

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 2, 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. 11-2896 Amending the Master User Fee Schedule to Incorporate Vehicle Impound Service Fees [CC] 5
- B. Consider Adoption of Resolution No. 11-2897 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service [CC] 9
- C. Second Reading - Consider Adoption of Ordinance No. 11-921 Amending Section 9.02 and Replacing Section 9.20.700 of the Montclair Municipal Code Related to the City Community Sewer System and Certain Water-Softening Devices [CC] 13

VIII. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Minutes of the Regular Joint Council/Agency Board/MHC Board Meeting of April 18, 2011 [CC/RDA/MHC]
- B. Administrative Reports
 - 1. Consider Setting a Public Hearing 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 Chapter 11.85 of the Montclair Municipal Code [CC] 19
 - 2. Consider Setting a Public Hearing 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 [CC] 36
 - 3. Consider Declaring Unclaimed Bicycles in Police Custody as Surplus and Available for Donation to the California Institution for Women [CC] 50
 - 4. Consider Approval of Warrant Register and Payroll Documentation [CC] 52
- C. Agreements
 - 1. Consider Approval of Agreement No. 11-49 With Chaffey Joint Union High School District for Law Enforcement Services During Fiscal Year 2011-12 [CC] 53
 - 2. Consider Redevelopment Agency Board of Directors' Award of Contract to Gentry Brothers, Inc., in the Amount of \$142,499 [CC/RDA]

(Continued on next page)

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(Continued on next page)

Consider Approval of Agreement No. 11-50 With Gentry Brothers, Inc., for Construction of the Mission Boulevard Improvement Phase 10 Storm Drain Project [CC/RDA]

Consider Authorization of a \$15,000 Construction Contingency [CC/RDA] 57

3. Consider Award of Contract to Gentry Brothers, Inc., in the Amount of \$892,340 [CC]

Consider Approval of Agreement No. 11-51 with Gentry Brothers, Inc., for Construction of the Mills Avenue Rehabilitation Project [CC]

Consider Authorization of a \$90,000 Construction Contingency [CC] 64

D. Resolutions

1. Consider Adoption of Resolution No. 11-2898 Adopting the City's Local Hazard Mitigation Plan Update, Authorizing Future Nonsubstantive Amendments to the Plan, Authorizing All Duties Required to Carry Out the Plan, and Adopting the Plan Into the Safety Element of the City's General Plan [CC] 71

2. Consider Adoption of Resolution No. 11-2899 Amending the Fiscal Years 2010/2015 Measure I Five-Year Capital Improvement Program [CC] 75

3. Consider Adoption of Resolution No. 11-2900 Authorizing Implementation of Provisions of Section 414(h)(2) of the Internal Revenue Code for the California Public Employees' Retirement System Employer Pickup [CC] 79

4. Consider Adoption of Resolution No. 11-2902 Rescinding Resolution No. 10-2859 Designating Restricted Parking on Public Streets [CC] 82

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney/Agency Counsel

B. City Manager/Executive Director

C. Mayor/Chairman	
D. Council/Agency Board	
E. Committee Meeting Minutes <i>(For Informational Purposes Only)</i>	
1. Minutes of the Public Works Committee Meeting of February 17, 2011	118
2. Minutes of the Personnel Committee Meeting of April 18, 2011	124
XII. ADJOURNMENT OF CITY COUNCIL AND REDEVELOPMENT AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS	

The next regularly scheduled City Council, Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, May 16, 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 April 28, 2011.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 11-2896 AMENDING THE MASTER USER
FEE SCHEDULE TO INCORPORATE VEHICLE
IMPOUND SERVICE FEES

DATE: May 2, 2011
SECTION: PUBLIC HEARINGS
ITEM NO.: A
FILE I.D.: FLP170
DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 11-2896 amending the Master User Fee Schedule to incorporate vehicle impound service fees.

BACKGROUND: California Vehicle Code Section 14602.6 authorizes the Police Department to impound and hold vehicles for 30 days when driven by persons who are unlicensed or who have a suspended or revoked license. California Vehicle Code Section 14607.4 states this penalty is beneficial to the protection of Californians from the harm caused by unlicensed drivers.

On December 7, 2009, the Police Department presented to the City Council a cost and feasibility analysis of operating its own 30-day vehicle impound storage lot. The City Council determined doing so would be beneficial to the City and the public and recommended the Police Department move forward with the operation.

On February 8, 2011, the federal Ninth Circuit Court of Appeals opined the statute is necessary because of the "community caretaking doctrine" and because the City and Police Department could be sued if there is no impound and the vehicle is subsequently driven and causes damage or is damaged where it is left after a traffic stop.

The American Automobile Association conducted a study to quantify the number and percentage of drivers involved in fatality collisions who have an invalid license (*i.e.*, unlicensed, suspended or revoked, expired, or canceled/denied driver's license) or an unknown license status. The study revealed 16.4 percent of drivers involved had an invalid license and 3.6 percent had an undeterminable license status.

Currently, the City receives one half of the 30-day storage impound fees from a tow company. The City has acquired a secured parking lot north of the Police Department and is prepared to maintain the 30-day impounds, retaining 100 percent of the storage fees.

The additional operating costs related to the time required to complete specific tasks, along with material costs of a City-managed 30-day vehicle impound lot, are as follows:

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

Police Department Fee Schedule Changes

<i>Description</i>	<i>Proposed Fees</i>
Impounded Vehicle Towing	\$193 for vehicles with a gross vehicle weight rating under 14,000 pounds
Impounded Vehicle Towing	\$218 for vehicles with a gross vehicle weight rating of 14,001 to 19,501 pounds
Impounded Vehicle Storage	\$ 48 per day for vehicles less than 20 feet in length
Impounded Vehicle Storage	\$ 53 per day for vehicles greater than 20 feet in length
Vehicle Lien Processing	\$ 70 for vehicles valued less than \$4,000
Vehicle Lien Processing	\$100 for vehicles valued greater than \$4,000

FISCAL IMPACT: Revenues generated from the proposed Vehicle Impound Lot would offset expenditures.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 11-2896 amending the Master User Fee Schedule to incorporate vehicle impound service fees.

RESOLUTION NO. 11-2896

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING THE MASTER USER FEE SCHEDULE TO INCORPORATE VEHICLE IMPOUND SERVICE FEES

WHEREAS, the City of Montclair has the statutory authority to impose fees, charges, and rates under its regulatory and Police power as authorized pursuant to California Government Code Section 37112; and

WHEREAS, user fees are imposed for services rendered by the City of Montclair that will benefit a specific individual or group of individuals; and

WHEREAS, there is a need for the City of Montclair to recoup reasonable costs related to the provision of specified services; and

WHEREAS, user fees are imposed to assign the cost of providing services to the specific individual or group of individuals receiving the benefits of said services, rather than funding said services from General Fund revenues; and

WHEREAS, California Vehicle Code Section 22850.5(a) authorizes cities to administer vehicle impound facilities; and

WHEREAS, the City Council of the City of Montclair has determined that fees equal to administrative costs related to the removal, impound, storage, or release of vehicles be set by City Resolution; and

WHEREAS, the recovery of those costs are expressly not included in the existing stored/impounded vehicle release fee; and

WHEREAS, the City has heretofore conducted an analysis of the costs incurred in connection with vehicle towing, impound storage and release, and lien processing, and the fees established herein were determined to not exceed reasonable costs; and

WHEREAS, the City Council has duly noticed and conducted a public hearing on May 2, 2011, at which time the public was invited to give oral and/or written testimony as part of the regularly scheduled City Council meeting prior to the City Council's consideration of adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby find and determine the Police Department shall impose the following vehicle impound service fees:

Impounded Vehicle Towing	\$193 for vehicles with a gross vehicle weight rating under 14,000 pounds
Impounded Vehicle Towing	\$218 for vehicles with a gross vehicle weight rating of 14,001 to 19,501 pounds

Impounded Vehicle Storage	\$ 48 per day for vehicles less than 20 feet in length
Impounded Vehicle Storage	\$ 53 per day for vehicles greater than 20 feet in length
Vehicle Lien Processing	\$ 70 for vehicles valued less than \$4,000
Vehicle Lien Processing	\$100 for vehicles valued greater than \$4,000

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect thirty (30) days after passage.

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. 11-2896 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

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 11-2897 ADJUSTING THE EQUIVALENT
DWELLING UNIT MONTHLY FEE FOR SEWER
SERVICE

DATE: May 2, 2011
SECTION: PUBLIC HEARING
ITEM NO.: B
FILE I.D.: SEW125
DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: The Inland Empire Utilities Agency (IEUA) provides sewage treatment services to the City of Montclair and six other regional contracting agencies. The IEUA Board of Directors has voted to maintain the treatment rate at the current level, \$11.14 per equivalent dwelling unit (EDU) per month, through June 30, 2012. Although the Board of Directors did not approve an increase, an adjustment to the overall rate charged to businesses and residents of Montclair is still required due to increased maintenance costs. In order to collect this higher rate, the City must adopt new rates. The rate may be changed by a Resolution adopted by the City Council.

BACKGROUND: IEUA provides sewage treatment for seven regional contracting agencies including the City of Montclair. Treatment costs are passed on to City residents and businesses via a monthly fee based on an equivalent dwelling unit (EDU). Annual adjustments in these rates fall under public hearing requirements of Proposition 218.

On May 7, 2007, the City Council of the City of Montclair conducted a public hearing in accordance with Proposition 218 requirements and adopted Ordinance No. 07-890. Ordinance No. 07-890 established a three-part fee structure and set maximum rates over a ten-year period as shown in the table below. The Ordinance allows the fee to be adjusted annually by Resolution, provided the rate does not exceed the maximum allowable under the Ordinance. The maximum rates permissible under Ordinance No. 07-890 for Fiscal Year 2011-12 are as follows:

<i>Effective Date</i>	<i>Part 1</i>	<i>Part 2</i>	<i>Part 3</i>	<i>Maximum Rate</i>
July 1, 2011	\$12.25	\$3.77	\$1.50	\$17.52

- Part 1 Fee - Inland Empire Utilities Agency Treatment Fee
- Part 2 Fee - City Sewer Maintenance Fund
- Part 3 Fee - City Sewer Replacement Fund

The combined maximum rate that can be charged under Ordinance No. 07-890 for Fiscal Year 2011-12 is \$17.52 per EDU per month. The current rate charged to Montclair residents and businesses is \$16.23 per EDU per month.

Prepared by: *M. Scott*
Proofed by: *Ally*

Reviewed and Approved by: *M. STATS*
Presented by: *[Signature]*

Although the IEUA Board of Directors has voted to keep the treatment rate at \$11.14 per EDU per month, it is recommended the City levy a 5 percent surcharge on the Part 1 fee. It's not unusual for one to two months to pass between the time the City pays IEUA for the treatment and those same funds are collected from the sewer users. This lag time results in loss of interest earnings to the sewer reserves. A 5 percent surcharge would raise the Part 1 fee to \$11.70 per EDU per month. The total proposed rate is as shown below:

<i>Effective Date</i>	<i>Part 1</i>	<i>Part 2</i>	<i>Part 3</i>	<i>Total Rate</i>
July 1, 2010	\$11.70	\$3.77	\$1.50	\$16.97

The proposed Part 1 fee of \$11.70 per EDU per month is less than the maximum permissible of \$12.25 per EDU per month, and the total rate of \$16.97 per EDU per month is less than the maximum rate of \$17.52 per EDU per month allowed under Ordinance No. 07-890. The proposed rate of \$16.97 per EDU per month is an increase of \$0.74 per EDU per month.

Somewhat related to the EDU treatment rate is the Regional Sewage Supplemental Capital Outlay Fee for residential, commercial, and industrial structures. This fee, also known as the connection fee, is generally adjusted in April of each year. It is established by IEUA and is assessed by the City at the time a building permit is issued. The current rate is \$4,766 per EDU. The IEUA Board of Directors has voted to keep the current connection fee at \$4,766 per EDU for Fiscal Year 2011-12. Therefore, staff will not be bringing forth any proposed connection fee rate increase for the next fiscal year.

FISCAL IMPACT: Adoption of Resolution No. 11-2897 would permit the City to collect funds sufficient to pay for increasing maintenance costs and to continue contributing to the sewer replacement account.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 11-2897 adjusting the equivalent dwelling unit monthly fee for sewer service.

RESOLUTION NO. 11-2897

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR SETTING
THE EQUIVALENT DWELLING UNIT RATE
FOR SEWER SERVICE**

WHEREAS, on May 7, 2007, the City Council of the City of Montclair adopted Ordinance No. 07-890; and

WHEREAS, Ordinance No. 07-890 established maximum sewer rates for the ten-year period commencing July 1, 2007, and ending June 30, 2017; and

WHEREAS, the maximum monthly rate to be charged per equivalent dwelling unit (EDU) for the period commencing July 1, 2011, and ending June 30, 2012, was set as follows:

Part 1 Fee - Inland Empire Utilities Agency Treatment Fee	\$12.25
Part 2 Fee - City Sewer Maintenance Fund	3.77
Part 3 Fee - City Sewer Replacement Fund	<u>1.50</u>
Total Maximum Permissible Monthly EDU Rate	<u>\$17.52</u>

and

WHEREAS, the Inland Empire Utilities Agency has set the Part 1 Fee at \$11.14 per EDU per month for fiscal year 2011/2012, less than the maximum EDU rate approved by the City Council by Ordinance No. 07-890; and

WHEREAS, a lag time exists between the time the City pays for sewage treatment costs and the time it receives payment from City users; and

WHEREAS, the lag time results in a loss of interest in sewer reserves; and

WHEREAS, the inclusion of a 5% surcharge on the Part 1 Fee would offset the loss of interest in sewer reserves.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair, in accordance with Ordinance No. 07-890 and action taken by the Inland Empire Utilities Agency, does hereby set the monthly EDU rate effective July 1, 2011, as follows:

Part 1 Fee - Inland Empire Utilities Agency Treatment Fee	\$11.14
Part 1 Fee - 5% surcharge	0.56
Part 2 Fee - City Sewer Maintenance Fund	3.77
Part 3 Fee - City Sewer Replacement Fund	<u>1.50</u>
Total Monthly EDU Rate	<u>\$16.97</u>

APPROVED AND ADOPTED this 18th day of April, 2011.

Mayor

ATTEST:

City Clerk

I, Donna M. Jackson, City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 11-2897 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 18th day of April, 2011, and that it was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Donna M. Jackson
City Clerk

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF ORDINANCE NO. 11-921 AMENDING SECTION 9.02 AND REPLACING SECTION 9.20.700 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO THE CITY COMMUNITY SEWER SYSTEM AND CERTAIN WATER-SOFTENING DEVICES

SECOND READING

DATE: May 2, 2011
SECTION: PUBLIC HEARINGS
ITEM NO.: C
FILE I.D.: ENV400
DEPT.: PUBLIC WORKS

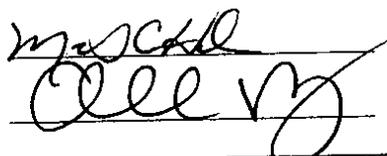
REASON FOR CONSIDERATION: The City Council previously considered Ordinance No. 11-921 related to water softeners. Public hearings were held on February 22, 2011, and on March 7, 2011, culminating on the latter date with a second reading and adoption of the Ordinance. This Ordinance was made possible through an Assembly Bill, AB 1366, later codified as Water Code Section 13148. Unlike most City Ordinances, which are adopted at the time of the second reading, Water Code Section 13148 requires a 30-day period between the public hearing and the adoption, followed by the normal 30-day period before it becomes effective. In order to comply with Water Code Section 13148, the City Council is requested to again conduct a second reading and adoption of Ordinance No. 11-921.

BACKGROUND: The State Legislature has found that elevated levels of salinity in community sewer systems can hinder needed water recycling projects, and discharges from those systems may impair groundwater resources and surface waters of the state. By Resolution No. R8-2004-0001, the California Regional Water Quality Control Board, Santa Ana Region (Regional Board) has determined that the Santa Ana River Basin, including the Chino Basin, faces water quality challenges due to salinity pollution resulting from historical agricultural and other activities. The Regional Board has adopted the 2004 Basin Plan Amendment which sets water quality objectives that protect beneficial uses and provide maximum benefit to the users of the Santa Ana River Basin and to the State of California.

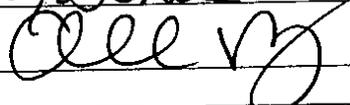
Producing high-quality recycled water is imperative to the regional initiative within Inland Empire Utility Agency's (IEUA's) service area to maximize beneficial reuse of recycled water through landscape irrigation, industrial reuse, and groundwater recharge. Reuse of recycled water is a critical component of the regional plans to reliably meet current and future water needs for the City of Montclair as well as the communities served by the IEUA.

In accordance with Water Code Section 13148(e), the Regional Board, through Order No. R8-2010-0008, has found that the control of residential use of self-regenerating water softeners will contribute to the achievement of the water quality objectives approved in the 2004 Basin Plan Amendment. This finding is based on evidence demonstrating that salinity input from residential use of self-regenerating water softeners is a significant source of controllable total dissolved solids (TDS) within IEUA's sewer system and that

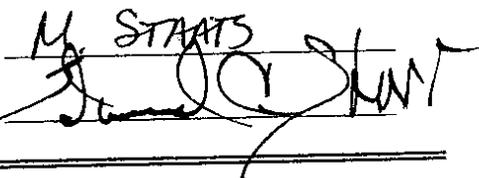
Prepared by:



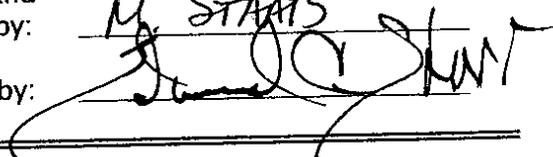
Proofed by:



Reviewed and Approved by:



Presented by:



significant regional economic impacts would result if residential use of self-regenerating water softeners is not controlled.

The Montclair Municipal Code currently allows two types of water-softening devices: exchange units and self-regenerating units. Proposed Ordinance No. 11-921 would prohibit the installation, replacement, or enlargement of the self-regenerating units. The Ordinance would not impact businesses or residences currently using self-regenerating units as it does not require their removal or prohibit their use. Essentially, anyone currently using a self-regenerating water softener within the City is "grandfathered" in.

FISCAL IMPACT: Adoption of proposed Ordinance No. 11-921 would be revenue-neutral.

RECOMMENDATION: Staff recommends the City Council adopt Ordinance No. 11-921 amending Section 9.02 and replacing Section 9.20.700 of the Montclair Municipal Code related to the City Community Sewer System and certain water-softening devices.

ORDINANCE NO. 11-921

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF MONTCLAIR AMENDING CHAPTER 9.02
AND REPLACING CHAPTER 9.20.700 OF THE
MONTCLAIR MUNICIPAL CODE RELATED TO
THE CITY'S COMMUNITY SEWER SYSTEM AND
CERTAIN WATER-SOFTENING DEVICES

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

Section I. Amend Chapter 9.02, "Acronyms and Definitions," to include the following:

City means the City of Montclair.

Community Sewer System shall mean all facilities owned, controlled, or operated by the City of Montclair for the purpose of collecting and conducting sewage to a Delivery Point, including collector sewers conducting sewage from the originating premises, trunk sewers conveying sewage from tributary collector sewers or other trunk sewers, and any facilities appurtenant to the foregoing.

Self-regenerating water softening appliance shall mean a water-softening device located within the City of Montclair that discharges to a Community Sewer System that is tributary to the Regional Sewer System owned and operated by IEUA, whereby the capability of the appliance to remove hardness from water is renewed by the onsite application of a salt-containing brine solution to the active softening or conditioning material contained therein followed by a subsequent rinsing of the active softening or conditioning material.

Regional Board shall mean the California Water Quality Control Board, Santa Ana Region, created and exercising its powers pursuant to the Porter-Cologne Water Quality Control Act, California Water Code Sections 13000, *et seq.*

Regional Sewer System shall mean all facilities owned, controlled, or operated by IEUA and any interest or capacity rights of IEUA in facilities owned, controlled, or operated by others for purpose of transmitting, treating, and disposing of sewage, including interceptor sewers, sewage treatment and disposal plants, outfall sewers, facilities for the disposal of effluent and solid waste residuals, and any facilities appurtenant to the foregoing. The Regional Sewerage System shall not include any recycling facilities or portions of recycling facilities that are operated by or for the benefit of IEUA to meet obligations under the judgment entered in the action entitled Orange County Water District v. City of Chino, *et al.* (Case No. 117628, Superior Court, County of Orange) or to meet the requirements of contracting agencies exercising the right of first purchase of recycled effluent, provided that the Regional Sewerage System shall include all other Disposal Facilities that are required to meet the

requirements of the NPDES Permit or Permits or Waste Discharge Requirements issued to IEUA by the Regional Water Quality Control Board, Santa Ana Region, for the operation of the Regional Treatment Plants.

Section II. Amendment to Code. Chapter 9.20.700 of Title 9 of the Montclair Municipal Code is hereby replaced as follows:

Sec. 9.20.700 Residential water-softening appliances.

A. Statutory Authorization.

This Ordinance is enacted pursuant to authority contained in Section 13148 of the California Water Code and exercises authority conferred by law including, but not limited to, Chapter 5, Part 12, Division 104 of the Health and Safety Code and Order No. R8-2010-0008 of the California Regional Water Quality Control Board, Santa Ana Region, and Ordinance No. 921 of the Inland Empire Utilities Agency.

B. Purpose.

The purpose of this Ordinance is to protect the quality of the waters of the State including, but not limited to, protecting beneficial uses of the Chino Basin and the entire Santa Ana watershed, and to allow for the effective recycling of water to meet the water supply of the residents of the community.

C. Findings.

1. The State Legislature has found and declared that elevated levels of salinity in community sewer systems can hinder needed water recycling projects, and discharges from those systems may impair groundwater resources and surface waters of the state.

2. The California Regional Water Quality Control Board, Santa Ana Region (Regional Board), has determined that the Santa Ana River Basin, including the Chino Basin, faces water quality challenges due to salinity pollution resulting from historical agricultural and other activities. (Resolution No. R8-2004-0001)

3. The Regional Board has adopted the 2004 Basin Plan Amendment, which sets water quality objectives that protect beneficial uses and provide maximum benefit to the users of the Santa Ana River Basin and to the State of California. (Resolution No. R8-2004-0001)

4. Producing high-quality recycled water is imperative to the regional initiative within Inland Empire Utility Agency's (IEUA) service area to maximize beneficial reuse of recycled water through landscape irrigation, industrial reuse, and groundwater recharge.

5. Reuse of recycled water is a critical component of the regional plans to reliably meet current and future water needs for the City of Montclair as well as the communities served by the IEUA.

6. In accordance with Section 13148(e) of the California Water Code, the Regional Board has found that the control of residential use of self-regenerating water softeners will contribute to the achievement of the water quality objectives approved in the 2004 Basin Plan Amendment. This finding

is based on evidence demonstrating that salinity input from residential use of self-regenerating water softeners is a significant source of controllable total dissolved solids within IEUA's sewer system and that significant regional economic impacts will result if residential use of self-regenerating water softeners is not controlled. (Order No. R8-2010-0008)

D. Prohibition.

It is unlawful to install or cause to be installed, replace, or enlarge any self-regenerating water softening appliance that is used for softening all or any part of the water supply to any premises when such appliance is regenerated by the onsite application of a salt-containing brine solution with the regenerated wastes being discharged to the City's Community Sewer System.

This Section shall not apply to any portable exchange water softener of the type that is regenerated offsite at a lawfully regulated location.

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 Deputy 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. 11-921 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

AGENDA REPORT

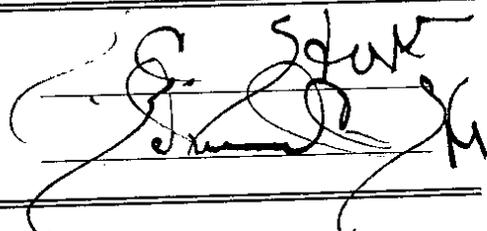
SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 11-2901 APPROVING A PRECISE PLAN OF DESIGN TO ALLOW A MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT WITH A DENSITY BONUS PURSUANT TO CHAPTER 11.85 OF THE MONTCLAIR MUNICIPAL CODE	DATE: May 2, 2011
	SECTION: ADMIN. REPORTS
	ITEM NO.: 1
	FILE I.D.: LDU600
	DEPT.: COMMUNITY DEV.

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 require City Council approval for all discretionary land use entitlements and the site development plan.

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.

FISCAL IMPACT: There would be no fiscal impact to the General Fund by setting the public hearing for this agenda item.

RECOMMENDATION: The Planning Commission and staff recommend the City Council set a public hearing for Monday, May 16, 2011, at 7:00 p.m. in the City Council Chambers 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 Chapter 11.85 of the Montclair Municipal Code.

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

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>
<u>Setbacks</u> 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>
* Per Chapter 1.1.22 of Montclair Municipal Code R-3 (24 du/ac) zone		

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 pre-coated/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 SETTING A PUBLIC HEARING 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

DATE: May 2, 2011
SECTION: ADMIN. REPORTS
ITEM NO.: 2
FILE I.D.: TRC625
DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: 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 and must be redone periodically. Once a speed survey has been completed, the City may set the speed limits by adopting an Ordinance. Ordinances require public hearings and adoption by the City Council.

BACKGROUND: 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 limits 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 by the City Council. These surveys include an analysis of roadway conditions, accident records, and a sampling of 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.

Prepared by:

M. SCHA

Reviewed and
Approved by:

M. STANTS

Proofed by:

Ally

Presented by:

David E. Hunt

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 are not 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 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: Publication costs for the legal notice required for this public hearing are not expected to exceed \$1,000.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, May 16, 2011, at 7:00 p.m. 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.

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

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



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 85 th 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 85 th 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
	Recommended Speed Limit: 40 mph based on the 85 th percentile				
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 DECLARING UNCLAIMED
BICYCLES IN POLICE CUSTODY AS SURPLUS
AND AVAILABLE FOR DONATION TO THE
CALIFORNIA INSTITUTION FOR WOMEN

DATE: May 2, 2011
SECTION: ADMIN. REPORTS
ITEM NO.: 3
FILE I.D.: EQS051/052
DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to declare unclaimed bicycles in Police custody as surplus so they may be donated to the California Institution for Women.

BACKGROUND: The bicycles included on the attached list are considered unclaimed property in Police custody. Upon being declared as surplus by the City Council, the bicycles would become available for donation to the California Institution for Women.

FISCAL IMPACT: The City's donation of the subject bicycles to the California Institution for Women would be revenue neutral.

RECOMMENDATION: Staff recommends the City Council declare unclaimed bicycles in Police custody as surplus and available for donation to the California Institution for Women.

Prepared by: Sharon Aguirre Reviewed and Approved by: K. C. Jones
Proofed by: Judith B. Presented by: James O. Star

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION	DATE: May 2, 2011
	SECTION: ADMIN. REPORTS
	ITEM NO.: 4
BUSINESS PLAN: N/A	FILE I.D.: FIN540
	DEPT.: ADMIN. SVCS.

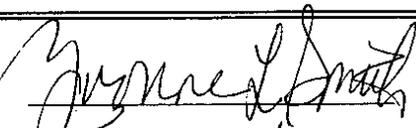
REASON FOR CONSIDERATION: The City Council is requested to consider approval of the Warrant Register and Payroll Documentation.

BACKGROUND: Mayor Pro Tem Raft has examined the Warrant Register dated May 2, 2011, and Payroll Documentation dated March 13, 2011; finds them to be in order; and recommends their approval.

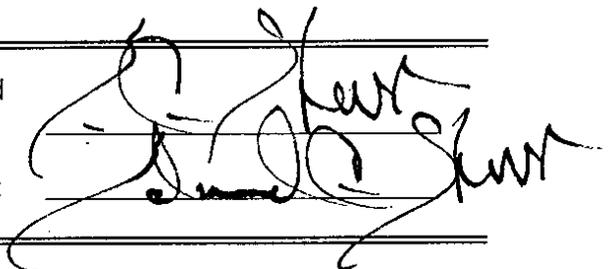
FISCAL IMPACT: The Warrant Register dated May 2, 2011, totals \$1,120,808.19. The Payroll Documentation dated March 13, 2011, totals \$577,674.26, with \$407,610.92 being the total cash disbursement.

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 APPROVAL OF AGREEMENT NO. 11-49 WITH CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT FOR LAW ENFORCEMENT SERVICES DURING FISCAL YEAR 2011-12	DATE: May 2, 2011 SECTION: AGREEMENTS ITEM NO.: 1 FILE I.D.: SCH125/350 DEPT.: POLICE
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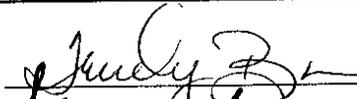
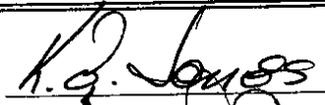
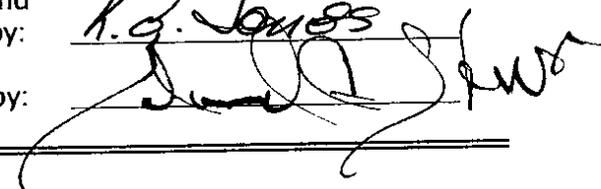
REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 11-49 with the Chaffey Joint Union High School District to continue the Safe School Zone Officer assignment at Montclair High School.

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

Pursuant to the terms of proposed Agreement No. 11-49, the Chaffey Joint Union High School District would pay \$64,000 toward the cost of a Safe School Zone Officer. The Police Department would be obligated to provide an on-campus presence for eight hours each school day. Our experience has shown that an Officer's presence has a positive impact at the school with little change to the allocation of patrol services.

FISCAL IMPACT: The Chaffey Joint Union High School District would pay \$64,000 toward the salary of a Safe School Zone Officer during Fiscal Year 2011-12 should this item be approved.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 11-49 with Chaffey Joint Union High School District for law enforcement services during Fiscal Year 2011-12.

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

**AGREEMENT
FOR SPECIALIZED LAW ENFORCEMENT SERVICES**

This Agreement is made and entered into this 1st day of July, 2011 by and between the City of Montclair (hereinafter referred to as "CITY") and the Chaffey Joint Union High School District (hereinafter referred to as "DISTRICT"), both of whom understand as follows:

WITNESSETH

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

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

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

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

5. Through one Safe School Zone Officer, maintain a physical presence on campus during the hours of approximately 7:00 a.m. and 4:00 p.m. on each school day. While on campus, the role of the officer is to:
 - a. Act as a positive role model for students.
 - b. Facilitate a positive and interactive student/law enforcement relationship.
 - c. Maintain a proactive stance toward crime prevention and order maintenance.
 - d. Act as first responder to criminal conduct or order maintenance issues occurring on or about the high school campus.
 - e. Within the confines of the law, act as information resource for school administrators on matters of mutual concern.
- C. In addition to the above, beginning with the summer session of 2011, the Safe School Zone Officers will provide similar services to the high school, adjusting the hours to the school schedule.
 1. One Safe School Zone Officer will maintain a physical presence on campus each day during the regularly scheduled school hours.
- D. In consideration for providing these services, the DISTRICT will pay to the CITY a total of \$64,000 invoiced in two equal \$32,000 amounts; the first during November 2011, and the second due in May 2012.
- E. It is understood by both parties that the Safe School Zone Officers or other CITY officers providing this service shall remain CITY's employee at all times. As such, the CITY shall be responsible for all employment costs, supervision, control, and assignment of said officers.
- F. This Agreement is not assignable, either in whole or in part, by DISTRICT without the prior written consent of the CITY. The laws of the State of California shall govern the rights, obligation, duties, and liabilities of the parties to this Agreement and shall also govern the interpretation of the Agreement, if in dispute.

TERMINATION OR MODIFICATION OF AGREEMENT

This Agreement shall end on May 23, 2012, unless extended by both the CITY and DISTRICT. The CITY or DISTRICT may terminate all or any portion of this Agreement at any time upon providing a thirty (30) day written notice delivered to the addresses below. In the event the Agreement is terminated by either party prior to May 23, 2012, DISTRICT shall pro-rate its final payment for services rendered at \$5,500 per month.

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

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

INDEMNIFICATION

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

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

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

CITY OF MONTCLAIR

CHAFFEY JOINT UNION HIGH
SCHOOL DISTRICT

Paul M. Eaton
Mayor

Timothy Ward
Assistant Superintendent

ATTEST:

Yvonne L. Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER REDEVELOPMENT AGENCY BOARD OF DIRECTORS' AWARD OF CONTRACT TO GENTRY BROTHERS, INC., IN THE AMOUNT OF \$142,499

CONSIDER APPROVAL OF AGREEMENT NO. 11-50 WITH GENTRY BROTHERS, INC., FOR CONSTRUCTION OF THE MISSION BOULEVARD IMPROVEMENT PHASE 10 STORM DRAIN PROJECT

CONSIDER AUTHORIZATION OF A \$15,000 CONSTRUCTION CONTINGENCY

DATE: May 2, 2011

SECTION: AGREEMENTS (JT)

ITEM NO.: 2

FILE I.D.: SSP178

DEPT.: PUBLIC WORKS/RDA

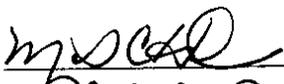
REASON FOR CONSIDERATION: Awards of contracts and agreements with the Redevelopment Agency require Agency Board of Directors approval.

BACKGROUND: On March 7, 2011, the Montclair Redevelopment Agency Board of Directors authorized the advertisement of the Mission Boulevard Improvement Phase 10 Storm Drain Project.

Pursuant to Annexation No. 27, the City of Montclair annexed an area of San Bernardino County generally bounded by Mission Boulevard, Ramona Avenue, State Street, and Silicon Avenue on December 18, 2006. With the annexation, the City inherited a flooding problem affecting properties located at 4230 Mission Boulevard. The address of 4230 Mission Boulevard has two parcels and two different property owners. Storm water runoff from Third Street to the north flows through these properties to Mission Boulevard. During periods of moderate to heavy rain, runoff has made access to these properties impossible.

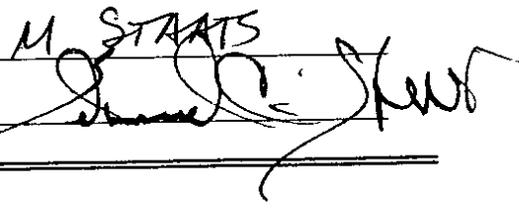
This project involves construction of a new storm drain system including two new catch basins and approximately 580 feet of storm drain pipe. On Thursday, February 24, 2011, the Deputy City Clerk received and opened 15 bid proposals for construction of the Mission Boulevard Improvement Phase 10 Storm Drain Project. The bid results are tabulated on the following page.

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

Prepared by: 

Proofed by: 

Reviewed and Approved by: M. STAATS

Presented by: 

<i>Contractor</i>	<i>Bid Amount</i>
Gentry Brothers, Inc.	\$142,499.00
G. Hurtado Construction, Inc.	\$165,714.00
4-Con Engineering, Inc.	\$174,062.50
Spiess Construction Co., Inc.	\$174,448.00
Garcia Juarez Construction, Inc.	\$188,635.00
KIP Incorporated	\$192,288.75
Downing Construction, Inc.	\$193,970.00
West Coast Public Works, Inc.	\$198,818.00
Palp, Inc., DBA Excel Paving Company	\$199,763.00
Doty Bros. Equipment Co.	\$199,911.50
Atlas Underground, Inc.	\$202,931.00
C.P. Construction Co., Inc.	\$239,725.00
California Builders Group, Inc.	\$246,115.00
Engineer's Estimate	\$262,000.00
R.Y. Engineering Works, Inc.	\$287,404.00
Atlas-Allied, Inc.	\$325,900.00

FISCAL IMPACT: This project is funded by the Montclair Redevelopment Agency.

RECOMMENDATION: Staff recommends the Redevelopment Agency Board of Directors take the following actions:

1. Award a contract to Gentry Brothers, Inc., in the amount of \$142,499.
2. Approve Agreement No. 11-50 with Gentry Brothers, Inc., for construction of the Mission Boulevard Improvement Phase 10 Storm Drain Project.
3. Authorize a \$15,000 construction contingency.

AGREEMENT NO. 11-50

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

A. Recitals.

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

MISSION BOULEVARD IMPROVEMENT PHASE 10 STORM DRAIN PROJECT

"PROJECT" hereinafter.

B. Resolution.

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

1. GENERAL SCOPE OF WORK: CONTRACTOR shall furnish all necessary labor, tools, materials, appliances, and equipment for and do all work contemplated and embraced for the PROJECT. Said PROJECT to be performed in accordance with specifications and standards on file in the Office of the City Engineer and in accordance with bid prices hereinafter mentioned and in accordance with the instructions of the Engineer.
2. INCORPORATED DOCUMENTS TO BE CONSIDERED COMPLEMENTARY: The aforesaid specifications are incorporated herein by reference thereto and made a part hereof with like force and effect as if all of said documents were set forth in full herein. Said documents, the Notice Inviting Bids, the Instructions to Bidders, the Proposal and any City-issued addenda, together with this written Agreement, shall constitute the contract between the parties. This contract is intended to require a complete and finished piece of work and anything necessary to complete the work properly and in accordance with the law and lawful governmental regulations shall be performed by the CONTRACTOR whether set out specifically in the contract or not. Should it be ascertained that any inconsistency exists between the aforesaid documents and this written Agreement, the provisions of this written Agreement shall control.
3. TERMS OF CONTRACT: The CONTRACTOR agrees to execute the contract within ten (10) calendar days from the date of notice of award of the contract and to complete his portion of PROJECT within the time specified in the Special Provisions. CONTRACTOR agrees further to the assessment of liquidated damages in the amount

specified in the Special Provisions or the Standard Specifications, whichever is higher, for each calendar day PROJECT remains incomplete beyond the expiration of the completion date. CITY may deduct the amount thereof from any moneys due or that may become due the CONTRACTOR under this contract. Progress payments made after the scheduled date of completion shall not constitute a waiver of liquidated damages.

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

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

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

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

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

- (1) Public Liability - Bodily Injury (not auto) \$1,000,000 each person; \$2,000,000 each accident.
- (2) Public Liability - Property Damage (not auto) \$500,000 each accident; \$1,000,000 aggregate.
- (3) Contractor's Protective - Bodily Injury \$1,000,000 each person; \$2,000,000 each accident.
- (4) Contractor's Protective - Property Damage \$500,000 each accident; \$1,000,000 aggregate.
- (5) Automobile - Bodily Injury \$1,000,000 each person; \$2,000,000 each accident.

- (6) Automobile - Property Damage \$500,000 each accident.
- c. The policy of insurance provided for in subparagraph a. shall contain an endorsement which:
 - (1) Waives all right of subrogation against all persons and entities specified in subparagraph 4.d.(2) hereof to be listed as additional insureds in the policy of insurance provided for in paragraph b. by reason of any claim arising out of or connected with the operations of CONTRACTOR or any subcontractor in performing the work provided for herein;
 - (2) Provides it shall not be canceled or altered without thirty (30) days' written notice thereof given to CITY by registered mail.
- d. Each such policy of insurance provided for in paragraph b. shall:
 - (1) Be issued by an insurance company approved in writing by CITY, which is qualified to do business in the State of California;
 - (2) Name as additional insureds the CITY, its officers, agents and employees, and any other parties specified in the bid documents to be so included;
 - (3) Specify it acts as primary insurance and that no insurance held or owned by the designated additional insureds shall be called upon to cover a loss under said policy;
 - (4) Contain a clause substantially in the following words:

"It is hereby understood and agreed that this policy may not be canceled nor the amount of the coverage thereof reduced until thirty (30) days after receipt by CITY of a written notice of such cancellation or reduction of coverage as evidenced by receipt of a registered letter."
 - (5) Otherwise be in form satisfactory to CITY.
- e. The CONTRACTOR shall at the time of the execution of the contract present the original policies of insurance required in paragraphs a. and b., hereof, or present an endorsement of the insurance company, showing the issuance of such insurance, and the additional insureds and other provisions required herein.

5. CONTRACTOR'S LIABILITY: The City of Montclair and its respective officers, agents and employees shall not be answerable or accountable in any manner for any loss or damage that may happen to the project or any part thereof, or for any of the materials or other things used or employed in performing the project; or for injury or damage to any person or persons, either workmen, employees of the CONTRACTOR or his subcontractors or the public, whatsoever arising out of or in connection with the performance of the project. The CONTRACTOR shall be responsible for any damage or

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

- a. The CONTRACTOR will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations, or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection therewith.
- b. The CONTRACTOR will promptly pay any judgment or award rendered against the CONTRACTOR or CITY covering such claims, damages, penalties, obligations, and liabilities arising out of or in connection with such work, operations, or activities of the CONTRACTOR hereunder or reasonable settlement in lieu of judgment or award, and the CONTRACTOR agrees to save and hold the CITY harmless therefrom.
- c. In the event CITY is made a party to any action or proceeding filed or prosecuted against the CONTRACTOR for damages or other claims arising out of or in connection with the project, operation, or activities of the CONTRACTOR hereunder, the CONTRACTOR agrees to pay to CITY any and all costs and expenses incurred by CITY in such action or proceeding together with reasonable attorneys' fees.

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

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

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

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

8. **CONTRACT PRICE AND PAYMENT:** CITY shall pay to the CONTRACTOR for furnishing the material and doing the prescribed work the unit prices set forth in accordance with CONTRACTOR's Proposal dated **April 21, 2011**.

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

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

CITY:
CITY OF MONTCLAIR, CALIFORNIA

CONTRACTOR:
GENTRY BROTHERS, INC.

Paul M. Eaton
Mayor

By _____

Title

ATTEST:

Address

Yvonne L. Smith
City Clerk

City, State, ZIP Code

AGENDA REPORT

SUBJECT: CONSIDER AWARD OF CONTRACT TO GENTRY BROTHERS, INC., IN THE AMOUNT OF \$892,340	DATE: May 2, 2011
CONSIDER APPROVAL OF AGREEMENT NO. 11-51 WITH GENTRY BROTHERS, INC., FOR CONSTRUCTION OF THE MILLS AVENUE REHABILITATION PROJECT	SECTION: AGREEMENTS
CONSIDER AUTHORIZATION OF A \$90,000 CONSTRUCTION CONTINGENCY	ITEM NO.: 3
	FILE I.D.: GRT050
	DEPT.: PUBLIC WORKS

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

BACKGROUND: On March 21, 2011, the Montclair City Council authorized the advertisement of the Mills Avenue Rehabilitation Project.

The Mills Avenue Rehabilitation Project is intended to provide pavement and alternative transportation improvements on Mills Avenue between the Union Pacific Railroad tracks on the south and Moreno Street on the north. Improvements include removal and replacement of damaged curb, gutter, and sidewalk; replacement of noncompliant Americans with Disabilities Act pedestrian ramps; grinding of existing asphalt concrete pavement; and placement of new asphalt concrete pavement overlay.

Alternative transportation improvements consist of reducing the number of vehicle traffic lanes from two in both north- and southbound directions of travel to one lane of travel. The reduction of vehicle traffic lanes allows for construction of a new designated bicycle lane to both north- and southbound commuters. Mills Avenue has been a designated bicycle lane in the cities of Claremont and Pomona for several years. By modifying the City's striping plan, bicycle commuters will ultimately have a safe Class 2-designated route through the City of Montclair from Holt Boulevard to Foothill Boulevard.

On Thursday, April 14, 2011, the Deputy City Clerk received and opened 15 bid proposals for construction of the Mills Avenue Rehabilitation Project. The bid results are shown on the following page.

Following the bid opening, all bid proposals were reviewed for completeness and accuracy. Gentry Brothers, Inc., provided all the required documents and was deemed to be the lowest responsible, responsive bidder for the project. Based on previous projects that Gentry Brothers, Inc., has performed for the City, the company is known to have the personnel, equipment, and job experience necessary to complete the contract in accordance with the plans and specifications.

Prepared by: *M. Staats*
Proofed by: *Ally*

Reviewed and Approved by: *M. STAATS*
Presented by: *[Signature]*

<i>Contractor</i>	<i>Bid Amount</i>
Gentry Brothers, Inc.	\$ 892,340.00
Engineer's Estimate	\$ 950,000.00
Cooley Construction, Inc.	\$ 959,223.50
Hardy & Harper, Inc.	\$ 966,000.00
Laird Construction Co., Inc.	\$ 984,489.00
Silvia Construction, Inc.	\$ 984,490.30
EBS General Engineering, Inc.	\$ 993,891.00
Sequel Contractors, Inc.	\$ 999,408.00
Martinez Concrete, Inc.	\$1,013,752.00
Palp, Inc., DBA Excel Paving Company	\$1,029,250.00
E.C. Construction Co.	\$1,042,268.11
Sully-Miller Contracting Co.	\$1,049,999.00
W.A. Rasic Construction Co., Inc.	\$1,064,523.00
Doty Bros. Equipment Company	\$1,111,014.50
All American Asphalt, Inc.	\$1,146,135.20
R.J. Noble Company	\$1,193,312.50

FISCAL IMPACT: This project is entirely funded by Community Development Block Grant and Measure I funds. An amendment to the Measure I Capital Improvement Program is required and is also on this evening's agenda for consideration by the City Council.

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

1. Award a contract to Gentry Brothers, Inc., in the amount of \$892,340.
2. Approve Agreement No. 11-51 with Gentry Brothers, Inc., for construction of the Mills Avenue Rehabilitation Project.
3. Authorize a \$90,000 construction contingency.

AGREEMENT NO. 11-51

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

A. Recitals.

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

MILLS AVENUE REHABILITATION PROJECT

A COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

CDBG#108-36105/3461

"PROJECT" hereinafter.

B. Resolution.

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

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

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

AGREEMENT

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

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

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

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

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

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

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

AGREEMENT

- (5) Automobile - Bodily Injury \$1,000,000 each person; \$2,000,000 each accident.
 - (6) Automobile - Property Damage \$500,000 each accident.
 - c. The policy of insurance provided for in subparagraph a. shall contain an endorsement which:
 - (1) Waives all right of subrogation against all persons and entities specified in subparagraph 4.d.(2) hereof to be listed as additional insureds in the policy of insurance provided for in paragraph b. by reason of any claim arising out of or connected with the operations of CONTRACTOR or any subcontractor in performing the work provided for herein;
 - (2) Provides it shall not be canceled or altered without thirty (30) days' written notice thereof given to CITY by registered mail.
 - d. Each such policy of insurance provided for in paragraph b. shall:
 - (1) Be issued by an insurance company approved in writing by CITY, which is qualified to do business in the State of California;
 - (2) Name as additional insureds the CITY, its officers, agents and employees, and any other parties specified in the bid documents to be so included;
 - (3) Specify it acts as primary insurance and that no insurance held or owned by the designated additional insureds shall be called upon to cover a loss under said policy;
 - (4) Contain a clause substantially in the following words:

"It is hereby understood and agreed that this policy may not be canceled nor the amount of the coverage thereof reduced until thirty (30) days after receipt by CITY of a written notice of such cancellation or reduction of coverage as evidenced by receipt of a registered letter."
 - (5) Otherwise be in form satisfactory to CITY.
 - e. The CONTRACTOR shall at the time of the execution of the contract present the original policies of insurance required in paragraphs a. and b., hereof, or present an endorsement of the insurance company, showing the issuance of such insurance, and the additional insureds and other provisions required herein.
5. CONTRACTOR'S LIABILITY: The City of Montclair and its respective officers, agents and employees shall not be answerable or accountable in any manner for any loss or damage that may happen to the project or any part thereof, or for any of the materials or other things used or employed in performing the project; or for injury or

AGREEMENT

damage to any person or persons, either workmen, employees of the CONTRACTOR or his subcontractors or the public, whatsoever arising out of or in connection with the performance of the project. The CONTRACTOR shall be responsible for any damage or injury to any person or property resulting from defects or obstructions or from any cause whatsoever, except the sole negligence or willful misconduct of CITY, its employees, servants, or independent contractors who are directly responsible to CITY during the progress of the project or at any time before its completion and final acceptance. The CONTRACTOR will indemnify CITY against and will hold and save CITY harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision, or other organization arising out of or in connection with the work, operation, or activities of the CONTRACTOR, his agents, employees, subcontractors, or invitees provided for herein, whether or not there is concurrent passive or active negligence on the part of CITY, but excluding such actions, claims, damages to persons or property, penalties, obligations, or liabilities arising from the sole negligence or willful misconduct of CITY, its employees, servants, or independent contractors who are directly responsible to CITY, and in connection therewith:

- a. The CONTRACTOR will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations, or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection therewith.
- b. The CONTRACTOR will promptly pay any judgment or award rendered against the CONTRACTOR or CITY covering such claims, damages, penalties, obligations, and liabilities arising out of or in connection with such work, operations, or activities of the CONTRACTOR hereunder or reasonable settlement in lieu of judgment or award, and the CONTRACTOR agrees to save and hold the CITY harmless therefrom.
- c. In the event CITY is made a party to any action or proceeding filed or prosecuted against the CONTRACTOR for damages or other claims arising out of or in connection with the project, operation, or activities of the CONTRACTOR hereunder, the CONTRACTOR agrees to pay to CITY any and all costs and expenses incurred by CITY in such action or proceeding together with reasonable attorneys' fees.

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

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

AGREEMENT

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

8. **CONTRACT PRICE AND PAYMENT**: CITY shall pay to the CONTRACTOR for furnishing the material and doing the prescribed work the unit prices set forth in accordance with CONTRACTOR's Proposal dated **April 14, 2011**.

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

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

CITY OF MONTCLAIR, CALIFORNIA

Paul M. Eaton
Mayor

ATTEST:

Yvonne L. Smith
City Clerk

CONTRACTOR:

Company Name

Address

City

By: _____
Title

By: _____
Title

By: _____
Title

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 11-2898 ADOPTING THE CITY'S LOCAL HAZARD MITIGATION PLAN UPDATE, AUTHORIZING FUTURE NONSUBSTANTIVE AMENDMENTS TO THE PLAN, AUTHORIZING ALL DUTIES REQUIRED TO CARRY OUT THE PLAN, AND ADOPTING THE PLAN INTO THE SAFETY ELEMENT OF THE CITY'S GENERAL PLAN	DATE: May 2, 2011
	SECTION: RESOLUTIONS
	ITEM NO.: 1
	FILE I.D.: EMR100
	DEPT.: FIRE

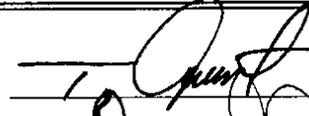
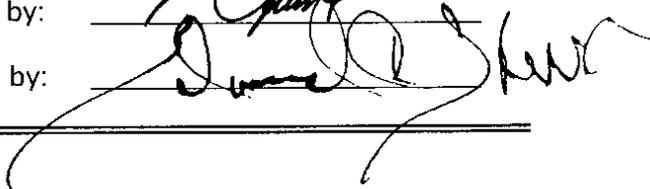
REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 11-2898 adopting the City's Local Hazard Mitigation Plan (LHMP) Update, authorizing future nonsubstantive amendments to the plan, authorizing all duties required to carry out the plan, and adopting the plan into the Safety Element of the City's General Plan.

A copy of the updated Hazard Mitigation Plan is included in the agenda packets for the City Council's review and consideration.

BACKGROUND: The Disaster Mitigation Act of 2000 (DMA 2000) requires that local governments, as a condition of receiving federal disaster mitigation funds, adopt a mitigation plan that describes the process for identifying hazards, risks, and vulnerabilities; identifies and prioritizes mitigation actions; encourages the development of local mitigation; and provides technical support for those efforts. In order to comply with DMA 2000, the City adopted an LHMP on March 9, 2005.

In October 2006, the California Legislature passed Assembly Bill 2140 (AB 2140), which became effective on January 1, 2007. This bill limits the funding of an additional state share for certain disaster recovery projects funded by the California Disaster Assistance Act unless a local agency submits a certified copy of a Resolution of Adoption demonstrating the Federal Emergency Management Agency (FEMA)-approved LHMP has been adopted (by reference or incorporation) into the Safety Element of the City's General Plan. Once this documentation is submitted to the California Emergency Management Agency (Cal EMA), the local agency would be considered eligible to receive increased public assistance reimbursement for disaster recovery projects.

The City's LHMP is monitored, evaluated, and updated at least every five years pursuant to Section 201.6(c)(4) of Title 44 of the Code of Federal Regulations. In 2010, the San Bernardino County Fire Department Office of Emergency Services (SB OES) coordinated the San Bernardino County Operational Area (SB OA) Multi-Jurisdictional Multi-Hazard Mitigation Planning Project in which the City participated to update its LHMP. The City's LHMP is coordinated and maintained by the City's Office of Emergency Services but is a

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

culmination of the input and recommendations from City staff and numerous stakeholders including jurisdictions and special districts within the SB OA, the public, private businesses, and community organizations.

The City submitted its LHMP Update to SB OES on December 23, 2010, for review by Cal EMA and FEMA. On April 1, 2011, the City received a letter from FEMA approving the City's LHMP pending adoption by the City Council. Adoption of proposed Resolution No. 11-2898 would accomplish the following:

1. Satisfy local government requirements to adopt and maintain an LHMP as set forth by DMA 2000 and the Code of Federal Regulations, Title 44, Section 201.6(c)(4).
2. Initiate compliance with AB 2140 for the City to be considered eligible to receive increased public assistance reimbursement for disaster recovery project.
3. Maintain the City's eligibility to receive federal funds for disaster recovery and mitigation.
4. Reaffirm the City's commitment to minimizing, reducing, or eliminating the loss of life and property prior to, during, or after emergencies/disasters.

Upon adoption of proposed Resolution No. 11-2898, staff will forward proof of the adopted LHMP to FEMA. Once this correspondence is received by FEMA, a final approval letter will be issued.

FISCAL IMPACT: The City Council's adoption of proposed Resolution No. 11-2898 would result in no fiscal impact to the City's General Fund.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 11-2898 adopting the City's Local Hazard Mitigation Plan Update, authorizing future nonsubstantive amendments to the plan, authorizing all duties required to carry out the Local Hazard Mitigation Plan, and adopting the Plan into the Safety Element of the City's General Plan.

RESOLUTION NO. 11-2898

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADOPTING THE LOCAL HAZARD MITIGATION PLAN UPDATE, AUTHORIZING FUTURE NONSUBSTANTIVE ADMENDMENTS TO THE PLAN, AUTHORIZING ALL DUTIES REQUIRED TO CARRY OUT THE PLAN, AND ADOPTING THE PLAN INTO THE SAFETY ELEMENT OF THE CITY'S GENERAL PLAN

WHEREAS, the preservation of life and property is an inherent responsibility of local, state, and federal government; and

WHEREAS, the City of Montclair joined with agencies in the San Bernardino County to develop, adopt, and maintain a Multi-Jurisdictional Multi-Hazard Mitigation Plan; and

WHEREAS, the City of Montclair is charged and entrusted with the protection of persons and property prior to, during, and after emergencies and/or disaster conditions; and

WHEREAS, the goal of a Local Hazard Mitigation Plan is to minimize, reduce, or eliminate loss of life and/or property; and

WHEREAS, the Local Hazard Mitigation Plan represents a comprehensive description of the City of Montclair's commitment to reducing, preventing, or eliminat-ing potential impacts of disasters caused by natural hazards; and-

WHEREAS, the City of Montclair previously adopted its Local Hazard Mitigation Plan with a Letter of Adoption on March 9, 2005; and

WHEREAS, the City Council of the City of Montclair desires to adopt the updated Local Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the City of Montclair has undertaken a comprehensive planning effort in developing the Local Hazard Mitigation Plan by organizing resources, assessing risks, and developing and implementing a mitigation plan and monitoring process; and

WHEREAS, the Local Hazard Mitigation Plan is a federal requirement under the Disaster Mitigation Act of 2000 for the City of Montclair to receive federal funds for disaster recovery and mitigation; and

WHEREAS, the Local Hazard Mitigation Plan establishes a coordinated effort to support mitigation activities and identifies measures to combat natural hazards within the City of Montclair; and

WHEREAS, the Local Hazard Mitigation Plan is an extension of the State of California Multi-Hazard Mitigation Plan and is reviewed and exercised periodically and revised as necessary to meet changing conditions; and

WHEREAS, the City of Montclair agrees to adopt the Local Hazard Mitigation Plan Update and urges all officials, employees, public and private organizations, and residents, individually and collectively, to do their share in furthering the goals and objectives of hazard mitigation within the City of Montclair.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby approve the Local Hazard Mitigation Plan Update of the City of Montclair.

BE IT FURTHER RESOLVED that the City Council of the City of Montclair does hereby authorize the Director of Emergency Services, or his/her duly-appointed representative, to make necessary administrative and operational changes to the plan that are in keeping with the intent of the plan as approved.

BE IT FURTHER RESOLVED that the City Council of the City of Montclair does hereby authorize the Director of Emergency Services, or his/her duly-appointed representative, to perform all duties required to carry out the Local Hazard Mitigation Plan.

BE IT FURTHER RESOLVED that the City Council of the City of Montclair does hereby find and determine that the Federal Emergency Management Agency-approved Local Hazard Mitigation Plan will be adopted into the Safety Element of the City of Montclair's General Plan in compliance with Assembly Bill 2140.

BE IT FINALLY RESOLVED that the City Council of the City of Montclair does hereby find and determine that the Deputy City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

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. 11-2898 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

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 11-2899 AMENDING THE FISCAL
YEARS 2010/2015 MEASURE I FIVE-YEAR
CAPITAL IMPROVEMENT PROGRAM

DATE: May 2, 2011
SECTION: RESOLUTIONS
ITEM NO.: 2
FILE I.D.: FIN285/TRN510
DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: The San Bernardino Associated Governments (SANBAG) requires each local jurisdiction to annually update its Measure I Five-Year Capital Improvement Program and Expenditure Strategy for projects proposed to be funded by Measure I. An update is also required when a city amends its program or strategy. The City Council is requested to consider adoption of Resolution No. 11-2899 amending the Fiscal Years 2010/2015 Measure I Five-Year Capital Improvement Program pursuant to SANBAG requirements.

BACKGROUND: Measure I 2010/2040, the countywide transportation sales tax program, requires that each local jurisdiction receiving pass-through program revenues annually adopt a Measure I Five-Year Capital Improvement Program (CIP) that outlines the specific projects upon which those funds are to be expended. The City adopted its CIP by Resolution No. 10-2861 on September 7, 2010. Any amendments or changes to the CIP must also be adopted by resolution.

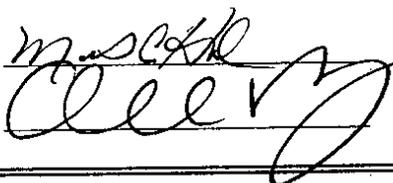
Included in Resolution No. 10-2861 was funding for the realignment of a portion of Vernon Avenue south of San Jose Street. The project was to have been done in conjunction with a parcel map being considered by an adjacent property owner. As part of the parcel map process, the property owner had offered to dedicate sufficient right-of-way to the City to realign Vernon Avenue. The property owner was unable to work out the financing for the parcel map and has decided to put his project on hold. Although the street design has been completed, without the right-of-way dedication, staff recommends dropping the project for now.

The CIP also included funding for pavement rehabilitation on Mills Avenue between Moreno Street and the Union Pacific Railroad tracks. The Measure I funding was spread over a two-year period. It is now recommended that the funding originally proposed for Fiscal Year 2011/2012 now be brought forward to the current fiscal year and adjusted based on the bid recently received for the Mills Avenue project.

FISCAL IMPACT: There is no fiscal impact in amending the CIP.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 11-2899 amending the Fiscal Years 2010/2015 Five-Year Capital Improvement Program.

Prepared by:

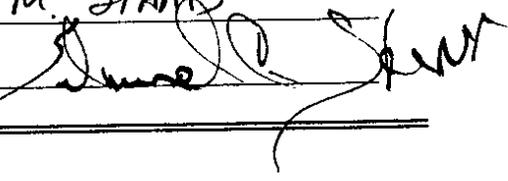


Reviewed and
Approved by:



Proofed by:

Presented by:



RESOLUTION NO. 11-2899

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR AMENDING
THE FISCAL YEAR 2010/2015 FIVE-YEAR
CAPITAL IMPROVEMENT PROGRAM**

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

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

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

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

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

WHEREAS, the City Council of the City of Montclair did previously adopt Resolution No. 10-2861 adopting the Fiscal Year 2010/2015 Five-Year Capital Improvement Program and Expenditure Strategy.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Montclair hereby amends the Fiscal Year 2010/2015 Measure I Five-Year Capital Improvement Program and Expenditure Strategy, copies of which are attached to this Resolution.

APPROVED AND ADOPTED this XX day of XX, 2011.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 11-2899 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

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

EXPENDITURE STRATEGY

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

YEAR	STREET & LIMITS	IMPROVEMENT	COST ESTIMATE
LOCAL STREET PROJECTS (20%)			
2010/2011	Mills Avenue-Moreno to UPRR	Grind and overlay	\$550,000
	Vernon Avenue realignment south of San José Street	Construct curb and gutter, overlay	\$20,000
	<i>Subtotal</i>		\$570,000
2011/2012	Monte Vista Avenue/UPRR Grade Separation	Asbestos survey/abatement/demo	\$400,000
	<i>Subtotal</i>		\$400,000
2012/2013	Pradera Avenue-San Bernardino Ct. to Cambridge St.	Grind and overlay	\$75,000
	Ramona Avenue-San Bernardino St. to Palo Verde St.	Grind and overlay	\$75,000
	Cambridge Street-Pradera Av. to Ramona Av.	Grind and overlay	\$75,000
	Fremont Avenue-Mission Bl. to State St.	Install curb, gutter, & sidewalk	\$200,000
	Monte Vista Avenue/UPRR Grade Separation	Asbestos survey/abatement/demo	\$200,000
	<i>Subtotal</i>		\$625,000
2013/2014	Princeton Street-Pradera Av. to Ramona Av.	Grind and overlay	\$75,000
	Harvard Street-Pradera Av. to Ramona Av.	Grind and overlay	\$75,000
	Monte Vista Avenue-Richton St. to Arrow Hwy.	Grind and overlay	\$150,000
	Helena Avenue & Benito Street	Install traffic signal	\$250,000
	<i>Subtotal</i>		\$550,000
2014/2015	Monte Vista Avenue-Holt Bl. to Kingsley St.	Grind and overlay	\$300,000
	Various locations throughout City	Miscellaneous Pavement Maintenance	\$225,000
	<i>Subtotal</i>		\$525,000
	TOTAL		\$2,164,139

Measure I Local Funds Estimate (5 yr.) \$2,164,139

Contact Name: Michael C. Hudson
 City Engineer
 909-625-9441
 Resolution No. 11-2899 adopted 05-02-11

CITY OF MONTCLAIR
EXPENDITURE STRATEGY
2010/2011

With the adoption of Measure I in 1989, the City of Montclair committed the revenue to be generated from the tax to the rehabilitation of the Mission Boulevard Corridor. This work has been completed. With the extension of the Measure I program, the City will begin reconstructing some of its older streets where routine maintenance is no longer sufficient to keep the streets in a state of good repair. The City will use a "pay as you go" program, performing street reconstruction on selected streets based on the amount of Measure I funding available each year.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 11-2900 AUTHORIZING IMPLEMENTATION OF PROVISIONS OF SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE FOR THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM EMPLOYER PICKUP	DATE: May 2, 2011
	SECTION: RESOLUTIONS
	ITEM NO.: 3
	FILE I.D.: PER593
	DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Resolution No. 11-2900 authorizing implementation of provisions of Section 414(h)(2) of the Internal Revenue Code, which would allow employees to contribute to their retirement plans with the California Public Employees' Retirement System (CalPERS) on a pretax basis.

BACKGROUND: Since the 1970s, the City of Montclair has paid the Employer Paid Member Contribution (EPMC) for employees enrolled in CalPERS. The EPMC, which is the members' portion paid to CalPERS, is currently 9 percent of salary for public safety employees and up to 8 percent of salary for miscellaneous employees. The EPMC is in addition to the employer portion paid to CalPERS, which the City contributes for each employee.

During the past two years, City employees have been asked to pay a portion of the CalPERS EPMC as part of the City's cost-reduction measures. The EPMC contributions paid by employees were made on an "after-tax" basis. Section 414(h)(2) of the Internal Revenue Code allows public agencies to designate required employee contributions as being "picked up" by the employer and treated as employer contributions for tax purposes. The effect of the pickup is to defer tax on employee contribution amounts until the member retires and receives retirement benefits or separates from employment and takes a refund of contributions.

A major focus of the upcoming 2011 labor negotiations with the City's bargaining groups will be to ask employees to permanently pay a portion, if not all, of the EPMC. Allowing the EPMC to be paid on a pretax basis would provide employees a savings by reducing their taxable income.

FISCAL IMPACT: The City Council's adoption of proposed Resolution No. 11-2900 would create no financial burden to the City and would likely provide a financial benefit by reducing the City's payroll taxes as a result of the decrease in employees' taxable income.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 11-2900 authorizing implementation of provisions of Section 414(h)(2) of the Internal Revenue Code for the California Public Employees' Retirement System employer pickup.

Prepared by: Gary E. Charlot
Proofed by: Fathy Altou

Reviewed and Approved by: [Signature]
Presented by: [Signature]

RESOLUTION NO. 11-2900

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AUTHORIZING IMPLEMENTATION OF PROVISIONS OF SECTION 414(H)(2) OF THE INTERNAL REVENUE CODE, EMPLOYER PICKUP, TO TAX DEFER EMPLOYEE MEMBER CONTRIBUTIONS MADE TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

WHEREAS, the City of Montclair has the authority to implement the provisions of Section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of Administration of the Public Employees' Retirement System adopted its resolution regarding Section 414(h)(2) IRC on September 18, 1985; and

WHEREAS, in December 1985, the Internal Revenue Service stated that implementation of provisions of Section 414(h)(2) IRC, pursuant to the resolution of the Board of Administration, would satisfy the legal requirements of Section 414(h)(2) IRC; and

WHEREAS, the City of Montclair has determined that although implementation of provisions of Section 414(h)(2) IRC is not required by law, the tax benefit offered by Section 414(h)(2) IRC should be provided to its employees (Police and Fire safety and miscellaneous) who are members of the Public Employees' Retirement System.

NOW, THEREFORE, BE IT RESOLVED that the City of Montclair shall implement the provisions of Section 414(h)(2) of the Internal Revenue Code by making employee contributions pursuant to California Government Code Section 20691 to the Public Employees' Retirement System on behalf of its employees who are members of the Public Employees Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement System that are deducted from the salary of employees and are credited to individual employees' accounts pursuant to California Government Code Section 20691.

BE IT FURTHER RESOLVED that the contributions made by the City of Montclair to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the City of Montclair in lieu of contributions by the employees who are members of the Public Employees' Retirement System.

BE IT FURTHER RESOLVED that employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Montclair to the Public Employees' Retirement System.

BE IT FURTHER RESOLVED that the City of Montclair shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.

BE IT FURTHER RESOLVED that the amount of the contributions designated as employee contributions and paid by the City of Montclair to the Public Employees'

Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (California Government Code Sections 20000, *et seq.*).

BE IT FURTHER RESOLVED that the contributions designated as employee contributions made by the City of Montclair to the Public Employees' Retirement System shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

APPROVED AND ADOPTED this XX day of XX, 2011.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 11-2900 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 Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 11-2902 RESCINDING RESOLUTION
NO. 10-2859 DESIGNATING RESTRICTED
PARKING ON PUBLIC STREETS

DATE: May 2, 2011
SECTION: RESOLUTIONS
ITEM NO.: 4
FILE I.D.: PKG275
DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: Staff is requesting the City Council consider adoption of Resolution No. 11-2902 designating restricted parking on public streets. Proposed Resolution No. 11-2902 incorporates changes recommended by staff and the Public Works Committee and is attached hereto for the City Council's review and consideration.

BACKGROUND: Requests from the public as well as recommendations from the Public Works Committee have been incorporated into proposed Resolution No. 11-2902. The changes proposed are as follows:

- Restrict street parking by permit parking only on the west side of Lehigh Avenue from 10404 Lehigh Avenue south to 10444 Lehigh Avenue.
- Restrict street parking by permit parking only on the east side of Lehigh Avenue from 10421 Lehigh Avenue south to 10445 Lehigh Avenue..
- Restrict street parking by permit parking only on the south side of Bandera Street from 4379 Bandera Street east to 4395 Bandera Street.

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

FISCAL IMPACT: The cost to purchase signs, posts, and hardware to implement the changes recommended in proposed Resolution No. 11-2902 is approximately \$400. Funds for the recommended changes are available in the Public Works Fiscal Year 2010-11 Budget.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 11-2902 rescinding Resolution No. 10-2859 designating restricted parking on public streets.

Prepared by: X. MENDEZ
Proofed by: _____

Reviewed and
Approved by:
Presented by:

M. STAATS
[Signature]

RESOLUTION NO. 11-2902

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

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

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

WHEREAS, parking restrictions that were adopted by the City Council's adoption of Resolution No. 10-2859 are being rescinded by the adoption of this Resolution to incorporate all restricted parking on public streets in one Resolution; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby rescind Resolution No. 10-2859 and adopt the following parking restriction districts in conformance with Section 8.16.010 of the Montclair Municipal Code:

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

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

Arrow Highway on the north side between Central Avenue and the San Antonio Channel	At any time
Arrow Highway on the south side 250 feet east of Rose Avenue to Vernon Avenue	No parking any time
Bandera Street from Amherst Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street between Lehigh and Monte Vista Avenues	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street on the north side between Lehigh and Monte Vista Avenues	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street, on the south side between Lehigh and Monte Vista Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Bandera Street on the south side between 4379 and 4395 Bandera Street	Permit parking only
Bandera Street on the south side between 4594 and 4773 Bandera Street	Permit parking only
Bandera Street on the north side between Monte Vista and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street on the south side between Monte Vista Avenue and a point 600 feet west of Central Avenue	Monday 7:00 a.m. to 2:00 p.m.
Bandera Street from Benson Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue between Caroline and Deodar Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue between Cambridge and San Bernardino Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue from Benito Street north to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Bel Air Avenue between Benito and Orchard Streets	Monday 7:00 a.m. to 2:00 p.m.

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

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

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

Brooks Street on the south side from Ramona Avenue to a point 480 feet east of Ramona Avenue	No parking Vehicles over 10,000 GVW
Brooks Street between Rose and Benson Avenues	Daily 9:00 p.m. to 7:00 a.m.
Buckskin Avenue between Mane and Rawhide Streets	Monday 7:00 a.m. to 2:00 p.m.
Buckskin Avenue between Phillips Boulevard and Monte Verde Street	Monday 7:00 a.m. to 2:00 p.m.
Buckskin Avenue from Saddleback Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Butterfield Avenue from Phillips Boulevard north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Camarena Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Camarena Avenue between Fauna and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Camarena Avenue between Bandera and Manzanita Streets	Monday 7:00 a.m. to 2:00 p.m.
Cambridge Street between Pradera and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Cambridge Street from Surrey Avenue east to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Cambridge Street from Del Mar Avenue to its terminus west of Vernon Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Arrow Highway and Oakdale Street	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Allesandro and Moreno Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue from San Jose Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between La Deney and Hawthorne Streets	Wednesday 7:00 a.m. to 2:00 p.m.

Camulos Avenue from Bonnie Brae Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Palo Verde and Harvard Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Rosewood and Benito Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue between Alamitos and Benito Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Camulos Avenue on the west side between Benito and Orchard Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Camulos Avenue on the west side between Benito and Orchard Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Camulos Avenue between Orchard and Kingsley Streets	Thursday 7:00 a.m. to 2:00 p.m.
Canary Court from Ramona Avenue east and then north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Canoga Street on the north side between Ramona and Monte Vista Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Canoga Street on the south side between Ramona and Monte Vista Avenues	Monday 7:00 a.m. to 2:00 p.m.
Canoga Street between Fremont and Monte Vista Avenues	Monday 7:00 a.m. to 2:00 p.m.
Canoga Street from Marion Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Carlton Street from Monte Vista Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Caroline Street between Bel Air Avenue to its terminus east of Del Mar Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
Carriage Avenue from Grand Avenue north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Carriage Avenue on the west side between Phillips Boulevard and Ramona Place	Monday 7:00 a.m. to 2:00 p.m.

Carrilage Avenue between Rawhide Street and Mission Boulevard	Monday 7:00 a.m. to 2:00 p.m.
Carrillo Avenue between El Morado and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Carrillo Avenue from Palo Verde Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Carrillo Avenue on the west side to its terminus north of Palo Verde Street	Monday through Sunday 7:00 a.m. to 5:00 p.m.
Carrillo Avenue from Saddleback north to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Carrillo Avenue from Saddleback south to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Carrillo Avenue between San Bernardino and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Central Avenue on the west side between the north City Limits and Arrow Hwy.	At any time
Central Avenue on the east side between the north City Limits and San Bernardino Street	No stopping any time
Central Avenue on the west side between Arrow Highway and Palo Verde Street	No stopping any time
Central Avenue between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Central Avenue on the west side between San Bernardino and Benito Streets	At any time
Central Avenue on the east side between San Bernardino and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Central Avenue on the west side between Kingsley and Orchard Streets	At any time
Central Avenue service road from its beginning to its terminus	At any time

Central Avenue on the west side from Howard Street to a point 420 feet north	At any time
Clair Street from Kimberly Avenue to its terminus west of Essex Avenue	Monday 7:00 a.m. to 2:00 p.m.
Clair Street between Marion and Ada Avenues	Monday 7:00 a.m. to 2:00 p.m.
Clair Street between Whitewater and Coalinga Avenues	Monday 7:00 a.m. to 2:00 p.m.
Coalinga Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Coalinga Avenue between Fauna and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
College Avenue from Howard Street to a point 650 feet south	Monday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between La Deney and Bonnie Brae Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between Granada and Rudisill Streets	Thursday 7:00 a.m. to 2:00 p.m.
Columbine Avenue between Fauna and Evert Streets	Monday 7:00 a.m. to 2:00 p.m.
Deer Creek Avenue between Grand Avenue north and Grand Avenue south	Monday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between Caroline and San Jose Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between San Jose and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between Yale and Cambridge Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue from Benito Street north to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Del Mar Avenue between Benito and Orchard Streets	Monday 7:00 a.m. to 2:00 p.m.

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

El Morado Street between Rose and Vernon Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Essex Avenue between Howard and Clair Streets	Monday 7:00 a.m. to 2:00 p.m.
Evert Street between Mills and Pradera Avenues	Monday 7:00 a.m. to 2:00 p.m.
Evert Street on the north side between Amherst and Pradera Avenues	Daily 12:00 a.m. to 5:00 a.m. Monday 7:00 a.m. to 2:00 p.m.
Evert Street on the south side between Pradera and Amherst Avenues	Monday 7:00 a.m. to 2:00 p.m.
Evert Street from Ramona Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Evert Street between Felipe and Tudor Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Evert Street from Coalinga Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Evert Street from Marion Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Evert Street from Rose Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Evert Street between Saratoga and Columbine Avenues	Monday 7:00 a.m. to 2:00 p.m.
Exeter Avenue between Palo Verde and La Deney Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Exeter Avenue between Princeton and San Bernardino Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Fauna Street between Oak Glen and Amherst Avenues	Monday 7:00 a.m. to 2:00 p.m.
Fauna Street between Lehigh and Kimberly Avenues	Monday 7:00 a.m. to 2:00 p.m.
Fauna Street between Felipe and Tudor Avenues	Thursday 7:00 a.m. to 2:00 p.m.

Fauna Street from Tudor Avenue east to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Fauna Street from Monte Vista Avenue to its terminus east of Coalinga Avenue	Monday 7:00 a.m. to 2:00 p.m.
Fauna Street between Coalinga and Geneva Avenues	Monday 7:00 a.m. to 2:00 p.m.
Fauna Street from Marion Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Fauna Street from west of Saratoga Avenue to Vernon Avenue	Monday 7:00 a.m. to 2:00 p.m.
Felipe Avenue from Oakdale Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Felipe Avenue between Moreno and Allesandro Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Felipe Avenue from San Jose Street south to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Felipe Avenue from Bonnie Brae Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Felipe Avenue between Rosewood and Benito Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Felipe Avenue between Rosewood and Benito Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Felipe Avenue between Orchard and Kingsley Streets	Thursday 7:00 a.m. to 2:00 p.m.
Felipe Avenue from Bandera Street south to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Flora Street between Pradera and Amherst Avenues	Monday 7:00 a.m. to 2:00 p.m.
Flora Street from Ramona Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Flora Street between Felipe and Tudor Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Flora Street between Greenwood and Monte Vista Avenues	Thursday 7:00 a.m. to 2:00 p.m.

Flora Street between Monte Vista and Camarena Avenues

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

Flora Street from Coalinga Avenue east to its terminus

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

Flora Street from Fremont Avenue west to its terminus

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

Flora Street from Poulsen Avenue west to its terminus

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

Flora Street from Rose Avenue east to its terminus

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

Fremont Avenue on the east side from Howard Street to a point 120 feet south of Saddleback Street

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

Fremont Avenue on the west side from Howard Street to a point 120 feet south of Grand Avenue

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

Fremont Avenue between Mission Boulevard and Howard Street

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

Fremont Avenue on the east side between Moreno and Olive Streets

At any time

Fremont Avenue on the west side between Olive and Moreno Streets

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

Fremont Avenue on the west side between Palo Verde and San Bernardino Streets

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

Fremont Avenue on the east side between Palo Verde and San Bernardino Streets

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

Fremont Avenue on the east side from Palo Verde Street south to 9633 Fremont Avenue

Permit parking only

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

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

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

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

Fremont Avenue between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Fremont Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Fremont Avenue between Bandera and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Galena Avenue between Rosewood and Benito Streets	Wednesday 7:00 a.m. to 2:00 p.m.
Galena Avenue between Rosewood and Benito Streets	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Galena Avenue from Fauna Street north to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Geneva Avenue between Olive and Highland Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Geneva Avenue between Rosewood and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Geneva Avenue between Benito and Rudisill Streets	Thursday 7:00 a.m. to 2:00 p.m.
Geneva Avenue between Fauna and Orchard Streets	Monday 7:00 a.m. to 2:00 p.m.
Granada Street from Pradera Avenue east to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Granada Street from Ramona Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Granada Street from Monte Vista Avenue east to its terminus	Thursday 7:00 a.m. to 2:00 p.m.
Granada Street between Rose and Columbine Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Granada Street between Santa Anita and Del Mar Avenues	Monday 7:00 a.m. to 2:00 p.m.
Grand Avenue between Deer Creek and Fremont Avenues	Monday 7:00 a.m. to 2:00 p.m.
Grand Avenue between Monte Vista and Deer Creek Avenues	Monday 7:00 a.m. to 2:00 p.m.

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

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

Grand Avenue on the south side from Ramona Avenue east to 4641 Grand Avenue

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

Greenwood Avenue from Harvard Street north to its terminus

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

Greenwood Avenue between Rosewood and Benito Streets

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

Greenwood Avenue between Rosewood and Benito Streets

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

Greenwood Avenue between Benito and Denver Streets

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

Greenwood Avenue between Benito and Denver Streets

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

Greenwood Avenue from Orchard Street north to its terminus

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

Greenwood Avenue between Fauna and Kingsley Streets

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

Greycliff Avenue from Grand Avenue north to its terminus

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

Harvard Street between Pradera and Ramona Avenues

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

Harvard Street between Ramona and Camulos Avenues

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

Harvard Street between Helena and Monte Vista Avenues

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

Harvard Street between Fremont and Poulsen Avenues

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

Harvard Street from Exeter Avenue to its terminus east of Bel Air Avenue

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

Hawthorne Street between
Ramona and Camulos Avenues

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

Hawthorne Street from
Columbine Avenue east
to its terminus

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

Hawthorne Street between
Vernon and Del Mar Avenues

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

Helena Avenue from Moreno Street
north to its terminus

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

Helena Avenue between Palo Verde
and San Bernardino Streets

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

Helena Avenue between San Bernardino
and Benito Streets

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

Helena Avenue between San Bernardino
and Benito Streets

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

Helena Avenue from Fauna Street
north to its terminus

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

Helena Avenue on the west side
between Kingsley and Bandera Streets

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

Helena Avenue on the east side
between Kingsley and Bandera Streets

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

Helena Avenue between Bandera and
Manzanita Streets

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

Highland Street between Ramona and
Helena Avenues

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

Highland Street between Lindero and
Geneva Avenues

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

Highland Street from Surrey Avenue
east to its terminus

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

Holt Boulevard on the south side
between Central and Rose Avenues

At any time

Holt Boulevard on the south side from
4997 Holt Boulevard east to
Central Avenue

At any time

Holt Boulevard on the north side from Ramona Avenue to a point 650 feet east of Ramona Avenue	Monday 7:00 a.m. to 2:00 p.m.
Howard Elementary School 4650 Howard Street	School bus loading zone
Howard Street on the north side between Wesley and Essex Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side between College Avenue to a point 440 feet east	No stopping School bus loading zone
Howard Street on the north side from Central Avenue to a point 110 feet west	At any time
Howard Street between Essex and Ramona Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street between Fremont and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the north side from Fremont Avenue west of 5018 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side from Monte Vista Avenue west to 5043 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the north side from Monte Vista Avenue to a point 200 feet west of Stagecoach Avenue	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side between Poulsen and Central Avenues	At any time
Howard Street on the south side between Pipeline and College Avenues	Monday 7:00 a.m. to 2:00 p.m.
Howard Street north side from Ramona Avenue east to 4580 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Howard Street on the south side from Ramona Avenue east to 4695 Howard Street	Monday 7:00 a.m. to 2:00 p.m.
Huntington Drive on the south side from Claremont Boulevard east to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.

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

Kingsley Street on the south side between Monte Vista and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the north side between Central and Benson Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Kingsley Street on the south side between Central and Benson Avenues	Monday 7:00 a.m. to 2:00 p.m.
Kingsley Elementary School 5625 Kingsley Street	School bus loading zone Monday through Friday 6:30 a.m. to 8:30 a.m.
La Deney Street between Pradera and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
La Deney Street between Ramona and Camulos Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
La Deney Street from Felipe Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
La Deney Street from Rose Avenue to its terminus east of Columbine Avenue	Tuesday 7:00 a.m. to 2:00 p.m.
La Deney Street between Vernon and Del Mar Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue on the west side between 10404 and 10444 Lehigh Avenue	Permit parking only
Lehigh Avenue on the east side between 10421 and 10445 Lehigh Ave	Permit parking only
Lehigh Avenue from Kingsley Street north to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue between Fauna and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue west side between Kingsley and Bandera Streets	Monday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue west side from Bandera Street south to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Lehigh Avenue east side between Kingsley and Bandera Streets	Tuesday 7:00 a.m. to 2:00 p.m.

Lehigh Avenue east side from Bandera Street south to its terminus

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

Lindero Avenue between Olive and Moreno Streets

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

Lindero Avenue between Rosewood and Benito Streets

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

Lindero Avenue between Benito and Orchard Streets

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

Mane Street between Monte Vista and Stallion Avenues

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

Mane Street from Ramona Avenue east to its terminus

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

Mane Street between San Pasqual and Kimberly Avenues

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

Mane Street from Stagecoach Avenue west to its terminus

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

Manzanita Street between Helena and Tudor Avenues

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

Manzanita Street between Monte Vista and Camarena Avenues

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

Marion Avenue between Harvard and Palo Verde Streets

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

Marion Avenue between El Morado and Orchard Streets

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

Marion Avenue between Kingsley and Bandera Streets

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

Marion Avenue between Orchard and Kingsley Streets

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

Marion Avenue between Saddleback and Clair Streets

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

Merle Street between Fremont and Central Avenues

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

Merle Street between Fremont and Poulsen Avenues

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

Merle Street between San Pasqual
and Ramona Avenues

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

Mills on the east side between
Moreno and San Jose Streets

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

Mills Avenue on the east side between
San Jose and Bonnie Brae Streets

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

Mills Avenue on the east side between
Palo Verde Street to a point 230 feet
south

At any time

Mills Avenue on the east side between
Palo Verde and San Bernardino Streets

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

Mills Avenue on the west side between
San Bernardino Street to a point 650 feet
north

At any time

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

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

Mills Avenue on the east side between
Benito and Orchard Streets

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

Mills Avenue on the east side between
Orchard and Kingsley Streets

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

4770 Mission Boulevard

2-hour parking

4760 Mission Boulevard

2-hour parking

4923 Mission Boulevard

No parking any time

5111 Mission Boulevard

2-hour parking

5141 Mission Boulevard

2-hour parking

Mission Boulevard on the north side
from Ada Street west to
5136 Mission Boulevard

No stopping any time

Mission Boulevard on the south side
from Central Avenue west to
5141 Mission Boulevard

No stopping any time

Mission Boulevard on the north side
from Fremont Avenue east through
5136 Mission Boulevard

2-hour parking

Mission Boulevard on the north side between Fremont and Monte Vista Avenues

No parking any time

Mission Boulevard on the south side from 4925 Mission Boulevard to Fremont Avenue

2-hour parking

Mission Boulevard on the north side from Monte Vista Avenue west through 4780 Mission Boulevard

No parking any time

Mission Boulevard on the north side between Pipeline and Silicon Avenues

2-hour parking

Mission Boulevard on the north side from Pipeline Avenue to the west City limit

No parking any time

Mission Boulevard on the north side from Ramona Avenue east to 4762 Mission Boulevard

No parking any time

Mission Boulevard on the north side from Ramona Avenue to 4284 Mission Boulevard

No parking any time

Mission Boulevard on the south side between Ramona and Monte Vista Avenues

No parking any time

Mission Boulevard on the north side from Silicon Avenue east through 4284 Mission Boulevard

2-hour parking

Mission Boulevard on the south side between the west City limit and Ramona Avenue

No parking any time

Monte Verde Street between Ada and Poulsen Avenues

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

Monte Vista Avenue from Arrow Highway to a point 150 feet north of Richton Street

At any time

Monte Vista Avenue on the west side between Bandera Street and Holt Boulevard

At any time

Monte Vista Avenue from Benito Street to a point 220 feet north of Benito Street

Monday through Friday
7:00 a.m. to 6:00 p.m.

Monte Vista Avenue between Benito and Orchard Streets

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

Monte Verde Street from Buckskin Avenue west to its terminus

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

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

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

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

At any time

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

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

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

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

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

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

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

At any time

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

No stopping any time

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

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

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

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

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

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

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

At any time

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

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

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

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

Monte Vista Avenue between
State Street and Mission Boulevard

At any time

Moreno Street between Mills Avenue
and the San Antonio Channel

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

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

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

Moreno Street on the north side between
Lindero and Monte Vista Avenues

At any time

Moreno Street on the north side between
Fremont Avenue to a point 100 feet
west of Lindero Avenue

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

Moreno Street on the north side
between Fremont and Central Avenues

No stopping any time

Moreno Street on the south side
between Monte Vista and Central
Avenues

No parking any time

Moreno Street on the north side
from Del Mar Avenue to a point
300 feet east of Vernon Avenue

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

Norton Avenue between Alamitos
and Benito Streets

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

Oak Glen Avenue between
Fauna and Evert Streets

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

Oak Glen Avenue from Holt Boulevard
north to its terminus

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

Oakdale Street from Ramona Avenue
to its terminus east of Felipe Avenue

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

Olive Street between Ramona and
Helena Avenues

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

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

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

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

Ramona Avenue on the east side
between Benito and Orchard Streets

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

Ramona Avenue between Orchard
and Kingsley Streets

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

Ramona Avenue on the west side
between Kingsley Street
and Holt Boulevard

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

Ramona Avenue on the east side
between Kingsley Street and Holt
Boulevard

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

Ramona Avenue between Holt
Boulevard and Brooks Street

No stopping any time

Ramona Avenue between State Street
and Mission Boulevard

At any time

Ramona Avenue on the west side
from Mission Boulevard to a
point 295 feet south

At any time

Ramona Avenue on the west side
between Grand Avenue and
Howard Street

No stopping any time

Ramona Avenue on the east side
between Mission and Phillips
Boulevards

No stopping any time

Rawhide Street from Buckskin
Avenue east to its terminus

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

Rawhide Street from Stallion
Avenue east to its terminus

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

Rawhide Street from Stallion
Avenue west to its terminus

Monday

Richton Street between Monte Vista
and Central Avenues

No stopping any time

Rodeo Street between Fremont
and Whitewater Avenues

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

Rodeo Street from San Pasqual
Avenue east to its terminus

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

Rodeo Street from Shetland Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rodeo Street from Stagecoach Avenue east to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rodeo Street from Wesley Avenue west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Rose Avenue between San Jose and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Rose Avenue between San Bernardino and Benito Streets	Thursday 7:00 a.m. to 2:00 p.m.
Rose Avenue between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Rose Avenue between Flora and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Rose Avenue between Holt Boulevard and Brooks Street	Daily 9:00 p.m. to 7:00 a.m.
Rosewood Street between San Bernardino Street west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Rosewood Street between Bolton and Greenwood Avenues	Wednesday 7:00 a.m. 2:00 p.m.
Rosewood Street between Monte Vista and Ramona Avenues	7:00 a.m. to 4:00 p.m. during school sessions, except by permit
Rosewood Street between Monte Vista and Greenwood Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Rosewood Street between Rose and Vernon Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Rudisill Street between Mills and Amherst Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
Rudisill Street from Camulos Avenue west to its terminus	Wednesday 7:00 a.m. to 2:00 p.m.
Rudisill Street from Camulos Avenue west to its terminus	7:00 a.m. to 2:00 p.m. during school sessions except by permit

Rudisill Street between Lindero and Geneva Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Rudisill Street between Rose and Columbine Avenues	Thursday 7:00 a.m. to 2:00 p.m.
Saddleback Street between Fremont and Carrillo Avenues	Monday 7:00 a.m. to 2:00 p.m.
Saddleback Street between Fremont and Whitewater Avenues	Monday 7:00 a.m. to 2:00 p.m.
Saddleback Street between Poulsen and Central Avenues	Monday 7:00 a.m. to 2:00 p.m.
Saddleback Street between Ramona and Carriage Avenues	Monday 7:00 a.m. to 2:00 p.m.
San Bernardino Court between San Bernardino Street and Mills Avenue	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street between Mills and Ramona Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side from San Bernardino Court to a point 400 feet east of Mills Avenue	At any time
San Bernardino Street on the north side from Helena Avenue to a point 300 feet west	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side between Helena and Monte Vista Avenues	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side between Ramona Avenue and the San Antonio Channel	Wednesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side between Helena and Monte Vista Avenues	Thursday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side between Fremont and Central Avenues	Tuesday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the south side between Fremont and Central Avenues	Thursday 7:00 a.m. to 2:00 p.m.
San Bernardino Street on the north side between Central and Benson Avenues	Tuesday 7:00 a.m. to 2:00 p.m.

San Bernardino Street on the south side
between Central and Vernon Avenues

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

San Bernardino Street on the south
side from Benson Avenue to a point
845 feet west

No parking
tow away zone
Monday through Friday
Noon to 3:00 p.m.

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

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

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

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

San Jose Street between Ramona Avenue
and the San Antonio Channel

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

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

No parking any time

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

School bus loading zone

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

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

San Pasqual Avenue from Howard Street
north to its terminus

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

San Pasqual Avenue between Howard
and Clair Streets

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

San Pasqual Avenue between Mane
and Merle Streets

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

Santa Anita Avenue from Berkeley
Street north to its terminus

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

Santa Anita Avenue between Benito
and Denver Streets

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

Santa Anita Avenue from Orchard Street
north to its terminus

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

Santa Anita Avenue between Orchard
and Kingsley Streets

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

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

Tudor Avenue between Rosewood and Berkeley Streets	7:00 a.m. to 4:00 p.m. during school sessions except by permit
Tudor Avenue between El Morado and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Tudor Avenue between Orchard and Kingsley Streets	Thursday 7:00 a.m. to 2:00 p.m.
Tudor Avenue between Bandera and Manzanita Streets	Monday 7:00 a.m. to 2:00 p.m.
Vernon Avenue from Deodar Street north to its terminus	Tuesday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between San Jose and Palo Verde Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between Palo Verde and Princeton Streets	Tuesday 7:00 a.m. to 2:00 p.m.
Vernon Avenue on the east side from Benito Street north to 9775 Vernon Avenue	Thursday 7:00 a.m. to 2:00 p.m.
Vernon Avenue on the west side between Benito and Orchard Streets	Thursday 7:00 a.m. to 2:00 p.m.
Vernon Avenue on the east side from a point 320 feet to 550 feet south of San Bernardino Street	Loading zone only
Vernon Avenue between Orchard and Kingsley Streets	Monday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between Kingsley Street and Holt Boulevard	Monday 7:00 a.m. to 2:00 p.m.
Vernon Avenue between Holt Boulevard and Brooks Street	Daily 9:00 p.m. to 7:00 a.m.
Wesley Avenue from Howard Street north then west to its terminus	Monday 7:00 a.m. to 2:00 p.m.
Wesley Avenue between Rodeo and Howard Streets	Monday 7:00 a.m. to 2:00 p.m.
Whitewater Avenue from Rodeo Street north to its terminus	Monday 7:00 a.m. to 2:00 p.m.

Whitewater Avenue between
Saddleback and Clair Streets

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

Yale Street from Surrey Avenue
east to its terminus

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

Yale Street between Carrillo and
Poulsen Avenues

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

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

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

APPROVED AND ADOPTED this XX day of XX, 2011.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 11-2902 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

**MINUTES OF THE REGULAR MEETING OF THE
PUBLIC WORKS COMMITTEE HELD ON THURSDAY,
FEBRUARY 17, 2011, AT 2:00 P.M. IN THE CITY
HALL CONFERENCE ROOM, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

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

II. ROLL CALL

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

Also present: Ms. Marlene Garcia

III. APPROVAL OF MINUTES

A. Minutes of Regular Public Works Committee Meeting of January 20, 2011

It was the consensus of the Public Works Committee to approve the minutes of the regular Public Works Committee meeting of January 20, 2011.

IV. PUBLIC COMMENT - Please refer to Section VII, Item A.

V. TRAFFIC SAFETY/CIRCULATION ISSUES

A. Ontario-Montclair School District Issues

This item will be removed from the agenda because representative Perry Huyck retired and his position with the Ontario-Montclair School District has been eliminated.

B. Traffic Safety - None

VI. POLICE DEPARTMENT UPDATES/ITEMS

Since the school year began, 124 traffic stops have occurred and 52 citations have been written around Montclair High School. Officers will patrol schools at the beginning and end of the school day.

VII. COMMUNITY DEVELOPMENT DEPARTMENT UPDATES/ITEMS

Community Development Director Lustro reported the following:

A. Draft Design for the Bike Trail Mile Marker Signs

At the last meeting, City Planner Diaz discussed how the Foothill Freeway Corridor Design Authority would like cities to participate in the Pacific Electric Bike Trail grand opening later in the year and have mile markers in place for each city. Director of Community Development Lustro designed a mile marker for Montclair that is similar to the City of Rancho Cucamonga's. He would like the Committee to let him know if the City's incorporation date should be placed on the mile marker. The City's section of the bike trail is less than a mile. It is suggested that markers be placed every quarter mile. Public Works Superintendent Mendez has been working with City Planner Diaz on the design. Maintenance Worker Honeycutt received a quote from Main Street Signs, and the design is also similar to the City of Rancho Cucamonga's mile marker. The signs have not yet been made. Director of Community Development Lustro will meet with City Planner Diaz to coordinate the signage. (Although the Foothill Freeway Corridor Design Authority was originally formed to address California 210 Freeway extension design issues, it has since expanded to address issues with the Pacific Electric Bike Trail.)

VIII. PUBLIC WORKS DEPARTMENT MAINTENANCE ACTIVITIES UPDATES/ITEMS

A. Parking Concerns at Bandera Street and Lehigh Avenue

There was a request for residential parking restrictions and permits on Bandera Street and Lehigh Avenue. Residents of the apartment complex along Bandera Street park on Lehigh Avenue in front of single-family residences. Some of the cars have partially blocked the driveways of the homes. Some cars will remain in the same spot for days, and homeowners are forced to place their trash cans in the street because of inadequate space in front of their own homes. Most of the persons who park in front of the single-family homes reside in the apartment complex. The homeowners would like the City to make the area in front of their homes permit parking only. Ten out of the thirteen homeowners signed the petition for permit parking. The Committee unanimously approved permit parking at this location. A Resolution will be presented to the City Council for its consideration at the next regular joint meeting. There is precedence for this action throughout the City.

B. Removal of Trees at Alma Hofman Park to Accommodate Playground Equipment

There are tree limbs hanging over the Splash Pad and the new playground equipment at Alma Hofman Park. According to state

requirements, tree limbs cannot hang over equipment for liability reasons. There are three trees that need to be removed. The trees cannot be trimmed properly to reduce limb breakage because of trimming over the years which have made the limbs weak. For liability purposes it is easier to remove the three trees than to trim them. Two limbs have already broken and fallen against the gate of the Splash Pad. The Committee concurred on the removal of the trees.

IX. PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION UPDATES/ITEMS

A. Consider Adding Class 2 Bike Lanes to the Mills Avenue Project

As part of the Capital Improvement Program, the Mills Avenue Rehabilitation Project will construct new paving from the Union Pacific Railroad tracks north to Moreno Street. Currently, Mills Avenue is a divided four-lane roadway. It is proposed that, as part of the rehab project, the roadway be reduced to a single lane each way, and that a bicycle lane be added to each side of the street. Parking would still be permitted on the street. There would be an 8-foot parking lane, a 5-foot bike lane, and a 14-foot-wide travel lane on each side. There would also be about four to five feet left over on each side that would allow easier, safer maintenance of the median islands. The bike lane would be continuous from Holt Boulevard to Claremont Boulevard in the City of Claremont. There would be a cost of about \$3,000 added to the Mills Avenue Rehabilitation Project. Since the street will already be torn up, the only items to be added are striping and signage. The Committee recommended it should be added to the Mills Avenue Rehabilitation Project.

B. Ramp Maintenance - Adopt a Highway Program Follow-up

At the last meeting, staff discussed the Adopt a Highway Program. Subsequent to that meeting, additional items have come up. Staff met with Caltrans to discuss maintenance on the ramps. In the last several months Caltrans has done more maintenance on the ramps. The encroachment permit process allows Caltrans to issue a permit to the City or a contractor at no cost. There would be no minimum or maximum amount of time the City or a contractor would have to spend on the ramps. Caltrans would do its regular maintenance, but the City would be able to go in when necessary even if not on a regular basis. The encroachment permit process would be easier than the Adopt a Highway Program. Staff also received a price from Mariposa Landscape for maintenance on all eight ramps (four ramps at each interchange) and the price was \$5,400 a year based on going out twice a month. The cost includes trash pickup and weed abatement; it does not include graffiti abatement. Since Caltrans has been maintaining the ramps, there is no need to do

anything at this time. If a problem arises, the City could obtain an encroachment permit so Mariposa Landscape would be able to clean the areas. For now, staff will continue to monitor maintenance efforts by Caltrans.

C. Parking Concerns on Fremont Avenue between Benito and San Bernardino Streets

A resident on the west side of Fremont Avenue between Benito and San Bernardino Streets has requested residential parking restrictions and permits. On street sweeping day, residents of the condominiums on the east side of Fremont Avenue are parking in front of the homes, blocking driveways. City Engineer Hudson reported that he mailed surveys to all residents on the west side of Fremont Avenue to determine if the request is supported by all. So far, only three survey responses in favor of restricted parking have been returned. The residents have until the end of the month to return the survey. If there is at least 50 to 60 percent support, the request would be submitted via Resolution to the City Council for its consideration.

X. CAPITAL PROJECT UPDATES/ITEMS

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

A. Mission Boulevard Improvement Project

Regarding the Mission Boulevard Phase 8 Project, Southern California Edison has completed the undergrounding work on Central Avenue. Verizon and Time Warner Cable were to have begun their work at the beginning of this week. Once Time Warner Cable removes its lines, Verizon will be able to remove its cables. Verizon is responsible for removing the poles. The contractor still has some patch work to do on the sidewalk once the poles are removed. A notice of completion has not been filed yet. Verizon's work should be completed by spring.

Regarding the Mission Boulevard Phase 9 Project (from Pipeline Avenue to the County line), the authorization to advertise and award is at Caltrans headquarters in Sacramento awaiting approval. This is the last phase of street improvements.

A storm drain project will extend across the Boisse and Passoth properties located at 4230 Mission Boulevard. Staff met with **Mr. Boisse** and **Mr. Passoth** earlier in the week, and both are still in agreement to give the City the right-of-way in exchange for the storm drain improvements. This project should be ready to advertise in the next couple of weeks.

B. Monte Vista Grade Separation Project

There will be a Closed Session item at the February 22, 2011 regular joint meeting to discuss the counteroffer that was received for the Foreman property. City Engineer Hudson's recommendation is to accept the counteroffer. This is the last piece of property that needs to be acquired before an offer can be made to Evans & Dodds (the property owner to the south). The City has to obtain Foreman's right-of-way before negotiations can begin with Evans & Dodds. The numbers have already been presented to Evans & Dodds and they are both in agreement. Acquisitions will be complete after this process, and the National Environmental Policy Act (NEPA) process will start for the Federal Environmental clearance. Federal funds will be used for the NEPA clearance but it has to be submitted to Caltrans to get its authority to hire somebody to do the NEPA process. It is hoped the City will be in escrow on the two remaining acquisitions in the next month. Redevelopment Agency funds are being used from the Mission Boulevard project for the acquisitions. It is hoped the Purchase/Sale Agreements will be signed in March and escrow will close in April. Redevelopment Agency funds cannot be committed for this project because doing so would jeopardize any possibility of obtaining federal funds.

C. Youth/Senior/Community Center Facilities

The Youth Center Notice of Completion was recorded with the County of San Bernardino Recorder's Office. The request for retention release has been submitted to the Finance Division. The check should be ready by the beginning of next week. As of now, the only outstanding issues are ones that can be taken care of by City staff.

KPRS has made some progress on the punch list items for the Senior Center. It is close to 50 percent complete. A Notice of Completion will not be presented to the City Council for approval before April. There are some HVAC and electrical issues that still need to be addressed. There is a piece of construction debris stuck in the sewer line, and staff is working to remove it. If staff is unsuccessful, KPRS would need to remove it, possibly by cutting into the floor in the kitchen or in the middle of the hallway.

D. Fremont Avenue Improvement Project - Phase II

This phase of Fremont Avenue improvements is just south of Howard Street. The project involves the installation of curb, gutter, and sidewalk. Bids were opened last week. The engineer's estimate was about \$200,000; and the low bid came in at about \$140,000, which will be presented to the City Council for award fairly quickly. The City has acquired all of the right-of-way necessary to start the project. This project is funded with local stimulus funds through San Bernardino Associated Governments.

E. Intersection Improvement Project - Phase II

This project is the follow up to last year's intersection repair project at various locations. The three current locations that will be worked on are Holt Boulevard and Ramona Avenue; Palo Verde Street and Central Avenue; and Monte Vista Avenue and Arrow Highway. The design is going to be done in house. Staff has not had time to complete the design because of other project obligations. It will be done sometime this year.

F. Police Impound Yard

The bid opening is scheduled for February 24, 2011, at 10:00 a.m. The lowest responsible, responsive bid will be presented to the City Council for consideration.

G. Alma Hofman Park Improvements

There were a total of 19 bids opened this morning. The engineer's estimate was \$204,000, and the low bid came in at \$117,000. The low bidder rescinded its bid because of a clerical error. The second low bid, submitted by Southern California Landscaping, came in at \$144,000. The firm's bid documents look acceptable, and they have previously done work for the City. This item was submitted to the City Council to allow the City Manager to award the contract and sign the agreements, and the project will either be awarded this afternoon or on Monday morning. The project will begin next week.

H. Mills Avenue Rehabilitation

As part of the Capital Improvement Program, the Mills Avenue Rehabilitation Project will provide paving between the railroad tracks north to Moreno Street. This item was discussed under Section VIII, Item A, above.

XI. ADJOURNMENT

Prior to adjournment, it was learned that Committee Member Eaton would not be available for the regularly scheduled March 17, 2011, meeting. The next meeting of the Public Works Committee will be held at 2:00 p.m. on April 21, 2011.

At 2:45 p.m., Chairman Paulitz adjourned the Public Works Committee.

Submitted for Public Works Committee approval,


Alicia Johnson
Transcribing Secretary

MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
APRIL 18, 2011, AT 8:21 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Eaton called the meeting to order at 8:21 p.m.

II. ROLL CALL

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

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of April 4, 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 4, 2011.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

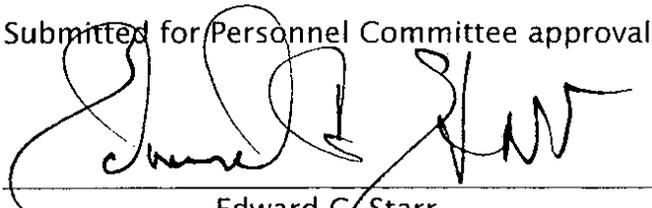
At 8:22 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 8:35 p.m., the Personnel Committee returned from Closed Session. Mayor Eaton stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 8:35 p.m., Mayor Eaton adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager