engineer
909-625-9441
Resolution No. 10-2861 adopted 09-07-10

Measure I Local Funds Estimate (5 yr.)

\$2,164,139

RESOLUTION NO. 10-2862

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECTS NEEDS ANALYSIS FOR FISCAL YEARS 2011-2012 THROUGH 2015-2016

WHEREAS, San Bernardino County voters approved passage of Measure I in November 2004 authorizing San Bernardino Associated Governments, acting as the San Bernardino County Transportation Authority, to impose a one-half of 1 percent retail transactions and use tax applicable in the incorporated and unincorporated territory of the County of San Bernardino, and

WHEREAS, revenue from the tax can only be used for transportation improvement and traffic management programs authorized in the Expenditure Plans set forth in Ordinance No. 04-1 of the Authority; and

WHEREAS, the Strategic Plan requires each local jurisdiction applying for revenue from the Valley Major Street and Freeway Interchange Programs to annually adopt and update a Five-Year Capital Project Needs Analysis.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Montclair hereby adopts the Measure I Five-Year Capital Project Needs Analysis for Fiscal Years 2011-2012 through 2015-2016.

APPROVED AND ADOPTED this XX day of XX, 2010.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 10-2862 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, 2010, and that it was adopted by the following vote, to-wit:

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

Donna M. Jackson
City Clerk

**Capital Project Needs Analysis
City of Montclair**

Valley Freeway Interchange Program

(2010 dollars, in \$1,000s - SANBAG will apply escalation factors, by year)

Project Information	Phase	Funding	PRIOR*	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16
Prepare Project Study Report for I-10/Monte Vista Avenue Interchange	PA&E							
	Total Cost: Fund Type:	\$300.00 DEV FEE MI VFI		\$150.00 \$150.00				
Total Project Cost: \$300	PS&E	Other:						
	Total Cost: Fund Type:	\$0.00						
Total Measure I Request: \$150.00 (need to add cells with MI\$)	ROW	Other:						
	Total Cost: Fund Type:	\$0.00						
Comments: The purpose of the PSR is to determine an order of magnitude cost for the project. The PSR will estimate right-of-way acquisition needs, environmental issues and mitigation costs, design needs, and construction cost.	CONST	Other:						
	Total Cost: Fund Type:	\$0.00						

*Prior includes any FY 2010-2011 allocation

Capital Project Needs Analysis
City of Montclair

Valley Highway-Railroad Grade Separation Sub-Program
(2010 dollars, in \$1,000s - SANBAG will apply escalation factors, by year)

Project Information	Phase	Funding	PRIOR	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16
Provide right-of-way demolition for Monte Vista/UPRR Grade Separation Project south of State Street	PA&ED Total Cost:	\$76.22	\$76.22					
	Fund Type:	DEV FEE MI MAJ ST	\$38.11 \$38.11					
Total Project Cost: \$29,101	PS&E Total Cost:	\$1,025.00						
	Fund Type:	TCRP						
Total Measure I Request: \$38.11 (need to add cells with MIS)	Other:							
	ROW Total Cost:	\$11,000.00	\$8,458.00					
Comments: Most of the right-of-way required for this project has been acquired. It is necessary to clear the right-of-way prior to construction. It is anticipated that federal funds will be required for construction, but prior to that it will be necessary to get NEPA clearance. Project only has CEQA	Fund Type:	TCRP						
	Other:		\$2,500.00					
	CONST Total Cost:	\$17,000.00						
	Fund Type:							
	Other:							

*Prior includes any FY 2010-2011 allocation

**MINUTES OF THE REGULAR MEETING OF
THE PUBLIC WORKS COMMITTEE HELD ON
THURSDAY, JUNE 17, 2010, AT 2:00 P.M. IN THE
CITY HALL CONFERENCE ROOM, 5111 BENITO
STREET, MONTCLAIR, CALIFORNIA**

CALL TO ORDER

Chairman Paulitz called the meeting to order at 2:00 p.m.

I. ROLL CALL

Present: Chairman Paulitz; Committee Member Eaton; Director of Redevelopment/Public Works Staats; Community Development Director Lustro; City Engineer Hudson; Facilities and Grounds Superintendent McGehee; Police Chief Jones

Absent: Public Works Superintendent Mendez; Ontario-Montclair School District Representative Huyck

II. APPROVAL OF MINUTES

A. Minutes of Regular Public Works Committee Meeting of May 20, 2010

It was the consensus of the Public Works Committee to approve the minutes of the Public Works Committee meeting of May 20, 2010

III. PUBLIC COMMENT - None, however Committee Chair Paulitz indicated that he wants a discussion of the City Street Tree Policy included on the agenda for the next Public Works Committee meeting and stated that there are a lot of potholes in the parking lot related to construction in the Civic Center.

IV. TRAFFIC SAFETY/CIRCULATION ISSUES

A. Ontario Montclair School District Issues - None

B. Traffic Safety - A grant application is going to be submitted for the Safe Routes to Schools Program. The Safe Routes to Schools Program is a state funded grant program that allows agencies to put in sidewalks around schools to make it safer for students to get to and from school. The target area for the grant application being submitted by the City is around Serrano Middle School and Moreno Elementary School. Staff has received support from both school principals and the Ontario-Montclair School District. Police Chief Jones has supplied accident statistics and a support letter to be

included with the application. Staff has submitted applications in the past for the areas around Serrano Middle School and Moreno Elementary School but the applications were denied. A consultant was hired this time around to put the application together so hopefully it is successful.

V. POLICE DEPARTMENT UPDATES

Staff is looking into using inmate workers to pick up trash around the Police Department and wash police vehicles. The inmates would be from San Bernardino County and would have to have their own transportation to and from the Montclair Police Department. Police Chief Jones is currently reviewing the contract to get the full details of how the program will run.

The City Engineer is currently working on a concept for the design of a City impound yard. Civil and Electrical Engineers have been selected for the necessary design work, including electrical design for additional outlets and for the operation of the gate. Some lights may have to be relocated. This project is funded by the Redevelopment Agency.

COMMUNITY DEVELOPMENT DEPARTMENT UPDATES

Community Development Director Lustro reported the following:

Today is Associate Planner Carol Frazier-Burton's last day. The Planning Department had an outside interview panel conduct twelve interviews yesterday for an Assistant Planner position. Mike Diaz is going through the panel comments to pick some candidates to come back for a second interview.

VI. PUBLIC WORKS DEPARTMENT-MAINTENANCE ACTIVITIES ITEMS

Custodian Vern Lathrop is retiring today but he will be coming back as a part-time custodian until his position can be filled.

VII. PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION ITEMS

A. Speed Bumps on Fauna Street Between Felipe Avenue and Tudor Avenue and Speed Bumps on Felipe Avenue South of Orchard Street

Police Department staff attended a neighborhood watch meeting a few weeks ago and one of the issues that came up was a concern by residents about cars speeding in the area south of Montclair High School. Cars are speeding down Felipe Street and driving across Flora Street or coming down Tudor Avenue. The residents are requesting speed bumps be put in place but they have not submitted a formal request in writing. The last speed bump that was put in was on San Bernardino Court about ten years ago. A few issues with speed bumps are the noise of the cars going over the

speed bump and the acceleration of the car after it goes over the speed bump. Police Chief Jones suggests putting in something to check cars speeds when school is back in session.

B. High Speed Rail Alternative Routes

One of the segments that is currently being considered for a High Speed Rail route is an alignment along Holt Boulevard; another is along the Union Pacific Railroad. There are three possibilities for each alignment: overhead alignment, at-grade alignment, or underground alignment. The overhead alignment is visually disruptive and there tends to be more issues during construction, but once the work is complete it will not impact businesses or traffic. An at-grade alignment is disruptive both during and after construction. If the alignment goes underground there are two options: the contractor can bore with a tunnel boring machine which is going to be very expensive, or they can do a cut and cover concept where they excavate everything then plate it. They would work underneath the plates and then backfill everything. This was the method that was used through the Los Angeles downtown area. The alignment will either have to be overhead or underground alignment. City Engineer Hudson has a meeting with the Construction Authority on July 7, 2010. Hopefully at the next meeting City Engineer Hudson will have some plans to show to the Committee.

C. Discussion of the Removal of Magnolia Trees at Alma Hofman Park on the South side of the Tennis Courts

There are four trees located between the basketball and tennis courts that have not been watered for a while because of the Senior Center construction. The trees should recover once the irrigation is restored. However, the trees have caused considerable damage through uplifted sidewalk before the sidewalk was torn out as part of the Senior Center construction. The roots will be cut when the sidewalk is ready to be replaced and that could potentially be a problem because it will affect the health and stability of the tree. In addition, a ramp that leads to the tennis courts from the basketball courts is not ADA compliant. It is possible to get an ADA compliant ramp installed but two of the trees would have to be removed. A retaining wall would be built to support the difference in grade, but that could further damage to the roots of the two remaining trees. Staff recommended that all four trees be removed. The Committee concurred with this recommendation.

D. Closure of the Pedestrian Walkway at Sunrise Park

A resident who lives on the north side of a walkway connecting Sunrise Park to Benson Avenue has previously complained about the vandalism and graffiti that occurs along the walkway. The idea of

closing the walkway was discussed with the Ontario-Montclair School District, who had no objection. The property owner called to complain again recently stating the problem is getting worse. Public Works Superintendent Mendez inspected the walkway last week and closed the existing gate across the access road so the area is now blocked off. By closing the gate it should help reduce the vandalism and graffiti complaints. In conjunction with this request, City Engineer Hudson met with a property owner adjacent to park to see if an arrangement could be made to acquire some additional property to expand the park a little bit and construct some walls around it. The property owner has no problem with the arrangement. The appraisals just need to be ordered for the property.

VIII. CAPITAL PROJECT UPDATES

City Engineer Hudson reported the status of the following capital improvement projects:

A. MISSION BOULEVARD IMPROVEMENT PROJECT

Phase 7 Construction (around Pipeline Avenue) is complete.

The preconstruction meeting for Phase 8 (from Central Avenue to the Benson Avenue) took place last week and construction will start on Monday, June 21, 2010. Gentry Brothers, Inc., is the same contractor who recently completed Phase 7. They were also the contractor for Phase 4 improvements.

Staff is working with the County of San Bernardino to get the construction permits needed to complete Phase 9 (Pipeline Avenue to Pomona boundary line). Once the permit is issued the Right-of-way Certification can be filed with Caltrans. A Resolution will be presented to the City Council authorizing the Mayor to sign the Right-of-Way certification. Once signed, it will be sent to Caltrans for the Request for Authorization to advertise and award. The award package takes about three months to get approved. Phase 9 should go out to bid at the end of this year or beginning of next year. All phases of Mission Boulevard should be completed by the end of next year.

B. RAMONA GRADE SEPARATION PROJECT

Ramona Avenue is now open to traffic. Most of the punch list items have been addressed, but there are some irrigation issues and staff is working with the adjacent property owners to take care of this issue. The underground district for Southern California Edison and Verizon has not been fully completed yet. All of the wires have been placed underground and have been energized. All the overhead wires have been removed. Some of the poles have been removed

but there are still some additional poles that will be removed within the next two weeks. There has been a lot of graffiti on the side of the bridge and on the Century Auto Body monument sign.

C. MONTE VISTA GRADE SEPARATION PROJECT

Staff is waiting for the California Transportation Commission to take action to approve the funding for Mission Boulevard which will then free up Redevelopment Agency money that can be used to continue the right-of-way acquisition for the Monte Vista Grade Separation Project. A resolution will be submitted to the City Council to make necessary findings to use Redevelopment funds to continue the project.

D. YOUTH/SENIOR CENTER FACILITIES

The Youth Center still has two issues that have been outstanding for several months but a solution is being worked on. One of the issues is the HVAC units on the roof that were installed too close to each other making it difficult to service. Staff met with the HVAC contractor last Friday and they finally agreed the solution is to pick up one of the HVAC units and turn it around and do some duct work to keep everything flowing in the direction that it should. The contractor did not give a schedule of when the work would be completed but it is a solution that they all agreed upon. The other issue is the roll up doors inside the Youth Center. The contractor used motors for the doors that were not as specified by the contract documents, and for which voltage is not currently available in the building. Transformers are required. The location of the transformers have been changed a few times. The solution is to have the transformers placed above the ceiling area. There is not a schedule for this item to be completed but at least, there is a solution. The issues have not affected operation of the Youth Center at all.

The Senior Center is still running two months behind schedule. The project was supposed to be completed July 2, 2010, and now the anticipated completion date is at the end of August. More then likely the project will not be ready for actual occupancy until September or October.

The gym floor has been repaired. The whole floor has been sanded and the sealer was put on today. The markings for the lines will go down either tomorrow or next week. This project should be completed by the end of next week.

E. FREMONT STREET IMPROVEMENT PROJECT- PHASE II

The design for this project is nearly complete for the improvements south of Howard Street on the west side of Fremont Street. Staff is

trying to get the property owner on the southwest corner of Howard Street and Fremont Street to agree to an exchange of right-of-way for the improvements along Howard Street. The intent is to do the improvements along Howard Street which will complete the street improvements on the south side of Howard Street from Monte Vista Avenue to Central Avenue and on Fremont Street from Mission Boulevard to the city boundary.

F. INTERSECTION IMPROVEMENT PROJECT - PHASE II

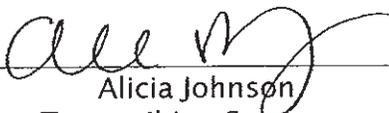
This project is the follow up to our last intersection project. Both Fremont Street and this project are funded by local stimulus funds through San Bernardino Associated Governments. The three locations that will be worked on are Holt Boulevard and Ramona Avenue, Palo Verde Street and Central Avenue, and Monte Vista Avenue and Arrow Highway.

IX. ADJOURNMENT

Prior to adjournment, it was learned that Chairman Paulitz would not be available for the regular July 15, 2010, meeting. The next meeting of the Public Works Committee will be held at 2:00 p.m. on August 19, 2010.

At 2:40 p.m., Committee Chair Paulitz adjourned the Public Works Committee.

Submitted for Public Works Committee approval,


Alicia Johnson
Transcribing Secretary

MINUTES OF THE MEETING OF THE MONTCLAIR
CODE ENFORCEMENT COMMITTEE HELD ON
MONDAY, AUGUST 16, 2010, AT 6:00 P.M. IN THE
CITY HALL CONFERENCE ROOM, 5111 BENITO
STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Council Member Paulitz called the meeting to order at 6:01 p.m.

II. ROLL CALL

Present: Mayor Pro Tem Dutrey; Council Member Paulitz; City Manager Starr; Fire Chief Ament; Police Chief Jones; Deputy Fire Chief Shiba; and City Prosecutor Eckart

III. APPROVAL OF MINUTES

A. Minutes of Code Enforcement Committee Meeting of July 19, 2010.

It was the consensus of the Code Enforcement Committee to approve the minutes of the Code Enforcement Committee meeting of July 19, 2010.

IV. PUBLIC COMMENT - None

V. OLD BUSINESS

- A. The Committee discussed Administrative Fines that were assessed to the property located at 10148 Bel Air Avenue. At the Code Enforcement Committee meeting held on June 21, 2010, the Committee decided to reduce the total fine amount to \$24,000. City Manager Starr informed the Committee that since the last meeting the responsible party for this property requested the total fine amount be reduced to \$3,000. City Prosecutor Eckart gave a brief history of the abatement actions taken against this property and the decision to reduce the total fine amount to \$24,000. After much discussion the Committee decided to enforce the total fine amount of \$24,000. At the recommendation of City Prosecutor Eckart, notification will be sent to the responsible party that the total fine amount must be paid within 15 days, and if this requirement is not met a lien will be placed on the property.

VI. NEW BUSINESS

- A. Council Member Paulitz inquired as to whether or not the Code Enforcement Unit is aggressively patrolling the City. Fire Chief Ament stated that Code Enforcement Officers patrol the City according to an established schedule, which allows for officers to survey their entire area once in a two-week period. Council

Member Paulitz also stated that a system should be devised to provide continual updates on abatement actions at problem properties.

VII. ROUNDTABLE DISCUSSION ON PROBLEM PROPERTIES

City Prosecutor Eckart provided an update on the property located at 4480 Holt Boulevard. This case is currently being discussed in court, and within the next few weeks City Prosecutor Eckart will be meeting with the attorneys that represent this property to discuss the development of a maintenance schedule to keep the property free from graffiti, overgrown vegetation, and debris. Mayor Pro Tem Dutrey inquired as to whether or not the City could maintain the property and bill the property owner for these services. City Prosecutor advised that the City is able to do this, but the ideal situation is to create a maintenance schedule that the property owner or management company for the property is responsible for enforcing.

Fire Chief Ament informed the Committee that from April 1, 2009, to present, \$389,000 in fines were issued for Administrative Citations.

VIII. NEXT MEETING

The Code Enforcement Committee will be dark in September 2010.

The next meeting is scheduled for Monday, October 18, 2010, at 6:00 p.m.

IX. ADJOURNMENT

At 6:20 p.m., Council Member Paulitz adjourned the Code Enforcement Committee Meeting.

Submitted for Code Enforcement
Committee approval,



Angelic J. Bird
Secretary/Emergency Services Coordinator

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
AUGUST 16, 2010, AT 7:58 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Mayor Eaton called the meeting to order at 7:58 p.m.

II. ROLL CALL

Present: Mayor Eaton; Council Member Ruh; and City Manager Starr

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of August 2, 2010.

Moved by City Manager Starr, seconded by Council Member Ruh, and carried unanimously to approve the minutes of the Personnel Committee meeting of August 2, 2010.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

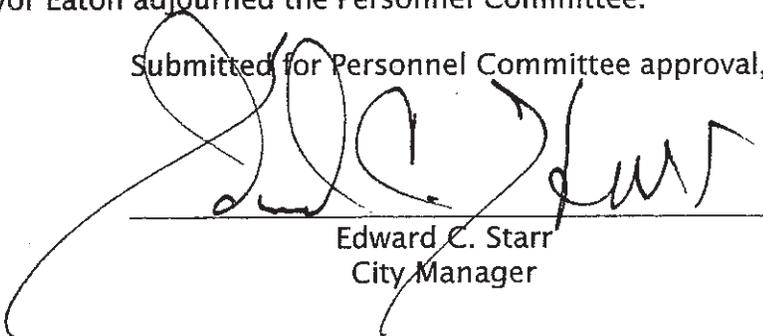
At 7:59 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 8:10 p.m., the Personnel Committee returned from Closed Session. Mayor Eaton stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 8:10 p.m., Mayor Eaton adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager