

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

May 16, 2011

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 and Redevelopment Agency and
Montclair Housing Corporation Boards of Directors

II. INVOCATION

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

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS – None

VI. PUBLIC COMMENT

This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Each speaker will be afforded five minutes to address the City Council Members and Redevelopment Agency and Montclair Housing Corporation Boards of Directors. (Government Code Section 54954.3)

Under the provisions of the Brown Act, the Council/Agency Board/MHC Board is prohibited from taking action on items not listed on the agenda.

VII. PUBLIC HEARINGS

- A. Consider Adoption of Resolution No. 11-2901 Approving a Precise Plan of Design to Allow a Multiple-Family Residential Development With a Density Bonus Pursuant to Chapter 11.85 of the Montclair Municipal Code [CC]

- B. First Reading – Consider Adoption of Ordinance No. 11-922 Replacing Section 8.32.010 of the Montclair Municipal Code Pertaining to Maximum Speed Limits in the City [CC] 26

VIII. CONSENT CALENDAR

- A. Approval of Minutes
1. Minutes of the Regular Joint Council/Agency Board/MHC Board Meeting of May 2, 2011 [CC/RDA/MHC]
- B. Administrative Reports
1. Consider Receiving and Filing of Treasurer's Report [CC] 40
 2. Consider Approval of Warrant Register and Payroll Documentation [CC] 41
 3. Consider Receiving and Filing of Treasurer's Report [RDA] 42
 4. Consider Approval of Warrant Register [RDA] 43
 5. Consider Receiving and Filing of Treasurer's Report [MHC] 44
 6. Consider Approval of Warrant Register [MHC] 45
 7. Consider Approval of the City of Montclair Statement of Investment Policy for the Year Ending December 31, 2011 [CC] 46
 8. Consider Redevelopment Agency Board of Directors' Approval of the City of Montclair Redevelopment Agency Statement of Investment Policy for the Year Ending December 31, 2011 [RDA] 59
 9. Consider Montclair Housing Corporation Board of Directors' Approval of the City of Montclair Housing Corporation Statement of Investment Policy for the Year Ending December 31, 2011 [MHC] 72
 10. Consider Authorization of a \$4,800 Appropriation from the Contingency Account for Appraisal of 9950 Fremont Avenue (First United Methodist Church of Montclair) [CC] 85
 11. Consider Declaring As Surplus and Authorizing the Sale of One 1987 GMC Vandura 3500 to Plumbers Depot Inc. on Behalf of the City of Montclair [CC] 86
- C. Agreements
1. Consider Approval of Agreement No. 11-52 Amending Agreement No. 11-45 With Wheeler & Wheeler Architects for Design Services for the Community Center Restroom Conversion and ADA Upgrade Project [CC] 87
 2. Consider Approval of Agreement No. 11-53 With the San Bernardino County Department of Aging and Adult Services to Provide a Senior Citizen Nutrition Program [CC] 92

D. Resolutions

1. Consider Adoption of Resolution No. 11-2906 Authorizing Mayor Paul M. Eaton to Sign Program Supplement No. N006 to Administering Agency-State Agreement No. 08-5326R [CC]

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IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

1. Closed Session Pursuant to Section 54956.9 of the Government Code Regarding Anticipated Litigation

1 potential case
2. Closed Session Pursuant to Section 54957.6 of the Government Code Regarding Conference With Designated Labor Negotiator

Agency: City of Montclair

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

B. City Manager/Executive Director

C. Mayor/Chairman

D. Council/Agency Board

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

1. Minutes of the Code Enforcement Committee Meeting of April 18, 2011 121
2. Minutes of the Personnel Committee Meeting of May 2, 2011 125

XII. COUNCIL/AGENCY WORKSHOP

A. Update on Metro Gold Line

(Council/Agency Board may consider continuing this item to an adjourned joint meeting on Monday, June 6, 2011, at 5:45 p.m. in the City Council Chambers.)

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

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

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. ADJOURNMENT OF CITY COUNCIL

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, June 6, 2011, at 7:00 p.m. in the Council Chambers.

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

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

I, Yvonne L. Smith, Deputy City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the bulletin board adjacent to the south door of Montclair City Hall on May 12, 2011.

AGENDA REPORT

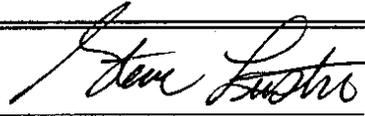
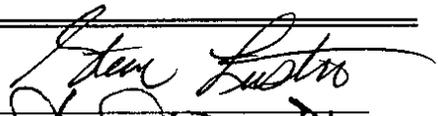
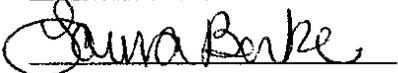
SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 11-2901 APPROVING A PRECISE PLAN OF DESIGN TO ALLOW A MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT WITH A DENSITY BONUS PURSUANT TO CHAPTER 11.85 OF THE MONTCLAIR MUNICIPAL CODE	DATE: May 16, 2011 SECTION: PUBLIC HEARINGS ITEM NO.: A FILE I.D.: LDU600 DEPT.: COMMUNITY DEV.
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REASON FOR CONSIDERATION: Residential projects requesting a density bonus, additional incentives, or equivalent financial incentives pursuant to Chapter 11.85 of the Montclair Municipal Code (MMC) require City Council approval for all discretionary land use entitlements and the site development plan. The City Council is requested to consider adoption of Resolution No. 11-2901 approving a Precise Plan of Design to allow a multiple-family residential development with a density bonus pursuant to MMC Chapter 11.85.

A copy of proposed Resolution No. 11-2901 is attached for the City Council's review and consideration.

BACKGROUND: The Precise Plan of Design, which has been recommended by the Planning Commission, was initiated by National Community Renaissance of California (National CORE), on behalf of the City of Montclair Redevelopment Agency, in connection with its desire to construct an 18-unit housing development for special needs residents on a .46-acre site in the "R-3/24 du/ac" (multifamily residential) land use district of the Holt Boulevard Specific Plan at the southwest corner of Kingsley Street and Pradera Avenue. The applicant is proposing that 100 percent of the units be restricted to low- and very low-income residents. The Planning Commission conducted a public hearing on the request on March 14, 2011. Other than representatives from National CORE's development team, no members of the public addressed the Planning Commission during the public hearing. Staff was contacted the day of the public hearing by one neighborhood resident seeking more information about the project. The resident's concerns were focused around property management and on-street parking. Staff explained that the project would be professionally managed similar to National CORE's three other Montclair projects and that street parking would be prohibited along the Kingsley Street project frontage. Staff believes the resident was more comfortable with the project subsequent to the explanation.

The requested project entitlements are summarized as follows:

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

Precise Plan of Design

Floor Plans

The new two-story, L-shaped, apartment building is intended for special needs residents with developmental disabilities. The main entry to the site and building would be from Kingsley Street. All living units are proposed to be fully accessible or adaptable. An elevator would provide access to the second floor units.

Each unit would be provided with accessible design features, such as an open layout, user appropriate fixtures, and equipment. The proposed mix of units for the project would be as follows:

Montclair Special Needs Project Proposed Unit Mix			
<i>Type</i>	<i>Description</i>	<i>Unit Size</i>	<i>Quantity</i>
A	1 bedroom/1 bath	530 square feet	12 units
B	1 bedroom/1 bath	540 square feet	2 units
C	1 bedroom/1 bath	540 square feet	2 units
D	1 bedroom/1 bath	540 square feet	1 unit
E	2 bedrooms/1 bath - Manager unit	715 square feet	1 unit
Total Number of Units			18 units

Amenities

A 625-square-foot community room for the use of the residents is proposed and would include a kitchen, office, a restroom for visitors, three (3) storage areas, and a laundry room. Common outdoor spaces include a ground floor patio (north side), a courtyard (south side) adjacent to the community room, and a second level roof deck over the community room for passive recreation activities. These areas would be used by both the staff and residents supporting the various needs of physical disabilities of residents. The street side perimeter of the site is proposed to be enclosed by a 48-inch-high decorative metal fence with masonry support columns.

Parking

Fourteen (14) uncovered parking spaces for residents and visitors would be provided on site including two (2) accessible parking spaces (one van-accessible). The project site would share vehicular and pedestrian access with Vista del Cielo, the multifamily project immediately to the west that is owned and operated by National CORE. The parking area would be restricted by a gate that is accessed via an existing driveway to the adjacent residential development. A freestanding trash enclosure would be provided on site adjacent to the surface parking lot.

Architectural Design

A contemporary architectural design is proposed for the project that draws some cues from the modern design of the new Vista del Cielo family apartments adjacent to the west. The building design features the use of projecting flat roofs, exterior covered walkways/stairs; plaster walls; brick veneer; other architectural elements and accent features, such as aluminum windows; and metal "eyebrow" features over windows. The massing of the

building would be broken up into small elements that are intended to add visual interest and avoid the monolithic look of an older multifamily apartment building.

The selected colors and materials for the building complement the colors of the Vista del Cielo development to the west. Stucco wall planes would be colored in a soft butter yellow and sage green with a dark brick veneer used on the tall wing walls, and a reddish-brown brick veneer would be used around the base of the building. Roof trim and metal eyebrows above windows are proposed to be in complementary tones of dark brown.

Density Bonus and Development Incentives

The City's Density Bonus Ordinance (MMC Chapter 11.85) allows a maximum 25 percent increase in the allowed density if one of the following criteria is met:

- At least 20 percent of the total units are restricted and affordable to low-income households
- At least 10 percent of the total units are restricted and affordable to very low-income households
- At least 50 percent of the total units are restricted to qualifying (senior) residents.

The Ordinance also gives the City the ability to grant additional incentives to a developer who makes additional units available to lower-income or otherwise-qualifying residents. National CORE is proposing to develop all of the units in the project (except the manager's unit) as affordable and restricted to low- and very low-income households for a period of 55 years. Based on the maximum allowed density of 24 units per acre, the .46-acre site would be entitled to a total of 11 dwelling units. Accordingly, one of the additional incentives being recommended through the Density Bonus Agreement is to allow a 64 percent increase in the number of dwelling units permitted. A summary of the development incentives being requested by the applicant as part of a Density Bonus Agreement are summarized below:

Proposed Development Incentives for Special Needs Housing		
<i>Standard</i>	<i>Required/Maximum*</i>	<i>Proposed/Existing</i>
Lot Area	3 acres	± .46 acre
Project Density	24 units/acre (.46 acre = ± 11 allowed)	39 units/acre (18 proposed = ± 64% increase)
Setbacks Front (Pradera Avenue) Street Side (Kingsley Street) Interior Side	35 feet for 2-story 20 feet 15 feet for 2-story	18'-6" 15 feet 5 feet
Parking Spaces (9' x 20') No compact spaces	39 spaces (36 garage + 3 visitor spaces)	14 spaces 3 compact spaces (9' x 16')
Covered Parking	2-car garage per unit	No garages - all uncovered
Minimum Floor Area Per Unit	1 BR = 950 square feet 2 BR = 1,200 square feet	1BR = 530-540 square feet 2BR = 715 square feet
Outdoor Open Space	8,043 square feet (40% of lot area)	6,330 square feet (31%)
Private Patio/Balcony	150 square feet per unit	None
*Per Chapter 11.22 of Montclair Municipal Code R-3 (24 du/ac) zone		

Staff does not believe the granting of the additional incentives outlined above would degrade the project in any way or cause any negative impacts to neighboring properties.

Overall, staff is supportive of the proposed project and believes it would continue the efforts of the City in encouraging high-quality multifamily developments within the San Antonio Gateway area.

Site Plan and Building Orientation

Staff finds the shape and size of the site to be conducive to constructing the proposed multifamily residential project. The building is appropriately sited on the property to take advantage of the corner and to screen the parking area. The common/public side of the project—main entrance, manager's office, community center, outdoor deck, and laundry—is appropriately oriented toward Kingsley Street, while the more private residential wing of the building would be oriented to the east facing Pradera Avenue where there is less traffic and noise. Perimeter walls and decorative metal fencing are designed to complement the architecture of the building and tie in visually with the recently completed multifamily development to the west.

Density Bonus and Development Incentives

Based on the maximum density of 24 units per acre allowed by the underlying zoning district, the .46-acre site would be entitled to a total of 11 dwelling units. The 18 units proposed by the applicant represent a 64 percent density increase. Staff finds the proposed increase in the number of allowable dwelling units (11 to 18) for this project to be appropriate. While the proposed number of dwelling units represents a significant increase in density, the proposed project would provide 17 affordable housing units for persons with various forms of developmental disabilities (such as mental retardation, cerebral palsy, autism, and epilepsy), which is an underserved segment of the population.

Staff believes the requested setback reductions for the project are appropriate and consistent with the existing development pattern on the adjacent streets. None of the existing two-story buildings on Pradera Avenue meet the 35-foot front setback requirement, with most observing only a 15- to 20-foot setback from the front property line. Likewise, the proposed 15-foot street side setback along Kingsley Street is consistent with the setback of the building on the southeast corner of the intersection. Given the size of the subject site, the requirement to fully comply with the current code setback requirements would adversely impact the ability of this or any project from being built on the property in an efficient and cost-effective manner.

The reduction in minimum floor area for each living unit and open space requirements is also acceptable given the unique nature of the project. Each living unit is designed with an emphasis on accessibility for individuals with developmental disabilities and not on square footage that might be appropriate or suitable for families. As such, the units have been designed with open layouts and user-appropriate fixtures and equipment. Although ground level outdoor open space has been reduced to accommodate other required improvements (*e.g.*, parking, trash enclosure, etc.), the project includes a 1,000-square-foot community outdoor space located on the second level over the community room. The space is connected to laundry facilities and would be a secure protected place for residents to use.

On-site parking would be at the rear (south) side of the building where it would not be directly visible to the street. Although the number of on-site parking spaces is lower than typically required for similar (nonaffordable) developments, the proposed number of spaces is acceptable given the intended population of the development. Most, if not all, of the future tenants do not drive because of the nature of their respective physical disabilities. Instead, the majority of residents would rely on nearby public or shared transportation arranged through the developer or on paratransit services. As with the other National CORE developments in the San Antonio Gateway neighborhood, parking spaces would be managed to ensure there is ample parking for visitors.

Lastly, the project is very well designed and would be professionally managed by National CORE. An on-site manager/tenant would provide direct managerial service for the tenants. Staff also believes the other incentives outlined in the project description are appropriate, would not cause any negative impacts to neighboring properties, and are necessary to achieve the desired goal of creating affordable housing units for the targeted population. As such, the project would be of great benefit to the community by providing affordable dwelling units and increasing the level of physical improvement to the area in which it will be located.

Architecture

Staff finds the proposed architecture for the project to be well done and visually attractive to the street. The massing and proportions of the building are not overwhelming and are varied so as to create both a visually attractive and functional design. Architectural design and details are extended to all sides of the buildings, and door and window placement appear to be appropriate. Staff believes that the proposed design of the building will stand the test of time and serve to inspire upgrades to existing multifamily development in the area.

The proposed exterior colors and materials and details are appropriate for the design and appear to be durable. The applicant and architect worked with staff to select a set of exterior colors which were compatible with the proposed architecture and complementary to the colors used on the recently completed Vista del Cielo family apartments to the west.

Landscaping

The proposed landscaping for the project is complementary to the architecture of the building. Plant materials are varied, largely water-saving varieties, and are well distributed around the building and site. However, before building permits can be issued for the project, the applicant and/or developer would be required to submit a complete Landscape Package for City review and approval as required by MMC Chapter 11.60. The recently adopted Landscape Water Conservation Ordinance also requires the preparation of a water budget for the project, soil analysis, and the incorporation of specific planting techniques. Moreover, the final landscape plan needs to be coordinated with the approved Water Quality Management Plan (WQMP) for the project to ensure there is consistency between the two documents. Conditions regarding these items are included in proposed Resolution No. 11-2901.

Environmental Assessment

An Initial Study was prepared for the project and released for public review and comment on February 18, 2011. Based on the findings of the Initial Study, staff has determined the

project could have a potential significant adverse environmental impact unless reduced to a level of less than significance by the implementation of proposed mitigation measures. Areas identified as subject to potential environmental impacts were Air Quality (short term during site preparation) and Noise (short term during construction). Proposed mitigation measures have been included as conditions of approval for the project. Therefore, a Mitigated Negative Declaration is proposed for the project.

FISCAL IMPACT: There would be no fiscal impact to the City's General Fund should the City Council adopt Resolution No. 11-2901 approving the proposed Precise Plan of Design and associated Density Bonus Agreement.

RECOMMENDATION: Staff and the Planning Commission find the proposal to construct the 18-unit special needs housing project at 4115 Kingsley Street to be consistent with the General Plan, the goals and applicable development standards of Holt Boulevard Specific Plan, and the Montclair Municipal Code. Accordingly, staff and the Planning Commission recommend the City Council take the following actions:

1. Confirm that based upon evidence submitted, there would be no significant impact on the environment as a result of construction of the proposed 18-unit special needs residential development and that a DeMinimis finding of no impact on fish and wildlife and Mitigated Negative Declaration have been prepared.
2. Adopt Resolution No. 11-2901 approving a Precise Plan of Design request with a Density Bonus Agreement under Case No. 2010-25 for the site plan, floor plans, elevations, colors, materials, and conceptual landscape plan associated with the proposed 18-unit special needs residential development at 4115 Kingsley Street and associated on- and off-site improvements per the submitted plans as described in the agenda report, subject to the 80 Conditions of Approval in Exhibit A of Resolution No. 11-2901.

RESOLUTION NO. 11-2901

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR APPROVING A PRECISE PLAN OF DESIGN TO ALLOW A MULTIFAMILY RESIDENTIAL DEVELOPMENT FOR SPECIAL NEEDS RESIDENTS WITH A DENSITY BONUS PURSUANT TO CHAPTER 11.85 OF THE MONTCLAIR MUNICIPAL CODE IN THE "R-3/24 DU/AC" LAND USE DISTRICT OF THE HOLT BOULEVARD SPECIFIC PLAN AT 4115 KINGSLEY STREET

WHEREAS, on December 23, 2010, National Community Renaissance of California (National CORE) filed an application for a Precise Plan of Design (PPD) under Case No. 2010-25 to allow the construction of an 18-unit residential development on the subject site addressed as 4115 Kingsley Street that is currently owned by the City of Montclair Redevelopment Agency; and

WHEREAS, the subject property is .46 acres in size and located within the planning area of Holt Boulevard Specific Plan; and

WHEREAS, the subject site is located within the "R-3 (24 du/ac)" land use district of the Holt Boulevard Specific Plan; and

WHEREAS, the proposed project is intended to provide affordable housing units designed to meet the special needs of developmentally disabled individuals; and

WHEREAS, the applicant is also requesting approval of a Density Bonus in association with the project pursuant to Chapter 11.85 of the Montclair Municipal Code; and

WHEREAS, when a Density Bonus is requested in association with a development project, the City Council is the final decision-making body for the proposed site development entitlements; and

WHEREAS, the Precise Plan of Design pertains to the overall site plan, floor plans, elevations, colors, materials, and conceptual landscape plan associated with the 18-unit residential development; and

WHEREAS, staff has found that the subject proposal complies with the guidelines and development standards of the Holt Boulevard Specific Plan as amended by the proposed Density Bonus Agreement; and

WHEREAS, based upon the facts and information contained in the application, together with all written and oral reports included for the environmental assessment for the application, the City Council finds that no subsequent or supplemental environmental document is required pursuant to the California Environmental Quality Act (CEQA) in connection with the review and approval of this application based upon the following findings and determinations:

1. Pursuant to CEQA, the City prepared an Initial Study for the project and released it for public review and comment on February 18, 2011. Based on the

findings of the Initial Study, staff has determined that the project could have a potential significant adverse environmental impact unless reduced to a level of less than significance by the implementation of proposed mitigation measures. Areas identified as subject to potential environmental impacts were Air Quality (short term during site preparation) and Noise (short term during construction). Proposed mitigation measures have been included as conditions of approval for the project. Therefore, a Mitigated Negative Declaration is proposed for the project.

2. The City Council finds there is no substantial evidence the project may have a significant effect on the environment and directs staff to prepare a Notice of Determination and a DeMinimis finding of no effect on fish and wildlife.

3. Based on these findings and all evidence in the record, the City Council concurs with staff's determination that no additional environmental review is required pursuant to CEQA in connection with the City's consideration of Case No. 2010-25 for the Montclair Special Needs apartment development.

WHEREAS, on March 14, 2011, the Planning Commission of the City of Montclair conducted a public hearing and considered said application in the manner prescribed by law; and

WHEREAS, the Planning Commission of the City of Montclair has reviewed and recommended approval of said Precise Plan of Design; and

WHEREAS, public notice of this item was advertised as a public hearing in the *Inland Valley Daily Bulletin* newspaper on May 6, 2011; and

WHEREAS, on May 16, 2011, commencing at 7:00 p.m. in the Council Chambers at Montclair City Hall, the City Council conducted a public hearing at which time all persons wishing to testify in connection with said application were heard, and said application was fully studied.

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

Section 1. Based on the entire record before the City Council, all written and oral evidence presented to the City Council, and the findings set forth in this Resolution, the City Council hereby approves the Precise Plan of Design under Case No. 2010-25 and subject to the Conditions of Approval attached hereto in Exhibit "A."

Section 2. Based on the entire record before the City Council and all written and oral evidence presented to the City Council, the City Council finds as follows with respect to the recommendation of approval of a Precise Plan of Design under Case No. 2010-25:

A. The property is of a size and shape to support the proposed project as designed. At .46 acres in area, the site is of sufficient size and shape to accommodate the proposed development and is appropriately connected to existing and fully developed roadways that allow for ease of access by both pedestrians and vehicles including the future tenants and their guests.

B. The proposed project will not have an adverse impact on or substantially depreciate property values in the vicinity; or unreasonably interfere with use and enjoyment of property in the vicinity; or endanger the public peace, health, safety, or general welfare. The residential development proposed for the site is consistent with the existing multifamily development that characterizes the surrounding area. Moreover, the project will continue recent development that has had a significant positive impact on the appearance of the area that is in keeping with the goals and objectives of the Holt Boulevard Specific Plan in which the site is located.

C. The project is well designed and promotes orderly development. The site plan is appropriately arranged to make the most of its prominent corner location and to accommodate the proposed building, parking, and other site improvements. The architectural details and materials for the building are of a high quality and appropriate to the proposed architectural style of the project. The proposed landscaping concept is complementary to the architecture, well distributed around the site, and will be designed to conserve water.

Section 3. The location and custodian of the documents and any other material that constitute the record of proceedings upon which the Planning Commission based its decision are as follows: City Planner, Planning Division, Community Development Department, City of Montclair, 5111 Benito Street, Montclair, California 91763, or by telephone at (909) 625-9477.

APPROVED AND ADOPTED this XX day of XX, 2011.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 11-2901 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, 2011, and that it was adopted by the following vote, to-wit:

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

Yvonne L. Smith
Deputy City Clerk

EXHIBIT A
Conditions of Approval
Case No. 2010-25

Planning

1. This approval is for the site plan, floor plans, elevations, colors, materials, and conceptual landscape plan for the proposed 18-unit special needs residential development and associated on- and off-site improvements on a .46-acre site at the southwest corner of Kingsley Street and Pradera Avenue per approved plans and as described in the staff report on file with the Planning Division. Said approval includes a recommendation of Development Incentives as summarized below:

Recommended Development Incentives for Special Needs Housing		
<i>Standard</i>	<i>Required/Maximum*</i>	<i>Proposed/Recommended</i>
Lot Area	3 acres	<i>± ½ acre</i>
Project Density	24 units/acre (± ½ acre = ± 12 allowed)	<i>36 units/acre (50 percent increase)</i>
Setbacks Front (Pradera Ave) Street Side (Kingsley St) Interior Side	35 feet for 2-story 20 feet minimum 15 feet for 2-story	<i>18.5 feet 15 feet 5 feet</i>
Parking Spaces (9' x 20') No compact spaces	39 spaces (36 garage + 3 visitor spaces)	<i>14 spaces 3 compact spaces (9' x 16')</i>
Covered Parking	2-car garage per unit	<i>Uncovered - No garages</i>
Minimum Floor Area Per Unit	1 BR = 950 square feet 2 BR = 1,200 square feet	<i>1BR = 530-540 square feet 2BR = 715 square feet</i>
Outdoor Open Space	8,043 square feet (40% of lot area)	<i>6,330 square feet (31%)</i>
Private Patio/Balcony	150 square feet per unit	<i>None</i>
<i>* Per Chapter 11.22 of Montclair Municipal Code R-3 (24 du/ac) zone</i>		

2. This Precise Plan of Design (PPD) approval shall be valid for a period of one year and shall automatically expire on the anniversary date of Planning Commission approval, unless the applicant is diligently pursuing building plan check toward eventual construction of the project. The applicant and/or property owner shall be responsible to apply for a time extension at least 30 days prior to the approval's expiration date. No further notice from the City will be given regarding the project's PPD expiration date.
3. Prior to issuance of any permits for the project, the applicant shall obtain final City Council approval of a Density Bonus Agreement for the proposed density increase and development incentives described in the staff report. If the Density Bonus Agreement is approved by the City Council, all plans submitted for plan check shall conform to plans approved by the Planning Commission on March 14, 2011, unless modified by Council action.

4. Within five days of City Council approval, the applicant shall submit a check in the amount of \$50 to cover the County administrative fee for filing a Notice of Determination or Exemption as required by the California Environmental Act (CEQA). The check shall be made payable to the Clerk of the Board of Supervisors.
5. The applicant and/or property owner shall ensure that a copy of the Planning Commission approval letter, including all conditions of approval, be reproduced on the first page of the construction drawings and shall be distributed to all design professionals, contractors, and subcontractors participating in the construction phase of the project.
6. No changes to the approved set of plans, including the exterior design and materials/finishes, shall be permitted without prior City review and approval.
7. No public telephones or vending machines shall be permitted on the exterior of the site. Any additional structures or equipment shall be reviewed and approved by the City Planner prior to installation.
8. Approval of this PPD shall not waive compliance with any applicable regulations as set forth by the California Building Code and/or City Ordinances, the San Bernardino County Health Department, or the State of California.
9. Prior to the installation of any signs for the complex, the applicant shall submit an application for a Sign Program to the Planning Division for review and approval.
10. Prior to the installation of any video surveillance cameras, the applicant shall submit a plan showing the proposed location of the cameras to the Chief of Police.
11. No surface-mounted exposed conduit or electrical lines shall be allowed. Electrical switchgear, meters, etc., shall be screened or housed in an enclosure to the extent allowed by the utilities.
12. Residential antennas and satellite dishes are subject to the provisions contained in the Montclair Municipal Code as amended from time to time including the requirement that such apparatus be screened from public view to the greatest extent possible. Antennas and satellite dishes shall be for domestic use only with no commercial use permitted. All antennas and satellite dishes shall be maintained in good condition and in accordance with the requirements of applicable City Ordinances.
13. All rooftop mechanical equipment, vents, meters, HVAC units, ducts, conduit, etc., shall be fully screened from view in a manner that is compatible with the architectural design of the building to the satisfaction of the City Planner. Wooden lattice or fence-like screens/covers are not considered an appropriate means of screening.
14. All ground-mounted mechanical equipment including, but not limited to, utility meters, air conditioners, condenser units, and repair equipment shall be located

within the building or screened in a manner that is compatible with the architectural design of the building to the satisfaction of the City Planner. Electrical and fire suppression service shall rise within the interior of the building(s). Roof ladders shall also be located entirely inside the building.

15. Freestanding electrical transformers and Fire Department double-check detector assembly (DCDA) equipment shall be screened with masonry walls compatible with the building architecture and/or landscaping to the satisfaction of the City Planner and Fire Marshal. Efforts shall be made to place these elements in locations that are as unobtrusive as possible.
16. Prior to issuance of any grading or building permit for the project, the applicant shall submit a complete Landscape Documentation Package meeting the intent and design criteria of the Montclair Water Efficient Landscaping and Conservation Ordinance (Chapter 11.60 of the Montclair Municipal Code). The Landscape Documentation Package shall include the following items:
 - a. Development Review Application accompanied by the associated fee.
 - b. Landscape Concept Plan consistent with the WQMP approved for the project.
 - c. Water Budget.
 - d. Landscape Construction Drawings (including a grading plan, soils report, irrigation plan, and planting plan).
 - e. A Landscape Documentation Package shall be approved when the Community Development Director verifies that the proposed Landscape Concept Plan for the project complies with the provisions of Chapter 11.60, other applicable provisions of this code, and when any applicable land use permit or other entitlement requirements have been fulfilled. A copy of the approved plan will be kept on file in order to use at a later date to ensure that the plan was implemented as permitted and maintained as required.
17. The proposed landscape plan for the site shall include the adjacent public parkway specifying the location and type of required public street trees as follows:
 - a. Kingsley Street – *Prunus cerasifera* 'Krauter Vesuvius' (Flowering Plum), +/- 20 feet on center.
 - b. Pradera Avenue – *Cercis canadensis* (Eastern Redbud), to be located between the existing *Washingtonia robusta* (Mexican Fan) Palms.

All street trees shall be a minimum 24-inch box size and double-staked per City standards. If planted in turf areas, trees shall be planted within a 4' 0"-diameter circle in which turf does not encroach. The circle shall be left natural or minimally improved with decomposed granite, a thin layer of wood chips, or similar moisture-retaining material.

18. Pursuant to Section 11.60.240 of the Montclair Municipal Code, all landscaping and irrigation systems shall be maintained in accordance with the approved site and/or landscape plan to ensure the growth and health of plant materials and water use efficiency. A regular maintenance schedule shall be submitted to the City with the Certificate of Completion and a copy shall be kept by the property owner for reference.
 - a. Any plant material that does not survive or which was removed or destroyed, shall be replaced upon its demise or removal, with plant material of like type and size as that which was originally approved and installed.
 - b. Plant material shall not be severely pruned such that the natural growth pattern or characteristic form is significantly altered. Trees shall be pruned to ISA (International Society of Arboriculture) standards and only as necessary to promote healthy growth and for aesthetic purposes (*i.e.*, to enhance the natural form of the tree). Improperly or severely pruned trees, including topping as defined by the Water Conservation Ordinance, which results in the removal of the normal canopy and/or disfigurement of the tree shall be replaced with trees of similar size and maturity as that which was removed or as required by the Community Development Director.
 - c. Modifications to and/or removal of existing landscaping shall require prior approval by the Planning Division.

19. Prior to the issuance of building permits, the applicant shall provide an exterior lighting and photometric plan for the entire site. The plans shall indicate the location of all exterior light fixtures (area, building, parking lot, etc.) and the overall illumination levels across the site. All proposed exterior lighting shall comply with the following standards:
 - a. Provide a minimum maintained illumination level of one (1) foot-candle across the site. After hours, a minimum of one-quarter (.25) foot-candles of illumination shall be maintained at grade.
 - b. All lighting fixtures shall be vandal resistant and of a design that complements the architecture of the building.
 - c. All parking lot and other freestanding light fixtures shall incorporate 90-degree cut-off style luminaires and flat lenses so as to direct illumination downward to the surface to be illuminated and away from public rights-of-way or adjacent residential properties/uses.
 - d. Freestanding light fixtures and poles shall not exceed a maximum height of 20' 0" as measured from adjacent grade to top of luminaries.
 - e. The use of wall packs, barn lighters, other similar unshielded luminaires, and/or decorative lighting installed solely for the purpose of illuminating the roof shall be prohibited.

- f. "Wall-washers" or decorative landscape lighting shall be subject to review and approval by the Planning Division.
 - g. Above-grade concrete support pedestals for all proposed freestanding light poles throughout the project site shall be enhanced or "wrapped" with a decorative building material or texture consistent with those used on the main building.
- 20. The required trash enclosure shall be constructed pursuant to City Standard #106 and be finished in a manner that is consistent with the primary type and color(s) used on the building.
 - 21. The applicant and/or property owner shall be responsible for maintaining the site, building, and associated improvement including, but not limited to, signs, light fixtures, landscaping, and irrigation, etc., in good condition and/or working order at all times. Any accumulation of trash, weeds, or debris on the property shall be removed immediately so as not to present a public nuisance.
 - 22. Graffiti or etching of glass areas on the building or associated improvements shall be removed/replaced immediately by the applicant/property owner upon notification by the City.
 - 23. To ensure compliance with the conditions of approval, a final inspection is required from the Building and Planning Divisions upon completion of construction and all improvements. The applicant shall contact the City to schedule an appointment for such inspections.
 - 24. The applicant shall defend, indemnify, and hold harmless, the City of Montclair, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any approval of the City, whether by its City Council, Planning Commission, or other authorized board or officer of this subdivision. Pursuant to California Government Code Section 66474.9, the subdivider and applicant also agree to defend, indemnify, and hold harmless, the City of Montclair, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul any map approval of the City, whether by its City Council, Planning Commission, or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City shall promptly notify the subdivider and applicant of any such claim, action, or proceeding; and the City shall cooperate fully in the defense.

Environmental – Mitigation Measures

- 25. Air Quality (Mitigation Measure A)
 - a. All construction equipment shall be maintained in good operating condition so as to reduce operational emissions. The contractor shall ensure that all construction equipment is being properly serviced and maintained as per manufacturers' specifications. Maintenance records shall be available at the construction site for City verification.

- b. Prior to the issuance of any grading permits, the developer shall submit construction plans to the City denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low-emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project. The contractors shall also conform to any construction measures imposed by the South Coast Air Quality Management District (SCAQMD) as well as City Planning staff.
- c. All paints and coatings shall meet or exceed performance standards noted in SCAQMD Rule 1113. Paints and coatings shall be applied either by hand or high volume, low-pressure spray, or by using precoated/natural-colored building materials, water-based or low volatile organic compound (VOC) coating, and coating transfer or spray equipment with high transfer efficiency.
- d. All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108.
- e. All construction equipment shall comply with SCAQMD Rules 402 and 403. Additionally, contractors shall include the following provisions:
- Water active sites at least twice daily (locations where grading is to occur will be thoroughly watered prior to earthmoving).
 - Revegetate disturbed areas as quickly as possible.
 - Pave construction access roads at least 100 feet onto the site from the main road.
 - Pave, water, or chemically stabilize all on-site roads as soon as feasible.
 - Install wheel washers where vehicles enter and exit unpaved roads on to paved roads, or wash trucks and any equipment leaving the site.
 - Reduce traffic speeds on all unpaved roads to 15 mph or less.
 - Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least two feet of freeboard (vertical space between the top of the load and top of the trailer) in accordance with the requirements of the California Vehicle Code (CVC) Section 23114.
 - Phase grading to prevent the susceptibility of large areas to erosion over extended periods of time.
 - Schedule activities to minimize the amounts of exposed excavated soil during and after the end of work periods.
 - Dispose of surplus excavated material in accordance with local ordinances and use sound engineering practices.
 - Sweep all streets once per day if visible soil materials are carried to adjacent streets (recommended water sweepers using reclaimed water).

- Suspend excavation and grading operations during high winds (*i.e.*, wind speeds exceeding 25 mph) in accordance with Rule 403 requirements.
 - Maintain a minimum 24-inch freeboard ratio on soil haul trucks or cover payloads using tarps or other suitable means.
 - Minimize at all times the area disturbed by clearing, grading, earth-moving, or excavation operations.
- f. The site shall be treated with water or other soil-stabilizing agent (approved by SCAQMD and Regional Water Quality Control Board [RWQCB]) daily to reduce PM10 emissions, in accordance with SCAQMD Rule 403.
- g. Chemical soil stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM10 emissions.
- h. The construction contractor shall select the construction equipment used on-site based on low-emission factors and high energy efficiency. The construction contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specification.
- i. The construction contractor shall utilize electric or clean alternative fuel-powered equipment in lieu of gasoline-or-diesel-powered engines where feasible.
- j. The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use. During smog season (May through October), the overall length of the construction period will be extended, thereby decreasing the size of the area prepared each day, to minimize vehicles and equipment operating at the same time.
- k. The construction contractor shall time the construction activities so as to not interfere with peak-hour traffic and minimize obstruction of through lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.
- l. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.
- m. Long term, the following mitigation measures shall be implemented:
- All residential and commercial structures shall be required to incorporate high-efficiency/low-polluting heating, air conditioning, appliances, and water heaters.
 - All residential and commercial structures shall be required to incorporate thermal pane windows and weather stripping.

26. Noise (Mitigation Measure B)

- a. The project contractor shall properly maintain and tune all construction equipment to minimize emissions.
- b. The contractor shall fit all equipment with properly operating mufflers, air intake silencers, and engine shrouds no less effective than as originally equipped by the manufacturer.
- c. The contractor shall locate all stationary noise sources (*e.g.*, generators, compressors, and staging areas) as far from any noise sensitive receptors as feasible.
- d. Materials delivery, soil haul trucks, and equipment servicing shall also be restricted to the hours set forth in the City of Montclair Municipal Code. The Municipal Code limits grading and construction associated with the improvement of real property to take place only between the hours of 7:00 a.m. and 8:00 p.m. daily.
- e. Contractor shall complete the perimeter wall on the south side of the property during the first phase of the project following fine grading of the site.

Building

27. Submit four complete sets of plans including the following:

- a. Site/Plot Plan
- b. Floor Plan
- c. Reflected Ceiling Plan
- d. Electrical Plans including the size of the main switch, number and size of service entrance conductors, panel schedules, and single line diagrams
- e. Plumbing Plans including isometrics, underground diagrams, water and waste diagram, fixture units, gas piping, and heating and air conditioning
- f. Waste Recycling Plan, recycling 50 percent of all construction debris

28. Submit two sets of structural calculations, if required, and two sets of energy conservation calculations.

29. Architect's/Engineer's stamp and "wet" signature are required prior to plan check approval.

30. The applicant shall comply with the latest adopted California Building Code and other applicable codes, ordinances, and regulations in effect at the time of permit application. The applicable codes shall be indicated on the first page of submitted plans.

31. Contractors must show proof of State and City licenses and Workers' Compensation coverage to the City prior to permit issuance.
32. Separate permits are required for fencing and/or walls.
33. All utility services to the project shall be installed underground.
34. Plans shall be submitted for plan check and approved prior to construction. All plans shall be marked with the project file number. **The building address shall be 4115 Kingsley Street.** Please incorporate it into all plans and correspondence for future documentation.
35. Construction activity shall only be permitted between the hours of 7:00 a.m. and 8:00 p.m. daily.
36. Prior to issuance of building permits for a new commercial or industrial development project or major addition, the applicant shall pay development fees at the established rate. Such fees may include, but are not limited to, Parkland Development (Quimby Act) fee, Transportation Development Impact fee, Permit and Plan Check fees, and School fees.
37. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District. Applicant shall provide a copy of the school fees receipt to the Building Division prior to permit issuance.
38. Provide and clearly indicate on submitted plans disabled-accessible path(s) of travel to the public right-of-way and all required disabled-accessible parking lot signs. Sidewalks, paths-of-travel, and curb cuts shall comply with the requirements of the California Building Code, Title 24. The maximum cross-slope on a sidewalk or path-of-travel shall not exceed two percent (2%).
39. Construction drawings submitted to the building division for plan review shall comply with the Montclair Security Ordinance No. 357 including, but not limited to, adherence to the following standards:
 - a. Install a numerical address on the north building elevation. Numerals shall be in Helvetica font, a minimum of eight (8) inches in height, a minimum of 1 1/2 inches in depth, and be in a color that adequately contrasts with the background to which they are attached.
 - b. Provide and maintain a minimum illumination level of one (1) foot-candle from dusk until dawn every day.
 - c. Install approved emergency lighting to provide adequate illumination automatically in the event of an interruption of electrical service.
40. A Certificate of Occupancy is required prior to the occupancy of the building. Issuance of the Certificate of Occupancy shall be contingent upon the Fire Department inspection and final approvals from other departments and/or agencies.

41. Prior to the issuance of a Certificate of Occupancy, the applicant shall:
 - a. Submit to the Building Division electronic images of all plans and records which were submitted for the purpose of obtaining a building permit. Electronic images shall comply with the City's Electronic Imaging Policy.
 - b. Complete all on- and off-site improvements.
 - c. Install all disabled-accessible parking stalls and parking lot signage.

Water Quality Management Plan

42. Prior to the issuance of any grading or building permit, the applicant shall obtain an approved Water Quality Management Plan (WQMP) from the City of Montclair per the requirements of federal, state, and local regulations.
43. Comply with all requirements of the approved WQMP for this project.
44. The applicant/developer/homeowners association shall be responsible to contract with a qualified firm to inspect and maintain any and all manufactured stormwater treatment devices specified by the approved WQMP, following all manufacturers' recommendations. It shall also be the responsibility of the applicant/developer/homeowners association to maintain inspection reports and have them readily available for review by City staff upon request. In the event that any stormwater treatment device fails due to lack of, or insufficient maintenance and/or inspection, or some other unforeseen circumstance, it shall be the responsibility of the applicant/developer/homeowners association to correct the deficiency and restore the stormwater treatment device(s) to its original working condition.
45. Prepare and submit plans for erosion and sediment control. Plans shall include all phases of the construction project including rough grading, utility and road installation, and vertical construction to the satisfaction of the City Engineer. Contact Joe Rosales, Environmental Compliance Inspector, at (909) 625-9470.
46. Prior to issuance of a Certificate of Occupancy, the applicant shall:
 - a. Submit to the Engineering Division an electronic copy of the approved WQMP in PDF format.
 - b. Record the WQMP Maintenance Agreement with the County of San Bernardino and provide evidence of said recording to the Environmental Compliance Inspector.
47. Prior to release of occupancy for any of the dwelling units in the subdivision, the person or corporation responsible for the preparation of the WQMP shall certify in writing to the Building Official that all conditions and requirements of the WQMP have been implemented or complied with. For projects, developments, or properties intended to be leased or sold, developer shall also submit evidence to the Building Official that lessee or purchaser has been advised in writing of

- lessee's or purchaser's ongoing maintenance responsibilities with respect to the requirements of the WQMP.
48. The applicant shall ensure that all requirements of the approved WQMP for the project are incorporated and consistent with the approved landscape and irrigation plans for the project. All required Best Management Practices (BMPs) shall be duly noted and shown on the landscape plans per the approved WQMP.

Engineering

49. Developer shall comply with all requirements of the Subdivision Map Act and the Montclair Municipal Code if any lot line adjustment or parcel merger is required.
50. A Parkland Development (Quimby Act) fee shall be paid to the City. This fee is payable prior to issuance of any Certificate of Occupancy.
51. Payment of transportation-related development impact fees. Fees shall be assessed at the rate in effect at the time the fees are paid.
52. Any cracked, raised, or broken sidewalks within the frontage of the property on Pradera Avenue or Kingsley Street shall be removed and reconstructed. Remove any drive approaches and curb cuts no longer required for the property and replace with standard curb, gutter, and sidewalk.
53. Install concrete standard streetlights at the corner of Pradera Avenue and Kingsley Street, at the southerly limit of the property on Pradera Avenue, and at the westerly limit of the property on Kingsley Street to the satisfaction of the City Engineer.
54. All existing overhead utilities within project boundaries and within street frontages adjacent to project shall be placed underground. All new guy wires required to anchor end poles shall be located beyond the project limits. No poles or guy wires shall be permitted to remain with property frontage.
55. All utilities serving the development shall be underground. This requirement applies to electrical services, transformers, and switches and, where technology exists, to telephone and cable television facilities as well.
56. Payment of all outstanding sewer reimbursement fees as imposed by a district, if any, or any assessments shall be required.
57. Regional Sewerage Capital Outlay fees are required as specified in the Montclair Municipal Code and by Inland Empire Utilities Agency.
58. Discharge of wastewater into the sewer collection system shall conform to all requirements of the Montclair Municipal Code.
59. A grading plan shall be prepared subject to the approval of the City Engineer. An erosion control plan is to be included and considered an integral part of the grading plan. Grading plans shall be designed in accordance with City standards and guidelines and shall be on 24" by 36" sheets.
60. All drainage facilities shall comply with requirements of the approved WQMP.

61. No soil may be imported or exported to or from the project site from any adjacent building site or from other sources for construction purposes without first obtaining approval from the City Engineer. A plan acceptable to the City Engineer shall be prepared showing proposed haul routes within the City. The plan shall include provisions for street sweeping and cleanup. Contractor(s) shall comply with all National Pollutant Discharge Elimination System (NPDES) requirements.
62. All on- and off-site trenching and excavation shall conform to CAL-OSHA standards. Excavations that exceed five feet in depth require a CAL-OSHA permit.
63. Underground Service Alert shall be notified at least 48 hours prior to any excavation. Contact Underground Service Alert at 8-1-1.

Fire

64. A 20-foot wide base asphalt or concrete roadway capable of supporting firefighting apparatus within 150 feet of all structures is required prior to the framing stage of construction. This access is required to be maintained unobstructed throughout construction. Roadway is subject to Fire Department approval prior to construction.
65. The developer/general contractor is to be responsible for reasonable periodic clean up of the construction site to avoid hazardous accumulation of combustible trash and debris.
66. Planter areas in the center of drive aisles and adjacent to entrances should be low profile type, not to exceed eight feet in height when mature.
67. The inside turning radius for an access road shall be 32 feet or greater. The outside turning radius for an access road shall be 45 feet or greater.
68. All Fire Department access and fire lanes shall be posted as "No Parking, Fire Lane." Signs shall be designed and mounted in accordance with Montclair Fire Department standards.
69. The proposed residential structure(s) shall require an approved automatic fire sprinkler system. The system shall conform to all local and national standards. Three (3) complete sets of the sprinkler system plans shall be submitted directly to the Fire Marshal's Office for approval prior to installation.
70. Certificate of Occupancy by the Building Official shall be contingent upon Fire Department inspection and approval of all conditions.
71. Commercial occupancies with cooking areas require an approved, fixed fire extinguishing system for protection of the hood and duct system and overall cooking areas. This system shall be equipped with an automatic fuel shutoff to all equipment protected by this system. Three (3) complete sets of drawings of this system shall be submitted to the Fire Marshal's Office prior to issuance of a permit.

72. A fire hydrant system shall be required to provide the necessary water flow to the proposed structure(s). Exact number, location, and design of hydrants shall be determined by the Fire Marshal's Office when building plans are received. Hydrants shall be active prior to the framing stage of construction.
73. The developer shall contact the Fire Marshal's Office for drive access requirements prior to gutter and curb-line placements.
74. An approved emergency-keyed access system shall be required to facilitate access to buildings or gates by Fire Department personnel in the event of an emergency during nonbusiness hours. Forms are available at the Montclair Fire Department Headquarters for those occupancies requiring such a system. Facilities with gated drive approaches shall contact the Fire Marshal's Office for additional key and strobe requirements.
75. Vehicle security gates shall be approved only with the use of hold-open devices to allow for emergency vehicles access. Contact Fire Marshal's office for specific requirements.
76. All Montclair Fire Department fees are due prior to any permit issuance.
77. Covered trash enclosures shall have fire sprinklers installed should any one of the following conditions exist; the trash enclosure has a combustible roof covering; the trash enclosure contains two or more individual trash containers; or the trash enclosure is under or within five (5) feet of combustible construction.
78. Fire extinguisher location(s) to be determined by the Montclair Fire Department.
79. Contact the Fire Marshal's Office for further requirements.
80. All Double Check Detector Assemblies (DCDA) shall be painted and maintained by the property owner with the following paint color specifications: Rust-Oleum Satin Interior/Exterior Acrylic Latex Paint - Hunt Club Green No. 7944502 (quart). This condition is subject to Fire Department inspection and approval when work is completed.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF ORDINANCE NO. 11-922 REPLACING SECTION 8.32.010 OF THE MONTCLAIR MUNICIPAL CODE PERTAINING TO MAXIMUM SPEED LIMITS IN THE CITY	DATE: May 16, 2011
<u>FIRST READING</u>	SECTION: PUBLIC HEARINGS
	ITEM NO.: B
	FILE I.D.: TRC625
	DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Ordinance No. 11-922 replacing Section 8.32.010 of the Montclair Municipal Code pertaining to maximum speed limits in the City. A copy of proposed Ordinance No. 11-922 is attached for the City Council's review and consideration.

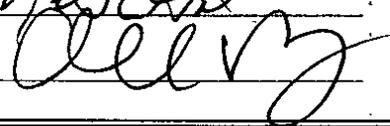
BACKGROUND: The California Motor Vehicle Code allows cities to set speed limits on city streets subject to the process set forth in that Code. Speed limits must be determined by traffic engineering speed surveys, which must be periodically redone. Once a speed survey has been completed, the City may set the speed limits by adoption of an Ordinance.

All 50 states base their speed regulations on the Basic Speed Law. In general, this law states:

No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

Under California law, the maximum speed limit in urban areas is 55 miles per hour on two-lane undivided roads and 65 miles per hour on divided or multilane roads. All other speed limits are called prima facie limits, which are considered by law to be safe and prudent under normal conditions. Certain prima facie limits are established by state law and include the 25 mile per hour speed limits in business and residential districts; the 25 mile per hour speed limit in school zones when children are present; and the 15 mile per hour speed limits in alleys and at uncontrolled intersections and railroad crossings where visibility is very limited. These speed limits do not need to be posted to be enforced.

All other speed limits between 25 and 65 miles per hour are established on the basis of traffic engineering surveys and adopted by Ordinance of the City Council. These surveys include an analysis of roadway conditions, accident records, and a sampling of

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

the prevailing speed of traffic. A speed limit that is set at or slightly below the speed at which 85 percent of the drivers drive is generally considered safe and reasonable. Traffic flowing at uniform speeds results in increased safety and fewer accidents. Drivers are less impatient, pass less often, and tailgate less, which reduces both head-on and rear-end collisions.

Most drivers can be relied upon to behave in a reasonable manner as they go about their daily driving routine. Many existing laws reflect observation of the way reasonable people behave under most circumstances. Traffic regulations are also based upon observations of the behavior of groups of motorists under various conditions. Generally speaking, traffic laws that reflect the behavior of the majority of motorists are found to be successful. Laws that arbitrarily restrict the majority of drivers tend to encourage disrespect, lack of public support, and other wholesale violations of the law.

This is especially true when establishing speed limits. The posting of the appropriate speed limit also simplifies the job of traffic enforcement officers. Most of the traffic is voluntarily moving at or near the posted speed. Blatant speeders are easily spotted, safe drivers are not penalized, and patrol officers aren't asked to enforce and defend unrealistic and arbitrary speed limits.

Realistic speed limits are important in that they:

1. Satisfy requirements of state law for establishing prima facie speed limits on public roadways.
2. Invite compliance by conforming to the behavior of the majority of drivers.
3. Offer an effective enforcement tool to law enforcement officers by clearly separating the occasional violator from the reasonable majority.
4. Aid the motorist in adjusting his/her speed to the conditions of the road.
5. Facilitate the orderly movement of traffic in a reasonable and safe manner.
6. Alleviate bad accident records that are attributable to excessive speed as a result of hazards not readily apparent to drivers.

In accordance with the Motor Vehicle Code, the 2010 Speed Survey Study for the City of Montclair was conducted between September 2010 and March 2011. Radar speed checks were performed by Montclair Police Department personnel. The results of the speed surveys were tabulated and analyzed by Engineering Division staff in March 2011 and presented to the Public Works Committee at its meeting on April 21, 2011.

Based on the traffic engineering speed surveys and analysis, several speed limits in the City will increase. The complete study, showing both the existing and proposed speed limits, is included with this report.

FISCAL IMPACT: Changing the speed limits on various streets in the City would require replacement of signs and repainting of legends. The cost is anticipated to be approximately \$5,000 and is presently included in the Public Works Fiscal Year 2011-12 Preliminary Budget.

RECOMMENDATION: Staff recommends the City Council adopt the first reading of Ordinance No. 11-922 replacing Section 8.32.010 of the Montclair Municipal Code pertaining to maximum speed limits in the City.

ORDINANCE NO. 11-922

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR REPLACING
SECTION 8.32.010 OF THE MONTCLAIR
MUNICIPAL CODE RELATED TO MAXIMUM
SPEED LIMITS**

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

SECTION I. Amendment to Code. Section 8.32.010 of Title 8 of the Montclair Municipal Code is hereby replaced with the following:

Sec. 8.32.010 Prima facie speed limits on certain streets.

The City Council of the City of Montclair determines and declares, upon the basis of engineering and traffic surveys made on or after September 28, 2010, which surveys are public records on file in the offices of the Engineering Division of the Public Works Department of the City, that the prima facie speed limits specified in those sections are reasonable, safe, and most appropriate to facilitate the orderly movement of traffic upon the streets and portions of streets specified in those sections, which streets and portions of streets would otherwise be subject to the prima facie speed limits established in the California Vehicle Code.

These prima facie speed limits shall be effective when appropriate signs giving notice thereof are erected upon the streets and portions of streets to which they pertain.

The provisions of this article shall not apply to any twenty-five (25) mile per hour prima facie speed limit that is applicable when passing a school or the grounds thereof.

Name of Street or Portion of Street Affected	Declared Prima Facie Speed Limit
1. Arrow Highway from the west City Limits to Benson Avenue	45 miles per hour
2. Benito Street from Mills Avenue to Benson Avenue	35 miles per hour
3. Benson Avenue from north City Limits to Moreno Street	40 miles per hour
4. Benson Avenue from Moreno Street to UPRR tracks	35 miles per hour
5. Brooks Street from Silicon Avenue to Benson Avenue	40 miles per hour
6. Central Avenue from the north City Limits to Mission Boulevard	40 miles per hour
7. Central Avenue from Mission Boulevard to Phillips Boulevard	45 miles per hour

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|---|-------------------|
| 8. Fremont Avenue from Arrow Highway to Moreno Street | 40 miles per hour |
| 9. Fremont Avenue from State Street to Mission Boulevard | 35 miles per hour |
| 10. Fremont Avenue from Mission Boulevard to Phillips Boulevard | 30 miles per hour |
| 11. Holt Boulevard from Mills Avenue to Benson Avenue | 45 miles per hour |
| 12. Kingsley Street from Mills Avenue to Benson Avenue | 35 miles per hour |
| 13. Mills Avenue from Moreno Street to San Jose Street | 40 miles per hour |
| 14. Mills Avenue from San Jose Street to the UPRR tracks | 45 miles per hour |
| 15. Mission Boulevard from the west City Limits to Central Avenue | 45 miles per hour |
| 16. Monte Vista Avenue from the north City Limits to Arrow Highway | 45 miles per hour |
| 17. Monte Vista Avenue from Arrow Highway to San Bernardino Street | 40 miles per hour |
| 18. Monte Vista Avenue from San Bernardino Street to Holt Boulevard | 35 miles per hour |
| 19. Monte Vista Avenue from Holt Boulevard to Phillips Boulevard | 40 miles per hour |
| 20. Moreno Street from Mills Avenue to Monte Vista Avenue | 35 miles per hour |
| 21. Moreno Street from Monte Vista Avenue to Benson Avenue | 40 miles per hour |
| 22. Orchard Street from Mills Avenue to Benson Avenue | 40 miles per hour |
| 23. Palo Verde Street from Mills Avenue to Helena Avenue | 40 miles per hour |
| 24. Palo Verde Street from Monte Vista Avenue to Central Avenue | 40 miles per hour |
| 25. Palo Verde Street from Central Avenue to Benson Avenue | 35 miles per hour |
| 26. Ramona Avenue from Palo Verde Street to Holt Boulevard | 35 miles per hour |
| 27. Ramona Avenue from Holt Boulevard to Phillips Boulevard | 40 miles per hour |
| 28. Richton Street from Monte Vista Avenue to Central Avenue | 40 miles per hour |
| 29. San Bernardino Street from Mills Avenue to Benson Avenue | 40 miles per hour |
| 30. San Jose Street from Mills Avenue to Monte Vista Avenue | 35 miles per hour |
| 31. San Jose Street from Central Avenue to Benson Avenue | 35 miles per hour |
| 32. State Street from the west City Limits to Benson Avenue | 45 miles per hour |

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, 2011.

Mayor

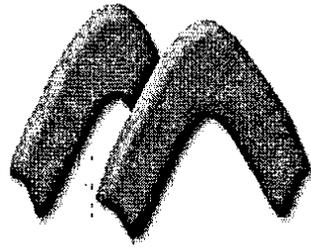
ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 11-922 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2011, and finally passed not less than five (5) days thereafter on the XX day of XX, 2011, by the following vote, to-wit:

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

Yvonne L. Smith
Deputy City Clerk



MONTCLAIR

**CITY OF MONTCLAIR
ENGINEERING AND TRAFFIC SURVEY**

May 2011

**PREPARED BY THE CITY OF MONTCLAIR DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION**

General

All 50 states base their speed regulations on the Basic Speed Law. In general, this law states:

No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

Under California law, the maximum speed limit in urban areas is 55 MPH on 2-lane undivided roads and 65 MPH on divided or multi-lane roads. All other speed limits are called prima facie limits, which are considered by law to be safe and prudent under normal conditions. Certain prima facie limits are established by state law and include the 25 MPH speed limit in business and residential districts; the 25 MPH speed limit in school zones when children are present; and the 15 MPH speed limit in alleys and at uncontrolled intersections and railroad crossings where visibility is very limited. These speed limits do not need to be posted to be enforced.

All other speed limits between 25 and 65 MPH are established on the basis of traffic engineering surveys and adopted by the City Council. These surveys include an analysis of roadway conditions, accident records, and a sampling of the prevailing speed of traffic. A safe and reasonable limit is set at or below the speed at which 85% of the drivers drive.

Traffic flowing at uniform speeds results in increased safety and fewer accidents. Drivers are less impatient, pass less often, and tailgate less, which reduces both head-on and rear-end collisions.

Most drivers can be relied upon to behave in a reasonable manner as they go about their daily driving routine. Many existing laws reflect observation of the way reasonable people behave under most circumstances. Traffic regulations are also based upon observations of the behavior of groups of motorists under various conditions. Generally speaking, traffic laws that reflect the behavior of the majority of motorists are found to be successful. Laws that arbitrarily restrict the majority of drivers tend to encourage disrespect, lack of public support, and other wholesale violations of the law. This is especially true when establishing speed limits. The posting of the appropriate speed limit also simplifies the job of traffic enforcement officers. Most of the traffic is voluntarily moving at or near the posted speed. Blatant speeders are easily spotted, safe drivers are not penalized, and patrol officers aren't asked to enforce and defend unrealistic and arbitrary speed limits.

Realistic speed limits are important in that they:

1. Satisfy requirements of state law for establishing prima facie speed limits on public roadways.
2. Invite compliance by conforming to the behavior of the majority of drivers.
3. Offer an effective enforcement tool to law enforcement officers by clearly separating the occasional violator from the reasonable majority.
4. Aid the motorist in adjusting his speed to the conditions of the road.
5. Facilitate the orderly movement of traffic in a reasonable and safe manner.
6. Alleviate bad accident records that are attributable to excessive speed as a result of hazards not readily apparent to drivers.

In accordance with the Vehicle Code, the 2011 Speed Zone Study for the City of Montclair was conducted. Radar speed checks were performed by Montclair Police Department personnel beginning September 2010 and completed March 2011.

The results of the speeds were tabulated and analyzed by staff in the Engineering Division of the Redevelopment/Public Works Department beginning in March 2011 and completed April 2011. This report updates and supersedes the previous Speed Zone Study completed in January 2004.

Terms

The following terms are frequently used in traffic engineering surveys and are used in this report:

- **Speed Survey** – Also known as a traffic engineering survey. A survey of motorists' speeds on selected streets, generally using a radar or laser gun. Surveys are conducted using stealth devices or unmarked cars so as not to artificially influence the results. Surveys are also conducted during periods of free flow and contain a sampling of 100 vehicles. (In some instances there may be fewer than 100 vehicles available. The state traffic manual requires a sampling of at least 50 vehicles.) The purpose of the survey is to determine the speed that a vehicle will travel when not influenced by the presence of a police car or heavy traffic.
- **10 mph Pace Speed** - This is the ten-mile per hour range of speeds at which the largest number of motorists are traveling.
- **Maximum speed** - This is the highest speed registered by the speed survey.
- **85th percentile speed** - This is the speed at which 85 percent of all vehicles were traveling at or below. The 85th percentile speed is also called the critical speed.
- **Speed Trap** – The California Vehicle Code, in Section 40802, provides two definitions of a speed trap. One definition relates to calculating the speed of a vehicle by measuring the time necessary for that vehicle to travel a preset distance. The definition more relevant to speed surveys states as follows:

A particular section of a highway with a prima facie speed limit that is provided by this code or by local ordinance under subparagraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects. This paragraph does not apply to a local street, road, or school zone.

Methods Used to Establish Speed Limits

Realistic speed limits do not result from mere arbitrary viewing of traffic and emotional response. Major factors considered in establishing speed limits are summarized as follows:

1. Existing speeds which represent the majority of free-flowing traffic, unimpeded by traffic, traffic signals, stop signs, or any other restrictions interrupting normal flow.
2. Accident records, if any, are analyzed to determine factors contributing to these accidents.
3. Roadside conditions including the capacity of the roadway, restrictions, alignment, and points of access (driveways, intersections, etc.).

It is generally agreed that without traffic controls a driver will adopt the speed that he or she reasonably desires to travel under prevailing conditions. Studies made on driving habits have shown that fifteen percent of the drivers will drive faster than existing conditions permit. These studies have developed two characteristics that are of primary importance in the selection of a reasonable speed limit:

- Critical speed (the 85th percentile)
- Pace speed (or 10 mph pace)

The Vehicle Code provides for the establishment of speed limits starting with 25 miles per hour (mph) through 70 mph in 5 mph increments. According to the Manual on Uniform Traffic Control Devices, speed limits should be established at or near the 85th percentile. Normal mathematical rules apply in rounding up or down to the nearest 5 mph increment. The manual further states that engineering judgment may indicate the need for a further reduction of five miles per hour. Such judgment considers accident history and roadside conditions when making that reduction. The establishment of a speed limit of more than five miles per hour below the 85th percentile speed should be done with great care as this may make violators of a disproportionate number of the reasonable majority of drivers.

Field Procedure

Montclair Police Department staff conducted speed surveys throughout the City of Montclair on all major, secondary, and collector streets. A total of 128 test areas were used with speeds checked on over 10,000 vehicles. The speeds of all automobiles passing a point were obtained using a radar unit placed on an unmarked vehicle. The radar unit made it possible to obtain very accurate traveling speeds of the sampled automobiles.

The results of the speeds were then tabulated and analyzed to determine the following statistical measures:

1. Critical speed (85th percentile).
2. Indicated speed (speed based on critical speed without any adjustments for accident history, sight distance, or other roadside conditions).
3. Recommended speed

Also indicated in the table are the dates the speed surveys were performed and the currently posted speeds.

Street	Segment	Date of Survey	85th %Tile (mph)	Posted Speed (mph)	Indicated Speed (mph)
Arrow Highway	West City Limit to Monte Vista Ave.	9/28/10	44	45	45
	Monte Vista Ave. to Central Ave.	9/28/10	46	45	45
	Central Ave. to Benson Ave.	10/13/11	46	45	45
	Recommended Speed Limit: 45 mph based on 85 th percentile speed.				
Benito Street	Mills Ave. to Monte Vista Ave.	11/23/11	40	35	40
	Monte Vista Ave. to Central Ave.	12/28/10	34	35	35
	Central Ave. to Vernon Ave.	12/15/10	40	35	40
	Vernon Ave. to Benson Ave.	12/16/10	39	35	40
	Recommended Speed Limit: 35 mph. While an 85 th percentile speed of 40 mph is indicated in some segments, development along both sides of this two-lane collector street is primarily residential with frequent driveways and parked cars limiting visibility. The presence of Montclair High School, Montclair Civic Center, Montclair post office, and a small amount of commercial development generate considerable foot traffic and pedestrian crossings.				
Benson Avenue	Metrolink Tracks to Moreno Ave.	9/30/10	42	35	40
	Moreno Ave. to UPRR Tracks	9/30/10	43	35	40
	Recommended Speed Limit: Metrolink Tracks to Moreno Avenue-40 mph based on 85 th percentile speed. Moreno Avenue to Union Pacific Tracks-35 mph. While an 85 th percentile speed of 40 mph is indicated, development along both sides of this street is residential with frequent driveways, pedestrian traffic associated with two elementary schools, and a City park. Parking is frequently heavy associated with softball activities at the park.				
Brooks Street	Monte Vista Ave. to Ramona Ave.	3/3/11	39	35	40
	Rose Ave. to Benson Ave.	2/24/11	39	35	40
	Recommended Speed Limit: 40 mph based on 85 th percentile speed.				
Central Avenue	Arrow Hwy. to Moreno Ave.	12/7/10	39	40	40
	Moreno Ave. to I-10 Freeway	1/24/11	41	40	40
	Palo Verde St. to San Bernardino St.	12/7/10	41	40	40
	San Bernardino St. to Benito St.	12/27/10	43	40	40
	Benito St. to Orchard St.	1/4/11	44	40	40
	Orchard St. to Kingsley St.	1/4/11	43	40	40
	Kingsley St. to Holt Blvd.	1/4/10	42	40	40
	Mission Blvd. to Phillips Blvd.	1/10/11	46	45	45
	Recommended Speed Limit: North City boundary to Mission Boulevard-40 mph based on 85 th percentile. Mission Boulevard to Phillips Boulevard-45 mph based on 85 th percentile.				

Street	Segment	Date of Survey	85th %Tile (mph)	Posted Speed (mph)	Indicated Speed (mph)
Fremont Avenue	Arrow Hwy. to Moreno St.	2/7/11	39	35	40
	State St. to Mission Blvd.	3/7/11	34	NA	35
	Mission Blvd. to Phillips Blvd.	3/16/11	32	NA	30
	Recommended Speed Limit: Arrow Highway to Moreno Street-40 mph based on 85 th percentile. State Street to Mission Boulevard-35 mph based on 85 th percentile. Mission Boulevard to Phillips Boulevard-30 mph based on 85 th percentile.				
Holt Boulevard	Mills Ave. to Ramona Ave.	12/15/10	46	45	45
	Ramona Ave. to Monte Vista Ave.	12/15/10	46	45	45
	Monte Vista Ave. to Central Ave.	12/15/10	45	45	45
	Central Ave. to Benson Ave.	12/27/10	48	45	50
	Recommended Speed Limit: 45 mph based on 85th percentile. Note that the indicated speed for the segment from Central Avenue to Benson Avenue is 50 mph, but for continuity with the segments west of this segment and east of this segment in Ontario, the recommended speed limit is 45 mph.				
Kingsley Street	Mills Ave. to Monte Vista Ave.	10/12/10	40	35	40
	Monte Vista Ave. to Central Ave.	10/12/10	37	35	35
	Central Ave. to Benson Ave.	10/28/10	38	35	40
	Recommended Speed Limit: 35 mph. Kingsley Street is a 2-lane residential collector street throughout the City of Montclair. While an 85 th percentile speed of 40 mph is indicated, parking is permitted on both sides of the street, and is generally heavily parked. Each property has at least one drive approach providing access to the street. Two elementary schools and parks are also located on this street with a heavy volume of pedestrian traffic.				
Mills Avenue	Moreno St. to San José St.	10/28/10	42	40	40
	San José St. to San Bernardino St.	10/28/10	44	40	45
	San Bernardino St. to Holt Blvd.	10/28/10	43	40	45
	Recommended Speed Limit: Moreno Street to San José Street-40 mph based on 85 th percentile. San José Street to Holt Boulevard-45 mph based on 85 th percentile.				
Mission Boulevard	West City Limit to Pipeline Ave.	12/28/10	45	40	45
	Pipeline Ave. to Ramona Ave.	12/28/10	49	45	50
	Ramona Ave. to Monte Vista Ave.	12/28/10	47	45	45
	Monte Vista Ave. to Central Ave.	12/28/10	47	45	45
	Recommended Speed Limit: 45 mph based on 85th percentile. Note that the indicated speed for the segment between Pipeline Avenue and Ramona Avenue is 50 mph, but for continuity with the segments both east and west of this segment, the recommended speed limit is 45 mph.				

Street	Segment	Date of Survey	85th %Tile (mph)	Posted Speed (mph)	Indicated Speed (mph)
Monte Vista Avenue	North City Limit to Arrow Hwy.	12/27/10	46	45	45
	Arrow Hwy. to Moreno St.	10/26/10	41	35	40
	Moreno St. to I-10 Freeway	12/27/10	37	35	40
	I-10 Freeway to San Bernardino St.	12/29/10	41	35	40
	San Bernardino St. to Orchard St.	11/9/10	42	35	40
	Orchard St. to Holt Blvd.	12/28/10	41	35	40
	Holt Blvd. to Mission Blvd.	12/9/10	43	35	40
	Mission Blvd. to Phillips Blvd.	1/25/11	41	35	40
<p>Recommend Speed Limit: North City boundary to Arrow Highway-45 mph based on 85th percentile. Arrow Highway to San Bernardino Street-40 mph based on 85th percentile. San Bernardino Street to Holt Boulevard-35 mph. This segment of Monte Vista Avenue varies from two lanes to four lanes. While an 85th percentile speed of 40 mph is indicated, development on both sides of the street is residential with parking generally permitted on both sides. Occasional driveways with limited sight distance create hazards for motorists. There are also two elementary schools within this segment and associated playground activities. Holt Boulevard to Phillips Boulevard-40 mph based on 85th percentile.</p>					
Moreno Street	Mills Ave. to Monte Vista Ave.	12/27/10	39	35	40
	Monte Vista Ave. to Central Ave.	11/9/10	42	35	40
	Central Ave. to Benson Ave.	10/14/10	46	40	45
	<p>Recommended Speed Limit: Mills Avenue to Monte Vista Avenue-35 mph. This segment of Moreno Street is primarily residential development with numerous driveways. Parking is permitted on both sides of the street, potentially creating sight distance issues for exiting residents. An elementary school is also located along this segment with considerable pedestrian traffic. Monte Vista Avenue to Benson Avenue-40 mph based on 85th percentile. Note that the indicated speed for the segment between Central Avenue and Benson Avenue is 45 mph, but for continuity with the segments both west and east of this segment in Upland, the recommended speed limit is 40 mph.</p>				
Orchard Street	Mills Ave. to Monte Vista Ave.	10/12/10	42	35	40
	Monte Vista Ave. to Central Ave.	10/25/10	40	35	40
	Central Ave. to Benson Ave.	10/28/10	40	35	40
	<p>Recommended Speed Limit: 40 mph based on the 85th percentile</p>				
Palo Verde Street	Mills Ave. to Helena Ave.	1/13/11	41	35	40
	Monte Vista Ave. to Central Ave.	12/28/10	41	35	40
	Central Ave. to Benson Ave.	1/13/11	37	35	35
	<p>Recommended Speed Limit: Mills Avenue to Helena Avenue-40 mph based on 85th percentile. Monte Vista Avenue to Central Avenue-40 mph based on 85th percentile. Central Avenue to Benson Avenue-35 mph based on 85th percentile.</p>				

Street	Segment	Date of Survey	85th %Tile (mph)	Posted Speed (mph)	Indicated Speed (mph)
Ramona Avenue	Palo Verde St. to San Bernardino St.	1/4/11	35	35	35
	San Bernardino St. to Orchard St.	1/4/11	37	35	35
	Orchard St. to Holt Blvd.	1/27/11	36	35	35
	Holt Blvd. to Mission Blvd.	2/14/11	46	35	40
	Mission Blvd. to Phillips Blvd.	2/24/11	41	35	40
	Recommended Speed Limit: Palo Verde Street to Holt Boulevard-35 mph based on 85 th percentile. Holt Boulevard to Phillips Boulevard-40 mph based on 85 th percentile.				
Richton Street	Monte Vista Ave. to Central Ave.	9/23/10	41	40	40
	Recommended Speed Limit: 40 mph based on 85 th percentile.				
San Bernardino Street	Mills Ave. to Ramona Ave.	11/20/10	40	40	40
	Ramona Ave. to Central Ave.	12/9/10	40	40	40
	Central Ave. to Benson Ave.	12/7/10	39	40	40
	Recommended Speed Limit: 40 mph based on 85 th percentile.				
San José Street	Mills Ave. to Monte Vista Ave.	12/27/10	42	35	40
	Central Ave. to Benson Ave.	12/27/10	38	35	40
	Recommended Speed Limit: 35 mph. While an 85 th percentile speed of 40 mph is indicated, site conditions warrant a reduction in speed by 5 mph. San José Street is a 2-lane residential collector street throughout the City of Montclair. Street Parking is permitted on both sides of the street, and in some areas is heavily parked. Each property has at least one drive approach providing access to the street. A middle school is located along one segment of San José Street.				
State Street	West City Limit to Monte Vista Ave.	9/30/10	48	35	50
	Monte Vista Ave. to Benson Ave.	9/29/10	48	35	50
	Recommended Speed Limit: 45 mph. While an 85 th percentile speed of 50 mph is indicated, site conditions warrant a reduction in speed by 5 mph. State Street is an industrial area with considerable truck traffic entering and exiting various properties. Side streets intersecting State Street generally have limited visibility.				

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: May 16, 2011

SECTION: ADMIN. REPORTS

ITEM NO. 1

FILE I.D.: FIN520

DEPT.: ADMIN. SVCS.

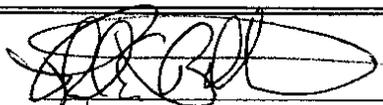
REASON FOR CONSIDERATION: The City Council is requested to consider receiving and filing the City of Montclair Treasurer's Report for the month ending April 30, 2011, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2011.

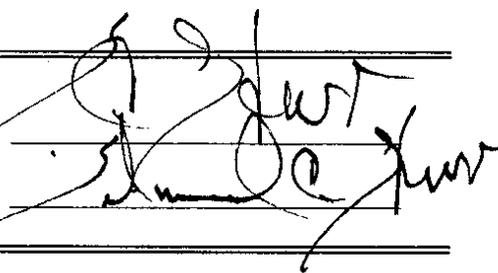
FISCAL IMPACT: Routine—report of City's cash and investments.

RECOMMENDATION: Staff recommends the City Council receive and file the Treasurer's Report for the month ending April 30, 2011.

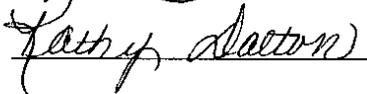
Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:

AGENDA REPORT

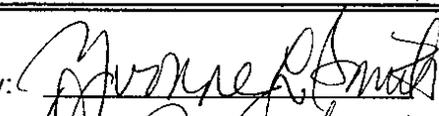
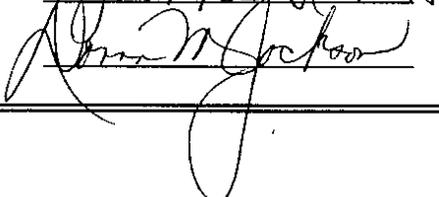
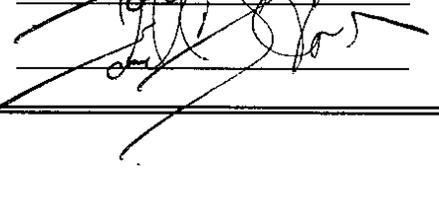
SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION	DATE: May 16, 2011
	SECTION: ADMIN. REPORTS
	ITEM NO.: 2
	FILE I.D.: FIN540
	DEPT.: ADMIN. SVCS.

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

BACKGROUND: Mayor Pro Tem Raft has examined the Warrant Register dated May 16, 2011, and Payroll Documentation dated March 27, 2011; finds them to be in order; and recommends their approval.

FISCAL IMPACT: The Warrant Register dated May 16, 2011, totals \$903,580.93. The Payroll Documentation dated March 27, 2011, totals \$575,654.47, with \$408,701.57 being the total cash disbursement.

RECOMMENDATION: Staff recommends the City Council approve the above referenced Warrant Register and Payroll Documentation as presented.

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

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: May 16, 2011

SECTION: ADMIN. REPORTS

ITEM NO.: 3

FILE I.D.: FIN510

DEPT.: REDEVELOPMENT

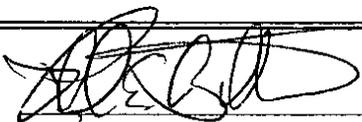
REASON FOR CONSIDERATION: The Redevelopment Agency Board of Directors is requested to consider receiving and filing the Redevelopment Agency Treasurer's Report for the month ending April 30, 2011, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2011.

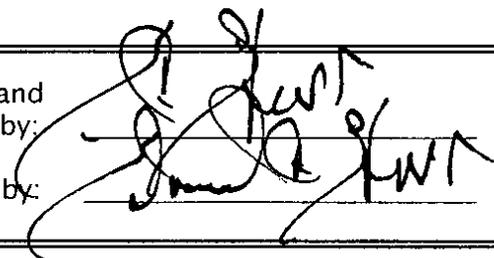
FISCAL IMPACT: Routine—report of the Agency's cash and investments.

RECOMMENDATION: Staff recommends the Redevelopment Agency Board of Directors receive and file the Treasurer's Report for the month ending April 30, 2011.

Prepared by:



Reviewed and
Approved by:



Proofed by:

Kathy Dalton

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** May 16, 2011
SECTION: ADMIN. REPORTS
ITEM NO.: 4
FILE I.D.: FIN530
DEPT.: REDEVELOPMENT

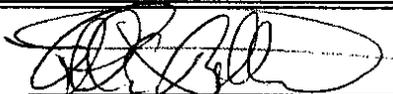
REASON FOR CONSIDERATION: The Redevelopment Agency Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending April 30, 2011, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 04.01.11-04.30.11 in the amounts of \$2,799.77 for Project I; \$161.68 for Project II; \$271,813.83 for Project III; \$94,690.15 for Project IV; \$208,760.45 for Project V; and \$393,709.03 for the Mission Boulevard Joint Redevelopment Project and finds it to be in order.

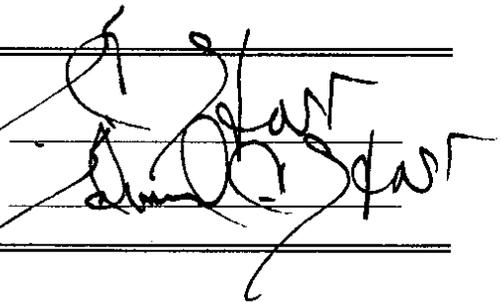
FISCAL IMPACT: Routine—report of Agency's obligations.

RECOMMENDATION: Vice Chairperson Raft recommends the Redevelopment Agency Board of Directors approve the Warrant Register for the period ending April 30, 2011.

Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: May 16, 2011

SECTION: ADMIN. REPORTS

ITEM NO.: 5

FILE I.D.: FIN525

DEPT.: MHC

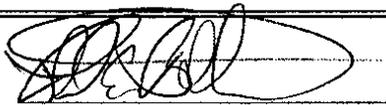
REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to receive and file the Montclair Housing Corporation Treasurer's Report for the month ending April 30, 2011, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2011.

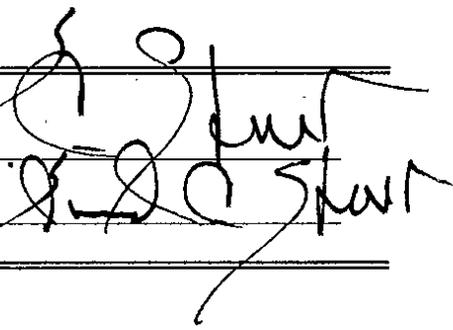
FISCAL IMPACT: Routine—report of the Montclair Housing Corporation's cash and investments.

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors receive and file the Treasurer's Report for the month ending April 30, 2011.

Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** May 16, 2011
SECTION: ADMIN. REPORTS
ITEM NO.: 6
FILE I.D.: FIN545
DEPT.: MHC

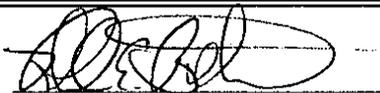
REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending April 30, 2011, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 04.01.11-04.30.11 in the amount of \$28,265.36 for the Montclair Housing Corporation and finds it to be in order.

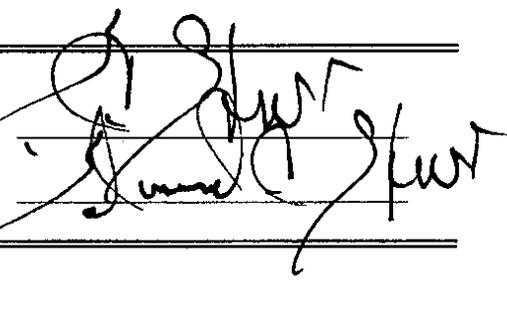
FISCAL IMPACT: Routine—report of Montclair Housing Corporation's obligations.

RECOMMENDATION: Vice Chairperson Raft recommends the Montclair Housing Corporation Board of Directors approve the Warrant Register for the period ending April 30, 2011.

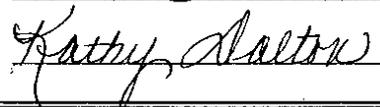
Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF THE CITY OF MONTCLAIR STATEMENT OF INVESTMENT POLICY FOR THE YEAR ENDING DECEMBER 31, 2011

DATE: May 16, 2011
SECTION: ADMIN. REPORTS
ITEM NO.: 7
FILE I.D.: FIN370
DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: The City Council is requested to consider approval of the City of Montclair Statement of Investment Policy for the Year Ending December 31, 2011. The Statement of Investment Policy is attached for consideration by the City Council.

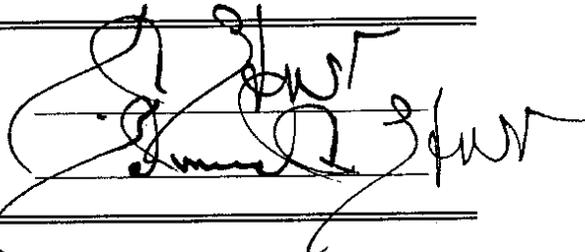
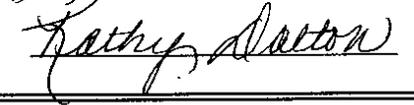
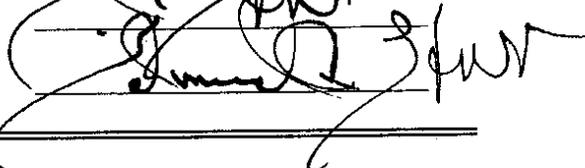
BACKGROUND: The City of Montclair Statement of Investment Policy for calendar year 2011 outlines the following:

- The Treasurer's authority to invest surplus moneys
- The criteria for investment selection
- The permissible investment media as set forth in Government Code Section 53635
- Internal control procedures
- The City's investment strategy for 2011

The Policy is submitted to the City Council in accordance with Government Code Section 53646—Section 53646 was added to the Government Code as a result of the 1995 Orange County bankruptcy.

In addition to an annual investment policy, the Treasurer or his designee may issue a quarterly report to the City Council that provides specifics of the investment activity during the period covered, a statement of compliance with the investment policy, and a statement denoting the City's ability to meet its expenditure requirements during the next six months.

Beginning in calendar year 2001, Assembly Bill 943 added a requirement that each city must semiannually submit a copy of its investment report to the State Treasurer. AB 943 also requires each city to annually submit a copy of its investment policy to the State

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

Treasurer. The Statement of Investment Policy for 2011, in all important respects, is identical to last year's policy approved by the City Council during June 2010 with the exception of the following item pertaining to Local Agency Investment Fund (LAIF):

- The maximum amount an agency may deposit per account has increased from \$40,000,000 to \$50,000,000.

Prior to 2006, Government Code Section 53646 required municipalities to annually review and approve, at a public meeting, their investment policies and present quarterly reports to their respective legislative bodies. As part of the reform of the State Mandate Reimbursement Program, these two requirements were changed to become optional and, thus, ineligible for state mandate reimbursement by simply changing the word "shall" to "may" as demonstrated below:

- "In the case of any other local agency, the treasurer or chief fiscal officer of the local agency *may* annually render to the legislative body of that local agency and any oversight committee of that local agency a statement of investment policy, which the legislative body of the local agency shall consider at a public meeting."
- "The treasurer or chief fiscal officer *may* render a quarterly report to the chief executive officer, the internal auditor, and the legislative body of the local agency."

The State Legislature encourages city officials to continue taking the actions formerly mandated by Government Code Section 53646 in recognition of state and local interests.

It is important to note a change that occurred two years ago to Section 53646 of the Government Code: The requirement that the City must continue with semiannual submission of the investment report and annual submission of the investment policy as required by AB 943 was deleted from this Section.

FISCAL IMPACT: Approval of the City of Montclair Statement of Investment Policy for the Year Ending December 31, 2011, would create no fiscal impact to the City's General Fund.

RECOMMENDATION: Staff recommends the City Council approve the City of Montclair Statement of Investment Policy for the Year Ending December 31, 2011.



MONTCLAIR

CITY OF MONTCLAIR

**Statement of Investment Policy
for the Year Ending December 31, 2011**

I. PURPOSE

The purpose of this investment policy is as follows: (1) to fix the responsibility for investing surplus moneys with the City Treasurer and his designee; (2) to establish criteria for selecting investments; (3) to outline investment media in which a local agency may invest its surplus money; (4) to establish internal control procedures to assure the investment program is operated in a safe and prudent manner; and (5) to set forth the investment strategy for calendar year 2011.

II. SCOPE

It is intended that this policy cover all funds and investment activities under the direct authority of the City of Montclair.

III. TREASURER'S AUTHORITY TO INVEST SURPLUS MONEYS

It is the responsibility of the City Treasurer and his designee, the Assistant Finance Director, to invest the City's surplus moneys. Government Code Section 53607 enables a city council to delegate its responsibility to invest surplus moneys to the treasurer, provided he submits to the council a monthly report of investment transactions (Treasurer's Report).

IV. PUBLIC TRUST

All participants in the investment process shall act as custodians of the public trust. The City Treasurer or his designee, the Assistant Finance Director, shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

V. PRUDENCE

The City of Montclair adheres to the guidance provided by the "prudent investor standard," which obligates a fiduciary to insure that all persons investing, reinvesting, purchasing, acquiring, exchanging, selling, and managing public funds shall act with care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a

like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City.

VI. DIVERSIFICATION

The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.

VII. MARKET-AVERAGE RATE OF RETURN

The investment portfolio shall be designed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the City of Montclair's risk constraints, the cash flow characteristics of the portfolio, state and local laws, and Ordinances and Resolutions that restrict investments.

VIII. CRITERIA FOR INVESTMENT SELECTION

In accordance with Government Code Section 53600.5, the primary criteria, in priority of order, which investment decisions shall be based upon are as follows:

- A. **SAFETY:** Safety of principal is the most important criteria of investment. Attention must be given to the continued solvency of financial institutions in which the City invests money. Also, investments in long-term securities must be considered from the standpoint of potential losses incurred upon sale of securities to meet operating needs.
- B. **LIQUIDITY:** The City's investment portfolio will remain sufficiently liquid to meet all operating requirements that might be reasonably anticipated.
- C. **YIELD (RETURN ON INVESTMENT):** Investments should be made with the objective of maximizing the rate of return consistent with safety and liquidity requirements.

IX. PERMISSIBLE INVESTMENTS

Government Code Section 53635 authorizes a local agency to deposit a portion or all of its moneys in state or national banks, savings associations or federal associations, credit unions, or any federally insured industrial loan company in this state. Also, Code Section 53635 enumerates investment media in which a local agency may invest its surplus moneys pursuant to Code Section 53601. The following list of permissible investment media is verbatim from Government Code Section 53601:

- A. Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by the local agency or by a department, board, agency, or authority of the local agency.
- B. United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
- C. Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by the state or by a department, board, agency, or authority of the state.
- D. Registered Treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.
- E. Bonds, notes, warrants, or other evidences of indebtedness of any local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency or by a department, board, agency, or authority of the local agency.
- F. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- G. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as banker's acceptances, which are eligible for purchase by the Federal Reserve System. Purchases of banker's acceptances may not exceed 180 days maturity or 40 percent of the agency's surplus funds, which may be invested pursuant to this section. However, no more than 30 percent of the agency's surplus funds may be invested in the banker's acceptances of any one commercial bank pursuant to this section.
- H. Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided for by Nationally Recognized Statistical-Rating Organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either Items 1 or 2:
 - 1. The entity must be organized and operating in the United States as a general corporation having total assets in

excess of five hundred million dollars (\$500,000,000) and having an "A" or higher rating for the issuer's debt, other than commercial paper, as provided for by a nationally recognized statistical-rating organization.

2. The entity must be organized within the United States as a special purpose corporation, trust, or limited liability company having programwide credit enhancements including, but not limited to, overcollateralization, letters of credit, or surety bond, and having commercial paper that is "A-1" or higher rating, or the equivalent, by a nationally recognized statistical-rating organization.

Purchases of eligible commercial paper may not exceed 270 days maturity nor represent more than 10 percent of the outstanding paper of an issuing corporation. No more than 40 percent of the agency's money may be invested in eligible commercial paper.

- I. Negotiable certificates of deposit issued by a nationally or state-chartered bank or a savings association or federal association or a state or federal credit union or by a state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit may not exceed 30 percent of the agency's surplus money, which may be invested pursuant to this section. For purposes of this section, negotiable certificates of deposit do not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638. The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the money are prohibited from investing local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or any person with investment decision-making authority in the administrative office, manager's office, budget office, auditor-controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.
- J.
 1. Investments in repurchase agreements or reverse repurchase agreements or securities lending agreements of any securities authorized by this section, as long as the agreements are subject to this subsection including the delivery requirements specified in this section.
 2. Investments in repurchase agreements may be made, on any investment authorized in this section, when the term of the agreements does not exceed one year. The market value of securities that underlay a repurchase agreement shall be

valued at 102 percent or greater of the funds borrowed against those securities and the value shall be adjusted no less than quarterly.

3. Reverse repurchase agreements or securities lending agreements may be utilized only when all of the following conditions are met:
 - (a) The security to be sold on reverse repurchase agreement or securities lending agreements has been owned and fully paid for by the local agency for a minimum of 30 days prior to sale.
 - (b) The total of all reverse repurchase agreements and securities lending agreement owned by the local agency does not exceed 20 percent of the base value of the portfolio.
 - (c) The agreement does not exceed a term of 92 days, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.
 - (d) Funds obtained or funds within the pool of an equivalent amount to that obtained from selling a security to a counterparty by way of a reverse repurchase agreement or securities lending agreement shall not be used to purchase another security with a maturity longer than 92 days from the initial settlement date of the reverse repurchase agreement or securities lending agreement, unless the reverse repurchase agreement or securities lending agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.
4. (a) Investments in reverse repurchase agreements, securities lending agreements, or similar investments in which the local agency sells securities prior to purchase with a simultaneous agreement to repurchase the security may only be made upon prior approval of the governing body of the local agency and shall only be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with a local agency.

- (b) For purposes of this chapter, "significant banking relationship" means any of the following activities of a bank:
 - (i) Involvement in the creation, sale, purchase, or retirement of a local agency's bonds, warrants, notes, or other evidence of indebtedness.
 - (ii) Financing of a local agency's activities.
 - (iii) Acceptance of a local agency's securities or funds as deposits.

- 5. (a) "Repurchase agreement" means a purchase of securities by the local agency pursuant to an agreement by which the counterparty seller will repurchase the securities on or before a specified date and for a specified amount and the counterparty will deliver the underlying securities to the local agency by book entry, physical delivery, or by third party custodial agreement. The transfer of underlying securities to the counterparty bank's customer book-entry account may be used for book-entry delivery.

- (b) "Securities," for purpose of repurchase under this subsection, means securities of the same issuer, description, issue date, and maturity.

- (c) "Reverse repurchase agreement" means a sale of securities by the local agency pursuant to an agreement by which the local agency will repurchase the securities on or before a specified date, and includes other comparable agreements.

- (d) "Securities lending agreement" means an agreement under which a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

- (e) For purposes of this section, the base value of the local agency's pool portfolio shall be that dollar amount obtained by totaling all cash balances placed in the pool by all pool participants, excluding any amounts obtained through selling securities by way of reverse repurchase agreements, securities lending agreements, or other similar borrowing methods.

- (f) For purposes of this section, the spread is the difference between the cost of funds obtained using the reverse repurchase agreement and the earnings obtained on the reinvestment of the funds.
- K. Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subsection shall be rated "A" or better by a nationally recognized rating service. Purchases of medium-term notes shall not include other instruments authorized by this section and may not exceed 30 percent of the agency's money that may be invested pursuant to this section.
- L.
 - 1. Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations as authorized by subsections A to K, inclusive, and subsections M to O, inclusive, and that comply with the investment restrictions of this article and Article 2 (commencing with Section 53630). However, notwithstanding these restrictions, a counterparty to a reverse repurchase agreement or securities lending agreement is not required to be a primary dealer of the Federal Reserve Bank of New York if the company's board of directors finds that the counterparty presents a minimal risk of default, and the value of the securities underlying a repurchase agreement or securities lending agreement may be 100 percent of the sales price if the securities are marked to market daily.
 - 2. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 *et seq.*).
 - 3. If investment is in shares issued pursuant to Item 1, the company shall have met either of the following criteria:
 - (a) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.
 - (b) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience investing in the securities and obligations authorized by subsections A to K, inclusive, and subsections M to O,

inclusive, and with assets under management in excess of five hundred million dollars (\$500,000,000).

4. If investment is in shares issued pursuant to subsection 2, the company shall have met either of the following criteria:
 - (a) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.
 - (b) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).
 5. The purchase price of shares of beneficial interest purchased pursuant to this subsection shall not include any commission that the companies may charge and shall not exceed 20 percent of the agency's money that may be invested pursuant to this section. However, no more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund pursuant to Item 1.
- M. Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.
- N. Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.

- O. Any mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subsection shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by a nationally recognized rating service and rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating service. Purchase of securities authorized by this subsection may not exceed 20 percent of the agency's surplus money that may be invested pursuant to this section.

- P. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subsections A to O, inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser who meets all of the following criteria:
 - 1. The adviser is registered or exempt from registration with the Securities and Exchange Commission.
 - 2. The adviser has not less than five years of experience investing in the securities and obligations authorized in subsections A to O, inclusive.
 - 3. The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

Government Code Section 16429.1 authorizes a local agency to deposit a portion or all of its surplus moneys in the Local Agency Investment Fund (LAIF). LAIF is an account established by the state that offers a local agency a safe highly liquid means to invest its surplus funds. Government Code Section 16430 limits LAIF to investing in securities, which are essentially the same as those prescribed in Section 53635 above. An agency may deposit \$50,000,000 with LAIF and engage in 15 transactions per month.

X. INTERNAL CONTROL PROCEDURES

The following internal control procedures are established to assure that the investment program is operated in a safe and prudent manner. An employee of the City, other than the City Treasurer or his designee, will verify on a monthly basis to the City Council that all investment activity undertaken during the month has been conducted in compliance with the investment policy including the below internal control procedures.

- A. **SAFEKEEPING:** Securities purchased from brokers/dealers must be held in a third-party custodial safekeeping account. The securities should be held in a manner that establishes the City's right of ownership.
- B. **CONFIRMATION:** Confirmation receipts for purchase of authorized securities should include the following information: trade date, par value, maturity value, interest rate, price, settlement date, description of securities purchased, agency's name, net amount due, and third-party custodial information. The confirmation receipt must be issued by the third-party custodian and must be received by the City prior to remitting payment for the security.
- C. **PAYMENT:** Payment for securities should be on a delivery versus payment (DVP) basis. This must be done via the City's third-party safekeeping agent. **NOTE:** Book entry is considered delivery.
- D. **WIRE TRANSFERS:** All wire transfers for the purchase of securities should be initiated by the City Treasurer or his designee who is authorized to invest on behalf of the City. The bank document used to initiate a wire transfer must be approved by the employee responsible for monitoring compliance with internal control procedures prior to executing the wire transfer. **NOTE:** This procedure does not apply to deposits with the LAIF.

XI. BANKS AND SECURITIES DEALERS

In selecting financial institutions for the deposit or investment of the City of Montclair funds, the Treasurer or his designee, the Assistant Finance Director, shall consider the creditworthiness of institutions. The Treasurer and his designee, the Assistant Finance Director, shall continue to monitor financial institutions' credit characteristics and financial history throughout the period in which funds are deposited or invested.

XII. RISK TOLERANCE

The City of Montclair recognizes that investment risks can result from issuer defaults, market price changes, or various technical complications leading to temporary illiquidity. Portfolio diversification is employed as a way to control risk. The City Treasurer and his designee,

the Assistant Finance Director, are expected to display prudence in the selection of securities, as a way to minimize default risk. No individual investment transaction shall be undertaken, which jeopardizes the total capital position of the overall portfolio. The Treasurer or his designee, the Assistant Finance Director, may periodically establish guidelines and strategies to control risks of default, market price changes, and illiquidity.

XIII. INVESTMENT STRATEGY FOR CALENDAR YEAR 2011

The City shall invest at least 15 percent of its surplus moneys to mature within one year. The moneys will be deposited in the LAIF, in certificates of deposit issued by banks and savings and loans in amounts which are fully insured by FDIC and invested in the securities discussed in subsections A through P of Section IX above, provided no moneys will be invested in reverse repurchase agreements, nor will any securities be purchased on margin. Further, pursuant to Government Code Section 53601.6, no moneys will be invested in inverse floaters, range notes, or interest-only strips that are derived from a pool of mortgages.

The City shall invest at least 50 percent of its surplus moneys, including the moneys invested pursuant to paragraph (1), in investment media with maturities no greater than three years. The investment restrictions outlined in paragraph (1) will apply to investments made in accordance with this paragraph.

The City may invest the balance of its surplus funds in any of the investment media set forth in paragraph (1), provided the investment has a maturity no greater than five years. The investment restrictions outlined in paragraph (1) will apply to investments made in accordance with this paragraph.

AGENDA REPORT

SUBJECT: CONSIDER REDEVELOPMENT AGENCY BOARD OF DIRECTORS' APPROVAL OF THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY STATEMENT OF INVESTMENT POLICY FOR THE YEAR ENDING DECEMBER 31, 2011	DATE: May 16, 2011
	SECTION: ADMIN. REPORTS
	ITEM NO.: 8
	FILE I.D.: FIN360
	DEPT.: REDEVELOPMENT

REASON FOR CONSIDERATION: The Redevelopment Agency Board of Directors is requested to consider approval of the City of Montclair Redevelopment Agency Statement of Investment Policy for the Year Ending December 31, 2011. The Statement of Investment Policy is attached for consideration by the Redevelopment Agency Board of Directors.

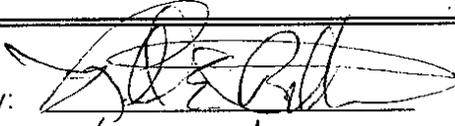
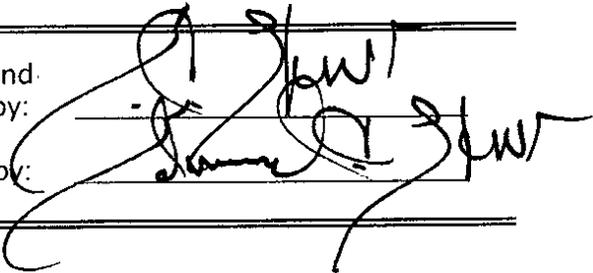
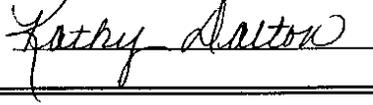
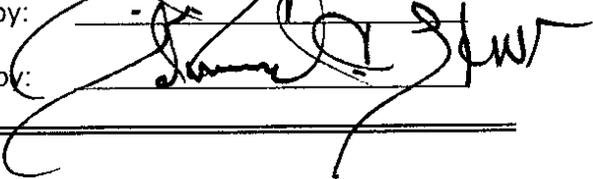
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- The Treasurer's authority to invest surplus moneys
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The Policy is submitted to the Redevelopment Agency Board of Directors in accordance with Government Code Section 53646—Section 53646 was added to the Government Code as a result of the 1995 Orange County bankruptcy.

In addition to an annual investment policy, the Treasurer or his designee may issue a quarterly report to the Redevelopment Agency Board of Directors that provides specifics of the investment activity during the period covered, a statement of compliance with the investment policy, and a statement denoting the Agency's ability to meet its expenditure requirements during the next six months.

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It is important to note a change that occurred two years ago to Section 53646 of the Government Code: The requirement that the Agency must continue with semiannual submission of the investment report and annual submission of the investment policy as required by AB 943 was deleted from this Section.

FISCAL IMPACT: Approval of the City of Montclair Redevelopment Agency Statement of Investment Policy for the Year Ending December 31, 2011, would create no fiscal impact for the Agency.

RECOMMENDATION: Staff recommends the Redevelopment Agency Board of Directors approve the City of Montclair Redevelopment Agency Statement of Investment Policy for the Year Ending December 31, 2011.



CITY OF MONTCLAIR REDEVELOPMENT AGENCY

Statement of Investment Policy for the Year Ending December 31, 2011

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prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the Agency.

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- B. **LIQUIDITY:** The Agency's investment portfolio will remain sufficiently liquid to meet all operating requirements that might be reasonably anticipated.
- C. **YIELD (RETURN ON INVESTMENT):** Investments should be made with the objective of maximizing the rate of return consistent with safety and liquidity requirements.

IX. PERMISSIBLE INVESTMENTS

Government Code Section 53635 authorizes a local agency to deposit a portion or all of its moneys in state or national banks, savings associations and federal associations, credit unions, or any federally insured industrial loan company in this state. Also, Code Section 53635 enumerates investment media in which a local agency may invest its surplus moneys pursuant to Code Section 53601. The following list of permissible investment media is verbatim from Government Code Section 53601:

- A. Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned,

controlled or operated by the local agency or by a department, board, agency or authority of the local agency.

- B. United States Treasury notes, bonds, bills or certificates of indebtedness or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
- C. Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by the state or by a department, board, agency or authority of the state.
- D. Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency or authority of any of the other 49 United States, in addition to California.
- E. Bonds, notes, warrants or other evidences of indebtedness of any local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by the local agency or by a department, board, agency or authority of the local agency.
- F. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- G. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as banker's acceptances, which are eligible for purchase by the Federal Reserve System. Purchases of banker's acceptances may not exceed 180 days maturity or 40 percent of the agency's surplus funds, which may be invested pursuant to this section. However, no more than 30 percent of the agency's surplus funds may be invested in the banker's acceptances of any one commercial bank pursuant to this section.
- H. Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided for by Nationally Recognized Statistical-Rating Organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either Items 1 or 2:
 - 1. The entity must be organized and operating in the United States as a general corporation having total assets in excess of five hundred million dollars (\$500,000,000) and having an "A" or higher rating for the issuer's debt, other than

commercial paper, as provided for by a nationally recognized statistical-rating organization.

2. The entity must be organized within the United States as a special purpose corporation, trust, or limited liability company having programwide credit enhancements including, but not limited to, overcollateralization, letters of credit, or surety bond, and having commercial paper that is "A-1" or higher rating, or the equivalent, by a nationally recognized statistical-rating organization.

Purchases of eligible commercial paper may not exceed 270 days maturity nor represent more than 10 percent of the outstanding paper of an issuing corporation. No more than 40 percent of the agency's money may be invested in eligible commercial paper.

1. Negotiable certificates of deposit issued by a nationally or state-chartered bank or a savings association or federal association or a state or federal credit union or by a state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit may not exceed 30 percent of the agency's surplus money, which may be invested pursuant to this section. For purposes of this section, negotiable certificates of deposit do not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638. The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the money are prohibited from investing local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or any person with investment decision-making authority in the administrative office, manager's office, budget office, auditor/controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.
- J.
 1. Investments in repurchase agreements or reverse repurchase agreements or securities lending agreements of any securities authorized by this section, as long as the agreements are subject to this subsection, including the delivery requirements specified in this section.
 2. Investments in repurchase agreements may be made, on any investment authorized in this section, when the term of the agreements does not exceed one year. The market value of securities that underlay a repurchase agreement shall be valued at 102 percent or greater of the funds borrowed

against those securities and the value shall be adjusted no less than quarterly.

3. Reverse repurchase agreements or securities lending agreements may be utilized only when all of the following conditions are met:
 - (a) The security to be sold on reverse repurchase agreement or securities lending agreements has been owned and fully paid for by the local agency for a minimum of 30 days prior to sale.
 - (b) The total of all reverse repurchase agreements and securities lending agreement owned by the local agency does not exceed 20 percent of the base value of the portfolio.
 - (c) The agreement does not exceed a term of 92 days, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.
 - (d) Funds obtained or funds within the pool of an equivalent amount to that obtained from selling a security to a counterparty by way of a reverse repurchase agreement or securities lending agreement shall not be used to purchase another security with a maturity longer than 92 days from the initial settlement date of the reverse repurchase agreement or securities lending agreement, unless the reverse repurchase agreement or securities lending agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.
4. (a) Investments in reverse repurchase agreements, securities lending agreements, or similar investments in which the local agency sells securities prior to purchase with a simultaneous agreement to repurchase the security may only be made upon prior approval of the governing body of the local agency and shall only be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with a local agency.

- (b) For purposes of this chapter, "significant banking relationship" means any of the following activities of a bank:
 - (i) Involvement in the creation, sale, purchase, or retirement of a local agency's bonds, warrants, notes, or other evidence of indebtedness.
 - (ii) Financing of a local agency's activities.
 - (iii) Acceptance of a local agency's securities or funds as deposits.

- 5. (a) "Repurchase agreement" means a purchase of securities by the local agency pursuant to an agreement by which the counterparty seller will repurchase the securities on or before a specified date and for a specified amount and the counterparty will deliver the underlying securities to the local agency by book entry, physical delivery, or by third party custodial agreement. The transfer of underlying securities to the counterparty bank's customer book-entry account may be used for book-entry delivery.

- (b) "Securities," for purpose of repurchase under this subsection, means securities of the same issuer, description, issue date, and maturity.

- (c) "Reverse repurchase agreement" means a sale of securities by the local agency pursuant to an agreement by which the local agency will repurchase the securities on or before a specified date, and includes other comparable agreements.

- (d) "Securities lending agreement" means an agreement under which a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.

- (e) For purposes of this section, the base value of the local agency's pool portfolio shall be that dollar amount obtained by totaling all cash balances placed in the pool by all pool participants, excluding any amounts obtained through selling securities by way of reverse repurchase agreements, securities lending agreements, or other similar borrowing methods.

- (f) For purposes of this section, the spread is the difference between the cost of funds obtained using the reverse repurchase agreement and the earnings obtained on the reinvestment of the funds.
- K. Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subsection shall be rated "A" or better by a nationally recognized rating service. Purchases of medium-term notes shall not include other instruments authorized by this section and may not exceed 30 percent of the agency's money that may be invested pursuant to this section.
- L.
 1. Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations as authorized by subsections A to K, inclusive, and subsections M to O, inclusive, and that comply with the investment restrictions of this article and Article 2 (commencing with Section 53630). However, notwithstanding these restrictions, a counterparty to a reverse repurchase agreement or securities lending agreement is not required to be a primary dealer of the Federal Reserve Bank of New York if the company's board of directors finds that the counterparty presents a minimal risk of default, and the value of the securities underlying a repurchase agreement or securities lending agreement may be 100 percent of the sales price if the securities are marked to market daily.
 2. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 *et seq.*).
 3. If investment is in shares issued pursuant to paragraph (1), the company shall have met either of the following criteria:
 - (a) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.
 - (b) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience investing in the securities and obligations authorized by subsections A to K, inclusive, and subsections M to O,

inclusive, and with assets under management in excess of five hundred million dollars (\$500,000,000).

4. If investment is in shares issued pursuant to paragraph (2), the company shall have met either of the following criteria:
 - (a) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.
 - (b) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).
 5. The purchase price of shares of beneficial interest purchased pursuant to this subsection shall not include any commission that the companies may charge and shall not exceed 20 percent of the agency's money that may be invested pursuant to this section. However, no more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund pursuant to paragraph (1).
- M. Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.
- N. Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.

- O. Any mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subsection shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by a nationally recognized rating service and rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating service. Purchase of securities authorized by this subsection may not exceed 20 percent of the agency's surplus money that may be invested pursuant to this section.

- P. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subsections A to O, inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:
 - 1. The adviser is registered or exempt from registration with the Securities and Exchange Commission.
 - 2. The adviser has not less than five years of experience investing in the securities and obligations authorized in subsections A to O, inclusive.
 - 3. The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

Government Code Section 16429.1 authorizes a local agency to deposit a portion or all of its surplus moneys in the Local Agency Investment Fund (LAIF). LAIF is an account established by the state that offers a local agency a safe, highly liquid means to invest its surplus funds. Government Code Section 16430 limits LAIF to investing in securities that are essentially the same as those prescribed in Section 53635 above. An agency may deposit \$50,000,000 with LAIF and engage in 15 transactions per month.

X. INTERNAL CONTROL PROCEDURES

The following internal control procedures are established to assure that the investment program is operated in a safe and prudent manner. An employee of the Agency, other than the Agency Treasurer or his designee, will verify on a monthly basis to the Agency Board that all investment activity undertaken during the month has been conducted in compliance with the investment policy, including the below internal control procedures.

- A. **SAFEKEEPING:** Securities purchased from brokers/dealers must be held in a third-party custodial safekeeping account. The securities should be held in a manner that establishes the Agency's right of ownership.
- B. **CONFIRMATION:** Confirmation receipts for purchase of authorized securities should include the following information: trade date, par value, maturity value, interest rate, price, settlement date, description of securities purchased, agency's name, net amount due and third-party custodial information. The confirmation receipt must be issued by the third-party custodian and must be received by the Agency prior to remitting payment for the security.
- C. **PAYMENT:** Payment for securities should be on a Delivery Versus Payment (DVP) basis. This must be done via the Agency's third-party safekeeping agent. **NOTE:** Book entry is considered delivery.
- D. **WIRE TRANSFERS:** All wire transfers for the purchase of securities should be initiated by the Agency Treasurer or his designee who is authorized to invest on behalf of the Agency. The bank document used to initiate a wire transfer must be approved by the employee responsible for monitoring compliance with internal control procedures prior to executing the wire transfer. **NOTE:** This procedure does not apply to deposits with the LAIF.

XI. BANKS AND SECURITIES DEALERS

In selecting financial institutions for the deposit or investment of Montclair Redevelopment Agency funds, the Treasurer or his designee, the Assistant Finance Director, shall consider the creditworthiness of institutions. The Treasurer and his designee, the Assistant Finance Director, shall continue to monitor financial institutions' credit characteristics and financial history throughout the period in which funds are deposited or invested.

XII. RISK TOLERANCE

The Montclair Redevelopment Agency recognizes that investment risks can result from issuer defaults, market price changes, or various technical complications leading to temporary illiquidity. Portfolio diversification is employed as a way to control risk. The Agency Treasurer and his designee, the Assistant Finance Director, are expected to display prudence in the selection of securities, as a way to minimize default risk. No individual investment transaction shall be undertaken which jeopardizes the total capital position of the overall portfolio. The Treasurer or his designee, the Assistant Finance Director, may periodically establish guidelines and strategies to control risks of default, market price changes and illiquidity.

XIII. INVESTMENT STRATEGY FOR CALENDAR YEAR 2011

The Agency will invest at least 25 percent of its surplus moneys (excluding tax allocation bond proceeds) in the LAIF and in certificates of deposit issued by banks and savings and loans provided, however, that money deposited with banks and savings and loans are fully insured by FDIC and have maturities of no more than one year. The balance of the Agency's surplus moneys may be invested in any of the investment media discussed in subsections A to P of Section IX above, provided the investment term is no greater than three years and no investments are made in reverse repurchase agreements. Further, pursuant to Government Code Section 53601.6, no moneys will be invested in inverse floaters, range notes, or interest-only strips that are derived from a pool of mortgages.

Remaining tax allocation bond proceeds, however, will be invested directly in short-term governmental securities and mutual funds comprised of short-term governmental securities. Investments of tax allocation bond proceeds will be made pursuant to Government Code Section 5922 and the bond indentures. The permitted investments set forth in Government Code Section 5922 and the bond indentures are substantially the same as those set forth in Government Code Section 53635.

AGENDA REPORT

SUBJECT: CONSIDER MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS' APPROVAL OF THE CITY OF MONTCLAIR HOUSING CORPORATION STATEMENT OF INVESTMENT POLICY FOR THE YEAR ENDING DECEMBER 31, 2011

DATE: May 16, 2011
SECTION: ADMIN. REPORTS
ITEM NO.: 9
FILE I.D.: FIN380
DEPT.: MHC

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to consider approval of the City of Montclair Housing Corporation Statement of Investment Policy for the Year Ending December 31, 2011. The Statement of Investment Policy is attached for consideration by the Housing Corporation Board of Directors.

BACKGROUND: The Housing Corporation Statement of Investment Policy for calendar year 2011 outlines the following:

- The Treasurer's authority to invest surplus moneys
- The criteria for investment selection
- The permissible investment media as set forth in Government Code Section 53635
- Internal control procedures
- The Corporation's investment strategy for 2011

The Policy is submitted to the Housing Corporation Board of Directors in accordance with Government Code Section 53646—Section 53646 was added to the Government Code as a result of the 1995 Orange County bankruptcy.

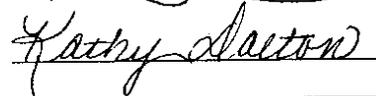
In addition to an annual investment policy, the Treasurer or his designee may issue a quarterly report to the Housing Corporation Board of Directors that provides specifics of the investment activity during the period covered; a statement of compliance with the investment policy; and a statement denoting the Corporation's ability to meet its expenditure requirements during the next six months.

Beginning in calendar year 2001, Assembly Bill 943 added a requirement that each municipal governing board must semiannually submit a copy of its investment report to the State

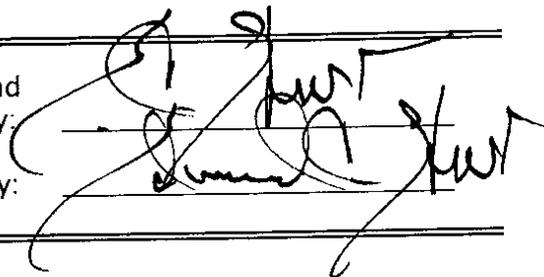
Prepared by:



Proofed by:



Reviewed and Approved by:



Presented by:

Treasurer. AB 943 also requires each municipal governing board to annually submit a copy of its investment policy to the State Treasurer. The Statement of Investment Policy for 2011, in all important respects, is identical to last year's policy approved by the Board of Directors during June 2010 with the exception of the following item pertaining to Local Agency Investment Fund (LAIF):

- The maximum amount an agency may deposit per account has increased from \$40,000,000 to \$50,000,000.

Prior to 2006, Government Code Section 53646 required municipal governing boards to annually review and approve, at a public meeting, their investment policies and present quarterly reports to their respective legislative bodies. As part of the reform of the State Mandate Reimbursement Program, these two requirements were changed to become optional and, thus, ineligible for state mandate reimbursement by simply changing the word "shall" to "may" as demonstrated below:

- "In the case of any other local agency, the treasurer or chief fiscal officer of the local agency *may* annually render to the legislative body of that local agency and any oversight committee of that local agency a statement of investment policy, which the legislative body of the local agency shall consider at a public meeting."
- "The treasurer or chief fiscal officer *may* render a quarterly report to the chief executive officer, the internal auditor, and the legislative body of the local agency."

The State Legislature encourages local agency officials to continue taking the actions formerly mandated by Government Code Section 53646 in recognition of state and local interests.

It is important to note a change that occurred two years ago to Section 53646 of the Government Code: The requirement that the Montclair Housing Corporation must continue with semiannual submission of the investment report and annual submission of the investment policy as required by AB 943 was deleted from this Section.

FISCAL IMPACT: Approval of the City of Montclair Housing Corporation Statement of Investment Policy for the Year Ending December 31, 2011, would create no fiscal impact for the Housing Corporation.

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors approve the City of Montclair Housing Corporation Statement of Investment Policy for the Year Ending December 31, 2011.



CITY OF MONTCLAIR HOUSING CORPORATION

Statement of Investment Policy for the Year Ending December 31, 2011

I. PURPOSE

The purpose of this investment policy is as follows: (1) to fix the responsibility for investing surplus moneys with the Housing Corporation Treasurer and his designee; (2) to establish criteria for selecting investments; (3) to outline investment media in which a local agency may invest its surplus money; (4) to establish internal control procedures to assure the investment program is operated in a safe and prudent manner; and (5) to set forth the investment strategy for calendar year 2011.

II. SCOPE

It is intended that this policy cover all funds and investment activities under the direct authority of the City of Montclair Housing Corporation.

III. TREASURER'S AUTHORITY TO INVEST SURPLUS MONEYS

It is the responsibility of the Housing Corporation Treasurer and his designee, the Assistant Finance Director, to invest the Housing Corporation's surplus moneys. Government Code Section 53607 enables a public housing corporation's board to delegate its responsibility to invest surplus moneys to the treasurer, provided he submits to the board a monthly report of investment transactions (Treasurer's Report).

IV. PUBLIC TRUST

All participants in the investment process shall act as custodians of the public trust. The Housing Corporation Treasurer or his designee, the Assistant Finance Director, shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered within the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

V. PRUDENCE

The City of Montclair adheres to the guidance provided by the "prudent investor standard," which obligates a fiduciary to insure that all persons investing, reinvesting, purchasing, acquiring, exchanging, selling, and managing public funds shall act with care, skill, prudence, and diligence

under the circumstances then prevailing that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the Housing Corporation.

VI. DIVERSIFICATION

The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.

VII. MARKET-AVERAGE RATE OF RETURN

The investment portfolio shall be designed to attain a market-average rate of return throughout budgetary and economic cycles, taking into account the City of Montclair Housing Corporation's risk constraints, the cash flow characteristics of the portfolio, state and local laws, and ordinances and resolutions that restrict investments.

VIII. CRITERIA FOR INVESTMENT SELECTION

In accordance with Government Code Section 53600.5, the primary criteria, in priority of order, which investment decisions shall be based upon are as follows:

- A. **SAFETY:** Safety of principal is the most important criteria of investment. Attention must be given to the continued solvency of financial institutions in which the Housing Corporation invests money. Also, investments in long-term securities must be considered from the standpoint of potential losses incurred upon sale of securities to meet operating needs.
- B. **LIQUIDITY:** The Housing Corporation's investment portfolio will remain sufficiently liquid to meet all operating requirements, which might be reasonably anticipated.
- C. **YIELD (RETURN ON INVESTMENT):** Investments should be made with the objective of maximizing the rate of return consistent with safety and liquidity requirements.

IX. PERMISSIBLE INVESTMENTS

Government Code Section 53635 authorizes a local agency to deposit a portion or all of its moneys in state or national banks, savings associations or federal associations, credit unions, or any federally insured industrial loan company in this state. Also, Code Section 53635 enumerates investment media in which a local agency may invest its surplus moneys pursuant to Code Section 53601. The following list of permissible investment media is verbatim from Government Code Section 53601:

- A. Bonds issued by the local agency, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by the local agency or by a department, board, agency, or authority of the local agency.
- B. United States Treasury notes, bonds, bills or certificates of indebtedness or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
- C. Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by the state or by a department, board, agency or authority of the state.
- D. Registered treasury notes or bonds of any of the other 49 United States in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.
- E. Bonds, notes, warrants or other evidences of indebtedness of any local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled or operated by the local agency or by a department, board, agency or authority of the local agency.
- F. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- G. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as banker's acceptances, which are eligible for purchase by the Federal Reserve System. Purchases of banker's acceptances may not exceed 180 days maturity or 40 percent of the agency's surplus funds, which may be invested pursuant to this section. However, no more than 30 percent of the agency's surplus funds may be invested in the banker's acceptances of any one commercial bank pursuant to this section.
- H. Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided for by Nationally Recognized Statistical-Rating Organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or paragraph (2):
 - 1. The entity must be organized and operating in the United States as a general corporation having total assets in excess of five hundred million dollars (\$500,000,000) and having an "A" or higher rating for the issuer's debt, other than

commercial paper, as provided for by a nationally recognized statistical-rating organization.

2. The entity must be organized within the United States as a special purpose corporation, trust, or limited liability company having programwide credit enhancements including, but not limited to, overcollateralization, letters of credit, or surety bond, and having commercial paper that is "A-1" or higher rating, or the equivalent, by a nationally recognized statistical-rating organization.

Purchases of eligible commercial paper may not exceed 270 days maturity nor represent more than 10 percent of the outstanding paper of an issuing corporation. No more than 40 percent of the agency's money may be invested in eligible commercial paper.

- I. Negotiable certificates of deposit issued by a nationally or state-chartered bank or a savings association or federal association or a state or federal credit union or by a state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit may not exceed 30 percent of the agency's surplus money, which may be invested pursuant to this section. For purposes of this section, negotiable certificates of deposit do not come within Article 2 (commencing with Section 53630), except that the amount so invested shall be subject to the limitations of Section 53638. The legislative body of a local agency and the treasurer or other official of the local agency having legal custody of the money are prohibited from investing local agency funds, or funds in the custody of the local agency, in negotiable certificates of deposit issued by a state or federal credit union if a member of the legislative body of the local agency, or any person with investment decision-making authority in the administrative office, manager's office, budget office, auditor/controller's office, or treasurer's office of the local agency also serves on the board of directors, or any committee appointed by the board of directors, or the credit committee or supervisory committee of the state or federal credit union issuing the negotiable certificates of deposit.
- J.
 1. Investments in repurchase agreements or reverse repurchase agreements or securities lending agreements of any securities authorized by this section, as long as the agreements are subject to this subsection, including the delivery requirements specified in this section.
 2. Investments in repurchase agreements may be made, on any investment authorized in this section, when the term of the agreements does not exceed one year. The market value of securities that underlay a repurchase agreement shall be valued at 102 percent or greater of the funds borrowed against those securities and the value shall be adjusted no less than quarterly.

3. Reverse repurchase agreements or securities lending agreements may be utilized only when all of the following conditions are met:
 - (a) The security to be sold on reverse repurchase agreement or securities lending agreements has been owned and fully paid for by the local agency for a minimum of 30 days prior to sale.
 - (b) The total of all reverse repurchase agreements and securities lending agreement owned by the local agency does not exceed 20 percent of the base value of the portfolio.
 - (c) The agreement does not exceed a term of 92 days, unless the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.
 - (d) Funds obtained or funds within the pool of an equivalent amount to that obtained from selling a security to a counterparty by way of a reverse repurchase agreement or securities lending agreement shall not be used to purchase another security with a maturity longer than 92 days from the initial settlement date of the reverse repurchase agreement or securities lending agreement, unless the reverse repurchase agreement or securities lending agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity date of the same security.
4.
 - (a) Investments in reverse repurchase agreements, securities lending agreements, or similar investments in which the local agency sells securities prior to purchase with a simultaneous agreement to repurchase the security may only be made upon prior approval of the governing body of the local agency and shall only be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state-chartered bank that has or has had a significant banking relationship with a local agency.
 - (b) For purposes of this chapter, "significant banking relationship" means any of the following activities of a bank:

- (i) Involvement in the creation, sale, purchase, or retirement of a local agency's bonds, warrants, notes, or other evidence of indebtedness.
 - (ii) Financing of a local agency's activities.
 - (iii) Acceptance of a local agency's securities or funds as deposits.
5. (a) "Repurchase agreement" means a purchase of securities by the local agency pursuant to an agreement by which the counterparty seller will repurchase the securities on or before a specified date and for a specified amount and the counterparty will deliver the underlying securities to the local agency by book entry, physical delivery, or by third party custodial agreement. The transfer of underlying securities to the counterparty bank's customer book-entry account may be used for book-entry delivery.
- (b) "Securities," for purpose of repurchase under this subsection, means securities of the same issuer, description, issue date, and maturity.
- (c) "Reverse repurchase agreement" means a sale of securities by the local agency pursuant to an agreement by which the local agency will repurchase the securities on or before a specified date, and includes other comparable agreements.
- (d) "Securities lending agreement" means an agreement under which a local agency agrees to transfer securities to a borrower who, in turn, agrees to provide collateral to the local agency. During the term of the agreement, both the securities and the collateral are held by a third party. At the conclusion of the agreement, the securities are transferred back to the local agency in return for the collateral.
- (e) For purposes of this section, the base value of the local agency's pool portfolio shall be that dollar amount obtained by totaling all cash balances placed in the pool by all pool participants, excluding any amounts obtained through selling securities by way of reverse repurchase agreements, securities lending agreements, or other similar borrowing methods.
- (f) For purposes of this section, the spread is the difference between the cost of funds obtained using the reverse repurchase agreement and the earnings obtained on the reinvestment of the funds.

- K. Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subsection shall be rated "A" or better by a nationally recognized rating service. Purchases of medium-term notes shall not include other instruments authorized by this section and may not exceed 30 percent of the agency's money that may be invested pursuant to this section.
- L. 1. Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations as authorized in subsections A to K, inclusive, and subsections M to O, inclusive, and that comply with the investment restrictions of this article and Article 2 (commencing with Section 53630). However, notwithstanding these restrictions, a counterparty to a reverse repurchase agreement or securities lending agreement is not required to be a primary dealer of the Federal Reserve Bank of New York if the company's board of directors finds that the counterparty presents a minimal risk of default, and the value of the securities underlying a repurchase agreement or securities lending agreement may be 100 percent of the sales price if the securities are marked to market daily.
2. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 *et seq.*).
3. If investment is in shares issued pursuant to subsection 1, the company shall have met either of the following criteria:
- (a) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.
 - (b) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience investing in the securities and obligations authorized by subsections A to K, inclusive, and subsections M to O, inclusive, and with assets under management in excess of five hundred million dollars (\$500,000,000).
4. If investment is in shares issued pursuant to paragraph (2), the company shall have met either of the following criteria:

- (a) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations.
 - (b) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).
- 5. The purchase price of shares of beneficial interest purchased pursuant to this subsection shall not include any commission that the companies may charge and shall not exceed 20 percent of the agency's money that may be invested pursuant to this section. However, no more than 10 percent of the agency's funds may be invested in shares of beneficial interest of any one mutual fund pursuant to paragraph (1).
- M. Moneys held by a trustee or fiscal agent and pledged to the payment or security of bonds or other indebtedness, or obligations under a lease, installment sale, or other agreement of a local agency, or certificates of participation in those bonds, indebtedness, or lease installment sale, or other agreements, may be invested in accordance with the statutory provisions governing the issuance of those bonds, indebtedness, or lease installment sale, or other agreement, or to the extent not inconsistent therewith or if there are no specific statutory provisions, in accordance with the ordinance, resolution, indenture, or agreement of the local agency providing for the issuance.
- N. Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.
- O. Any mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond of a maximum of five years' maturity. Securities eligible for investment under this subsection shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by a nationally

recognized rating service and rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating service. Purchase of securities authorized by this subsection may not exceed 20 percent of the agency's surplus money that may be invested pursuant to this section.

- P. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subsections A to O, inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:
1. The adviser is registered or exempt from registration with the Securities and Exchange Commission.
 2. The adviser has not less than five years of experience investing in the securities and obligations authorized in subsections A to O, inclusive.
 3. The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

Government Code Section 16429.1 authorizes a local agency to deposit a portion or all of its surplus moneys in the Local Agency Investment Fund (LAIF). LAIF is an account established by the state that offers a local agency a safe, highly liquid means to invest its surplus funds. Government Code Section 16430 limits LAIF to investing in securities, which are essentially the same as those prescribed in Section 53635 above. An agency may deposit \$50,000,000 with LAIF and engage in 15 transactions per month.

X. INTERNAL CONTROL PROCEDURES

The following internal control procedures are established to assure that the investment program is operated in a safe and prudent manner. An employee of the Housing Corporation, other than the Housing Corporation Treasurer or his designee, will verify on a monthly basis to the Housing Corporation's Board that all investment activity undertaken during the month has been conducted in compliance with the investment policy, including the below internal control procedures.

- A. **SAFEKEEPING:** Securities purchased from brokers/dealers must be held in a third-party custodial safekeeping account. The securities should be held in a manner that establishes the Housing Corporation's right of ownership.
- B. **CONFIRMATION:** Confirmation receipts for purchase of authorized securities should include the following information: trade date,

par value, maturity value, interest rate, price, settlement date, description of securities purchased, agency's name, net amount due, and third-party custodial information. The confirmation receipt must be issued by the third-party custodian and must be received by the Housing Corporation prior to remitting payment for the security.

- C. **PAYMENT:** Payment for securities should be on a Delivery Versus Payment (DVP) basis. This must be done via the Housing Corporation's third-party safekeeping agent. NOTE: Book entry is considered delivery.
- D. **WIRE TRANSFERS:** All wire transfers for the purchase of securities should be initiated by the Housing Corporation Treasurer or his designee who is authorized to invest on behalf of the Housing Corporation. The bank document used to initiate a wire transfer must be approved by the employee responsible for monitoring compliance with internal control procedures prior to executing the wire transfer. NOTE: This procedure does not apply to deposits with the LAIF.

XI. BANKS AND SECURITIES DEALERS

In selecting financial institutions for the deposit or investment of the City of Montclair Housing Corporation funds, the Treasurer or his designee, the Assistant Finance Director, shall consider the credit-worthiness of institutions. The Treasurer and his designee, the Assistant Finance Director, shall continue to monitor financial institutions' credit characteristics and financial history throughout the period in which funds are deposited or invested.

XII. RISK TOLERANCE

The City of Montclair Housing Corporation recognizes that investment risks can result from issuer defaults, market price changes, or various technical complications leading to temporary illiquidity. Portfolio diversification is employed as a way to control risk. The Housing Corporation Treasurer and his designee, the Assistant Finance Director, are expected to display prudence in the selection of securities, as a way to minimize default risk. No individual investment transaction shall be undertaken that jeopardizes the total capital position of the overall portfolio. The Treasurer or his designee, the Assistant Finance Director, may periodically establish guidelines and strategies to control risks of default, market price changes, and illiquidity.

XIII. INVESTMENT STRATEGY FOR CALENDAR YEAR 2011

The Housing Corporation will invest at least 50 percent of its surplus moneys in the LAIF and in certificates of deposit issued by banks and savings and loans provided, however, that money deposited with banks and savings and loans are fully insured by FDIC and have maturities of

no more than one year. The balance of the Housing Corporation's surplus moneys may be invested in any of the investment media discussed in subsections A to P of Section IX above, provided the investment term is no greater than three years and no investments are made in reverse repurchase agreements. Further, pursuant to Government Code Section 53601.6, no moneys will be invested in inverse floaters, range notes, or interest-only strips that are derived from a pool of mortgages.

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A \$4,800 APPROPRIATION FROM THE CONTINGENCY ACCOUNT FOR APPRAISAL OF 9950 FREMONT AVENUE (FIRST UNITED METHODIST CHURCH OF MONTCLAIR)	DATE: May 16, 2011 SECTION: ADMIN. REPORTS ITEM NO.: 10 FILE I.D.: CHR150 DEPT.: ADMIN. SVCS.
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REASON FOR CONSIDERATION: Representatives from the First United Methodist Church have contacted the City to determine if the City has interest in purchasing the property located at 9950 Fremont Avenue. In order to determine the value of the church site and, thereby, the City's interest in making a purchase offer, the City must have the property appraised. Staff is requesting that the City Council consider authorizing a \$4,800 appropriation from the Contingency Account for appraisal services.

BACKGROUND: Representatives from the First United Methodist Church contacted the City to determine if the City may be interested in purchasing the property located at 9950 Fremont Avenue. It appears that the First United Methodist Church is exploring the potential of moving to an alternate location. The City has leased the parking lot of the church facility for over 25 years for employee parking. Therefore, City staff would like to investigate purchase options. Before an offer can be made, the City needs to determine the fair market value of the property through an appraisal.

Staff prepared a Request for Qualifications and solicited proposals for appraisal of 9950 Fremont Avenue. Three proposals were received from qualified appraisers. Staff would propose to retain Inland Empire Consultants, Inc., to appraise the location. The company's proposed appraisal cost of \$4,800 was the most favorable.

The City's Fiscal Year 2010-11 Budget does not contain funds for appraisal services. Therefore, the City Council is requested to consider authorizing an appropriation of \$4,800 from the Contingency Account to cover the cost of appraisal services for 9950 Fremont Avenue.

FISCAL IMPACT: The Contingency Account of the City General Fund would be decreased by \$4,800 should the City Council approve the requested appropriation.

RECOMMENDATION: Staff recommends the City Council authorize a \$4,800 appropriation from the Contingency Account for appraisal of 9950 Fremont Avenue (First United Methodist Church of Montclair).

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

AGENDA REPORT

SUBJECT: CONSIDER DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF ONE 1987 GMC VANDURA 3500 TO PLUMBERS DEPOT INC. ON BEHALF OF THE CITY OF MONTCLAIR

DATE: May 16, 2011
SECTION: ADMIN. REPORTS
ITEM NO.: 11
FILE I.D.: EQS052/VEH120
DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: The City Council is requested to consider declaring as surplus and authorizing the sale of one vehicle that is no longer in service.

BACKGROUND: The 1987 GMC Vandura 3500 (VIN 2GDHG31K2H4518637) has reached the end of its service life and is no longer in use. The vehicle has 12,100 miles and was used by Public Works Sewer Division staff to perform sewer inspections. It needs major mechanical tractor, video equipment, and transmission work; and most of the parts for this vehicle are no longer available.

Plumbers Depot Inc. has offered to purchase the vehicle for \$10,000 plus parts and labor valued at \$9,089.96. The \$9,089.96 in parts and labor would be used to repair and upgrade the City's 1991 GMC Sewer Jetter truck (License No. E358647/ VIN 1GDP7H1JXMJ512439). The price of the transaction would be \$19,089.96.

FISCAL IMPACT: The City Council approved replacement of the 1987 GMC Vandura 3500 in the Public Works Fiscal Year 2010-11 Budget. The City would receive \$10,000 from the sale of the vehicle to Plumbers Depot Inc.; these funds would be placed in the Equipment Replacement Fund. In addition, the City would receive \$9,089.96 in parts and labor to rebuild the City-owned 1991 GMC Sewer Jetter truck, giving it an extended life of approximately five additional years.

RECOMMENDATION: Staff recommends the City Council declare as surplus and authorize the sale of one 1987 GMC Vandura to Plumbers Depot Inc. on behalf of the City of Montclair.

Prepared by:

X. MENDEZ

Reviewed and
Approved by:

M. STRATS

Proofed by:

Gunnar L. Smith

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT
NO. 11-52 AMENDING AGREEMENT
NO. 11-45 WITH WHEELER & WHEELER
ARCHITECTS FOR DESIGN SERVICES FOR
THE COMMUNITY CENTER RESTROOM
CONVERSION AND ADA UPGRADE PROJECT

DATE: May 16, 2011

SECTION: AGREEMENTS

ITEM NO.: 1

FILE I.D.: CVC060

DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: Architectural design services are required for the development of plans to convert existing Meeting Room A in the Community Center to ADA-compliant restrooms. The City Council previously awarded a design contract to Wheeler & Wheeler Architects for these services. After further review of design needs by staff, it is felt that additional construction is required should construction funds permit. The City Council is requested to consider modifications to the design contract. A copy of proposed Agreement No. 11-52 is attached for the City Council's review and consideration.

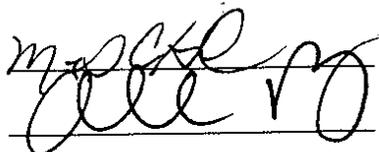
BACKGROUND: On March 16, 2011, the City Council awarded an architectural services design contract to Wheeler & Wheeler Architects to prepare plans for constructing Americans with Disabilities Act (ADA)-compliant restrooms and other ADA upgrades in the Community Center. The current restrooms in the Community Center are not fully ADA compliant; and modifying them to meet ADA requirements would require reducing the total number of facilities, which are already below the number required for the size of the building.

A kickoff meeting was held with the architect and various staff members on April 19, 2011. During this meeting, some deficiencies were noted in the Lounge and Meeting Room B that, if funding permits, could be corrected as part of this construction project. Staff requested a second proposal from Wheeler & Wheeler Architects for design work to be included in the bid documents as "additive" items. If sufficient funds are available at the time of award, the additive items would be included. These items involve floor coverings, ceiling tiles, and cabinets.

FISCAL IMPACT: Funding for this conversion project is provided through the Community Development Block Grant Program. The total project budget is \$370,000. The design contract with Wheeler & Wheeler Architects was originally for \$21,400. The additional services would increase the total contract by \$3,800 to \$25,200.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 11-52 amending Agreement No. 11-45 with Wheeler & Wheeler Architects for design services for the Community Center Restroom Conversion and ADA Upgrade Project.

Prepared by:



Reviewed and
Approved by:



Proofed by:

Presented by:

CITY OF MONTCLAIR
AMENDMENT TO AGREEMENT NO. 11-45
WITH WHEELER & WHEELER ARCHITECTS
FOR
COMMUNITY CENTER RESTROOM PROJECT

This agreement is made and entered into this _____ day of _____, 2011, by and between the CITY OF MONTCLAIR, a municipal corporation ("City") and Wheeler & Wheeler Architects, a California Corporation ("Consultant"), and collectively ("Parties").

RECITALS

WHEREAS, Parties have previously entered into Agreement No. 11-45 effective on April 22, 2011, for design consultant services in conjunction with the conversion of a meeting room into restrooms, and existing restrooms into storage rooms in the Community Center; and

WHEREAS, Paragraph 5. PAYMENT of Agreement No. 11-45 specified that compensation for work was to be paid on a time and materials basis with the maximum compensation to be paid under Agreement No. 11-45 not to exceed Twenty-One Thousand, Four Hundred Dollars and no cents (\$21,400.00); and

WHEREAS, Parties mutually agree that there is additional design work to be performed and a need to expand Consultant's services.

NOW, THEREFORE, IT IS AGREED by and between City and Consultant as follows:

AGREEMENT

1. Paragraph 5. PAYMENT is hereby modified to provide that CITY shall pay to CONSULTANT an additional sum of \$3,800.00 (THREE THOUSAND, EIGHT HUNDRED DOLLARS AND NO CENTS) for doing additional prescribed work set forth by CITY, for a total amount not to exceed TWENTY-FIVE THOUSAND, TWO HUNDRED DOLLARS AND NO CENTS.

2. Paragraph 2. SERVICES is hereby modified to include, in addition to the original Exhibit A Scope of Services, Exhibit A-1 Scope of Services, attached hereto.
2. All other terms of Agreement No. 11-52 shall remain the same and be incorporated herein as though fully set forth.

IN WITNESS WHEREOF, the parties hereto execute this Agreement as of the day and year first set forth above.

CONTRACTOR:

CAVALIER CONSTRUCTION

CITY:

CITY OF MONTCLAIR

By _____
Paul Wheeler

_____ Paul M. Eaton/Mayor

Date _____

Date _____

ATTEST:

_____ Donna M. Jackson/City Clerk

Date _____

APPROVED AS TO FORM:

_____ Diane E. Robbins/City Attorney

EXHIBIT A-1

WHEELER & WHEELER

A R C H I T E C T S
ARCHITECTURE INTERIORS PLANNING
133 Spring St., Claremont, CA 91711-4830
(909) 624-5095 (909) 621-7757

May 9, 2011

RE: Additional Services
Restroom and Conference Room Conversion/Remodel
City of Montclair Youth Center
Montclair, CA

Mr. Hudson,

We understand the scope of work was to include two additional rooms which were not identified to us in the original scope of work. We need to write specifications for this, prepare reflected ceiling plans, and follow-up during the course of construction.

Attached is a proposal for these additional services. Please feel free to contact me with any questions or concerns. We look forward to the opportunity of doing business with you. Thank you for your consideration.

Respectfully Submitted,

Paul S. Wheeler
Architect

WHEELER & WHEELER

A R C H I T E C T S
ARCHITECTURE INTERIORS PLANNING
133 Spring St., Claremont, CA 91711-4830
(909) 624-6085 (909) 621-7757

Additional Scope for Youth Center (City of Montclair): Proposed Costs for Architectural Services

Additional Scope	\$ 3,800.00
Room "A" restoration of Lounge: New ceiling, floor, and wall finishes. Window coverings.	
Room "B" conversion to Community Classroom: New ceiling, floor, and wall finishes. Window coverings. Remove existing closet doors and replace with hinged doors. Cabinet replacement, etc.	

Total Cost for Architectural Services	\$ 3,800.00
--	--------------------

Signature of Approval

Date

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT
NO. 11-53 WITH THE SAN BERNARDINO
COUNTY DEPARTMENT OF AGING AND
ADULT SERVICES TO PROVIDE A SENIOR
CITIZEN NUTRITION PROGRAM

**BUSINESS
PLAN:** N/A

DATE: May 16, 2011

SECTION: AGREEMENTS

ITEM NO.: 2

FILE I.D.: HSV105

DEPT.: COMMUNITY DEV.

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 11-53 with the San Bernardino County Department of Aging and Adult Services for the Senior Citizen Nutrition Program. A copy of proposed Agreement No. 11-53 is attached for the City Council's review and consideration.

BACKGROUND: The San Bernardino County Department of Aging and Adult Services has awarded the City a contract to provide a Senior Citizen Nutrition Program for older adults, aged 60 and over. The Fiscal Year 2011-12 grant of \$96,869 would be used for part-time salaries, consultant fees, training, consumable supplies, and catering services needed to operate the program. The City of Montclair is contracted to annually serve 17,517 meals and provide 251 days of service.

The term of proposed Agreement No. 11-53 is July 1, 2011, through June 30, 2012.

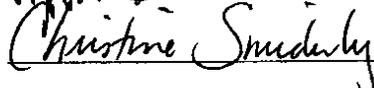
FISCAL IMPACT: Should the City Council approve Agreement No. 11-53, a \$96,869 County grant would be awarded to the City. This funding has been allocated to the City through Title III of the Older Americans Act.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 11-53 with the San Bernardino County Department of Aging and Adult Services to provide a Senior Citizen Nutrition Program.

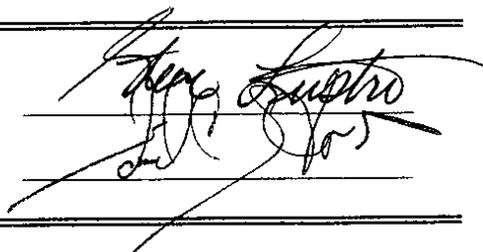
Prepared by:



Proofed by:



Reviewed and
Approved by:



Presented by:



County of San Bernardino

F A S

STANDARD CONTRACT

FOR COUNTY USE ONLY

<input type="checkbox"/> New	Vendor Code	SC	Dept.	A	Contract Number			
<input checked="" type="checkbox"/> Change	CITYOFM731		OOA		10-317 A-2			
<input type="checkbox"/> Cancel								
County Department			Dept.	Orgn.	Contractor's License No.			
Aging and Adult Services			OOA					
County Department Contract Representative			Telephone		Total Contract Amount			
Wendy Everett			(909) 387-2917		\$192,280			
Contract Type								
<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Encumbered <input type="checkbox"/> Unencumbered <input type="checkbox"/> Other:								
If not encumbered or revenue contract type, provide reason:								
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount			
95200		July 1, 2011	June 30, 2012	\$94,010	\$96,869			
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No	Amount		
AAF	OOA	210	200	2445		\$85,012		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
AAF	OOA	235	200	2445		\$11,625		
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.	Amount		
AAF	OOA	280	200	2445		\$232		
Project Name			Estimated Payment Total by Fiscal Year					
Elderly Nutrition Services			FY	Amount	I/D	FY	Amount	I/D
Program			11/12	\$96,869	I			

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

Name
City of Montclair
 Address
5111 Benito Street
Montclair, CA 91763
 Telephone
(909) 626-8571
 Federal ID No. or Social Security No.
95-6005731

hereinafter called Contractor

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 2

It is hereby agreed to amend Contract No. 10-317 as follows:

V. FISCAL PROVISIONS

Paragraph A is amended to read as follows:

- A. The maximum amount of funds available for payment under this Contract shall not exceed \$192,280 of which \$178,273 may be federally funded, and shall be subject to availability of funds to the County. The consideration to be paid to Contractor shall be in full payment for all Contractor's services and expenses incurred in the performance hereof, including travel and per diem.

Auditor/Controller-Recorder Use Only

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

Paragraph B is amended to read as follows:

- B. Contractor shall be compensated on a fee-for-service basis based on the following rate, as specified in Scope of Work (Attachment A):

Fiscal Year 2011/12 Congregate Site: \$5.53 per meal, up to 17,517 meals

Paragraph M, item 1 is amended to read as follows:

- M. Matching contributions

- 1. The Contractor shall provide in-kind matching contributions of a minimum of \$10,762, which is the Title III portion of the Contract multiplied by 11.11%.

VIII. TERM

This Contract is effective as of July 1, 2010, and is extended from its original expiration of June 30, 2011, to expire on June 30, 2012, but may be terminated earlier in accordance with provisions of Section IX of the Contract.

IX. EARLY TERMINATION

Paragraph A is amended to read as follows:

- A. The County may terminate the Contract immediately in the event that funds are not available to the County pursuant to Section V, Paragraph A of this contract and/or under the provisions of Section VII, Paragraph B, Item 5 of the Contract. In addition, the Contract may be terminated without cause by the County by serving a written notice to the Contractor thirty (30) days in advance of termination. The Director of DAAS is authorized to exercise the County's rights with respect to any termination of this Contract.

ATTACHMENT A – SCOPE OF WORK: Fiscal Year 2011-12 is added to this Contract.

ATTACHMENT B – BUDGET – Fiscal Year 2011-12 is added to this Contract.

All other terms and conditions remain in full force and effect.

COUNTY OF SAN BERNARDINO

City of Montclair

▶

Josie Gonzales, Chair, Board of Supervisors

By: ▶

(Authorized signature - sign in blue ink)

Dated: _____

Name: Paul M. Eaton
(Print or type name of person signing contract)

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Laura H. Welch
Clerk of the Board of Supervisors
of the County of San Bernardino

Title: Mayor
(Print or Type)

Dated: _____

By _____
Deputy

Address 5111 Benito Street
Montclair, CA 91763

ATTEST: _____
Yvonne L. Smith
Deputy City Clerk

Approved as to Legal Form
▶

Jacqueline Carey-Wilson, County Counsel
Date _____

Reviewed by Contract Compliance
▶

Lory Klopfer, Contracts Manager
Date _____

Presented to BOS for Signature
▶

Colleen Krygier, Director
Date _____

Auditor/Controller-Recorder Use Only

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San Bernardino County
Elderly Nutrition Program
Scope of Work

This Scope of Work contains the measurable objectives mandated by the Department of Aging and Adult Services (DAAS) and the California Department of Aging (CDA) required of the Elderly Nutrition Program (ENP) Provider. The Scope of Work specifies and establishes monthly, quarterly, and annual time frames and constitutes the primary document for on-going monitoring and annual Program and Fiscal monitoring. It will be used to measure the Provider's efforts towards providing quality nutrition services.

Contractor: City of Montclair

Service Area: Montclair

I. Program Description:

- A. Purpose – The purpose of the ENP is to provide nutrition services as described in the Older Americans Act (OAA) of 1965, as amended, and to assist older individuals in California to live independently, by promoting better health through improved nutrition, and reduced isolation through programs coordinated with nutrition-related supportive services.
- B. Definition – Nutrition Services means the procurement, preparation, transport, and service of meals, nutrition education, nutrition screening, and nutrition counseling, to eligible individuals at congregate sites or in their homes.
- C. Goals – to maintain or improve the physical, psychological, and social well being of older individuals, by providing or securing appropriate nutrition services.
- D. Objectives:
 - 1. Give preference to older individuals in greatest economic or social need with particular attention to low-income minority individuals.
 - 2. Serve meals that provide one-third (1/3) of the Recommended Dietary Allowances (RDA's) and are safe and of good quality.
 - 3. Promote and maintain high food safety and sanitation standards.
 - 4. Promote good health behaviors through nutrition education and nutrition screening of participants.
 - 5. Promote or maintain coordination with other nutrition-related supportive services for older individuals.
- E. Target Population – The ENP Provider shall target individuals who are sixty (60) years of age or older, minorities, low income and living in rural areas of the County of San Bernardino.

II. Eligibility for Nutrition Services:

- A. Congregate Meals – Individuals eligible to receive a meal at a congregate nutrition site are:
 - 1. Any older individual.
 - 2. The spouse of any older individual.
 - 3. A person with a disability, under age sixty (60) who resides in housing facilities occupied primarily by older individuals at which congregate nutrition services are provided.
 - 4. A disabled individual who resides at home with and accompanies an older individual who participates in the program.
- B. Volunteer Meals:
 - 1. A volunteer under age sixty (60) may be offered a meal if doing so will not deprive an older individual of a meal.
- C. Home-Delivered Meals – Individuals eligible to receive a home-delivered meal are:
 - 1. Any older individual who is frail, as defined below, and homebound by reason of illness, disability, or isolation:
 - a) "Frail" means that an older individual is determined to be functionally impaired because the individual either:
 - (1) Is unable to perform at least two (2) activities of daily living, including bathing, toileting, dressing, feeding, breathing, transferring and mobility and associated

San Bernardino County
Elderly Nutrition Program
Scope of Work

tasks, without substantial human assistance, including verbal reminding, physical cueing or supervision.

- (2) Due to a cognitive or other mental impairment, requires substantial supervision because the older individual behaves in a manner that poses a serious health or safety hazard to the individual or to others.
2. A spouse of a person in sub-section (C)(1) above, regardless of age or condition, if an assessment concludes that it is in the best interest of the homebound older individual.
3. An individual with a disability who resides at home with older individuals if an assessment concludes that it is in the best interest of the homebound older individual who participates in the program.
4. Priority shall be given to older individuals in sub-section (C)(1) above.

III. Requirements for Nutrition Services:

A. Congregate Meals:

1. Each Congregate Meal Provider shall:
 - a) Include procedures for obtain the views of participants about the services received.
 - b) Not preclude the service of a meal to a participant who has failed to make a reservation when food is available.
 - c) Ensure each Congregate Meal participant completes sections I and IV of the Client Intake Sheet (provided by DAAS) on the first day of service and annually thereafter.
 - d) Maintain appropriate documentation on each client. Documentation shall be kept on file to be monitored by DAAS.
2. Each Congregate Meal site shall meet all of the following:
 - a) Have a paid staff or volunteer designated to be responsible for the day-to-day activities at each site, and physically be on-site during the time that ENP activities are taking place.
 - b) Have restrooms, lighting, and ventilation, which meet the requirements of CURFFL.
 - c) Have equipment, including tables and chairs that are sturdy and appropriate for older individuals. Tables shall be arranged to assure ease of access and encourage socialization.

B. Home-Delivered Meals:

1. Develop and implement criteria to assess the level of need for home-delivered nutrition services of each eligible participant.
 - a) An initial determination of eligibility may be accomplished by telephone. This initial contact with the participant shall include completion of sections I, II, III, and IV of the Client Intake Sheet (provided by DAAS).
 - b) A written assessment shall be done in the home within two (2) weeks of beginning meal service, and shall include an assessment of the type of meal appropriate for the participant in their living environment.
 - c) An older individual eligible for receiving home-delivered meals shall be assessed for need of nutrition-related supportive services, and referred as necessary.
 - d) Re-assessment of need shall be determined quarterly. Such re-assessment shall be done in the home of the participant at least every other quarter. Each quarter's re-assessment shall include completion of sections I, II, III, and IV of the Client Intake Sheet (provided by DAAS).
2. Provide written instructions, in the language of the majority of the participants, for handling and re-heating of the meals.
3. Establish a waiting list for home-delivered meals whenever the home-delivered meal providers are unable to provide meals to all eligible individuals. The decision to place eligible recipients of a home-delivered meal on a waiting list, and their position on such a list, shall be based on greatest need and-or in accordance with policy established by the home-delivered meal provider, in consultation with DAAS.

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4. Provide home-delivered meals in pre-packaged divided trays (hot or frozen meals).
5. Maintain appropriate documentation on each client. Documentation shall be kept on file to be monitored by DAAS.

IV. Program Outcomes:

A. Total Number of Meals to be Served: 17,517**

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

Program: C-1 (Congregate Meals)	Program C-2 (Home-Delivered Meals)
# of Days of Service: 251	# of Days of Service:
Number of Meals: 17,517	Number of Meals:
Sites to be Served: Montclair Community/Senior Center	Areas to be Served:

V. Staffing:

A. Manager or Director:

1. The ENP provider shall have a manager on staff who shall conduct the day-to-day management and administrative functions of the ENP, and either have (1), (2), or (3):
 - a) Possess an associate degree in institutional food service management, or a closely related field, such as, but not limited to, restaurant management, plus two (2) years experience as a food service supervisor, or,
 - b) Demonstrate experience in food service, such as, but not limited to, cooking at a restaurant, and within twelve (12) months of hire successfully complete a minimum of twenty (20) hours specifically related to food service management, business administration, or personnel management at a college level. Prior to completion of meeting the hours, this individual's performance shall be evaluated through quarterly monitoring by a registered dietitian, or,
 - c) Two years experience managing food services. Such experience shall be verified and approved by a registered dietitian prior to hire.
2. The ENP Provider shall maintain documentation on file of the qualifications of the Program Manager or staff.
3. If the Provider has more than one site, the Manager/Director shall monitor the sites on a bi-monthly basis. The bi-monthly visit shall be for the purpose of monitoring the food service practices of the employees and the implementation of the program requirements at the site level. Documentation of each visit shall be maintained on file for DAAS review.

B. Personnel – Paid Staff/Volunteers:

1. There shall be sufficient qualified paid staff or volunteer staff with the appropriate education and experience to carry out the requirements of the ENP. The total number of staff should be based on the method and level of services provided and size of the service area.
2. Contractor is encouraged to hire multi-lingual/multi-cultural staff to increase low-income and ethnic minority program participation in accordance with federal mandates.
3. Contractor shall recruit for vacant positions in an open and competitive application process free of discriminatory questions. Written job descriptions for all paid and volunteer staff shall be maintained.
4. Contractor shall complete a written work performance evaluation on all paid and volunteer staff at least annually.
5. All staff, paid and volunteer, that will be handling food must be in possession of a current Food Handlers Card.
6. Volunteers shall be recruited and used in any phase of the program operation where qualified.

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7. Volunteers shall be screened and selected through a formal process that assesses their capabilities.
8. Volunteers shall receive the same training as paid staff.
9. Volunteers that are paid through other job training programs are not considered volunteers and must be paid the agreed upon rate charged for regular paid staff.
10. The ENP Provider shall maintain a written Volunteer Policy that describes how volunteers are recruited, screened, what topics they are taught at orientation, and how often their performance is evaluated.

C. Registered Dietitian:

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

VI. Staff Training Activities:

- A. A yearly written Staff Training Plan shall be developed, implemented, and maintained on file by the ENP Provider, as required in Title 22, Division 1.8, Section 7636.7(c).
- B. The Provider's Registered Dietitian shall review and approve the content of the Plan prior to presentation.
- C. The Staff Training Plan must identify who is to be trained, who will conduct the training, content of the training, and when it is scheduled.
- D. A copy of the Staff Training Plan that has been approved by the Provider's Registered Dietitian must be submitted to DAAS by September 1st of the FY it is being provided in. The DAAS Registered Dietitian will review and approve the Staff Training Plan and return it to the Provider. The DAAS approved Staff Training Plan must be kept on file.
- E. A minimum of four (4) hours of staff training shall be provided annually for paid and volunteer food service staff, including congregate and home-delivered meal staff.
- F. Training sessions shall be evaluated by those receiving the training.
- G. The ENP Provider shall maintain documentation of each training session on file. Documentation includes, but is not limited to, sign-in sheets, agendas, handouts, and completed evaluations.
- H. All staff, paid and volunteer, shall be oriented and trained to perform their assigned responsibilities and tasks. Training, at a minimum, shall include:
 1. Food safety, prevention of food borne illness, and HACCP principles.
 2. Accident prevention, instruction on fire safety, first aid, choking, earthquake preparedness, and other emergency procedures.
 3. Elder Abuse Law and reporting procedures.

VII. Senior Participants:

A. Satisfaction Survey:

1. The ENP Provider shall conduct a Client Satisfaction Survey at least annually. The Survey instrument must be approved by DAAS prior to its use, and all findings from the Survey must be used to improve services. The Provider must keep the completed Surveys and the tabulated results on file. A copy of the tabulated results must be submitted to DAAS by March 3rd of the FY it is being conducted for.

B. Complaint Procedures:

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1. Each Provider shall have a written Complaint Procedure.
 2. The Complaint Procedure will be available for the participants and will provide them the opportunity to provide positive as well as negative feedback to the Program Manager.
 3. The Provider shall have an assessment tool readily accessible for the seniors attending the congregate site or receiving a home-delivered meal.
- C. Nutrition Education Services for Participants:
1. Nutrition Education shall be provided a minimum of four (4) times per year to participants in congregate and home-delivered meal programs.
 - a) Nutrition Education for congregate sites is defined as demonstrations, presentation, lectures or small group discussions, all of which may be augmented with printed materials.
 - b) Nutrition Education for home-delivered meal participants may consist solely of printed material that is in conjunction with a congregate meal Nutrition Education presentation.
 2. Nutrition Education shall be based on the particular need of congregate and home-delivered meal participants. An annual Needs Assessment shall be performed by the ENP Provider to make this determination.
 3. The Nutrition Education Plan and annual Needs Assessment must be submitted to DAAS by September 1st of the FY it is being provided in.
 4. Nutrition Education sessions must be reported monthly to DAAS using the Nutrition Education Monthly Service Unit Report.

Nutrition Education Units of Service:

Program: C-1 (Congregate Meals)	Program: C-2 (Home-Delivered Meals)
# of Units to be Provided: 583	# of Units to be Provided:
# of Sites to be Presented at: 1	# of Participants to be Presented to:

VIII. Menu Planning Guidelines/Menu Requirements:

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

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1. Table one (1) represents the most current Dietary Reference Intakes (DRI) values and daily compliance range for target nutrients. The values provided are based on the U.S. Department of Agriculture (USDA) Food Guide calculated for one (1) meal for a woman over seventy (70) years of age whose activity level is sedentary. This example represents a majority of the older adult population served by the ENP statewide.
 - a. The nutrients selected for this Table are based on the target nutrients to:
 - i. Promote health and prevent disease
 - ii. Prevent deficiencies
 - iii. Indicate diet quality
 - iv. Manage disease

Table 1
Target Nutrients

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

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

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

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

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

7. Component Meal Pattern Requirements:
1. The California 1600-calorie component meal pattern has been developed to reflect the new DGA requirements for those programs that are not using computerized nutrient analysis.
 2. The ENP Provider has the discretion to allow occasional flexibility in planning meals that may not meet the meal pattern, but does meet the nutrient value requirements. Fortified food products and combination dishes used in a menu may not match the meal pattern, but may provide for the required nutrient values. For example, a fortified snack bar as a dessert could be used to boost the nutrient value of a boxed lunch or special occasion meal.
 3. Items that provide the following target nutrients should be identified on the menu when using a component meal pattern template:
 - a. Vitamin C – Provide one-third (1/3) of the DRI for vitamin C each meal – 25 mg (for a 1600-calorie menu).
 - b. Vitamin A – Provide one-third (1/3) of the DRI for vitamin A at least three (3) times per week, 250 µg (for a 1600-calorie menu).
 - c. Sodium – meals that contain over 1,000 mg of sodium must be noted on the menu as a high sodium meal.
 4. Table two (2) describes the elements in the California 1600-calorie meal pattern. Serving sizes are based on the USDA Food Guide Pyramid. This sample component meal pattern does not assure that meals meet one-third (1/3) of the DRI's and the DGA. Meals will require specific types of fruits and vegetables, whole grains, and high fiber foods in order to assure the target nutrients are provided. The component meal pattern may be deficient in vitamins E, B12, and Zinc, requiring additional nutrition education for participants on the selection of foods that are good sources of these nutrients.
 - a. The meal pattern in Table two (2) below is based on the minimum requirements for a sedentary female 70 years of age. If the majority of the population served by a provider falls within another requirement range (i.e. active 60 year old men), the serving sizes and minimum number of servings required can be adjusted to meet the service population. ENP Providers should verify the population served and develop menu criteria accordingly.

Table 2
California 1600 Calorie per Day Component Meal Pattern
Minimum Recommended Elements

Food Group	Required servings for 550 calories per meal	Serving sizes for 1600 calorie level
Lean meat or beans	1 serving 2 ounces per meal	2 ounces = 1 serving
Vegetable	1 – 2 servings	½ cup = 1 serving
Fruit	1 serving	½ cup = 1 serving
Bread or Grain At least ½ whole grain	1 – 2 servings	1 slice Bread = 1 serving ½ cup of rice or pasta = 1 serving
Low-fat milk or milk alternate	1 serving	1 cup or equivalent measure

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Fat	Optional	
Dessert	Optional - limit sweets use fruit	Select foods high in fiber and low in fat and sugar

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

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

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

1. Protein – meat, fish, poultry, legumes, eggs, and cheese:
 - a) A minimum of 2.0 ounces of cooked, edible portions of meat, fish, poultry, legumes, eggs, cheese, (or a combination thereof) providing at least 14 grams of protein. Programs should consider the preferences of the participants they serve.
 - b) Legumes should not be counted as both vegetable and protein. ENP Providers may use other protein sources to provide the occasional vegetarian meal.
2. Vegetables (1-2 ½ cup servings):
 - a) Vegetables as a primary ingredient in soups, stews, casseroles, or other combination dishes should total ½ cup per serving.
 - b) Raw leafy vegetables (salads) should equal 1-cup if they are to be considered a serving.
3. Fruit (1 serving):
 - a) A serving of fruit equals:
 - (1) 1 medium sized whole fruit
 - (2) ½ cup fresh, chopped, cooked, frozen, or canned drained fruit
 - (3) ½ cup 100% fruit juice
 - b) Fresh, frozen, or canned fruit should be packed in juice, light syrup, or without sugar. Fruit packed in high sugar content syrup may be rinsed before using.
4. Breads/Grains (1 ounce equivalent serving):
 - a) One-half of the daily intake of grains should be from whole grains. Grains that are processed (not whole) must be fortified.
5. Milk (8 fl. oz.):
 - a) Each meal shall contain eight (8) fluid ounces of fortified skim, low fat, or buttermilk. If religious preference precludes the acceptance of milk with the meal, it may be omitted from the menu (however, an equivalent substitute must be used).
6. Fat (Optional):
 - a) Each meal may contain fat components to increase the palatability and acceptability of the meal.
 - b) When selecting and preparing meat, poultry, dry beans, and milk or milk products, make choices that are lean, low fat, or fat free.
 - c) Consume less than 10% of calories from saturated fatty acids and less than 300 mg/day of cholesterol, and keep trans fatty acid consumption as low as possible.
 - d) Keep total fat intake between 20 to 35 percent of calories, with most fats coming from sources of polyunsaturated and monounsaturated fatty acids such as fish, nuts, and vegetable oils.
7. Dessert (Optional):
 - a) Dessert may be provided as an option to satisfy the caloric requirements or for additional nutrients. Use fruit as a dessert as often as possible and limit sweets. The fruit, grains, and dairy products served as dessert can count towards the fruit, grain, or dairy requirements. Desserts that are low in fat and/or low in sugar are encouraged.

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- b) When a dessert contains ½ cup of fruit per serving, it may be counted as a serving of fruit.
 - c) When a dessert contains the equivalent of 1 serving (1 ounce) starches/grains per serving, it may be counted as a serving of starches/grains (example: rice pudding or oatmeal cookie).
 - d) When a dessert contains the equivalent of ½ cup of milk per serving, it may be counted as ½ serving of milk.
8. Condiments and Product Substitutes:
- a) Sugar substitutes, pepper, herbal seasonings, lemon, vinegar, non-dairy coffee creamer, salt, and sugar may be provided, but should not be counted as fulfilling any part of the nutritive requirements.
 - b) Condiments such as salad dressings, ketchup, soy sauce, mustard, and mayonnaise do not need to be counted in a menu analysis if they are served "on the side" and are not combined with the food.
9. Sodium:
- a) The commitment to reduce sodium in the meals stems from the fact that nutrition-related chronic diseases remain the primary cause of death among people aged 65 and older. California has a diverse population, and the ENPs in the State provide culturally appropriate meals for many ethnicities. Asian meals traditionally have higher sodium levels. Programs that choose to provide culturally appropriate meals, but are concerned with the sodium content of the meals, may consider:
 - (1) Using low sodium soy sauce or diluting soy sauce with water to produce low sodium soy sauce;
 - (2) Offering soy sauce as a condiment to be added by the senior;
 - (3) Providing Nutrition Education on sodium;
 - (4) Continuing to work with the sodium levels of meals, making small steps to reduce the risk of developing kidney stones, and possibly decrease bone loss with age;
 - (5) Not providing potassium chloride salt substitutes;
 - (6) Noting meals that have more than 1000 mg of sodium on the menu as such: "This meal contains more than 1000 mg of sodium," or using an icon denoting a high sodium meal; and
 - (7) Using low sodium versions of high sodium foods when available and feasible with budget allowances.
- I. Meal Component/Nutrient Analysis:
- 1. A meal component/nutrient analysis of the entire menu cycle conducted and/or approved by a Registered Dietitian shall be done to ensure compliance with Title 22, Division 1.8, Section 7638.5.
 - a) Computerized Nutrient Analysis Requirements
 - (1) Although not required, use of computerized nutrient analysis is strongly recommended and will help ensure and verify the nutritional adequacy of meals. The goal of assessing nutrient intakes of groups is to determine the prevalence of inadequate or excessive nutrient intakes within a particular group of individuals. While meal patterns serve as a basic framework for menu planning, providers are encouraged to use computerized nutrient analysis because it provides specific information on nutrients the menu may **not** be providing. The information that a menu is not supplying all of the desired nutrients will guide the development of future menus. As required menu elements are expanded, it is more difficult to meet all of the requirements on a daily basis. ENP Providers should focus on:
 - (a) Vitamin A
 - (b) Vitamin C

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- (c) Protein
- (d) Fat
- (e) Sodium
- (f) Fiber

- (2) Not all nutrient guidelines will be met with each meal. However, areas that do not meet the requirements should be the focus of future menu revisions and nutrition education.
- (3) The following nutrients should be included in the analysis when the computerized nutrient analysis method is used: calories; protein; carbohydrates; total fat; saturated fat; total fiber; vitamins A, C, D, E, K, thiamin, riboflavin, niacin, B6, folate, B12, calcium, chromium, copper, iron, magnesium, sodium, and zinc. In addition to meeting one-third of the DRIs, the menus should also follow the DGA.

IX. Food Procurement:

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

X. Food Storage:

- A. Food storage procedures shall comply with Title 22, CRFC standards, and HACCP best practices guidelines.
- B. Adequate and suitable space free from vermin, dirt, and contamination or adulteration shall be provided for the storage of food and beverages, and cooking, serving, and eating supplies.

XI. Food Production:

- A. Food production procedures shall comply with Title 22, CRFC standards, and HACCP best practices guidelines.
- B. Food production and meal service shall be under the supervision of a trained staff in food service management to ensure food service sanitation and the practice of hygienic food handling techniques are followed. This person shall function with the advice of the Provider's Registered Dietitian.
- C. Meals shall be served as indicated on the certified menus. In the event that a menu substitution must occur, the following procedure must be followed:
 - 1. The Provider's Registered Dietitian must approve all menu substitutions.
 - 2. A Menu Substitution Form must be completed and signed by the Provider's Registered Dietitian.
 - 3. The completed Menu Substitution form shall be kept on file for DAAS review.
- D. Production Control:
 - 1. Production schedules or worksheets must be available in the food preparation area.
 - 2. Food shall be prepared in sufficient quantities to serve all participants. Careful planning shall minimize the leftover food and prevent waste.
 - 3. Standardized recipes shall be used to ensure consistency of quality and quantity and adherence to menu guidelines.
 - 4. Appropriate utensils for correct and consistent portion control shall be available and used at each site.

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E. Meal Service/Temperature Monitoring:

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

XII. Food Service Requirements:

- A. The ENP Provider shall ensure that the following forms are available, completed **daily**, and maintained at each nutrition site for a minimum of 12 months:
 1. Food Temperature Log – one should be available for congregate meals and one for home delivered meals if hot foods are delivered to the client.
 2. Cleaning Schedule
 3. Equipment Temperature Log – for all dish machines, refrigerators, and freezers.
 4. Production Schedule – applicable only if food is cooked at the site.
 5. The current Environmental Health inspection shall be available at the site for review.
 6. Staff and volunteers who are handling food shall possess a current food handlers' card that shall be available for review.

XIII. Program Requirements:

- A. Client Intake Sheets:
 1. The ENP Provider will ensure that each participant completes the Client Intake Sheet form (provided by DAAS) to determine his or her level of nutritional risk. Forms shall be completed for:

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- a) Congregate Meal Participants – at the beginning of service and then annually thereafter for clients who remain on the program.
 - (1) Sections I and IV are required for congregate meals.
- b) Home-Delivered Participants – at the beginning of service and then quarterly thereafter for clients who remain on the program.
 - (1) Sections I, II, III, and IV are required for home-delivered meals.
2. ENP Providers who are required to complete their own data entry into the SAMS System must enter the annual and quarterly Client Intake Sheets into the database in a timely manner.
3. ENP Providers who are not required to complete their own data entry must send the Client Intake Sheets to DAAS for data entry into the SAMS System.
- B. Outreach/Marketing Activities:
 1. ENP Providers are required to provide outreach in the community through community organizations and other groups. All outreach and marketing activities shall be documented and kept on file for the annual monitoring visit conducted by DAAS.
 2. ENP Providers shall develop and have handouts, brochures, and/or signs available in languages other than English and posted in locations such as churches, community service locations, and small stores serving the minority communities.
- C. Emergency Procedures:
 1. ENP Providers shall have a written Emergency/Disaster Plan.
 2. Each nutrition site shall have an evacuation plan posted identifying the emergency exits and assembly areas.
 3. Staff must be knowledgeable of emergency procedures.
 4. Where feasible and appropriate, ENP Providers shall make arrangements for the availability of meals to participants during a major disaster, as defined in 42 U.S.C., Chapter 68, Section 5122 (2). Such arrangements shall be included in the Emergency/Disaster Plan.
- D. Donations and Confidentiality:
 1. An Eligible individual who receives a meal shall be given the opportunity to contribute to the cost of the meal.
 2. The ENP Provider shall develop a suggested contribution/donation amount. When developing this contribution/donation amount, the income ranges of the older individuals in the community and the Provider's other sources of income shall be considered.
 3. A sign indicating the suggested contribution for eligible individuals and the fee for guests shall be posted near the contribution container at each congregate meal site. A guest fee shall cover all meal costs.
 4. No eligible individual shall be denied participation because of failure or inability to contribute.
 5. The Provider shall ensure that the amount of the eligible participant's contribution is kept confidential.
 6. The ENP Provider shall establish written procedures to protect contributions and fees from loss, mishandling, and theft (i.e. Contribution/Donation Procedures). Such Procedures shall be kept on file for DAAS review.
 7. All contributions and fees shall be identified as program income and used to increase the number of meals served, to facilitate access to such meals, and to provide nutrition-related supportive services.
- E. "No Soliciting" Sign:
 1. The ENP Provider shall ensure that a "No Soliciting" sign is posted on the door leading to the congregate nutrition site. No soliciting of any kind is permitted on the premises during the lunch hours for services or goods promoted by businesses.

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F. Coordination:

1. If applicable, develop a fair and equitable policy and procedure for referring participants to the appropriate transportation provider for securing public transportation to and from nutrition sites and have the policy available for review by DAAS.
2. Include the following statement on all advertising, brochures, poster, etc., "**Funding for this service has been provided by the San Bernardino County Department of Aging and Adult Services through a grant award from the California Department of Aging.**"
3. Coordinate service with other County departments and local agencies by providing time for presentations or special activities that promote a community based system of care for the participants attending nutrition sites.

G. Reporting:

1. All fiscal and program data must be reported monthly (i.e. Request for Reimbursement, Rosters, Monthly Service Unit Report, etc.). All reports are due to DAAS by the 5th business day of the month following the month of service. DAAS will provide training as needed.
2. The Provider shall maintain support files including, but not limited to, invoices, payroll, Client Intake Sheets, and any other supporting documents to substantiate monthly reports.
3. ENP Providers are required to report all known or suspected cases of elder abuse to DAAS Adult Protective Service or law enforcement immediately by telephone. A written report must be sent within two (2) working days. Abuse of an elder or dependent adult means physical abuse, neglect, intimidation, cruel punishment, fiduciary abuse, abandonment, isolation, or other treatment resulting in physical harm or pain or mental suffering or the deprivation by a care custodian of goods or services which are necessary to avoid physical harm or mental suffering.
4. Maintain records, by month, that support claimed in-kind expenditures.
5. Report expenditures funded with Deferred Income by September 30th of the FY in which it is being claimed.
6. Develop and have on hand for review by DAAS, a cost allocation plan which explains the methods used to allocate costs between congregate and home-delivered meals or any other program funded by DAAS.
7. In the event additional funds become available, the Provider will use the funds to increase the number of meals being provided to participants by either increasing the number of individuals attending its present sites, or by opening new sites in communities not already served by the Provider. Exceptions to this requirement must be fully documented in writing and submitted to the Director of DAAS for prior approval.
8. Other Reporting Requirements:
 - a) SAMS (Social Assistance Management System):
 - (1) The following reports are to be completed and submitted to DAAS by the 5th business day of the month following the month of service if the Provider is serving **less than 500 clients** per month:
 - (a) Client Intake Sheets, for any new clients or any annual or quarterly assessments completed in the month.
 - (b) Meal Rosters
 - (2) Providers that are serving **more than 500 clients** shall secure the appropriate licensing, have a dedicated staff responsible for maintaining the client tracking software, obtain and maintain an Internet Service Provider and the appropriate hardware that can support the program. These Providers shall be responsible for entering the following data into SAMS by the 5th business day of the month following the month of service:

San Bernardino County
Elderly Nutrition Program
Scope of Work

- (a) Client Intake Sheets for any new clients or any annual or quarterly assessments completed in the month.
 - (b) Rosters
 - (c) Routes (if applicable)
 - b) Nutrition Education Monthly Service Unit Report
 - (1) The Nutrition Education Monthly Service Unit Report is a tool that is used to report the number of Nutrition Education service units that have been provided to participants. This report is to be completed and submitted to DAAS by the 5th business day of the month following the month of service. Copies of any handouts presented to the participants as a component of the Nutrition Education shall be attached to the Nutrition Education Monthly Service Unit Report.
- H. Disposal of Equipment:
- 1. If the Provider wishes to dispose of equipment purchased with Nutrition grant funding, they must submit a request, in writing, to DAAS. The request shall state the equipment description, the location of the equipment, and the reason for disposal.
 - 2. Provider shall submit a list of equipment purchased with grant funding by location.

CITY OF MONTCLAIR
BUDGET LINE ITEMS FOR NUTRITION SERVICES
 Fiscal Year 2011/2012

CONGREGATE SITES C-1

HOME DELIVERED MEALS C-2

Section I: Prepare this section based on annual estimated cost to serve the meals.

		a	b	C=a+b
		Cost to Provider for the year		
Expenditure Category:		Cash	In-Kind	Annual Expense
1	Personnel	68,294	48,500	116,794
2	Staff Travel & Training	400		400
3	Equipment			
4	Consultants	2,000		2,000
5	Catered Food	76,713		76,713
6	Raw Food			
7	Other Expenses:			
	a. Consumable Supplies	9,763		9,763
	b. Insurance	5,000		5,000
	c. Repair & Maintenance			
	d. Rent/Building Space			
	e. Utilities			
	f. Vehicle Operations	7,650		7,650
	g. Miscellaneous	2,090		2,090
8.	Indirect Cost			
9.	Nutrition Education	232		232
Total Expenditures (add lines 1-9)		172,142	48,500	220,642

County Contract Revenue Sources:			
Title IIC	85,012		85,012
NSIP	11,625		11,625
One Time Only			
CDBG - DAAS			
CDBG -ECD			
County Funding			
Nutrition Education	232		232
Total County Contract Revenue Sources	96,869		96,869

Other Revenue Sources:			
Program Income	27,656		27,656
Deferred Income			
Matching Cash	47,617		47,617
Matching In-Kind	48,500		48,500
Non-Match Cash			
Non-Match In-Kind			
Total Other Revenue Sources	123,773		123,773
Total Revenue	220,642		220,642

Section II: Prepare this section based on estimated number of meals that will be served multiplied by meal cost per unit.

D	E	f=d*e
Estimated annual number of meals	Proposed meal cost per unit	Annual Budget
17,517	\$5.53	\$96,869

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 11-2906 AUTHORIZING MAYOR PAUL M. EATON TO SIGN PROGRAM SUPPLEMENT NO. N006 TO ADMINISTERING AGENCY- STATE AGREEMENT NO. 08-5326R	DATE: May 16, 2011 SECTION: RESOLUTIONS ITEM NO.: 1 FILE I.D.: SSP301 DEPT.: PUBLIC WORKS
---	--

REASON FOR CONSIDERATION: In order to use federal funds identified by Congress for improvements on Mission Boulevard, the state requires the City adopt a Resolution designating and authorizing an individual to sign a program supplemental agreement. A copy of proposed Resolution No. 11-2906 authorizing Mayor Paul M. Eaton to sign Program Supplement No. N006 to Administering Agency-State Agreement No. 08-5326R is attached for the City Council's review and consideration.

BACKGROUND: When the City began work on the Monte Vista Avenue/Union Pacific Railroad Grade Separation project in 2001, all funding required for the project was to have been provided by the state. The City was able to complete the state environmental process and design, and begin the right-of-way acquisition. By 2003, however, the state had withdrawn most of the funding due to state budget issues, leaving the grade separation project well short of funds. In 2005, partial funding was restored and the City was able to reinstate right-of-way acquisition. Most of the right-of-way had been acquired before the state money ran out in 2010.

The City approached the San Bernardino Associated Governments (SANBAG) with a request for supplemental funding to complete the right-of-way acquisition. SANBAG was not able to provide funding directly to the project. The only funds SANBAG had available were federal dollars that required federal environmental clearance. While the City will eventually have to have federal environmental clearance for construction funds, it did not have the necessary clearance at the time. Therefore, SANBAG was not able to contribute to the project. SANBAG instead proposed a contribution of federal dollars to the Mission Boulevard Corridor Improvement Project, a project that already had federal environmental clearance, provided the money intended to fund that project could be moved to the Monte Vista Avenue project. The City Council, by Resolution No. 10-2826, and the Redevelopment Agency, by Resolution No. 10-03, made the necessary findings to move the money originally intended for the Mission Boulevard Corridor Improvement Project to the grade separation project in exchange for SANBAG providing funds for Mission Boulevard. SANBAG has made \$551,000 of federal money available for this project.

The City recently obtained approval from the California Department of Transportation to advertise the Mission Boulevard Corridor Improvement Project, Phase 9. The limits of this

Prepared by: <u>M. STAATS</u>	Reviewed and Approved by: <u>M. STAATS</u>
Proofed by: <u>all vj</u>	Presented by: _____

phase, the last phase of Mission Boulevard improvements, extend from Pipeline Avenue on the east to the County line at Pomona on the west. In order to use these funds, the state requires the City to execute a supplemental agreement, which is attached to this report. The state also requires the City to designate by resolution an individual authorized to sign the supplemental agreement. Resolution No. 11-2906 designates and authorizes Mayor Paul M. Eaton to sign the supplemental agreement.

FISCAL IMPACT: The federal money available for this phase of the Mission Boulevard Corridor Improvement Project is \$551,000. The overall cost estimate for Phase 9 is approximately \$1.3 million. Failure to sign the supplemental agreement will eliminate the City's being able to obtain federal reimbursement for \$551,000. The remaining funds will be made up of a combination of Measure I and Redevelopment Agency funds.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 11-2906 authorizing Mayor Paul M. Eaton to sign Program Supplement No. N006 to Administering Agency-State Agreement No. 08-5326R.

RESOLUTION NO. 11-2906

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR AUTHORIZING
MAYOR PAUL M. EATON TO SIGN PROGRAM
SUPPLEMENT NO. N006 TO ADMINISTERING
AGENCY-STATE AGREEMENT NO. 08-5326R**

WHEREAS, funds available under the Transportation Enhancement Program of the Intermodal Surface Transportation Efficiency Act have been made available to the City by San Bernardino Associated Governments; and

WHEREAS, before federal funds will be made available for a specific program project, the local agency and state are required to enter into an agreement to establish terms and conditions applicable to the local agency when receiving federal funds for a designated project facility and to the subsequent operation and maintenance of that completed facility; and

WHEREAS, the City has previously entered into a master agreement for administering such contracts, known as Administering Agency-State Agreement No. 08-5326R; and

WHEREAS, the master agreement requires a supplemental agreement for each new project; and

WHEREAS, the state requires the local agency to designate by resolution the appropriate City official to sign the supplemental agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby designate Mayor Paul M. Eaton as the local agency official authorized to sign Program Supplement No. N006 to Administering Agency-State Agreement No. 08-5326R.

APPROVED AND ADOPTED this 16th day of May, 2011.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 11-2906 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 16th day of May, 2011, and that it was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Donna M. Jackson
City Clerk

PROGRAM SUPPLEMENT NO. N006
to
ADMINISTERING AGENCY-STATE AGREEMENT
FOR FEDERAL-AID PROJECTS NO 08-5326R

Date: April 14, 2011
Location: 08-SBD-0-MCL
Project Number: RPSTPLE-5326(015)
E.A. Number: 08-0G0574 0800020168
Locode: 5326

This Program Supplement hereby adopts and incorporates the Administering Agency-State Agreement for Federal Aid which was entered into between the Administering Agency and the State on 08/14/08 and is subject to all the terms and conditions thereof. This Program Supplement is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the Administering Agency on _____
(See copy attached).

The Administering Agency further stipulates that as a condition to the payment by the State of any funds derived from sources noted below obligated to this PROJECT, the Administering Agency accepts and will comply with the special covenants or remarks set forth on the following pages.

PROJECT LOCATION:

Mission Blvd from Los Angeles County line to Pipeline Ave (Phase 9)

TYPE OF WORK: Landscaping and Road Rehabilitation (non-participating)

LENGTH: 0.0(MILES)

Estimated Cost	Federal Funds		Matching Funds	
	L22E		LOCAL	OTHER
\$1,449,631.00	\$551,000.00		\$73,309.00	\$825,322.00

CITY OF MONTCLAIR

STATE OF CALIFORNIA
Department of Transportation

By Paul M. Eaton
Title Mayor
Date _____

By _____
Chief, Office of Project Implementation
Division of Local Assistance
Date _____

Attest
Yvonne L. Smith, Deputy City Clerk

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Tran Quoc Lee Date 4/15/11 \$551,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

SPECIAL COVENANTS OR REMARKS

1. The ADMINISTERING AGENCY will advertise, award and administer this project in accordance with the current published Local Assistance Procedures Manual.
2. This PROJECT is programmed to receive Federal Transportation Enhancement Activities (TEA) fund. The ADMINISTERING AGENCY agrees that any functional or operational change to a TEA PROJECT, before, during or after PROJECT acquisition and/or construction, that does not comply with, or is in conflict with, the TEA program requirements and the original purpose of the project at the time it was programmed may render the PROJECT ineligible for Federal reimbursement and ADMINISTERING AGENCY may be required to reimburse STATE the entire amount of TEA funds contributed to the project or the value of the TEA fund contribution, based upon the fair market value of the acquisition and/or construction, at the time the conflict and/or non-compliance is determined, whichever is greater.
3. This PROJECT is programmed to receive funding from the State Transportation Improvement Program (STIP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. The start of reimbursable expenditures is restricted to the later of either 1) the effective date of the Master Agreement, 2) the effective date of the PROGRAM SUPPLEMENT, or 3) the effective date of the component specific allocation.

4. STATE and ADMINISTERING AGENCY agree that additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE approved Allocation Letter and Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.
5. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. An approved time extension will revise the timely use of funds criteria, outlined above, for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components, made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof.

Documentation for approved supplementary allocations, time extensions, and fund transfers between components, will be a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

6. This PROJECT will be administered in accordance with the CTC STIP guidelines, as

SPECIAL COVENANTS OR REMARKS

adopted or amended, and the STATE Procedures for Administering Local Grant Projects in the State Transportation Improvement Program (STIP), the Local Assistance Program Guidelines, and the Local Assistance Procedures Manual. The submittal of invoices for project costs shall be in accordance with the above referenced publications and the following.

7. The ADMINISTERING AGENCY shall invoice STATE for environmental & permits, plans specifications & estimate, and right-of-way costs no later than 180 days after the end of last eligible fiscal year of expenditure. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion to make the final payment to the contractor and prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.
8. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement are available only upon the passage of the State Budget Act containing these STATE funds.
9. ADMINISTERING AGENCY agrees that it will only proceed with work authorized for specific phase(s) with an "Authorization to Proceed" and will not proceed with future phase(s) of this project prior to receiving an "Authorization to Proceed" from the STATE for that phase(s) unless no further State or Federal funds are needed for those future phase(s).
10. This PROJECT is subject to the timely use of funds provisions enacted by Senate Bill 45 (SB 45), approved in 1997, and subsequent CTC guidelines and State procedures approved by the CTC and STATE, as outlined below:

Funds allocated for the environmental & permits, plan specifications & estimate, and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and complete the construction or vehicle purchase contract within 36 months of award.

11. ADMINISTERING AGENCY agrees, as a minimum, to submit invoices at least once every six months commencing after the funds are encumbered for each phase by the execution of this Project Program Supplement Agreement, or by STATE's approval of an applicable Finance Letter. STATE reserves the right to suspend future authorizations/obligations for Federal aid projects, or encumbrances for State funded projects, as well as to suspend invoice payments for any on-going or future project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six-month period.

SPECIAL COVENANTS OR REMARKS

If no costs have been invoiced for a six-month period, ADMINISTERING AGENCY agrees to submit for each phase a written explanation of the absence of PROJECT activity along with target billing date and target billing amount.

ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current Local Assistance Procedures Manual.

12. The Administering Agency shall not discriminate on the basis of race, religion, age, disability, color, national origin, or sex in the award and performance of any Federal-assisted contract or in the administration of its DBE Program Implementation Agreement. The Administering Agency shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of Federal-assisted contracts. The Administering Agency's DBE Implementation Agreement is incorporated by reference in this Agreement. Implementation of the DBE Implementation Agreement, including but not limited to timely reporting of DBE commitments and utilization, is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Administering Agency of its failure to carry out its DBE Implementation Agreement, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
13. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting

SPECIAL COVENANTS OR REMARKS

Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

14. Award information shall be submitted by the ADMINISTERING AGENCY to the District Local Assistance Engineer within 60 days of project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract.

Failure to do so will cause a delay in the State processing invoices for the construction phase. Please refer to Section 15.7 "Award Package" of the Local Assistance Procedures Manual.

15. As a condition for receiving federal-aid highway funds for the PROJECT, the Administering Agency certifies that NO members of the elected board, council, or other key decision makers are on the Federal Government Excluded Parties List System (EPLS).

**MINUTES OF THE MEETING OF THE MONTCLAIR
CODE ENFORCEMENT COMMITTEE HELD ON
MONDAY, APRIL 18, 2011, AT 6:03 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 6:03 p.m.

II. ROLL CALL

Present: Council Members Paulitz; Council Member Dutrey; City Manager Starr; Police Chief Jones; Director of Community Development Lustro

Absent: Mayor Eaton (excused)

III. APPROVAL OF MINUTES

A. Minutes of Code Enforcement Committee Meeting of March 21, 2011

It was the consensus of the Code Enforcement Committee to approve the minutes of the Code Enforcement Committee meeting of March 21, 2011.

IV. PUBLIC COMMENT - None

V. OLD BUSINESS

A. Director of Community Development Lustro updated the Committee on the status of a marijuana dispensary that was located at 4027 Holt Boulevard, advising that the business voluntarily moved out of the property and the building is now vacant.

B. Director of Community Development Lustro reported on the marijuana dispensary located at 4238 Mission Boulevard. Staff first became aware of the site in mid-March and performed a site visit on March 31, 2011, at which time verbal notice was given to the business owner and property owner that the business is prohibited. A letter was sent to both parties by the City Prosecutor today giving them until May 2, 2011, to vacate.

Council Member Paulitz asked if the City could have utility service disconnected once the property is vacated.

Director of Community Development Lustro answered, "No, we are not allowed to do that."

- C. Director of Community Development Lustro updated the Committee on the "40 Days For Life" protest at 5050 San Bernardino Street. The protest will continue until Easter, and there are several items to revisit related to future protests, such as allowing the organization to attach signs to trees and parked vehicles. Staff attempted to strike a balance between the group's First Amendment rights and the Montclair Municipal Code.

Council Member Paulitz noted he visited the site and observed no problems.

- D. Director of Community Development Lustro updated the Committee on the status of previously mentioned problem properties:
- 11096 Central Avenue - Owner saved property from foreclosure and promised to take care of the violations.
 - 5514 Holt Boulevard - Owner getting estimates to demolish the buildings on the property.
 - 4200 Mission Boulevard (former Trella Motel) - Ongoing problems; going to reinstate Code Enforcement action.
 - 4773 State Street - Excessive junk and debris in yard.
 - 4911 Grand Avenue - A *Notice to Abate a Public Nuisance* was posted today on the property, which is in foreclosure.

VI. NEW BUSINESS

- A. Director of Community Development Lustro reported on Code Enforcement priorities for the next 60 days. The focus will be cleaning up the most offensive appearance code violations, such as peeling paint, weeds, cars parked on lawns, etc., the impact of which has already been seen.

Council Member Paulitz asked how staff would handle focusing on residential and commercial at the same time.

Director of Community Development Lustro explained that the City is still split in two, north and south, except that Orchard Street is now the dividing line. Code Enforcement Officer Andrade handles both residential and commercial violations in the City north of Orchard Street; Code Enforcement Officer Hargett handles residential and commercial violations in the City south of Orchard Street, and Senior Code Enforcement Officer Fondario handles all the multi-family property violations. The biggest challenge is the number of foreclosures, a few more of which have been cropping up.

Senior Code Enforcement Officer Fondario reported that he is currently handling 18 foreclosed properties that have violations

such as the one that Council Member Dutrey reported at Grand and Monte Vista Avenues. That particular property was posted today, giving the property owner seven days to correct the violations.

Council Member Dutrey commented the Committee's biggest issue is property appearance.

Director of Community Development Lustro added that Code Enforcement also has more staff in the way of four volunteers. He noted he met with the volunteers and advised them we need at least a 20-hour commitment from them each month.

Council Member Paulitz noted he believes the volunteers' stipend is too low.

City Manager Starr explained that we are limited by state law to certain dollar amounts for volunteer stipends.

- B. Director of Community Development Lustro asked the Committee to consider changing the way yard sales are permitted. Currently, residents are allowed three yard sale permits per year. He suggested the yard sale permit procedure be revised to only allowing them on four designated weekends per year as is done in other cities. It would make things much easier on Code Enforcement staff; and if need be, Code Enforcement's schedules could be flexed to have all the Code Enforcement Officers and volunteers working on those designated weekends, saturating the City.

Council Member Dutrey inquired if four designated weekends would be too limited, citing an example of someone selling their home and not being able to wait until the next designated yard sale weekend, suggesting either an exception or having more, perhaps eight designated weekends.

It was the opinion of Council Member Paulitz and Director of Community Development Lustro that eight designated weekends would be too many. Director of Community Development Lustro added that if yard sales are used for what they are intended (cleaning out a garage or a room, getting rid of old furniture, etc.), a resident should not need more than one every three months.

The Committee asked staff to research how other cities, such as Ontario and Pomona, handle yard sales.

VII. ROUNDTABLE DISCUSSION ON PROBLEM PROPERTIES

The former Koopman Brothers site on Central Avenue has a mass of sheet rock and carpet remnants behind the store that needs to be cleaned up.

City Manager Starr noted he observed a man dumping sheet rock into the trash bin at the site during daytime hours and advised him that he was illegally dumping. He stated that the man replied that it was okay because he was doing work for the carpet store.

There was discussion regarding what to do about pushcart vendors selling such items as ice cream, food, and flowers.

Director of Community Development Lustro expressed his opinion that pushcarts should be banned altogether; but if the Committee wants to allow vendors in motor vehicles, it could be allowed and would make it a lot easier for the Police Department and Code Enforcement. Pushcart vendors cut into the profits of legally established permanent businesses in Montclair. There is always the concern about health issues with food vendors. They are currently banned from parks. There was a question about whether we would be violating their constitutional right to free enterprise. Staff will research the matter.

VIII. NEXT MEETING

The next Code Enforcement Committee meeting is scheduled for Monday May 16, 2011, at 6:00 p.m. in the City Hall Conference Room.

IX. ADJOURNMENT

At 6:32 p.m., Council Member Paulitz adjourned the Code Enforcement Committee.

Submitted for Code Enforcement
Committee approval,



Laura Berke
Administrative Secretary

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
MAY 2, 2011, AT 7:45 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Mayor Pro Tem Raft called the meeting to order at 7:45 p.m.

II. ROLL CALL

Present: Mayor Pro Tem Raft; Council Member Ruh; and City Manager Starr

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of April 18, 2011.

Moved by City Manager Starr, seconded by Council Member Ruh, and carried unanimously to approve the minutes of the Personnel Committee meeting of April 18, 2011.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

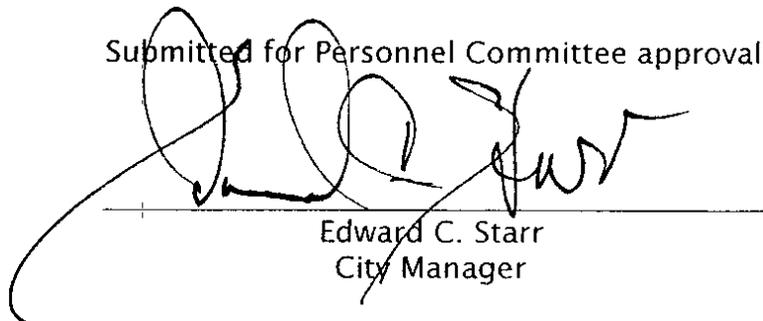
At 7:46 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 8:16 p.m., the Personnel Committee returned from Closed Session. Mayor Pro Tem Raft stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 8:16 p.m., Mayor Pro Tem Raft adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager

CITY OF MONTCLAIR
TREASURER'S REPORT
FOR THE MONTH ENDING
April 30, 2011

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SCHEDULE 3:

STATEMENT OF CASH AND INVESTMENT ACCOUNTS

GRAPH

CASH AND INVESTMENTS BY ACCOUNT

**CITY OF MONTCLAIR
STATEMENTS OF COMPLIANCE WITH THE 2011 INVESTMENT POLICY
AND
INVESTMENT STRATEGY FOR MAY 2011**

April 30, 2011

COMPLIANCE STATEMENT

As of April 30, 2011, the City had \$3,500,000 invested in long-term securities. This amount is 10.11 percent and is within the 50 percent limitation established in the 2011 investment policy.

As of April 30, 2011, the City had 85.55 percent of the total portfolio invested to mature within one year. This is more than the 15 percent minimum required by 2011 investment policy.

During April, the City was in compliance with the internal control procedures set forth in the 2011 Investment Policy.



Michael Piotrowski
Senior Accountant

INVESTMENT STRATEGY FOR THE MONTH OF MAY 2011

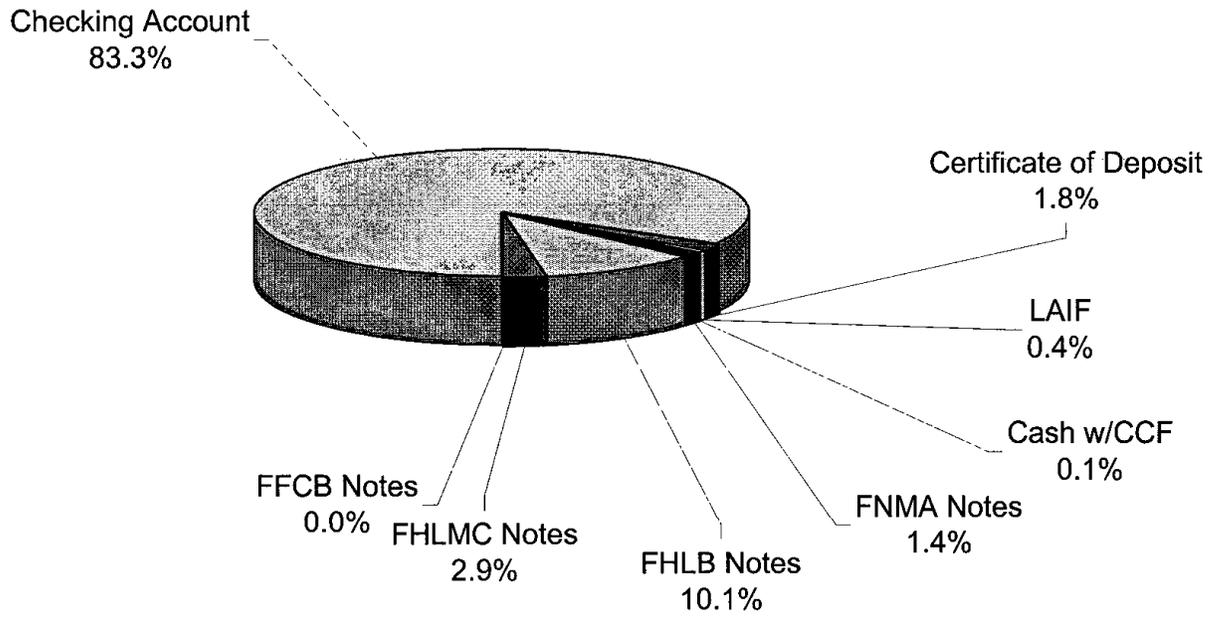
During May surplus moneys will be invested in the Local Agency Investment Fund and other investments authorized in the 2011 Investment Policy. The City has sufficient funds available to meet expenditures during the six month period ending October 31, 2011.

CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENTS BY FUND
AS OF April 30, 2011

<u>Fund</u>	<u>Beginning Balance</u>	<u>Receipts</u>	<u>Disbursements</u>	<u>Interfund Transfers</u>	<u>Ending Balance</u>
General Fund	\$17,423,153.28	\$3,787,171.36	\$3,969,412.52	(\$28,052.29)	\$17,212,859.83
Gas Tax Fund	\$2,899,669.27	\$1,065,214.87	\$97,009.45	\$18.14	\$3,867,892.83
Measure I Fund	\$535,049.25	\$152,943.28	\$744.36	\$2.90	\$687,251.07
Traffic Safety Fund	\$278,066.42	\$8,498.56	\$0.00	\$29,268.96	\$315,833.94
Automated Traffic Enforcement	(\$438,837.01)	\$0.00	\$0.00	\$0.00	(\$438,837.01)
Park Development Fund	\$329,718.03	\$7,117.58	\$8,213.57	\$2.09	\$328,624.13
C.D.B.G. Fund	\$548,424.51	\$299,169.22	\$299,169.22	\$0.00	\$548,424.51
Air Quality Improvement Trust Fund	\$68,273.93	\$1,065.86	\$2,068.64	\$0.41	\$67,271.56
Older American Fund	\$31,898.04	\$3,731.64	\$11,001.48	\$0.00	\$24,628.20
Forfeiture Fund - State	\$4,043.36	\$0.00	\$0.00	\$0.03	\$4,043.39
OCJP Grant Fund	(\$76,718.53)	\$0.00	\$0.00	\$0.00	(\$76,718.53)
SB 509 Public Safety Fund	\$65,027.97	\$22,855.00	\$62,320.27	\$0.61	\$25,563.31
Section 11489 Subfund	\$20,391.66	\$0.00	\$0.00	\$0.13	\$20,391.79
Federal Forfeiture Fund - Treasury	\$230.58	\$0.00	\$0.00	\$0.00	\$230.58
School-Districts Grant Fund	(\$581,337.94)	\$0.00	\$10,482.46	\$0.00	(\$591,820.40)
State Supplemental Law Enforcement Fund	\$21,148.24	\$3,824.92	\$22,538.10	\$0.29	\$2,435.35
Local Law Enforcement Block Grant	\$116,196.14	\$0.00	\$0.00	\$0.73	\$116,196.87
Crime Prevention Fund	\$10,386.26	\$89.55	\$0.00	\$0.06	\$10,475.87
Recycling Grant	(\$4,179.39)	\$0.00	\$1,000.00	\$0.00	(\$5,179.39)
Human Services Grant Fund	\$338,913.41	\$15,978.69	\$131,123.01	\$0.00	\$223,769.09
California Nutrition Network Grant Fund	(\$20,901.80)	\$0.00	\$4,174.75	\$0.00	(\$25,076.55)
Human Services Special Revenue Grant	(\$21,031.40)	\$10,508.08	\$10,463.96	\$0.00	(\$20,987.28)
Office of Traffic Safety Grant Fund	\$2,917.67	\$0.00	\$0.00	\$0.00	\$2,917.67
Paramedic Fund	(\$59,178.24)	\$7,857.13	\$15,731.61	\$0.00	(\$67,052.72)
Ramona Ave. Grade Separation	(\$476,371.95)	\$0.00	\$111,354.57	\$0.00	(\$587,726.52)
Monte Vista Ave. Grade Separation	(\$1,278,610.89)	\$0.00	\$21,266.00	\$0.00	(\$1,299,876.89)
Police Facility Capital Project	(\$978,562.12)	\$0.00	\$0.00	\$0.00	(\$978,562.12)
Senior/Youth Center Capital Projects	(\$2,965,060.72)	\$167,087.44	\$167,087.44	\$0.00	(\$2,965,060.72)
Parking Lot Expansion Capital Project	(\$1,360.76)	\$0.00	\$0.00	\$0.00	(\$1,360.76)
Sewer Maintenance Fund	\$554,064.21	\$241,501.86	\$166,228.39	(\$269.74)	\$629,067.94
C.B.M.W.D. Agency	\$809,329.44	\$423.22	\$0.00	\$0.00	\$809,752.66
Equipment Replacement Fund	\$1,399,867.92	\$1,122.55	\$0.00	\$8.71	\$1,400,999.18
Infrastructure Fund	\$2,453,949.60	\$0.00	\$0.00	\$14.22	\$2,453,963.82
Employee Benefits Self-Ins. Fund	\$541,836.71	\$84,332.34	\$64,510.78	\$0.00	\$561,658.27
General Liab. Self-Insurance Fund	(\$39,936.55)	\$0.00	\$0.00	\$0.00	(\$39,936.55)
Contingency Fund	\$9,934,553.02	\$0.00	\$79.00	\$0.00	\$9,934,474.02
Refuse Fee Impound Fund	\$262,233.51	\$7,416.88	\$2,475.80	(\$1,008.74)	\$266,165.85
Youth Sponsorship Fund	\$32,481.66	\$0.00	\$0.00	\$0.00	\$32,481.66
City Facility Improvement Fund	\$2,155,411.65	\$0.00	\$9.00	\$13.49	\$2,155,416.14
TOTALS	<u>\$33,895,148.44</u>	<u>\$5,887,910.03</u>	<u>\$5,178,464.38</u>	<u>\$0.00</u>	<u>\$34,604,594.09</u>

**CITY OF MONTCLAIR
CASH AND INVESTMENTS BY ACCOUNT
April 30, 2011**

Total Cash & Investments \$34,604,594



CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENT ACCOUNTS
AS OF April 30, 2011

	Par Value	Purchase Date	Maturity Date	Coupon Interest Rate	Current Market Value	Balance at Cost	Totals
CHECKING ACCOUNT							
Wells Fargo Bank				0.500%			\$ 28,812,414.09
CASH W/FISCAL AGENT, CD's, LAIF DEPOSITS, AND SHORT-TERM U.S. AGENCY SECURITIES							
CD - Metlife Bank		11/10/10	11/12/13	1.300%	240,000.00	240,000.00	
CD - GE Money Bank		11/12/10	05/12/13	1.000%	240,000.00	240,000.00	
CD - Ally Bank		11/12/10	11/12/13	1.350%	148,000.00	148,000.00	
Local Agency Investment Fund (LAIF)				0.430%	131,698.34	131,698.34	
Cash w/California Community Foundation				Unknown	32,481.66	32,481.66	
					<u>\$ 792,180.00</u>		<u>\$ 792,180.00</u>
U.S. AGENCY SECURITIES (1 to 3 years)							
FHLMC	1,000,000	04/23/09	04/08/13	2.500%	1,000,440.00	1,000,000.00	
FHLB	500,000	04/27/11	12/27/13	1.250%	500,000.00	500,000.00	
					<u>\$ 1,500,440.00</u>		<u>\$ 1,500,000.00</u>
U.S. AGENCY SECURITIES (Over 3 Years)							
FHLB	1,000,000	06/30/10	06/30/15	1.000%	1,001,670.00	1,000,000.00	
FNMA	500,000	08/25/10	08/25/15	1.750%	500,560.00	500,000.00	
FHLB	1,000,000	02/11/11	02/11/16	2.730%	1,000,590.00	1,000,000.00	
FHLB	1,000,000	04/27/11	04/27/16	1.125%	1,000,000.00	1,000,000.00	
					<u>\$ 3,502,820.00</u>		<u>\$ 3,500,000.00</u>
TOTAL							<u><u>\$ 34,604,594.09</u></u>

Current market values obtained from First Tennessee Bank.

**CITY OF MONTCLAIR
REDEVELOPMENT AGENCY
TREASURER'S REPORT
FOR THE MONTH ENDING**

April 30, 2011

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SCHEDULE 2 - STATEMENT OF CASH AND INVESTMENTS BY ACCOUNT

CASH AND INVESTMENTS BY ACCOUNT GRAPH

**CITY OF MONTCLAIR
REDEVELOPMENT AGENCY
STATEMENT OF CASH AND INVESTMENTS BY FUND
April 30, 2011**

PROJECT AREA NO. I

Low Income	\$ 144,316.73	
Tax Increment	47,992.76	
Operating	<u>3,692.14</u>	\$ 196,001.63

PROJECT AREA NO. II

Special Housing	\$ 326,486.26	
Low Income	0.00	
Tax Increment	0.00	
Operating	<u>(3,921.33)</u>	\$ 322,564.93

PROJECT AREA NO. III

Low Income	\$ 3,008,671.65	
Tax Increment	2,210,629.87	
Operating	<u>3,068,536.53</u>	\$ 8,287,838.05

PROJECT AREA NO. IV

Low Income	\$ 453,137.42	
Tax Increment	2,108,924.95	
Operating	<u>520,880.88</u>	\$ 3,082,943.25

PROJECT AREA NO. V

Low Income	\$ 186,463.90	
Tax Increment	4,413,086.67	
Operating	<u>1,401,724.68</u>	\$ 6,001,275.25

MISSION BLVD JOINT PROJECT

Low-Moderate Housing	\$ 448,691.89	
Tax Increment	135,439.03	
Operating	<u>(123,626.34)</u>	\$ 460,504.58

TOTAL CASH & INVESTMENTS BY FUND

\$ 18,351,127.69

**CITY OF MONTCLAIR
REDEVELOPMENT AGENCY
STATEMENT OF CASH AND INVESTMENTS BY ACCOUNT
April 30, 2011**

	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Market Value</u>	<u>Book Value</u>
Checking Account				
Wells Fargo, 984-002113		0.05%	\$ 8,232,723.94 \$	8,232,723.94
Cash and Investments				
LAIF		0.43%	2,943,720.00	2,943,720.00
FFCB Note (Fund 2320)	07/25/13	0.730%	499,170.00	500,000.00
FHLMC Note (Fund 2540)	09/03/13	1.150%	1,000,650.00	1,000,000.00
FNMA Note (Fund 2540)	09/20/13	1.000%	499,416.36	499,531.25
FFCB Note (Fund 2320)	11/12/13	0.790%	497,670.00	500,000.00
FHLB Note (Fund 2320)	02/24/14	1.200%	990,754.52	992,740.00
FHLB Note (Fund 2350)	03/28/14	1.300%	501,610.00	500,000.00
FHLB Note (Fund 2350)	03/28/14	1.250%	1,003,230.00	1,000,000.00
FHLMC Note (Fund 2540)	10/06/14	1.650%	501,722.50	499,062.50
FHLB Note (Fund 2350)	07/18/14	1.500%	500,781.95	498,350.00
FHLMC Note (Fund 2520)	10/14/14	1.800%	1,191,375.30	1,185,000.00
TOTAL CASH & INVESTMENTS BY ACCOUNT			\$ <u>18,362,824.57</u> \$	<u>18,351,127.69</u>

NPHH - Cash with Fiscal Agent as of 6/30/10:

Wells Fargo, 984-000899 (RDA Revolving)	0.050%	45,911.90 \$	45,911.90
Wells Fargo, 984-000881(Housing Oper)	0.050%	11,351.90 \$	11,351.90
Wells Fargo, 984-000432(Housing Savings)	0.050%	0.00 \$	0.00

Current market values obtained from First Tennessee Bank.

NOTE:

Pursuant to the Agency's 2011 Investment Policy, all moneys exclusive of tax exempt bond proceeds which are invested pursuant to the bond indenture, are invested in banks, the Local Agency Investment Fund and in securities with maturities of no greater than three years.

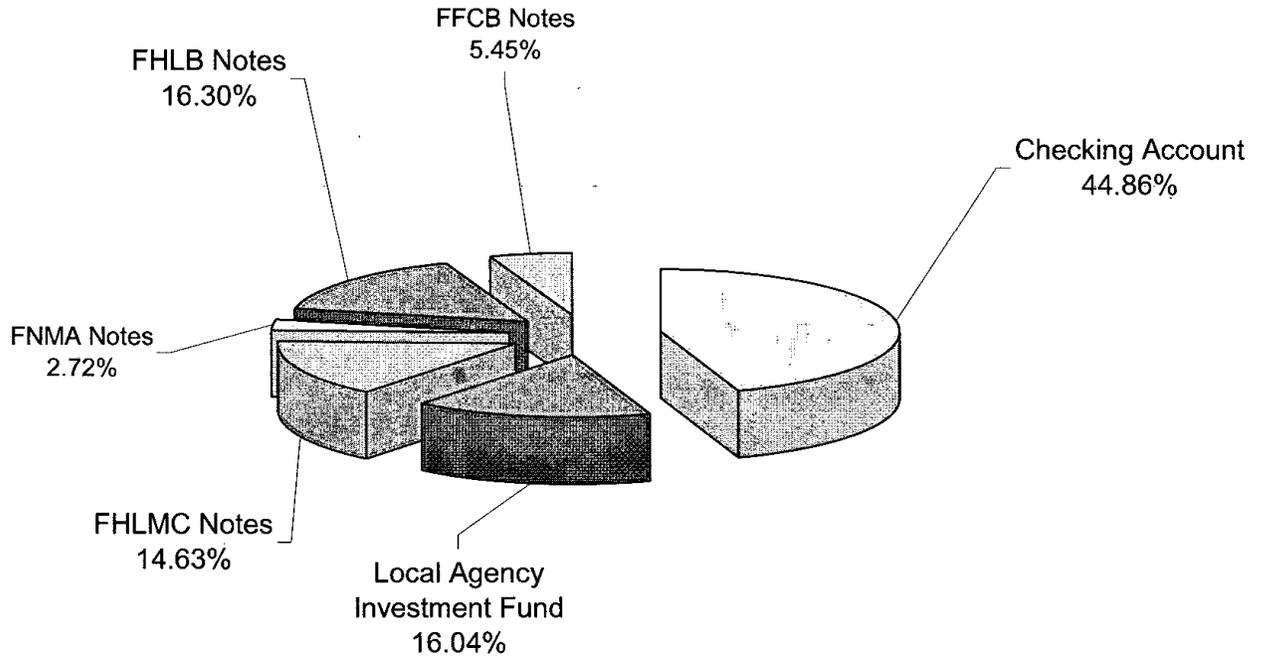
The Agency has sufficient funds available to meet expenditures during the six-month period ending October 31, 2011.

During April, the Agency was in compliance with the internal control procedures set forth in the 2011 Investment Policy.


Janet Kulbeck
Junior Accountant

**CITY OF MONTCLAIR REDEVELOPMENT AGENCY
CASH AND INVESTMENTS BY ACCOUNT GRAPH
April 30, 2011**

Total Cash & Investments - \$18,351,128



**CITY OF MONTCLAIR
REDEVELOPMENT AGENCY
WARRANT REGISTER
FOR THE MONTH ENDING**

April 30, 2011

City of Montclair
 Final Warrant Register
 Council Date 5/16/11
 Regular Warrants
 Checking Account: RDA

	Warrants	Wire Transfers	Electronic AP	Area Totals
Project Area I	2,773.25	0.00	26.52	2,799.77
Project Area II	161.68	0.00	0.00	161.68
Project Area III	271,495.23	0.00	318.60	271,813.83
Project Area IV	94,468.87	0.00	221.28	94,690.15
Project Area V	208,441.85	0.00	318.60	208,760.45
Project Area VI - Mission Blvd	<u>393,709.03</u>	0.00	0.00	<u>393,709.03</u>
	971,049.91	0.00	885.00	
April 2011 Total				<u><u>971,934.91</u></u>

Vice Chairperson Raft

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: 5-16-11
REGULAR WARRANTS
CHECKING ACCOUNT: ROA

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
2120	Project Area I Operating Fund	2,103.31
2150	Project Area I Low-Mod Housing	669.94
2260	Project Area II Special Housin	161.68
2320	Project Area III Operating Fun	75,860.74
2340	Project Area III Tax Increment	181,186.60
2350	Project Area III Low-Mod Housi	14,447.89
2420	Project Area IV Operating Fund	19,811.70
2440	Project Area IV Tax Increment	69,072.82
2450	Project Area IV Low-Mod Housin	5,584.35
2511	Proj. Area V 2006A Bond Procee	45.38
2520	Project Area V Operating Fund	55,826.85
2540	Project Area V Tax Increment F	140,545.78
2550	Project Area V Low-Mod Housing	12,023.84
2610	Mission Blvd 2008 Bond Proceed	167,698.10
2640	Mission Blvd Tax Increment Fun	226,010.93
	Report Total:	971,049.91

Accounts Payable

Voucher Register By Vendor Number



User: mpiotrowski
 Printed: 05/12/2011 - 10:58 AM

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007037	A&IRe001	2610-0000-10400-132	Mission Blvd Phase 10 - Doc Reproduction	RC00019223	03/18/2011		04/14/2011	638.88	7037
	A&I Reprographics								
							Voucher: 007037	638.88	
007038	Buch002	2520-4319-60020-400	9916 Central - TV Mount, wiring	110335	03/31/2011		04/14/2011	275.00	7038
	Buchbinder Maintenance, Inc.								
							Voucher: 007038	275.00	
007039	Firs014	2320-0000-37010-300	Safekeeping fees 12/26/10 - 03/25/11	5038900	03/25/2011		04/14/2011	84.00	7039
	First Tennessee Bank								
007039	Firs014	2340-0000-37010-300	Safekeeping fees 12/26/10 - 03/25/11	5038900	03/25/2011		04/14/2011	75.00	7039
	First Tennessee Bank								
007039	Firs014	2350-0000-37010-300	Safekeeping fees 12/26/10 - 03/25/11	5038900	03/25/2011		04/14/2011	17.00	7039
	First Tennessee Bank								
007039	Firs014	2440-0000-37010-300	Safekeeping fees 12/26/10 - 03/25/11	5038900	03/25/2011		04/14/2011	9.00	7039
	First Tennessee Bank								
007039	Firs014	2520-0000-37010-300	Safekeeping fees 12/26/10 - 03/25/11	5038900	03/25/2011		04/14/2011	41.00	7039
	First Tennessee Bank								
007039	Firs014	2540-0000-37010-300	Safekeeping fees 12/26/10 - 03/25/11	5038900	03/25/2011		04/14/2011	99.00	7039
	First Tennessee Bank								
							Voucher: 007039	325.00	
007040	Inla028	2340-0000-20410-208	Pass Through Taxes FY 10/11 Proj 3	1011-03	03/24/2011		04/14/2011	181,111.60	7040
	Inland Empire Utilities Agency								
007040	Inla028	2440-0000-20410-208	Pass Through Taxes FY 10/11 Proj 4	1011-03	03/24/2011		04/14/2011	69,063.82	7040
	Inland Empire Utilities Agency								
007040	Inla028	2540-0000-20410-208	Pass Through Taxes FY 10/11 Proj 5	1011-03	03/24/2011		04/14/2011	140,446.78	7040
	Inland Empire Utilities Agency								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007040	Inla028	2640-0000-20410-208	Pass Through Taxes FY 10/11 Mission Blvd	1011-03	03/24/2011		04/14/2011	31,013.80	7040
	Inland Empire Utilities Agency								
							Voucher: 007040	421,636.00	
007041	Land012	2260-4319-56010-400	5326 San Bernardino - March 2011 Service	5326/411	04/03/2011		04/14/2011	75.00	7041
	Landscape Maintenance Unlimite								
007041	Land012	2550-4319-56010-400	9010 Fremont - March 2011 Service	9010/411	04/03/2011		04/14/2011	115.00	7041
	Landscape Maintenance Unlimite								
							Voucher: 007041	190.00	
007042	LDKi001	2610-0000-10400-132	Sr. Engineer Designer - Mission Phase 9	110313	03/17/2011		04/14/2011	1,785.00	7042
	LD King Inc								
							Voucher: 007042	1,785.00	
007043	Mont001	2120-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	527.22	7043
	City of Montclair								
007043	Mont001	2120-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	807.04	7043
	City of Montclair								
007043	Mont001	2120-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	559.40	7043
	City of Montclair								
007043	Mont001	2150-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	199.29	7043
	City of Montclair								
007043	Mont001	2150-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	267.39	7043
	City of Montclair								
007043	Mont001	2150-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	203.26	7043
	City of Montclair								
007043	Mont001	2320-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	6,058.69	7043
	City of Montclair								
007043	Mont001	2320-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	9,229.91	7043
	City of Montclair								
007043	Mont001	2320-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	6,444.20	7043
	City of Montclair								
007043	Mont001	2350-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	2,391.81	7043
	City of Montclair								
007043	Mont001	2350-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	3,210.99	7043
	City of Montclair								
007043	Mont001	2350-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	2,438.09	7043
	City of Montclair								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007043	Mont001	2420-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	4,659.46	7043
	City of Montclair								
007043	Mont001	2420-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	7,172.69	7043
	City of Montclair								
007043	Mont001	2420-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	4,927.25	7043
	City of Montclair								
007043	Mont001	2450-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	1,661.12	7043
	City of Montclair								
007043	Mont001	2450-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	2,229.93	7043
	City of Montclair								
007043	Mont001	2450-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	1,693.30	7043
	City of Montclair								
007043	Mont001	2520-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	8,843.73	7043
	City of Montclair								
007043	Mont001	2520-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	13,177.47	7043
	City of Montclair								
007043	Mont001	2520-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	9,346.47	7043
	City of Montclair								
007043	Mont001	2550-0000-00010-101	RDA Payroll Costs 3/3/11	Pay March 2011	04/14/2011		04/14/2011	2,391.83	7043
	City of Montclair								
007043	Mont001	2550-0000-00010-101	RDA Payroll Costs 3/17/11	Pay March 2011	04/14/2011		04/14/2011	3,383.26	7043
	City of Montclair								
007043	Mont001	2550-0000-00010-101	RDA Payroll Costs 3/31/11	Pay March 2011	04/14/2011		04/14/2011	2,438.02	7043
	City of Montclair								
							Voucher: 007043	94,261.82	
007044	Mont001	2320-4319-52790-400	March Graffiti Abatement - Proj Area 3	March 2011	04/04/2011		04/14/2011	401.08	7044
	City of Montclair								
007044	Mont001	2420-4319-52790-400	March Graffiti Abatement - Proj Area 4	March 2011	04/04/2011		04/14/2011	877.83	7044
	City of Montclair								
007044	Mont001	2520-4319-52790-400	March Graffiti Abatement - Proj Area 5A	March 2011	04/04/2011		04/14/2011	2,641.06	7044
	City of Montclair								
007044	Mont001	2520-4319-52790-400	March Graffiti Abatement - Proj Area 5B	March 2011	04/04/2011		04/14/2011	688.64	7044
	City of Montclair								
							Voucher: 007044	4,608.61	
007045	Pent001	2120-4319-52090-400	Inland Empire Magazine Retail Traffic Ad	RL1000213	04/14/2011	00002092	04/14/2011	72.75	7045
	Penton Technology Media								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007045	Pent001	2320-4319-52090-400	Inland Empire Magazine Retail Traffic Ad	RL1000213	04/14/2011	00002092	04/14/2011	873.00	7045
	Penton Technology Media								
007045	Pent001	2420-4319-52090-400	Inland Empire Magazine Retail Traffic Ad	RL1000213	04/14/2011	00002092	04/14/2011	606.25	7045
	Penton Technology Media								
007045	Pent001	2520-4319-52090-400	Inland Empire Magazine Retail Traffic Ad	RL1000213	04/14/2011	00002092	04/14/2011	873.00	7045
	Penton Technology Media								
								2,425.00	
							Voucher: 007045		
007046	Sout018	2520-4319-56010-400	9916 Central - 3/11/11 - 4/9/11	2-28-934-3014	04/12/2011		04/14/2011	21.80	7046
	Southern California Edison Co								
								21.80	
							Voucher: 007046		
007047	Sout023	2320-4319-60020-400	Remove Irrigation behind 4474 La Deney	15596	03/30/2011		04/14/2011	96.70	7047
	Southern California Landscape								
007047	Sout023	2320-4319-60020-400	March Landscape Maint - Found Area 11	15622	03/31/2011		04/14/2011	2,650.00	7047
	Southern California Landscape								
								2,746.70	
							Voucher: 007047		
007048	Stra002	2320-4319-53210-400	Charges for period ending 02/28/11	022051 #0013	03/31/2011		04/14/2011	944.37	7048
	Stradling, Yocca, Carlson & Ra								
007048	Stra002	2420-4319-53210-400	Charges for period ending 02/28/11	022051 #0013	03/31/2011		04/14/2011	427.37	7048
	Stradling, Yocca, Carlson & Ra								
007048	Stra002	2520-4319-53210-400	Charges for period ending 02/28/11	022051 #0013	03/31/2011		04/14/2011	428.37	7048
	Stradling, Yocca, Carlson & Ra								
007048	Stra002	2550-4319-53210-400	Charges for period ending 02/28/11	022051 #0013	03/31/2011		04/14/2011	3,180.00	7048
	Stradling, Yocca, Carlson & Ra								
								4,980.11	
							Voucher: 007048		
007049	Util002	2320-4319-60020-400	Wire Trace for Richton Lot Lighting	3492	03/31/2011	00002093	04/14/2011	375.00	7049
	Util-Locate Inc								
								375.00	
							Voucher: 007049		

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007050	VanJo001	2520-4319-60020-400	Waste sludge removal at 10608 Ramona	PR040611	04/06/2011	00002094	04/14/2011	1,100.00	7050
	John Vanderzwaag								
								Voucher: 007050	1,100.00
007051	Bank006	2640-4319-68010-400	'Bondholder payment RDA Agcy 08	109720	04/19/2011		04/21/2011	194,997.13	7051
	Bank of New York Trust Company								
								Voucher: 007051	194,997.13
007052	Cabr002	2350-4319-63110-400	EHIP Stattler 10266 Coalinga	10-119	04/20/2011		04/21/2011	2,330.00	7052
	Caleb Cabrera								
								Voucher: 007052	2,330.00
007053	Enri002	2350-4319-63110-400	EHIP Perez 5565 Caroline	11-11	04/20/2011		04/21/2011	2,230.00	7053
	Enrique Alcantara Construction								
007053	Enri002	2350-4319-63110-400	EHIP Poveda 9550 Poulsen	11-12	04/20/2011		04/21/2011	1,830.00	7053
	Enrique Alcantara Construction								
								Voucher: 007053	4,060.00
007054	Gent003	2610-0000-10400-132	Agrmnt 10-055 Payment #7 Phase 8	Pymnt #7	04/20/2011		04/21/2011	162,294.22	7054
	Gentry Brothers Inc								
								Voucher: 007054	162,294.22
007055	Mont063	2120-4319-52630-400	Rent for May 2011	May 2011	04/15/2011		04/21/2011	60.31	7055
	Montclair Town Center LLC								
007055	Mont063	2320-4319-52630-400	Rent for May 2011	May 2011	04/15/2011		04/21/2011	723.67	7055
	Montclair Town Center LLC								
007055	Mont063	2420-4319-52630-400	Rent for May 2011	May 2011	04/15/2011		04/21/2011	502.55	7055
	Montclair Town Center LLC								
007055	Mont063	2520-4319-52630-400	Rent for May 2011	May 2011	04/15/2011		04/21/2011	723.67	7055
	Montclair Town Center LLC								
								Voucher: 007055	2,010.20
007056	Myco001	2320-4319-63110-400	EHIP Licea 10199 Tudor	10-16	04/20/2011		04/21/2011	1,000.00	7056
	Myco Construction								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
								Voucher: 007056	1,000.00
007057	Sout018	2260-4319-56020-400	5326 San Bernardino 03/14/11 - 04/12/11	2-27-791-6888	04/13/2011		04/21/2011	38.16	7057
	Southern California Edison Co								
007057	Sout018	2511-4319-60020-400	5326 San Bernardino 03/14/11 - 04/12/11	2-29-179-2315	04/12/2011		04/21/2011	23.45	7057
	Southern California Edison Co								
007057	Sout018	2511-4319-60020-400	4425 Bonnie Brae 03/15/11 - 04/13/11	2-29-667-9806	04/14/2011		04/21/2011	21.93	7057
	Southern California Edison Co								
007057	Sout018	2260-4319-56020-400	5326 San Bernardino 03/14/11 - 04/12/11	2-31-577-3044	04/13/2011		04/21/2011	31.06	7057
	Southern California Edison Co								
								Voucher: 007057	114.60
007058	ACECD002	320-4319-60020-400	Richton PD Impound Facility	Pymnt #1	04/28/2011		04/28/2011	41,216.40	7058
	ACE CD, Inc.								
								Voucher: 007058	41,216.40
007059	Andr003	2320-4319-60020-400	Richton - onsite meeting - set stakes	18057	04/01/2011		04/28/2011	2,200.00	7059
	Andreassen Engineering Inc								
								Voucher: 007059	2,200.00
007060	Eato004	2120-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	2.70	7060
	Paul Eaton								
007060	Eato004	2320-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	32.40	7060
	Paul Eaton								
007060	Eato004	2420-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	22.50	7060
	Paul Eaton								
007060	Eato004	2520-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	32.40	7060
	Paul Eaton								
								Voucher: 007060	90.00
007061	FIA001	2120-4319-52090-400	Postcards/Envelopes State of City 2011	1975	04/10/2011		04/28/2011	20.92	7061
	FIA CARD SERVICES								
007061	FIA001	2120-4319-52090-400	Custom white bags for State of City 2011	1975	04/10/2011		04/28/2011	24.68	7061
	FIA CARD SERVICES								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007061	FIA001	2120-4319-52090-400	Postcards for State of the City 2011	1975	04/10/2011		04/28/2011	6.92	7061
	FIA CARD SERVICES								
007061	FIA001	2120-4319-52130-400	ICSC 2011 Registration for Mayor Eaton	1975	04/10/2011		04/28/2011	13.50	7061
	FIA CARD SERVICES								
007061	FIA001	2320-4319-52090-400	Postcards/Envelopes State of City 2011	1975	04/10/2011		04/28/2011	251.10	7061
	FIA CARD SERVICES								
007061	FIA001	2320-4319-52090-400	Postcards for State of the City 2011	1975	04/10/2011		04/28/2011	82.99	7061
	FIA CARD SERVICES								
007061	FIA001	2320-4319-52090-400	Custom white bags for State of City 2011	1975	04/10/2011		04/28/2011	296.15	7061
	FIA CARD SERVICES								
007061	FIA001	2320-4319-52130-400	ICSC 2011 Registration for Mayor Eaton	1975	04/10/2011		04/28/2011	162.00	7061
	FIA CARD SERVICES								
007061	FIA001	2320-4319-53290-400	ESRI Business Analyst Online Software	1975	04/10/2011		04/28/2011	2,500.00	7061
	FIA CARD SERVICES								
007061	FIA001	2320-4319-60020-400	Richton Street Lightning Protector	1975	04/10/2011		04/28/2011	45.58	7061
	FIA CARD SERVICES								
007061	FIA001	2420-4319-52090-400	Postcards for State of the City 2011	1975	04/10/2011		04/28/2011	57.64	7061
	FIA CARD SERVICES								
007061	FIA001	2420-4319-52090-400	Postcards/Envelopes State of City 2011	1975	04/10/2011		04/28/2011	174.37	7061
	FIA CARD SERVICES								
007061	FIA001	2420-4319-52090-400	Custom white bags for State of City 2011	1975	04/10/2011		04/28/2011	205.66	7061
	FIA CARD SERVICES								
007061	FIA001	2420-4319-52130-400	ICSC 2011 Registration for Mayor Eaton	1975	04/10/2011		04/28/2011	112.50	7061
	FIA CARD SERVICES								
007061	FIA001	2520-4319-52090-400	Postcards for State of the City 2011	1975	04/10/2011		04/28/2011	82.99	7061
	FIA CARD SERVICES								
007061	FIA001	2520-4319-52090-400	Postcards/Envelopes State of City 2011	1975	04/10/2011		04/28/2011	251.10	7061
	FIA CARD SERVICES								
007061	FIA001	2520-4319-52090-400	Custom white bags for State of City 2011	1975	04/10/2011		04/28/2011	296.15	7061
	FIA CARD SERVICES								
007061	FIA001	2520-4319-52130-400	ICSC 2011 Registration for Mayor Eaton	1975	04/10/2011		04/28/2011	162.00	7061
	FIA CARD SERVICES								
								4,746.25	
Voucher: 007061									

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007062	FiAmD001	2550-4319-53290-400	Property searches Mar 1 - Mar 31, 2011	90789231	03/31/2011		04/28/2011	515.73	7062
	First American Data Tree								
							Voucher: 007062	515.73	
007063	Inla052	2610-0000-10400-132	Mission Phase 10 Notice inviting bids	Ad# 126359	03/18/2011		04/28/2011	1,405.00	7063
	Inland Valley Daily Bulletin								
							Voucher: 007063	1,405.00	
007064	L&JL001	2520-4319-60020-400	9916 Central Landscape Improvement	Pymnt #2	04/25/2011		04/28/2011	15,772.50	7064
	L & J Landscaping								
							Voucher: 007064	15,772.50	
007065	LAEA001	2610-0000-10400-132	Mission Phase 7 11/1/10 - 3/31/11	11-25	04/08/2011		04/28/2011	1,250.00	7065
	LAE Associates								
007065	LAEA001	2520-4319-60020-400	Ramona Avenue Grade Separation	11-27	04/08/2011		04/28/2011	975.00	7065
	LAE Associates								
007065	LAEA001	2610-0000-10400-132	Mission Phase 8 Services for March 2011	11.26	04/08/2011		04/28/2011	325.00	7065
	LAE Associates								
							Voucher: 007065	2,550.00	
007066	Qual013	2320-4319-56010-400	Metrolink 3 months monitoring	11133	04/26/2011		04/28/2011	78.00	7066
	Quality Alarm, Inc.								
007066	Qual013	2320-4319-56010-400	Metrolink 3 months lease/svc monitoring	11134	04/26/2011		04/28/2011	21.00	7066
	Quality Alarm, Inc.								
							Voucher: 007066	99.00	
007067	Raft003	2120-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	2.70	7067
	Carolyn Raft								
007067	Raft003	2320-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	32.40	7067
	Carolyn Raft								
007067	Raft003	2420-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	22.50	7067
	Carolyn Raft								
007067	Raft003	2520-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	32.40	7067
	Carolyn Raft								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
								Voucher: 007067	90.00
007068	Robb004	2120-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	2.47	7068
	Robbins & Holdaway								
007068	Robb004	2320-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	29.70	7068
	Robbins & Holdaway								
007068	Robb004	2420-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	20.63	7068
	Robbins & Holdaway								
007068	Robb004	2520-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	29.70	7068
	Robbins & Holdaway								
								Voucher: 007068	82.50
007069	Ruh001	2120-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	2.70	7069
	Bill Ruh								
007069	Ruh001	2320-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	32.40	7069
	Bill Ruh								
007069	Ruh001	2420-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	22.50	7069
	Bill Ruh								
007069	Ruh001	2520-4319-41020-400	CC Meetings	April 2011	04/28/2011		04/28/2011	32.40	7069
	Bill Ruh								
								Voucher: 007069	90.00
007070	Sout021	2260-4319-56020-400	5326 San Bernardino - 03/14/11-04/13/11	170-622-7858-9	04/15/2011		04/28/2011	17.46	7070
	Southern California Gas Co								
								Voucher: 007070	17.46
								Report Total:	971,049.91

CITY OF MONTCLAIR
User: jkulbeck

Electronic Clearinghouse
Distribution Report

Printed: 04/12/11 14:13
Batch: 005-03-2011

Account Number	Debit	Credit	Account Description
2120-0000-00010-101	0.00	12.36	Cash
2120-0000-20010-202	12.36	0.00	Accounts Payable
	12.36	12.36	
2320-0000-00010-101	0.00	148.50	Cash
2320-0000-20010-202	148.50	0.00	Accounts Payable
	148.50	148.50	
2420-0000-00010-101	0.00	103.14	Cash
2420-0000-20010-202	103.14	0.00	Accounts Payable
	103.14	103.14	
2520-0000-00010-101	0.00	148.50	Cash
2520-0000-20010-202	148.50	0.00	Accounts Payable
	148.50	148.50	
Report Totals:	412.50	412.50	

CITY OF MONTCLAIR
User: jkulbeck

Electronic Clearinghouse
Distribution Report

Printed: 04/28/11 16:32
Batch: 003-04-2011

Account Number	Debit	Credit	Account Description
2120-0000-00010-101	0.00	14.16	Cash
2120-0000-20010-202	14.16	0.00	Accounts Payable
	14.16	14.16	
2320-0000-00010-101	0.00	170.10	Cash
2320-0000-20010-202	170.10	0.00	Accounts Payable
	170.10	170.10	
2420-0000-00010-101	0.00	118.14	Cash
2420-0000-20010-202	118.14	0.00	Accounts Payable
	118.14	118.14	
2520-0000-00010-101	0.00	170.10	Cash
2520-0000-20010-202	170.10	0.00	Accounts Payable
	170.10	170.10	
Report Totals:	472.50	472.50	

**CITY OF MONTCLAIR
HOUSING CORPORATION
TREASURER'S REPORT
FOR THE MONTH ENDING**

April 30, 2011

TABLE OF CONTENTS

SCHEDULE 1 - STATEMENT OF CASH AND INVESTMENTS BY ACCOUNT

CASH AND INVESTMENTS BY ACCOUNT GRAPH

**CITY OF MONTCLAIR
HOUSING CORPORATION
STATEMENT OF CASH AND INVESTMENTS BY ACCOUNT
April 30, 2011**

	<u>Interest Rate</u>		<u>Amount</u>
Checking Account			
Wells Fargo, 0654-893023	0.05%	\$	1,365,740.25
Cash and Investments			
LAIF	0.43%	\$	<u>1,565,986.26</u>
TOTAL CASH & INVESTMENTS BY ACCOUNT			<u><u>\$ 2,931,726.51</u></u>

NOTE:

Pursuant to the Corporation's 2011 Investment Policy, all moneys are invested in banks, the Local Agency Investment Fund, and in securities with maturities of no greater than three years.

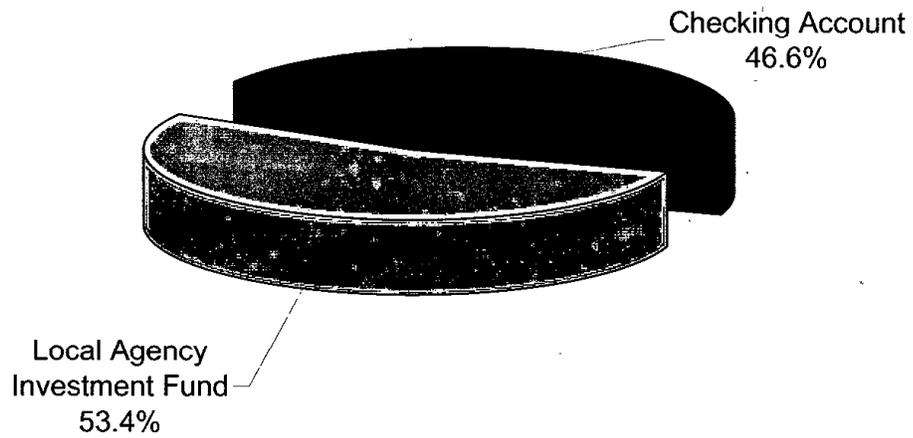
The Corporation has sufficient funds available to meet expenditures during the six-month period ending 10/31/2011.

During April 2011, the Corporation was in compliance with the internal control procedures set forth in the 2011 Investment Policy.


Janet Kulbeck
Junior Accountant

**CITY OF MONTCLAIR
HOUSING CORPORATION
CASH AND INVESTMENTS BY ACCOUNT GRAPH
April 30, 2011**

Total Cash & Investments - \$2,931,726



**CITY OF MONTCLAIR
HOUSING CORPORATION
WARRANT REGISTER
FOR THE MONTH ENDING**

April 30, 2011

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: May 16, 2011
REGULAR WARRANTS
CHECKING ACCOUNT: MHC

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
3001	General Fund	28,265.36
	Report Total:	28,265.36

Vice Chairperson Raft

Accounts Payable

Voucher Register By Vendor Number



User: mpiotrowski
 Printed: 05/12/2011 - 10:49 AM

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
002965	land012	3001-1001-56100-400	10079 Central-Mar 2011, fertilizer	10079/411	04/03/2011		04/07/2011	160.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-1002-56100-400	10087 Central-Mar 2011, fertilizer	10087/411	04/03/2011		04/07/2011	150.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-1009-56100-400	10215 Central-Mar 2011, fertilizer	10215/411	04/03/2011		04/07/2011	205.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-1004-56100-400	10235 Central-Mar 2011, gopher, fertiliz	10235/411	04/03/2011		04/07/2011	240.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-1013-56100-400	10291 Greenwood-Mar 2011, fertilizer	10291/411	04/03/2011		04/07/2011	170.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2003-56100-400	10313 Amherst-Mar 2011, fertilizer	10313/411	04/03/2011		04/07/2011	200.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2001-56100-400	10323 Amherst-Mar 2011, fertilizer	10323/411	04/03/2011		04/07/2011	200.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2007-56100-400	10330 Amherst-Mar 2011, fertilizer	10330/411	04/03/2011		04/07/2011	195.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2002-56100-400	10333 Amherst-Mar 2011, fertilizer	10333/411	04/03/2011		04/07/2011	200.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2006-56100-400	10380 Amherst-Mar 2011, fertilizer	10380/411	04/03/2011		04/07/2011	195.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2010-56100-400	10380 Pradera-Mar 2011	10380P/411	04/03/2011		04/07/2011	37.50	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2011-56100-400	10390 Pradera-Mar 2011	10380P/411	04/03/2011		04/07/2011	37.50	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2008-56100-400	10390 Amherst-Mar 2011, fertilizer	10390/411	04/03/2011		04/07/2011	195.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2005-56100-400	10410 Amherst-Mar 2011, fertilizer	10410/411	04/03/2011		04/07/2011	195.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-2030-56100-400	4275 Kingsley-Mar 2011, fertilizer	4275/411	04/03/2011		04/07/2011	200.00	2965
		Landscape Maintenance Unlimite							
002965	land012	3001-3001-56100-400	4811 Canoga-Mar 2011	4811/411	04/03/2011		04/07/2011	100.00	2965
		Landscape Maintenance Unlimite							

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
002965	land012	3001-3001-56100-400	4820 Canoga-Mar 2011, fertilizer	4820/411	04/03/2011		04/07/2011	220.00	2965
002965	land012	3001-1011-56100-400	5225 Palo Verde-Mar 2011, fertilizer	5225/411	04/03/2011		04/07/2011	170.00	2965
002965	land012	3001-1005-56100-400	5290 Orchard-Mar 2011, gopher, fertilize	5290/411	04/03/2011		04/07/2011	190.00	2965
002965	land012	3001-1501-56100-400	9448 Carrillo-Mar 2011	9448/411	04/03/2011		04/07/2011	70.00	2965
002965	land012	3001-1006-56100-400	9741 Central-Mar 2011, fertilizer	9741/411	04/03/2011		04/07/2011	150.00	2965
002965	land012	3001-1007-56100-400	9751 Central-Mar 2011, fertilizer	9751/411	04/03/2011		04/07/2011	150.00	2965
002965	land012	3001-1008-56100-400	9761 Central-Mar 2011, fertilizer	9761/411	04/03/2011		04/07/2011	150.00	2965
002965	land012	3001-1003-56100-400	9815 Central-Mar 2011, gopher, fertilize	9815/411	04/03/2011		04/07/2011	195.00	2965
002965	land012	3001-1015-56100-400	9963 Central-Mar 2011, gopher, fertilize	9963/411	04/03/2011		04/07/2011	200.00	2965
		Landscape Maintenance Unlimite							
								Voucher: 002965	4,175.00
002966	Mont002	3001-1008-56020-400	9761 Central-010111-022811	012565 03/11	03/03/2011		04/07/2011	77.48	2966
002966	Mont002	3001-1007-56020-400	9751 Central-010111-022811	012567 03/11	03/03/2011		04/07/2011	77.48	2966
002966	Mont002	3001-1006-56020-400	9741 Central-010111-022811	012584 03/11	03/03/2011		04/07/2011	77.48	2966
002966	Mont002	3001-1010-56020-400	9945 Central-010111-022811	013220 03/11	03/03/2011		04/07/2011	77.48	2966
002966	Mont002	3001-1009-56020-400	10215 Central-020111-033111	013293 04/11	04/04/2011		04/07/2011	77.48	2966
002966	Mont002	3001-1011-56020-400	5225 Palo Verde-010111-022811	013553 03/11	03/03/2011		04/07/2011	77.48	2966
								Voucher: 002966	464.88
002967	Mont074	3001-1003-56020-400	9815 Central-011111-030811	03213204 03/11	03/08/2011		04/07/2011	69.51	2967
002967	Mont074	3001-1008-56020-400	9761 Central-011111-030811	03214211 03/11	03/08/2011		04/07/2011	93.40	2967
002967	Mont074	3001-1007-56020-400	9751 Central-011111-030811	03214408 03/11	03/08/2011		04/07/2011	116.00	2967

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
002967	Mont074	3001-1006-56020-400	9741 Central-011111-030811	03214608	03/11	03/08/2011	04/07/2011	98.90	2967
	Monte Vista Water District								
002967	Mont074	3001-1005-56020-400	5290 Orchard-011411-031111	04702105	03/11	03/11/2011	04/07/2011	145.95	2967
	Monte Vista Water District								
002967	Mont074	3001-1002-56020-400	10087 Central-011411-031111	04702203	03/11	03/11/2011	04/07/2011	127.53	2967
	Monte Vista Water District								
002967	Mont074	3001-1001-56020-400	10079 Central-011411-031111	04702301	03/11	03/11/2011	04/07/2011	108.72	2967
	Monte Vista Water District								
002967	Mont074	3001-1015-56020-400	9963 Central-011411-031111	04703501	03/11	03/11/2011	04/07/2011	91.57	2967
	Monte Vista Water District								
002967	Mont074	3001-1010-56020-400	9945 Central-011411-031111	04703707	03/11	03/11/2011	04/07/2011	64.00	2967
	Monte Vista Water District								
							Voucher: 002967	915.58	
002968	sout018	3001-2006-56020-400	10380 Amherst-020911-031111	2315959668	0311	03/16/2011	04/07/2011	38.01	2968
	Southern California Edison Co								
002968	sout018	3001-2007-56020-400	10330 Amherst-020911-031111	2315959668	0311	03/16/2011	04/07/2011	35.21	2968
	Southern California Edison Co								
							Voucher: 002968	73.22	
002969	Andr003	3001-2001-52990-400	10323 Amherst-Prof Svcs Agmt # 10-138	18059		04/01/2011	04/28/2011	223.33	2969
	Andreasen Engineering Inc								
002969	Andr003	3001-2002-52990-400	10333 Amherst-Prof Svcs Agmt # 10-138	18059		04/01/2011	04/28/2011	223.34	2969
	Andreasen Engineering Inc								
002969	Andr003	3001-2003-52990-400	10313 Amherst-Prof Svcs Agmt # 10-138	18059		04/01/2011	04/28/2011	223.33	2969
	Andreasen Engineering Inc								
							Voucher: 002969	670.00	
002970	hele001	3001-2020-56060-400	4791 Canoga-05-2011 Assessment	May 2011		04/26/2011	04/28/2011	100.00	2970
	Helena Gardens Apartment								
002970	hele001	3001-3001-56060-400	Canoga-05-2011 Assessment	May 2011		04/26/2011	04/28/2011	251.00	2970
	Helena Gardens Apartment								
							Voucher: 002970	351.00	
002971	land012	3001-2004-56100-400	10383 Amherst-03/2011, gopher, fertilize	10383/411		04/08/2011	04/28/2011	225.00	2971
	Landscape Maintenance Unlimite								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
002971	land012	3001-1014-56100-400	9644 Central-03/2011, gopher, fertilizer	9644/411	04/08/2011		04/28/2011	160.00	2971
	Landscape Maintenance Unlimite								
							Voucher: 002971	385.00	
002972	Mont001	3001-0000-00010-101	Reimb MHC PR 03/03/11	PR030311	04/26/2011		04/28/2011	5,908.38	2972
	City of Montclair								
002972	Mont001	3001-0000-00010-101	Reimb MHC PR 03/17/11	PR031711	04/26/2011		04/28/2011	8,175.70	2972
	City of Montclair								
002972	Mont001	3001-0000-00010-101	Reimb MHC PR 03/31/11	PR033111	04/26/2011		04/28/2011	5,914.94	2972
	City of Montclair								
							Voucher: 002972	19,999.02	
002973	Mont043	3001-2010-56060-400	10380 Pradera-May 2011 Assessment	PR04262011	04/26/2011		04/28/2011	50.00	2973
	Montclair Meadows Owners Assoc								
002973	Mont043	3001-2011-56060-400	10380 Pradera-May 2011 Assessment	PR04262011	04/26/2011		04/28/2011	50.00	2973
	Montclair Meadows Owners Assoc								
							Voucher: 002973	100.00	
002974	Sout018	3001-3001-56020-400	4811 Canoga #gate-031411-041211	2024259988 0411	04/13/2011		04/28/2011	21.65	2974
	Southern California Edison Co								
002974	Sout018	3001-3001-56020-400	4820 Canoga-031411-041211	2038187969 0411	04/13/2011		04/28/2011	228.24	2974
	Southern California Edison Co								
002974	Sout018	3001-3001-56020-400	4811 Canoga-031411-041211	2038188173 0411	04/16/2011		04/28/2011	220.34	2974
	Southern California Edison Co								
002974	Sout018	3001-2010-56020-400	10380 Pradera-031111-041111	2185722790 0411	04/12/2011		04/28/2011	33.18	2974
	Southern California Edison Co								
002974	Sout018	3001-2011-56020-400	10390 Pradera-031011-041011	2185722824 0411	04/12/2011		04/28/2011	47.77	2974
	Southern California Edison Co								
002974	Sout018	3001-2006-56020-400	10380 Amherst-031111-041111	2315790089 0411	04/12/2011		04/28/2011	48.01	2974
	Southern California Edison Co								
002974	Sout018	3001-2005-56020-400	10410 Amherst-031111-041111	2315792325 0411	04/12/2011		04/28/2011	39.53	2974
	Southern California Edison Co								
002974	Sout018	3001-2006-56020-400	10380 Amherst-031111-041111	2315959668 0411	04/14/2011		04/28/2011	40.09	2974
	Southern California Edison Co								
002974	Sout018	3001-2007-56020-400	10330 Amherst-031111-041111	2315959668 0411	04/14/2011		04/28/2011	35.62	2974
	Southern California Edison Co								
							Voucher: 002974	714.43	

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
002975	Sout021	3001-3001-56020-400	4811 Canoga-031411-041311	15782395006 04	04/15/2011		04/28/2011	197.78	2975
	Southern California Gas Co								
002975	Sout021	3001-3001-56020-400	4820 Canoga-031411-041311	18932395009 04	04/15/2011		04/28/2011	219.45	2975
	Southern California Gas Co								

Voucher: 002975 417.23

Report Total: 28,265.36