

CITY OF MONTCLAIR

AGENDA FOR CITY COUNCIL, CITY COUNCIL ACTING AS SUCCESSOR TO THE REDEVELOPMENT AGENCY, AND MONTCLAIR HOUSING CORPORATION MEETINGS

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

March 5, 2012

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/SRDA/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, the City Council acting as successor to the Redevelopment Agency Board of Directors, and Montclair Housing Corporation Board 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, the City Council acting as successor to the Redevelopment Agency Board of Directors, and Montclair Housing Corporation Board of Directors. (Government Code Section 54954.3)

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

- VII. **PUBLIC HEARINGS**

- A. Consider Projects and Prioritization of Funding for the Fiscal Year 2012-13 Community Development Block Grant Program
[CC]

<ul style="list-style-type: none"> B. Consider Adoption of Resolution No. 12-2940 Adjusting the Equivalent Dwelling Unit Monthly Fee for Sewer Service [CC] 	<p>8</p>
<ul style="list-style-type: none"> C. First Reading – Consider Adoption of Ordinance No. 12-928 Amending Section 9.20.460 of and Adding Section 9.20.465 to the Montclair Municipal Code Related to the Equivalent Dwelling Unit Value [CC] 	<p>12</p>
<p>VIII. CONSENT CALENDAR</p>	
<ul style="list-style-type: none"> A. Approval of Minutes <ul style="list-style-type: none"> 1. Minutes of the Adjourned Joint Council/Council Acting as Successor to the Agency Board/MHC Board Meeting of February 15, 2011 [CC/SRDA/MHC] 2. Minutes of the Regular Joint Council/Council Acting as Successor to the Agency Board/MHC Board Meeting of February 21, 2012 [CC/SRDA/MHC] 	
<ul style="list-style-type: none"> B. Administrative Reports <ul style="list-style-type: none"> 1. Consider Authorization of a \$2,764 Transfer From the Contingency Account for the Emergency Replacement of Emergency Response Equipment [CC] 2. Consider Authorization to Advertise for Bid Proposals for the Community Center Improvement Project [CC] 3. Consider Approval of Warrant Register and Payroll Documentation [CC] 	<p>16</p> <p>20</p> <p>21</p>
<ul style="list-style-type: none"> C. Agreements <ul style="list-style-type: none"> 1. Consider Approval of Agreement No. 12-12 Amending Agreement No. 11-53 With the San Bernardino County Department of Aging and Adult Services to Increase Funding for the Senior Citizen Nutrition Program [CC] 2. Consider Approval of Agreement No. 12-13 Between the City of Montclair and Teaman, Ramirez & Smith, Inc., for Auditing and Report Preparation Services [CC] 	<p>22</p> <p>44</p>
<ul style="list-style-type: none"> D. Resolutions <ul style="list-style-type: none"> 1. Consider Adoption of Resolution No. 12-2941 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges [CC] 	<p>46</p>
<p>IX. PULLED CONSENT CALENDAR ITEMS</p>	
<p>X. RESPONSE – None</p>	
<p>XI. COMMUNICATIONS</p>	
<ul style="list-style-type: none"> A. City Attorney <ul style="list-style-type: none"> 1. Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference With Designated Labor Negotiator Edward C. Starr 	

Agency: City of Montclair

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

- 2. Closed Session Pursuant to Government Code Section 54956.9(a)
Regarding Pending Litigation

Camou v. City of Montclair

B. City Manager/Executive Director

C. Mayor/Chairman

D. Council/MHC Board

E. Committee Meeting Minutes *(for informational purposes only)*

- 1 Minutes of the Code Enforcement Committee Meeting of February 21, 2012 55
- 2 Minutes of the Personnel Committee Meeting of February 21, 2012 58

XII. ADJOURNMENT OF THE CITY COUNCIL ACTING AS SUCCESSOR TO THE REDEVELOPMENT AGENCY BOARD OF DIRECTORS AND MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS

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

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. ADJOURNMENT OF CITY COUNCIL

The next regularly scheduled City Council, City Council acting as successor to the Redevelopment Agency, and Montclair Housing Corporation meetings will be held on Monday, March 19, 2012, 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, the City Council acting as successor to the 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 March 1, 2012.

AGENDA REPORT

SUBJECT: CONSIDER PROJECTS AND PRIORITIZATION OF FUNDING FOR THE FISCAL YEAR 2012-13 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

DATE: March 5, 2012
SECTION: PUBLIC HEARINGS
ITEM NO.: A
FILE I.D.: GRT050
DEPT.: COMMUNITY DEV.

REASON FOR CONSIDERATION: Federal guidelines for the Community Development Block Grant (CDBG) Program require that each public agency conduct a public hearing to establish projects that will be funded in the upcoming 2012-13 fiscal year.

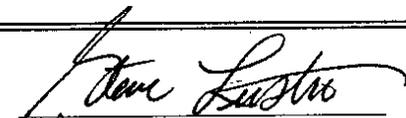
BACKGROUND: The total funding available for Montclair's Fiscal Year 2012-13 CDBG Program has tentatively been determined to be \$285,828. This amount represents just over a 21 percent reduction in the City's CDBG allotment for Fiscal Year 2011-12.

CDBG restrictions limit the amount of funding for "public service" activities to 15 percent of this year's allocation, or \$42,874. Staff has recommended a continuance of funding for public service uses that have been funded by the City of Montclair in the past to the extent possible by funding restrictions. The County of San Bernardino will continue to implement HUD's recommendation that minimum grant amounts be established in order to justify the cost of administering funded projects. Accordingly, the minimum thresholds are \$10,000 for public service projects and \$75,000 for construction activities.

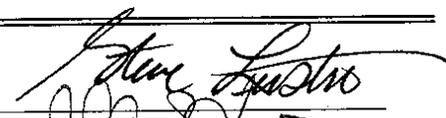
In addition to the City of Montclair project proposals, numerous outside agencies submitted project proposals directly to the County. A complete list of all proposals determined to be eligible for funding accompanies this report. The total requested by all applicants, including the City, for eligible proposals is \$326,500, of which \$87,650 is related to "public service" activities.

For the upcoming fiscal year, staff has identified one major capital project that can be implemented expeditiously, in addition to continuing funding for the City's Code Enforcement program, thereby reducing the impact on the City's General Fund. Staff did not propose any new funding for Code Enforcement in the 2011-12 CDBG application because of the implementation of HUD's minimum \$75,000 threshold for construction projects. Funding CDBG target area activity in the Code Enforcement program at the minimum \$75,000 threshold should be adequate for two fiscal year cycles. Staff recommends the City Council approve the projects and funding levels summarized as follows:

Prepared by:



Reviewed and Approved by:



Proofed by:



Presented by:



Accessibility improvements to the Recreation Center including reconstruction of the restrooms, showers, and saunas and improved accessibility to the racquetball courts	\$ 167,954
Code Enforcement in CDBG target areas	75,000
Graffiti Abatement	32,150*
Montclair Golden Express	<u>10,724*</u>
TOTAL	<u>\$ 285,828</u>

*Total public service projects: \$42,874

FISCAL IMPACT: The City expects to receive \$285,828 for the Fiscal Year 2012-13 CDBG Program.

RECOMMENDATION: Staff recommends the City Council approve the above projects and prioritization of funding for the Fiscal Year 2012-13 CDBG Program.

ELIGIBLE Proposals**ELIGIBLE Proposals****Montclair****2012-2013 CDBG Proposals by Benefit Area**

Log No.	Primary Benefit Area/ Description:	Applicant: Activity Eligibility Benefit Eligibility	M&O Commit	Project/ Request/ Percent	Community	Request	Dist	Comments
38011	Montclair Additional Funding for Transportation Services for Senior Citizens, Golden Express Transportation Program	City of Montclair Steve Lustro, Director (909) 625-9477 5111 Benito Street P.O. Box 2308 Montclair, CA 91763 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	Y	\$32,250 \$10,000 31.0%	Montclair	\$10,000 \$10,000	4	Public Service. Continuation funding for transportation services for senior citizens. #108-27127/2220
38012	Montclair Additional Funding for Graffiti Eradication in Target Area	City of Montclair Steve Lustro, Director (909) 625-9477 5111 Benito Street P.O. Box 2308 Montclair, CA 91763 24 CFR 201(e) 24 CFR 208(a)(1)	N	\$60,350 \$32,150 53.0%	Montclair	\$32,150 \$32,150	4	Public Service. Continuation funding for graffiti eradication program in the City of Montclair's target area (#108- 15317/0793)
38013	Montclair Continuation of ADA Improvements to the Restrooms and Entry Doors at the Community Center, Montclair	City of Montclair Steve Lustro, Director (909) 625-9477 5111 Benito Street P.O. Box 2308 Montclair, CA 91763 24 CFR 201(c) 24 CFR 208(a)(2)(ii)	Y	\$402,700 \$163,850 100.0%	Montclair	\$163,850 \$163,850	4	Only handicapped accessible improvements are eligible. Project consists of primarily ADA facility improvements. Project is for additional funds for project #108-36111/3613.
38014	Montclair Continuation of Funding for Code Enforcement Activities in the Target Areas of the City of Montclair	City of Montclair Steve Lustro, Director (909) 625-9477 5111 Benito Street P.O. Box 2308 Montclair, CA 91763 24 CFR 202(c) 24 CFR 208(a)(1)	N	\$92,000 \$75,000 81.0%	Montclair	\$75,000 \$75,000	4	Continuation funding for code enforcement activities. Code enforcement activities would be limited to target areas. (#108-18417/1002)

**San Bernardino County
Department of Community Development and Housing**

ELIGIBLE Proposals

ELIGIBLE Proposals

Montclair

2012-2013 CDBG Proposals by Benefit Area

Log No.	Primary Benefit Area/Description:	Applicant: Activity Eligibility Benefit Eligibility	M&O Commit	Project/Request/Percent	Community	Request	Dist	Comments
38039	Montclair New - Domestic Violence Shelter Program - House of Ruth, Montclair	House of Ruth, Inc. Suzanne Aebischer, Executive Director (909) 868-8008 P.O. Box 459 Claremont, CA 91711 24 CFR 201(e) 24 CFR 208(a)(2)(i)(A)	N	\$136,439 \$10,000 7.0%	Montclair	\$10,000 Total \$10,000	4	Public Service. Would be limited to victims of domestic violence and their children.
38049	Montclair New - Provision of Crisis Intervention, Food, Clothing, Motel & Transportation Vouchers within the cities of Colton and Montclair	Mercy House Living Centers Allison Harvey, Development Director (714) 836-7188 x114 P.O. Box 1905 Santa Ana, CA 92702 24 CFR 201(e) 24 CFR 208(a)(2)(i)(B)	N	\$158,449 \$17,500 11.0%	Montclair Colton	\$10,000 \$7,500 Total \$17,500	4	Public Service. Would require documentation of at least 51% low/mod income households.
38065	Montclair New - Homeowner Financial Literacy, Affordable Housing, Fair Housing and Landlord Tenant Dispute Counseling, Montclair	Global One Development Center Jackie Bahling, Executive Director (213) 388-4118 1625 Olympic Blvd., Ste. M-100 Los Angeles, CA 90015 24 CFR 201(e) 24 CFR 208(a)(2)(i)(B)	N	\$51,000 \$25,500 50.0%	Montclair	\$25,500 Total \$25,500	4	Public Service. Subject to 15% public service cap. Would require documentation of at least 51% low/mod income households.
Totals for Montclair								
			Count:	7	Amount:	\$326,500	Proj Tot	\$334,000

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 12-2940 ADJUSTING THE EQUIVALENT
DWELLING UNIT MONTHLY FEE FOR SEWER
SERVICE

DATE: March 5, 2012
SECTION: PUBLIC HEARINGS
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 adjust the treatment rate from the current level of \$11.14 to \$12.39 per equivalent dwelling unit (EDU) per month, effective July 1, 2012. In addition to the increase from IEUA for treatment, an adjustment to the overall rate charged to businesses and residents of Montclair is also required because of increased maintenance costs. In order to collect this higher rate, the City must adopt new rates. Rates may be changed by a Resolution adopted by the City Council after conducting a public hearing. A copy of proposed Resolution No. 12-2940 adjusting the ED for sewer service is attached for the City Council's review and consideration.

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). Effective July 1, 2011, the City also began adding a 5 percent surcharge to the IEUA rate. It is 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 in the sewer reserves. Annual adjustments in sewer rates fall under public hearing requirements of Proposition 218.

On May 7, 2007, the Montclair City Council 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 for any given year under the Ordinance. The maximum rates permissible under Ordinance No. 07-890 for Fiscal Year 2012-13 are as follows:

<i>Effective Date</i>	<i>Part 1 Fee</i>	<i>Part 2 Fee</i>	<i>Part 3 Fee</i>	<i>Maximum Rate</i>
July 1, 2012	\$13.00	\$3.96	\$1.50	\$18.46

Prepared by:

M. STAATS

Reviewed and
Approved by:

M. STAATS

Proofed by:

Alle Mj

Presented by:

Alle Mj

- Part 1 Fee is the fee charged by IEUA for treatment including the 5 percent surcharge
- Part 2 Fee is the cost for City sewer maintenance and conveyance
- Part 3 Fee is a collection set aside for future sewer line rehabilitation and/or replacement

The combined maximum rate that can be charged under Ordinance No. 07-890 for Fiscal Year 2012-13 is \$18.46 per EDU per month.

With the IEUA Board of Directors voting to increase the treatment rate to \$12.39 per EDU per month and with the City's 5 percent surcharge on the Part 1 fee, it is recommended that the following rates be adopted for Fiscal Year 2012-13:

<i>Effective Date</i>	<i>Part 1</i>	<i>Part 2</i>	<i>Part 3</i>	<i>Total Rate</i>
July 1, 2012	\$13.00	\$3.96	\$1.50	\$18.46

The action taken on February 1, 2012, by the IEUA Board of Directors also set rates for Fiscal Years 2013-14 and 2014-15. The rates adopted for these years, with the City's 5 percent surcharge, will exceed the caps previously adopted under Ordinance No. 07-890. Therefore, staff anticipates conducting another Proposition 218 hearing sometime next year in advance of the rate increase effective July 1, 2013.

FISCAL IMPACT: Failure to adopt Resolution No. 12-2940 would keep the monthly EDU rate at its current level, but the City would still be obligated to pay IEUA its newly adopted rate.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 12-2940 adjusting the equivalent dwelling unit monthly fee for sewer service.

RESOLUTION NO. 12-2940

**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, 2012, and ending June 30, 2013, was set as follows:

Part 1 Fee – Inland Empire Utilities Agency Treatment Fee	\$13.00
Part 2 Fee – City Sewer Maintenance Fund	3.96
Part 3 Fee – City Sewer Replacement Fund	<u>1.50</u>
Total Maximum Permissible Monthly EDU Rate	<u>\$18.46</u>

and

WHEREAS, the Inland Empire Utilities Agency has set the Part 1 Fee at \$12.39 per EDU per month for Fiscal Year 2011-12, 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 percent 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, 2012, as follows:

Part 1 Fee – Inland Empire Utilities Agency Treatment Fee	\$12.39
Part 1 Fee – 5 percent surcharge	0.61
Part 2 Fee – City Sewer Maintenance Fund	3.96
Part 3 Fee – City Sewer Replacement Fund	<u>1.50</u>
Total Monthly EDU Rate	<u>\$18.46</u>

APPROVED AND ADOPTED this XX day of XX, 2012.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 12-2940 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, 2012, 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 ORDINANCE
NO. 12-928 AMENDING SECTION 9.20.460
OF AND ADDING SECTION 9.20.465 TO THE
MONTCLAIR MUNICIPAL CODE RELATED TO
THE EQUIVALENT DWELLING UNIT VALUE

FIRST READING

DATE: March 5, 2012
SECTION: PUBLIC HEARINGS
ITEM NO.: C
FILE I.D.: SEW125
DEPT.: PUBLIC WORKS

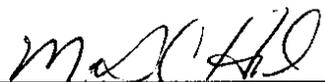
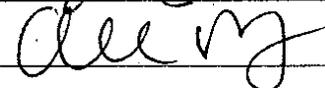
REASON FOR CONSIDERATION: On February 1, 2012, the Inland Empire Utilities Agency (IEUA) adopted new rates for connections to sewer systems that discharge to its sewage treatment facilities. Adjustments to the fee currently charged by the City are now required. Since the connection fee is set by the Municipal Code, adjustments to those fees must be done by Ordinance and would require a public hearing. A copy of proposed Ordinance No. 12-928 related to adjustments to the IEUA connection fee and implementation of a surcharge to the fee is attached for the City Council's review and consideration.

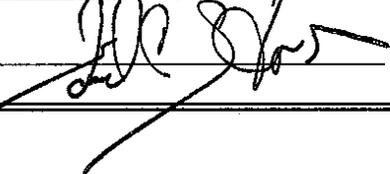
BACKGROUND: The Regional Sewage Supplemental Capital Outlay Fee for residential, commercial, and industrial structures, commonly known as the connection fee, is set forth in Chapter 9.20.460 of the Montclair Municipal Code. This fee, which is established by IEUA and assessed by the City at the time a building permit is issued, must be paid to IEUA for each new building connected to a sewer.

The current rate is \$4,766 per equivalent dwelling unit (EDU). IEUA has proposed a three-step increase. The first step would increase the connection fee to \$4,909 per EDU effective July 1, 2012. The second step would increase the connection fee to \$5,007 per EDU effective July 1, 2013. The third step would increase the connection fee to \$5,107 per EDU effective July 1, 2014. The adjustments reflect the continuing increase in construction costs over the past few years and are also based on the Engineering News-Record Construction Cost Index for the nationwide 20-city average.

This connection fee is a pass-through fee collected by the City and then sent to IEUA when a call is made for them. The interest earned on these fees until a call is made is kept by the City and can be used by the City for any sewer-related purpose. All agencies served by IEUA are able to do this. However, in addition to the interest earned on the connection fees, a few agencies also add on a surcharge to the connection fee in order to expand their own facilities. It is proposed that the City of Montclair initiate such a surcharge effective with the IEUA rate increase later this year.

The annexations of several County areas within the past few years have added homes to the City that are still on septic systems. In most cases the streets are also in a poor state of repair. As the City assumes maintenance responsibilities for these streets, pavement

Prepared by: 
Proofed by: 

Reviewed and Approved by: 
Presented by: 

rehabilitation or replacement will be necessary. At the time the pavement work is done, it would also be highly desirable to install sewer mains and laterals in order to provide sewer service. Funds typically available for street work, such as Gas Tax and Measure I, cannot be used to install sewer lines. Neither can sewer maintenance or sewer rehabilitation funds. The creation of a new division of the Sewer Fund, funded both by connection fees and the interest on IEUA fees collected, would enable the City to install sewers when streets are rehabilitated.

Staff proposes implementing a surcharge to the IEUA connection fee similar to those changes by five of the seven Regional Contracting Agencies (Montclair and Chino are the exceptions). The surcharge would be used to fund future expansions of the City's sewer system. The table below shows the current connection fee and the proposed fees for each of the next three years including the 10 percent surcharge:

	<i>IEUA Fee</i>	<i>City Surcharge</i>	<i>Total Fee</i>
<i>Current</i>	\$4,766	-0-	\$4,766
July 1, 2012	\$4,909	\$491	\$5,400
July 1, 2013	\$5,007	\$500	\$5,507
July 1, 2014	\$5,107	\$510	\$5,617

Surcharges, or development impact fees related to sewers as they are called by some of the Regional Contracting Agencies, range from \$375 per EDU to as much as \$1,827 per EDU.

FISCAL IMPACT: After the first reading, the City Council may consider adoption of Ordinance No. 12-928 to permit the City to collect the higher fees being assessed by IEUA and start a fund that can be used to expand the existing sewer system. Should Ordinance No. 12-928 not be adopted by the Council, the City would be liable for the difference between the fee assessed by IEUA and the amount collected by the City on all new connections to the Montclair Sewer System.

RECOMMENDATION: Staff recommends the City Council adopt the first reading of Ordinance No. 12-928 amending Section 9.20.460 of and adding Section 9.20.465 to the Montclair Municipal Code related to the equivalent dwelling unit value.

ORDINANCE NO. 12-928

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING SECTION 9.20.460 OF AND ADDING SECTION 9.20.465 TO THE MONTCLAIR MUNICIPAL CODE RELATED TO THE REGIONAL SEWAGE SUPPLEMENTAL CAPITAL OUTLAY FEE

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

Section I. Amendment to Code. Section 9.20.460 of Title 9 of the Montclair Municipal Code is hereby amended as follows:

Section 9.20.460: Equivalent dwelling unit value.

The Regional Sewage Supplemental Capital Outlay Fee for residential, commercial, and industrial structures shall be the equivalent dwelling unit (EDU) number multiplied by the EDU value of Four Thousand Nine Hundred Nine Dollars (\$4,909) as established by the Inland Empire Utilities Agency effective July 1, 2012; Five Thousand Seven Dollars (\$5,007) as established by the Inland Empire Utilities Agency effective July 1, 2013; and Five Thousand One Hundred Seven Dollars (\$5,107) as established by the Inland Empire Utilities Agency effective July 1, 2014. The EDU value is based on construction costs and takes into consideration the current Engineering News-Record Construction Cost Index nationwide using the 20-city average.

Section 9.20.465 is hereby added to Title 9 of the Montclair Municipal Code as follows:

Section 9.20.465: Sanitary Sewer Expansion Fee

The Sanitary Sewer Expansion Fee for residential, commercial, and industrial structures shall be set as Four Hundred Ninety-One Dollars (\$491) effective July 1, 2012; Five Hundred Dollars (\$500) effective July 1, 2013; and Five Hundred Ten Dollars (\$510) effective July 1, 2014.

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, 2012.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 12-928 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2012, and finally passed not less than five (5) days thereafter on the XX day of XX, 2012, by the following vote, to-wit:

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

Yvonne Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A \$2,764
TRANSFER FROM THE CONTINGENCY
ACCOUNT FOR THE EMERGENCY REPLACE-
MENT OF EMERGENCY RESPONSE EQUIPMENT

DATE: March 5, 2012
SECTION: ADMIN. REPORTS
ITEM NO.: 1
FILE I.D.: EQS215-03
DEPT.: FIRE

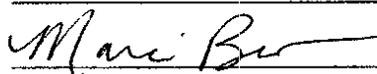
REASON FOR CONSIDERATION: The City Council is requested to consider authorizing a transfer from the Contingency Account for the emergency replacement of emergency response equipment.

BACKGROUND: Included in the Fiscal Year 2011-12 Fire Department Budget is a \$1,000 allocation in Maintenance-Other Equipment Account No. 001-400-4533-52050. The current budget has been exceeded by \$2,764 for the emergency purchase of three replacement gasoline-powered forcible-entry saws. The saws that were replaced are nearly 20 years old and recently failed during operation on a major extended emergency incident. These saws are assigned to frontline emergency response apparatus; they are critical to first-response capabilities and must perform without failure during emergency incidents. The routine scheduled maintenance performed on the nearly 20-year-old gasoline-powered forcible-entry saws is no longer a viable option because the saws have surpassed their dependable service life.

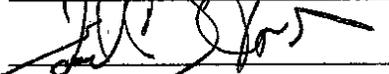
FISCAL IMPACT: The proposed transfer shifts \$2,764 from the Contingency Account to Maintenance-Other Equipment Account No. 001-400-4533-52050 to pay for the three gasoline-powered forcible-entry saws and required accessories.

RECOMMENDATION: Staff recommends the City Council authorize a \$2,764 transfer from the Contingency Account to Maintenance-Other Equipment Account No. 001-400-4533-52050 for emergency replacement of emergency response equipment.

Prepared by: _____

Reviewed and
Approved by: _____

Proofed by: _____

Presented by: _____

KME Fire Apparatus
 California Branch
 One Industrial Complex
 Nesquehoning, PA 18240
 (570) 669-9461

INVOICE NO ca 516129
 PAGE 1
 DATE 02/15/12
 SALESMAN Gallardo, Miguel A
 INVOICE TYPE: REGULAR INVOICE
 Tax ID 1: 23-2367607
 Currency: USD US Dollar

Tax ID 1:
 888

B I L L T O

City of Montclair Fire
 Department
 P.O. Box 2308
 Montclair CA 91763
 USA

S H I P T O

City of Montclair Fire
 Department
 P.O. Box 2308
 Montclair CA 91763
 USA

ORDER#	P.O. NUMBER	PKGS	PPD	WEIGHT	SHIP VIA	TERMS
KC07821				0.00	Customer Pick-U	NET 30 DAYS

LINE/REL.	QTY. ORDERED	QTY. SHIPPED	QTY. BACK ORDERED	UNIT PRICE	EXTENDED PRICE
1	1.000	1.000	0.000	951.56000	951.56
Item: MS460RESCUE-20 Description: 20" RESCUE CHAINSAW, STIHL U/M: KIT Date Shipped: 02/14/12 sn# 173292888					

TAX BASIS SUMMARY	Tax Rate	Tax Basis
Tax Code: 031-2 Non-Tax:	8.00000%	0.00

COPY.

Authorized for Payment
 By: _____
 P.O.#: _____
 Acct#: _____
 Date: _____

A 1.5% finance charge will be added per month to all past due accounts. A 25% restocking fee will be charged on all return parts.

ORIGINAL INVOICE
 17

SALES AMOUNT	951.56
MISC CHG	0.00
FREIGHT	0.00
SALES TAX	76.12
PREPAID	
TOTAL	1,027.68

KME Fire Apparatus
 California Branch
 One Industrial Complex
 Nesquehoning, PA 18240
 (570) 669-9461

INVOICE NO ca 516139

PAGE 1

DATE 02/16/12

SALESMAN Gonzales Jr, Ruben

INVOICE TYPE: REGULAR INVOICE

Tax ID 1: 23-2367607

Currency: USD US Dollar

Tax ID 1:

888

City of Montclair Fire
 Department
 P.O. Box 2308
 Montclair CA 91763
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City of Montclair Fire
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 Montclair CA 91763
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ORDER#	P.O. NUMBER	PKGS	PPD	WEIGHT	SHIP VIA	TERMS
KC07776	TROY			0.00	Customer Pick-U	NET 30 DAYS

LINE/REL.	QTY. ORDERED	QTY. SHIPPED	QTY. BACK ORDERED	UNIT PRICE	EXTENDED PRICE
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1	2.000	2.000	0.000	740.96000	1,481.92
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Item: 4238-011-2801

Description: TS 410 12" CUTQUICK

U/M: EA

Date Shipped: 02/15/12

SERIAL NUMBERS

174545782

173438237

Submitted

FEB 21 2012

COPY

2	10.000	10.000	0.000	5.65000	56.50
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Item: 0835-010-8000

Description: 12" METAL 20MM

U/M: EA

Date Shipped: 02/15/12

3	2.000	2.000	0.000	5.65000	11.30
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Item: 0835-020-8000

Description: 12" CONCRETE 20MM

U/M: EA

Date Shipped: 02/15/12

4	8.000	8.000	0.000	7.20000	57.60
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Item: 7010-871-0203

Description: MOTOMIX QRT

U/M: EA

Date Shipped: 02/15/12

Authorized for Payment

By: _____

P.O.#: _____ ORIGINAL INVOICE

Acct#: _____ 18

Date: _____

SALES AMOUNT	
MISC CHG	
FREIGHT	
SALES TAX	
PREPAID	
TOTAL	

KME Fire Apparatus
 California Branch
 One Industrial Complex
 Nesquehoning, PA 18240
 (570) 669-9461

INVOICE NO ca 516139
 PAGE 2
 DATE 02/16/12
 SALESMAN Gonzales Jr, Ruben
 INVOICE TYPE: REGULAR INVOICE
 Tax ID 1: 23-2367607
 Currency: USD US Dollar

Tax ID 1:

888

City of Montclair Fire
 Department
 P.O. Box 2308
 Montclair CA 91763
 USA

City of Montclair Fire
 Department
 P.O. Box 2308
 Montclair CA 91763
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ORDER#	P.O. NUMBER	PKGS	PPD	WEIGHT	SHIP VIA	TERMS
KC07776	TROY			0.00	Customer Pick-U	NET 30 DAYS
LINE/REL.	QTY. ORDERED	QTY. SHIPPED	QTY. BACK ORDERED	UNIT PRICE	EXTENDED PRICE	

TAX BASIS SUMMARY

	Tax Rate	Tax Basis
Tax Code: 031-2 Non-Tax:	8.00000%	0.00

COPY

A 1.5% finance charge will be added per month to all past due accounts. A 25% restocking fee will be charged on all return parts.

ORIGINAL INVOICE
 19

SALES AMOUNT	1,607.32
MISC CHG	0.00
FREIGHT	0.00
SALES TAX	128.59
PREPAID	
TOTAL	1,735.91

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION TO ADVERTISE
FOR BID PROPOSALS FOR THE COMMUNITY
CENTER IMPROVEMENT PROJECT

DATE: March 5, 2012

SECTION: ADMIN. REPORTS

ITEM NO.: 2

FILE I.D.: CVC060

DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: On April 4, 2011, the City Council approved Agreement No. 11-45 with Wheeler & Wheeler Architects for architectural design services for the development of plans to convert existing Meeting Room A in the Community Center to ADA compliant restrooms. The plans are now complete and ready to be advertised for bids. Advertising for bid proposals is subject to City Council approval.

BACKGROUND: The Community Center Improvement Project is intended to convert existing Meeting Room A in the Community Center into public restrooms that are both compliant with the requirements of American with Disabilities Act (ADA) and include the number of facilities appropriate for the size of the building. The existing restrooms will be converted into storage facilities.

During design, it was brought to the City's attention that there were also ADA issues associated with the southern entrance to City Hall. Issues include uplifted sidewalks and ramps caused by tree roots, landings that are either of an inadequate size or missing altogether, and hand rails that are no longer ADA compliant. Plans have been prepared to address these issues and have been added to the Community Center Project. The work also includes modifications to the employee entrance to City Hall, creating a small, screened patio area.

Additional ADA compliant hand rails will be constructed in Alma Hofman Park.

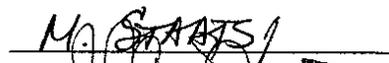
FISCAL IMPACT: The primary source of funds for the Community Center is Community Development Block Grant funds. Supplemental funding will be provided by 2005 Lease Revenue Bond Proceeds. The cost of advertising this project should not exceed \$3,500.

RECOMMENDATION: Staff recommends the City Council authorize staff to advertise for bid proposals for the Community Center Improvement Project.

Prepared by:




Reviewed and
Approved by:




Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION **DATE:** March 5, 2012
SECTION: ADMIN. REPORTS
ITEM NO.: 3
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 March 5, 2012, and Payroll Documentation dated January 29, 2012; finds them to be in order; and recommends their approval.

FISCAL IMPACT: The Warrant Register dated March 5, 2012, totals \$707,701.30. The Payroll Documentation dated January 29, 2012, totals \$572,412.88, with \$435,288.06 being the total cash disbursement.

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

Prepared by: *Yvonne L. Smith* Reviewed and Approved by: *[Signature]*
Proofed by: *Kathy Dalton* Presented by: *[Signature]*

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT
NO. 12-12 AMENDING AGREEMENT
NO. 11-53 WITH THE SAN BERNARDINO
COUNTY DEPARTMENT OF AGING AND
ADULT SERVICES TO INCREASE FUNDING
FOR THE SENIOR CITIZEN NUTRITION
PROGRAM

DATE: March 5, 2012

SECTION: AGREEMENTS

ITEM NO.: 1

FILE I.D.: HSV105

DEPT.: COMMUNITY DEV.

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 12-12 amending Agreement No. 11-53 with the San Bernardino County Department of Aging and Adult Services to increase funding for the Senior Citizen Nutrition Program for Fiscal Year 2011-12. A copy of proposed Agreement No. 12-12 is attached for the City Council's review and consideration.

BACKGROUND: The San Bernardino County Department of Aging and Adult Services has awarded the City additional one-time-only (OTO) funding to purchase supplies and equipment for the City's Senior Citizen Nutrition Program serving seniors aged 60 and older. Proposed Agreement No. 12-12 would amend Agreement No. 11-53 by increasing funding by \$6,586 from the previous contract amount of \$96,869 for Fiscal Year 2011-12. Proposed Agreement No. 12-12 contains the proposed budget and OTO funding schedule.

The term of proposed Agreement No. 12-12 is July 1, 2011, through June 30, 2012.

FISCAL IMPACT: Should the City Council approve proposed Agreement No. 12-12, the Fiscal Year 2011-12 funding would be increased by \$6,586 to purchase supplies for the City's Senior Citizen Nutrition Program and replace the compressed natural gas (CNG) auxiliary tanks on the Golden Express. The CNG auxiliary tanks have expired and are required to be replaced to remain in compliance with federal law through the United States Department of Transportation. These funds have been allocated to the City through the Older Americans Act Title III Fund.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 12-12 amending Agreement No. 11-53 with the San Bernardino County Department of Aging and Adult Services to increase funding for the Senior Citizen Nutrition Program.

Prepared by:

M. Richter

Reviewed and
Approved by:

Steve Luster

Proofed by:

Micelle Roche

Presented by:

[Signature]

FOR COUNTY USE ONLY



County of San Bernardino
F A S
STANDARD CONTRACT

<input type="checkbox"/> New	Vendor Code	Dept.	Contract Number		
<input checked="" type="checkbox"/> Change	CITYOFM731	SC	10-317 A-3		
<input type="checkbox"/> Cancel		00A	A		
County Department		Dept.	Orgn.	Contractor's License No.	
Aging and Adult Services					
County Department Contract Representative		Telephone		Total Contract Amount	
Wendy Everett		(909) 387-2917		\$198,866	
Contract Type					
<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Encumbered <input type="checkbox"/> Unencumbered <input type="checkbox"/> Other:					
If not encumbered or revenue contract type, provide reason:					
Commodity Code		Contract Start Date	Contract End Date	Original Amount	Amendment Amount
95200		July 1, 2010	June 30, 2012	\$94,010	\$6,586
Fund	Dept.	Organization	Appr.	Obj/Rev Source	GRC/PROJ/JOB No.
AAF	OOA	210	300	3357	
					Amount
					\$6,586
Project Name			Estimated Payment Total by Fiscal Year		
Elderly Nutrition Services Program			FY	Amount	I/D
			11/12	\$6,586	1

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

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

hereinafter called Contractor

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 3

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

III. CONTRACTOR GENERAL RESPONSIBILITIES

Paragraph DD is deleted in its entirety.

V. FISCAL PROVISIONS

Paragraph A is amended to read as follows:

- A. The maximum amount of funds available for payment under this Contract shall not exceed \$198,866 of which \$184,859 may be federally funded, and shall be subject to availability of funds to the County. The consideration to be paid to Contractor shall be in full payment for all Contractor's services and expenses incurred in the performance hereof, including travel and per diem.

Auditor/Controller-Recorder Use Only

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

Paragraph B is amended to read as follows:

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

Congregate Site: \$5.53 per meal, up to 18,708 meals

Paragraph M is amended to read as follows:

M. Matching contributions

1. The Contractor shall provide in-kind matching contributions of a minimum of \$11,494, which is the Title III portion of the Contract multiplied by 11.11%.
2. Allowable match shall be in compliance with the following requirements:
3. Matching in-kind contributions must be for allowable costs as determined by CDA PM. Allowable costs include but are not limited to rent, utilities, supplies, and volunteers.
4. To qualify as a matching in-kind contribution, indirect or Contractor allocated overhead expenses must be supported by a documented cost allocation plan.
5. Costs incurred by the Contractor or subcontractor must be verifiable from the records of the Contractor or subcontractor.
6. Non-Matching contributions are local funding that does not qualify as matching contributions and/or is not being budgeted as matching contributions (e.g., Title V, overmatch, etc.).

X. GENERAL PROVISIONS

Paragraph D, item 6 is amended to read as follows:

6. The Contractor shall record the following information when property is acquired:
 - a. Date acquired;
 - b. Property description (include model number);
 - c. Property identification number (serial number);
 - d. Location of property;
 - e. Cost or other basis of valuation;
 - f. Fund source; and
 - g. Rate of depreciation (or depreciation schedule), if applicable.

The Contractor shall keep track of property purchased with Contract funds, whether capitalized or not. The Contractor shall notify DAAS, in writing, within 30 days of purchase of any capitalized asset. The notification should, at a minimum address all of the criteria in Section X, Paragraph D, Item 6 above. Written notification should be sent to:

DAAS Program Analyst
686 E. Mill Street
Second floor
San Bernardino, CA 92415-0640

The Contractor shall not use DAAS funded properties as collateral to obtain loans, etc. Any liens placed against properties purchased with the funds available through this contract should be reported to DAAS within five (5) days. The Contractor shall maintain and submit to DAAS annually with the closeout, a current inventory of property furnished or purchased by either the Contractor or the subcontractor with funds awarded under the terms of this Contract or any predecessor contracts for the same purpose. The Contractor shall use the Report of Project Property Furnished/Purchased with Agreement Funds (CDA 32), unless otherwise directed by DAAS.

Paragraph D, item 16 is deleted.

Paragraph D, item 17 is amended to read as follows:

17. All property purchases require the following:
 - a. If purchase of equipment is to be reimbursed by DAAS, the equipment to be purchased must be specified in the budget previously submitted and approved by DAAS, or be specified in a revised budget that Contractor submits to DAAS for DAAS approval.
 - b. Contractor must seek bids from "multiple firms" in selecting a supplier of goods. "Multiple firms" means a minimum of three (3) separate and distinct business entities in competition to supply the same or similar good. When selecting a bid, Contractor must consider such factors as type of goods/supplies needed, cost, schedule, and availability.
 - c. "Request To Purchase Property/Equipment Form" (Attachment N) and "Property/Equipment Bid Form" (Attachment O) must be submitted by Contractor and be approved by DAAS prior to any equipment purchases of \$5000.00 by Contractor.

ATTACHMENT A – SCOPE OF WORK: Fiscal Year 2011-12, dated March 27, 2012, is added to this Contract.

ATTACHMENT B – BUDGET – Fiscal Year 2011-12, dated March 27, 2012, is added to this Contract.

ATTACHMENT N – REQUEST TO PURCHASE PROPERTY/EQUIPMENT FORM is added to this Contract.

ATTACHMENT O – PROPERTY/EQUIPMENT BID FORM is added to this Contract.

Auditor/Controller-Recorder Use Only

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

COUNTY OF SAN BERNARDINO

▶

Josie Gonzales, Chair, Board of Supervisors

Dated _____

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

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

By _____
Deputy

City of Montclair

(Print or type name of corporation, company, contractor, etc.)

By ▶

(Authorized signature - sign in blue ink)

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

Title _____
Mayor
(Print or Type)

Dated _____
March 6, 2012

Address _____
5111 Benito Street
Montclair, CA 91763

Approved as to Legal Form
▶

Jacqueline Carey-Wilson, County Counsel
Date _____

Reviewed by Contract Compliance
▶

Lory Klopfer, Contracts Manager
Date _____

Presented to BOS for Signature
▶

Colleen Krygier, Director
Date _____

Auditor/Controller-Recorder Use Only

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San Bernardino County
Elderly Nutrition Program
Scope of Work
March 27, 2012

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

Contractor: City of Montclair

Service Area: Montclair

I. Program Description:

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

II. Eligibility for Nutrition Services:

- A. Congregate Meals – Individuals eligible to receive a meal at a congregate nutrition site are:
 - 1. Any older individual 60 or older.
 - 2. The spouse of any older individual 60 or older.
 - 3. A person with a disability, under age sixty (60) who resides in housing facilities occupied primarily by older individuals (60 or older) at which congregate nutrition services are provided.
 - 4. A disabled individual who resides at home with and accompanies an older individual who participates in the program.
- B. Volunteer Meals:
 - 1. A volunteer under age sixty (60) may be offered a meal if doing so will not deprive an older individual who is 60 or older of a meal.
- C. Home-Delivered Meals – Individuals eligible to receive a home-delivered meal are:
 - 1. Any older individual who is frail, as defined below, and homebound by reason of illness, disability, or isolation:

- a. "Frail" means that an older individual is determined to be functionally impaired because the individual either:
 - 1) Is unable to perform at least two (2) activities of daily living, including bathing, toileting, dressing, feeding, breathing, transferring and mobility and associated tasks, without substantial human assistance, including verbal reminding, physical cueing or supervision.
 - 2) Due to a cognitive or other mental impairment, requires substantial supervision because the older individual behaves in a manner that possess a serious health or safety hazard to the individual or to others.
2. A spouse of a person in sub-section (C)(1) above, regardless of age or condition, if an assessment concludes that it is in the best interest of the homebound older individual.
3. An individual with a disability who resides at home with older individuals if an assessment concludes that it is in the best interest of the homebound older individual who participates in the program.
4. Priority shall be given to older individuals in sub-section (C)(1) above.

III. Requirements for Nutrition Services:

A. Congregate Meals:

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

B. Home-Delivered Meals:

1. Develop and implement criteria to assess the level of need for home-delivered nutrition services of each eligible participant.
 - a. An initial determination of eligibility may be accomplished by telephone. This initial contact with the participant shall include completion of sections I, II, III, and IV of the Client Intake Sheet (provided by DAAS).
 - b. A written assessment shall be done in the home within two (2) weeks of beginning meal service, and shall include an assessment of the type of meal appropriate for the participant in their living environment.
 - c. An older individual eligible for receiving home-delivered meals shall be assessed for need of nutrition-related supportive services, and referred as necessary.
 - d. Re-assessment of need shall be determined quarterly. Such re-assessment shall be done in the home of the participant at least every other quarter. Each quarter's re-assessment shall include completion of sections I, II, III, and IV of the Client Intake Sheet (provided by DAAS).
2. Provide written instructions, in the language of the majority of the participants, for handling and re-heating of the meals.

3. Establish a waiting list for home-delivered meals whenever the home-delivered meal providers are unable to provide meals to all eligible individuals. The decision to place eligible recipients of a home-delivered meal on a waiting list, and their position on such a list, shall be based on greatest need and-or in accordance with policy established by the home-delivered meal provider, in consultation with DAAS.
4. Provide home-delivered meals in pre-packaged divided trays (hot or frozen meals).
5. Maintain appropriate documentation on each client. Documentation shall be kept on file to be monitored by DAAS.

IV. Program Outcomes:

- A. Total Number of Meals to be Served: 18,708**
 1. A minimum of 95% of the total number of meals is to be provided. The Director of DAAS must approve requests to serve less than 95% of the total number of meals to be provided. All such requests must be in writing.

Program: C-1 (Congregate Meals)	Program C-2 (Home-Delivered Meals)
# of Days of Service: 251	# of Days of Service:
Number of Meals: 18,708	Number of Meals
Sites to be Served: Montclair Community/Senior Center	Areas to be Served:

V. Staffing:

- A. Manager or Director:
 1. The ENP provider shall have a manager on staff who shall conduct the day-to-day management and administrative functions of the ENP, and either have (1), (2), or (3):
 - a. Possess an associate degree in institutional food service management, or a closely related field, such as, but not limited to, restaurant management, plus two (2) years' experience as a food service supervisor, or,
 - b. Demonstrate experience in food service, such as, but not limited to, cooking at a restaurant, and within twelve (12) months of hire successfully complete a minimum of twenty (20) hours specifically related to food service management, business administration, or personnel management at a college level. Prior to completion of meeting the hours, this individual's performance shall be evaluated through quarterly monitoring by a registered dietitian, or,
 - c. Two years experience managing food services. Such experience shall be verified and approved by a registered dietitian prior to hire.
 2. The ENP Provider shall maintain documentation on file of the qualifications of the Program Manager or staff.
 3. If the Provider has more than one site, the Manager/Director shall monitor the sites on a bi-monthly basis. The bi-monthly visit shall be for the purpose of monitoring the food service practices of the employees and the implementation of the program requirements at the site level. Documentation of each visit shall be maintained on file for DAAS review.
- B. Personnel – Paid Staff/Volunteers:
 1. There shall be sufficient qualified paid staff or volunteer staff with the appropriate education and experience to carry out the requirements of the ENP. The total number of staff should be based on the method and level of services provided and size of the service area.
 2. Contractor is encouraged to hire multi-lingual/multi-cultural staff to increase low-income and ethnic minority program participation in accordance with federal mandates.
 3. Contractor shall recruit for vacant positions in an open and competitive application process free of discriminatory questions. Written job descriptions for all paid and volunteer staff shall be maintained.
 4. Contractor shall complete a written work performance evaluation on all paid and volunteer staff at least annually.

5. All staff, paid and volunteer, that will be handling food must be in possession of a current Food Handlers Card.
6. Volunteers shall be recruited and used in any phase of the program operation where qualified.
7. Volunteers shall be screened and selected through a formal process that assesses their capabilities.
8. Volunteers shall receive the same training as paid staff.
9. Volunteers that are paid through other job training programs are not considered volunteers and must be paid the agreed upon rate charged for regular paid staff.
10. The ENP Provider shall maintain a written Volunteer Policy that describes how volunteers are recruited, screened, what topics they are taught at orientation, and how often their performance is evaluated.

C. Registered Dietitian:

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

VI. Staff Training Activities:

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

VII. Senior Participants:

- A. Satisfaction Survey:
 1. The ENP Provider shall conduct a Client Satisfaction Survey at least annually. The Survey instrument must be approved by DAAS prior to its use, and all findings from the Survey

must be used to improve services. The Provider must keep the completed Surveys and the tabulated results on file. A copy of the tabulated results must be submitted to DAAS by March 3rd of the FY it is being conducted for.

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

Nutrition Education Units of Service:

Program: C-1 (Congregate Meals)	Program: C-2 (Home-Delivered Meals)
# of Units to be Provided: 298	# of Units to be Provided:
# of Sites to be Presented at: 1	# of Participants to be Presented to:

VIII. Menu Planning Guidelines/Menu Requirements:

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

5. Include a variety of foods and preparation methods with consideration to color, combinations, texture, size, shape, taste, and preference of the participants served.
6. Dietary Reference Intake Values:
 - a. Table one (1) represents the most current Dietary Reference Intakes (DRI) values and daily compliance range for target nutrients. The values provided are based on the U.S. Department of Agriculture (USDA) Food Guide calculated for one (1) meal for a woman over seventy (70) years of age whose activity level is sedentary. This example represents a majority of the older adult population served by the ENP statewide.
 - 1) The nutrients selected for this Table are based on the target nutrients to:
 - i. Promote health and prevent disease
 - ii. Prevent deficiencies
 - iii. Indicate diet quality
 - iv. Manage disease

Table 1
Target Nutrients

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

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

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

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

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

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

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

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

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

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

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

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

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

IX. Food Procurement:

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

X. Food Storage:

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

XI. Food Production:

- A. Food production procedures shall comply with Title 22, CRFC standards, and HACCP best practices guidelines.
- B. Food production and meal service shall be under the supervision of a trained staff in food service management to ensure food service sanitation and the practice of hygienic food handling techniques are followed. This person shall function with the advice of the Provider's Registered Dietitian.
- C. Meals shall be served as indicated on the certified menus. In the event that a menu substitution must occur, the following procedure must be followed:
 1. The Provider's Registered Dietitian must approve all menu substitutions.
 2. A Menu Substitution Form must be completed and signed by the Provider's Registered Dietitian.
 3. The completed Menu Substitution form shall be kept on file for DAAS review.
- D. Production Control:
 1. Production schedules or worksheets must be available in the food preparation area.
 2. Food shall be prepared in sufficient quantities to serve all participants. Careful planning shall minimize the leftover food and prevent waste.
 3. Standardized recipes shall be used to ensure consistency of quality and quantity and adherence to menu guidelines.
 4. Appropriate utensils for correct and consistent portion control shall be available and used at each site.
- E. Meal Service/Temperature Monitoring:
 1. All food for congregate sites shall be packaged and transported in a manner in which it is protected from potential contamination and maintains appropriate hot and cold food temperatures.
 2. Meals shall be served to seniors "offer versus serve" – meaning participants are to be given an opportunity to decline a menu item. Food trays shall not be served ahead of time.

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

XII. Food Service Requirements:

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

XIII. Program Requirements:

- A. Client Intake Sheets:
 1. The ENP Provider will ensure that each participant completes the Client Intake Sheet form (provided by DAAS) to determine his or her level of nutritional risk. Forms shall be completed for:
 - a. Congregate Meal Participants – at the beginning of service and then annually thereafter for clients who remain on the program.
 - 1) Sections I and IV are required for congregate meals.
 - b. Home-Delivered Participants – at the beginning of service and then quarterly thereafter for clients who remain on the program.
 - 1) Sections I, II, III, and IV are required for home-delivered meals.

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

3. Coordinate service with other County departments and local agencies by providing time for presentations or special activities that promote a community based system of care for the participants attending nutrition sites.

G. Reporting:

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

handouts presented to the participants as a component of the Nutrition Education shall be attached to the Nutrition Education Monthly Service Unit Report.

H. Disposal of Equipment:

1. If the Provider wishes to dispose of equipment purchased with Nutrition grant funding, they must submit a request, in writing, to DAAS. The request shall state the equipment description, the location of the equipment, and the reason for disposal.
2. Provider shall submit a list of equipment purchased with grant funding by location.

I. Quarterly Meetings

1. Provider is required to attend all Quarterly Nutrition Provider meetings hosted by DAAS.

COUNTY OF SAN BERNARDINO NUTRITION SERVICES
PROGRAM BUDGET – March 27, 2012

Provider: City of Montclair

Fiscal Year: 2011/2012A1

CONGREGATE SITES C-1

HOME DELIVERED MEALS C-2

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

		A	b	C=a+b
		Cost to Provider for the year		
Expenditure Category:		Cash	In-Kind	Annual Expense
1	Personnel	68,294	48,500	116,794
2	Staff Travel & Training	400		400
3	Equipment			
4	Consultants	2,000		2,000
5	Catered Food	77,713		77,713
6	Raw Food			
7	Other Expenses:			
	a. Consumable Supplies	11,849		11,849
	b. Insurance	5,000		5,000
	c. Repair & Maintenance	3,500		3,500
	d. Rent/Building Space			
	e. Utilities			
	f. Vehicle Operations	7,650		7,650
	g. Miscellaneous	2,090		2,090
8.	Indirect Cost			
9.	Nutrition Education	232		232
Total Expenditures (add lines 1-9)		178,728	48,500	227,228

Revenue Sources:			
Federal/State/County funds	103,455		
Program Income	27,656		
Deferred Income			
Matching Cash	47,617		
Matching In-Kind	48,500		
Non-Match Cash			
Non-Match In-Kind			
Total Revenue	227,228		

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

D	E	f=d*e
Estimated annual number of meals	Proposed meal cost per unit	Annual Budget
18,708	5.53	103,455

Submitted by:

DAAS Approval:

Name

Date

Signature

Date

**SAN BERNARDINO COUNTY
DEPARTMENT OF AGING AND ADULT SERVICES**

REQUEST TO PURCHASE PROPERTY/EQUIPMENT

This form is to be completed whenever a contractor is requesting to purchase property or equipment under a California Department of Aging (CDA) grant. Contractor must obtain a minimum of three (3) bids and attach an Equipment Bid Form for each item requested.

Date: _____ FY: _____

Contractor Name:		
Address:	Contact:	Phone No:

Item(s) Requested (attach additional sheet if required):

QTY	DESCRIPTION	AMOUNT	FUNDING SOURCE

Explain how requested item(s) will be used to carry out the objectives related to the funding to be received (attach additional sheet if required): _____

Administrative Use Only:			
Approved <input type="checkbox"/>	Denied <input type="checkbox"/>	Value over \$5000/unit: Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Inventory: Yes <input type="checkbox"/>	No <input type="checkbox"/>
Program Review by: Name _____	Title _____	Date _____	
Director Approval _____	Date _____		

SAN BERNARDINO COUNTY
DEPARTMENT OF AGING AND ADULT SERVICES

PROPERTY/EQUIPMENT BID FORM

Fund Source:

Contractor Name:
Address:

Contact:
Phone:

Item Description:

Date of Bid:	Date of Bid:	Date of Bid:
Vendor: _____ _____ _____	Vendor: _____ _____ _____	Vendor: _____ _____ _____
Contact:	Contact:	Contact:
Phone:	Phone:	Phone:
Cost per unit: Number of units: Total Cost:	Cost per unit: Number of units: Total Cost:	Cost per unit: Number of units: Total Cost:
Comments:	Comments:	Comments:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT NO. 12-13 BETWEEN THE CITY OF MONTCLAIR AND TEAMAN, RAMIREZ & SMITH, INC., FOR AUDITING AND REPORT PREPARATION SERVICES	DATE: March 5, 2012
	SECTION: AGREEMENTS
	ITEM NO.: 2
	FILE I.D.: FIN100
	DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: Staff submitted a Request for Proposals for Audit and Report and Preparation Services to firms specializing in governmental accounting and auditing. The proposals were received and evaluated by staff. Staff recommends the City Council approve an Agreement with Teaman, Ramirez & Smith, Inc., for auditing and report preparation services. A copy of proposed Agreement No. 12-13 is included in the agenda packets for the City Council's review and consideration.

BACKGROUND: City Finance Division staff prepared a Request for Proposals (RFP) for Audit and Report Preparation Services. The RFP was sent to accounting and auditing firms specializing in governmental accounting and auditing in early January. Responses to the RFP were due back to the City on January 31, 2012. The RFP included a technical proposal and a sealed proposal containing the fee consideration. Four proposals were received by staff in response to the RFP.

The technical proposals were reviewed by Finance Division staff in an attempt to arrive at firms that would be asked to meet in an oral interview. Two of the four firms were eliminated and two firms were invited for oral interviews. The dollar cost proposals were not opened at this stage of the process, so the fees proposed had no effect on the evaluation. The results of the process are listed as follows:

<i>Firm</i>	<i>Results</i>
Teaman, Ramirez & Smith, Inc.	Invited to interview process
White Nelson Diehl Evans, LLP	Eliminated—large amount of City effort required
Vicenti Lloyd & Stutzman, LLP	Eliminated primarily school district experience
Tahim and Associates	Invited to interview process

Interviews were conducted by Finance Division staff and a representative from the Public Works/Redevelopment Department. The results of the interviews ranked the firms in the following order based on technical abilities, ability to perform services in the desired time-frame, and overall approach to providing auditing and accounting services. In addition, the amounts of the proposed fees for the 2010-11 completion of audit services and the 2011-12 and subsequent years are shown on the following page:

Prepared by: M. STRAITS
Proofed by: [Signature]

Reviewed and Approved by: M. STRAITS
Presented by: [Signature]

<i>Firm</i>	<i>2010-11 Services</i>	<i>2011-12 and Subsequent</i>
Teaman, Ramirez & Smith, Inc.	\$35,000	\$44,140
Tahim and Associates	\$39,160	\$55,612

Based on the process as described above, staff recommends the firm of Teaman, Ramirez & Smith, Inc., be retained to provide auditing and report preparation services for the City and its related entities. This recommendation is based upon Teaman, Ramirez, & Smith, Inc., being the most qualified firm in the opinion of staff.

FISCAL IMPACT: The cost for audit and report preparation services for Teaman, Ramirez & Smith, Inc. is \$35,000 for the 2010-11 fiscal year services and will be \$44,140 in subsequent fiscal years. The cost of the audit for Fiscal Year 2009-10 performed by Lance, Soll & Lunghard, LLP, was \$42,600.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 12-13 between the City of Montclair and Teaman, Ramirez & Smith, Inc., for auditing and report preparation services.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 12-2941 AUTHORIZING PLACEMENT
OF LIENS ON CERTAIN PROPERTIES FOR
DELINQUENT SEWER AND TRASH CHARGES

DATE: March 5, 2012

SECTION: RESOLUTIONS

ITEM NO.: 1

FILE I.D.: STB300-17

DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: Staff has identified 259 sewer and trash accounts in the odd-numbered-month billing cycle that are more than three billing periods delinquent. Pursuant to Montclair Municipal Code Chapter 1.12, these properties are subject to lien.

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

The 259 liens presented for approval are for accounts that are at least 90 days delinquent.

FISCAL IMPACT: Recoverable amount is \$54,246.98 plus \$12,950.00 in lien fees, for a total of \$67,196.98.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 12-2941 authorizing placement of liens on certain properties for delinquent sewer and trash charges as listed on Exhibit A of said Resolution.

Prepared by: *Jane Kulleck* Reviewed and Approved by: *[Signature]*

Proofed by: *[Signature]* Presented by: *[Signature]*

RESOLUTION NO. 12-2941

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

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

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

WHEREAS, it has been determined that there are 259 sewer and/or trash accounts on which there are delinquencies in excess of 90 days; and

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

WHEREAS, the owners of these properties were notified on February 13, 2012, that their delinquent accounts are subject to causing a lien to be placed on their properties for settlement of such delinquencies; and

WHEREAS, the owners of these properties were again notified on February 23, 2012, and that such liens would be considered for approval by the Montclair City Council on Monday, March 5, 2012.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair approves the placement of liens on the properties and in the amounts specified in Exhibit A, entitled *Report of Delinquent Civil Debts - March 2012*, attached hereto.

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

APPROVED AND ADOPTED this XX day of XX, 2012.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 12-2941 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, 2012, 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 to Resolution No. 12-2941
Report of Delinquent Civil Debts - March 2012

Street No.	Street	Account Type	Delinquency	Lien Fee	Total Lien Amount
5356	Alamitos Street	Residential	\$ 191.62	\$ 50.00	\$ 241.62
5366	Alamitos Street	Senior	195.20	50.00	245.20
5371	Alamitos Street	Residential	191.59	50.00	241.59
5606	Alamitos Street	Residential	115.27	50.00	165.27
5634	Alamitos Street	Residential	201.90	50.00	251.90
4575	Allesandro Street	Residential	191.76	50.00	241.76
4587	Allesandro Street	Residential	171.52	50.00	221.52
4667	Allesandro Street	Residential	154.15	50.00	204.15
9910	Amherst Avenue	Residential	191.73	50.00	241.73
9919	Amherst Avenue	Residential	174.97	50.00	224.97
10080	Amherst Avenue	Residential	128.87	50.00	178.87
5460	Armsley Street	Residential	131.00	50.00	181.00
5516	Armsley Street	Senior	234.34	50.00	284.34
5577	Armsley Street	Residential	191.64	50.00	241.64
5103	Aspen Drive	Residential	191.62	50.00	241.62
5136	Aspen Drive	Residential	173.93	50.00	223.93
9250	Bel Air Avenue	Residential	123.09	50.00	173.09
9909	Bel Air Avenue	Residential	274.64	50.00	324.64
9950	Bel Air Avenue	Residential	150.30	50.00	200.30
9982	Bel Air Avenue	Residential	191.62	50.00	241.62
4400	Benito Street	Residential	265.27	50.00	315.27
4460	Benito Street	Residential	191.62	50.00	241.62
4712	Benito Street	Residential	191.62	50.00	241.62
5273	Benito Street	Residential	191.70	50.00	241.70
5369	Benito Street	Residential	150.19	50.00	200.19
5389	Benito Street	Senior	191.26	50.00	241.26
5428	Benito Street	Residential	189.41	50.00	239.41
5647	Benito Street	Residential	107.27	50.00	157.27
9314	Benson Avenue	Residential	118.60	50.00	168.60
9590	Benson Avenue	Residential	189.51	50.00	239.51
9656	Benson Avenue	Residential	191.62	50.00	241.62
9974	Benson Avenue	Residential	171.52	50.00	221.52
5381	Berkeley Street	Residential	145.57	50.00	195.57
5382	Berkeley Street	Residential	191.38	50.00	241.38
9598	Bolton Avenue	Residential	191.82	50.00	241.82
9812	Bolton Avenue	Residential	125.58	50.00	175.58
4435	Bonnie Brae Street	Multifamily	239.90	50.00	289.90
4522	Bonnie Brae Street	Residential	197.52	50.00	247.52
4531	Bonnie Brae Street	Residential	191.72	50.00	241.72
4541	Bonnie Brae Street	Residential	199.73	50.00	249.73
4610	Brooks Street	Commercial	121.49	50.00	171.49
9763	Camarena Avenue	Residential	191.62	50.00	241.62

Street No.	Street	Account Type	Delinquency	Lien Fee	Total Lien Amount
9851	Camarena Avenue	Residential	\$ 191.64	\$ 50.00	\$ 241.64
4853	Cambridge Street	Residential	191.62	50.00	241.62
5438	Cambridge Street	Residential	191.59	50.00	241.59
5471	Cambridge Street	Residential	191.62	50.00	241.62
5490	Cambridge Street	Residential	191.62	50.00	241.62
5606	Cambridge Street	Residential	192.52	50.00	242.52
5607	Cambridge Street	Residential	171.52	50.00	221.52
4860	Cambridge Street	Residential	241.49	50.00	291.49
9112	Camulos Avenue	Residential	191.64	50.00	241.64
9151	Camulos Avenue	Residential	191.62	50.00	241.62
9243	Camulos Avenue	Residential	191.62	50.00	241.62
9426	Camulos Avenue	Residential	171.52	50.00	221.52
9511	Camulos Avenue	Residential	241.33	50.00	291.33
9539	Camulos Avenue	Senior	230.56	50.00	280.56
9547	Camulos Avenue	Residential	163.62	50.00	213.62
9737	Camulos Avenue	Residential	191.62	50.00	241.62
9757	Camulos Avenue	Residential	191.62	50.00	241.62
9859	Camulos Avenue	Residential	191.62	50.00	241.62
9877	Camulos Avenue	Residential	217.58	50.00	267.58
10153	Camulos Avenue	Residential	191.68	50.00	241.68
10199	Camulos Avenue	Residential	190.08	50.00	240.08
5544	Caroline Street	Senior	147.27	50.00	197.27
5575	Caroline Street	Residential	101.57	50.00	151.57
9464	Carrillo Avenue	Residential	175.16	50.00	225.16
9510	Carrillo Avenue	Senior	111.37	50.00	161.37
9601	Carrillo Avenue	Residential	192.01	50.00	242.01
10067	Carrillo Avenue	Residential	180.04	50.00	230.04
9795	Central Avenue	Residential	188.73	50.00	238.73
9835	Central Avenue	Residential	265.27	50.00	315.27
9855	Central Avenue	Residential	191.62	50.00	241.62
9986	Central Avenue	Residential	217.58	50.00	267.58
9787	Coalinga Avenue	Residential	114.35	50.00	164.35
9827	Coalinga Avenue	Senior	177.52	50.00	227.52
9380	Columbine Avenue	Residential	155.91	50.00	205.91
9440	Columbine Avenue	Residential	199.73	50.00	249.73
9995	Columbine Avenue	Residential	191.70	50.00	241.70
10039	Columbine Avenue	Residential	109.06	50.00	159.06
9341	Del Mar Avenue	Residential	196.19	50.00	246.19
9477	Del Mar Avenue	Residential	101.46	50.00	151.46
9817	Del Mar Avenue	Residential	200.00	50.00	250.00
4254	Denver Street	Residential	189.49	50.00	239.49
4304	Denver Street	Residential	217.58	50.00	267.58
4324	Denver Street	Residential	155.88	50.00	205.88
4325	Denver Street	Residential	171.52	50.00	221.52
4416	Denver Street	Residential	163.62	50.00	213.62

Street No.	Street	Account Type	Delinquency	Lien Fee	Total Lien Amount
4456	Denver Street	Residential	\$ 106.59	\$ 50.00	\$ 156.59
5616	Denver Street	Residential	191.62	50.00	241.62
5675	Deodar Street	Residential	201.28	50.00	251.28
4400	El Morado Street	Residential	180.04	50.00	230.04
5416	El Morado Street	Residential	173.35	50.00	223.35
5429	El Morado Street	Senior	169.03	50.00	219.03
9163	Felipe Avenue	Residential	189.41	50.00	239.41
9387	Felipe Avenue	Residential	192.66	50.00	242.66
9567	Fremont Avenue	Residential	217.58	50.00	267.58
9823	Fremont Avenue	Residential	191.62	50.00	241.62
9847	Fremont Avenue	Residential	180.04	50.00	230.04
10037	Fremont Avenue	Residential	201.76	50.00	251.76
9737	Galena Avenue	Residential	171.30	50.00	221.30
9878	Galena Avenue	Residential	191.62	50.00	241.62
9043	Geneva Avenue	Residential	191.62	50.00	241.62
4277	Granada Street	Residential	191.62	50.00	241.62
4307	Granada Street	Residential	116.32	50.00	166.32
4328	Granada Street	Residential	191.62	50.00	241.62
4418	Granada Street	Residential	171.52	50.00	221.52
4436	Granada Street	Residential	192.53	50.00	242.53
4475	Granada Street	Residential	180.27	50.00	230.27
4947	Granada Street	Residential	264.33	50.00	314.33
5422	Granada Street	Residential	191.72	50.00	241.72
5470	Granada Street	Residential	191.62	50.00	241.62
5606	Granada Street	Residential	188.11	50.00	238.11
5627	Granada Street	Residential	265.27	50.00	315.27
5628	Granada Street	Residential	191.62	50.00	241.62
9627	Greenwood Avenue	Residential	189.41	50.00	239.41
9846	Greenwood Avenue	Senior	137.98	50.00	187.98
4418	Harvard Street	Residential	192.01	50.00	242.01
4430	Harvard Street	Residential	191.62	50.00	241.62
4785	Harvard Street	Residential	193.49	50.00	243.49
5141-43	Harvard Street	Multifamily	361.26	50.00	411.26
5491	Harvard Street	Residential	171.52	50.00	221.52
5594	Harvard Street	Residential	135.92	50.00	185.92
5596	Hawthorne Street	Residential	191.62	50.00	241.62
9025	Helena Avenue	Residential	191.62	50.00	241.62
9641	Helena Avenue	Residential	163.62	50.00	213.62
9761	Helena Avenue	Residential	199.73	50.00	249.73
9888	Helena Avenue	Residential	171.52	50.00	221.52
4582	Highland Street	Residential	101.08	50.00	151.08
4864	Highland Street	Residential	217.58	50.00	267.58
4370	Holt Boulevard	Commercial	761.52	50.00	811.52
4667	Holt Boulevard	Commercial	181.26	50.00	231.26
4827	Howard Street	Residential	176.32	50.00	226.32

Street No.	Street	Account Type	Delinquency	Lien Fee	Total Lien Amount
5190	Howard Street A & B	Multifamily	\$ 440.88	\$ 50.00	\$ 490.88
4585	James Street	Residential	191.62	50.00	241.62
5144	June Mountain Drive	Residential	181.09	50.00	231.09
9725	Kimberly Avenue	Residential	191.62	50.00	241.62
9735	Kimberly Avenue	Residential	194.66	50.00	244.66
9755	Kimberly Avenue	Residential	215.64	50.00	265.64
5515	La Denev Street	Residential	191.62	50.00	241.62
9773	Lehigh Avenue	Residential	106.19	50.00	156.19
9803	Lindero Avenue	Residential	191.62	50.00	241.62
9957	Lindero Avenue	Residential	191.45	50.00	241.45
10041	Lindero Avenue	Residential	191.28	50.00	241.28
10042	Lindero Avenue	Residential	202.99	50.00	252.99
9846	Mammoth Drive	Residential	144.47	50.00	194.47
9527	Marion Avenue	Residential	200.44	50.00	250.44
9537	Marion Avenue	Residential	163.62	50.00	213.62
9633	Marion Avenue	Residential	194.62	50.00	244.62
5121	Merle Street	Multifamily	383.26	50.00	433.26
9325	Mills Avenue	Multifamily	382.32	50.00	432.32
9575	Mills Avenue	Residential	136.68	50.00	186.68
9595	Mills Avenue	Residential	204.82	50.00	254.82
9663	Mills Avenue	Residential	155.27	50.00	205.27
9795	Mills Avenue	Residential	265.27	50.00	315.27
9857	Mills Avenue	Residential	215.27	50.00	265.27
4449	Mission Boulevard	Commercial	106.10	50.00	156.10
9066	Monte Vista Avenue	Residential	215.05	50.00	265.05
9608	Monte Vista Avenue	Residential	111.21	50.00	161.21
9685	Monte Vista Avenue	Multifamily	4,523.73	50.00	4,573.73
9775	Monte Vista Avenue	Residential	189.41	50.00	239.41
9795	Monte Vista Avenue	Residential	191.62	50.00	241.62
4620	Moreno Street	Residential	115.84	50.00	165.84
9849	Norton Avenue	Residential	171.52	50.00	221.52
4613	Olive Street	Residential	150.66	50.00	200.66
4644	Olive Street	Residential	179.73	50.00	229.73
4683	Olive Street	Residential	240.62	50.00	290.62
4832	Olive Street	Residential	265.27	50.00	315.27
4872	Olive Street	Residential	265.27	50.00	315.27
4873	Olive Street	Residential	199.73	50.00	249.73
4322	Orchard Street	Residential	218.68	50.00	268.68
5032	Orchard Street	Residential	191.62	50.00	241.62
5690	Orchard Street	Residential	192.47	50.00	242.47
5257	Palo Verde Street	Senior	122.26	50.00	172.26
5415	Palo Verde Street	Residential	199.73	50.00	249.73
5481	Palo Verde Street	Residential	191.62	50.00	241.62
5557	Palo Verde Street	Residential	128.22	50.00	178.22
5588	Palo Verde Street	Residential	191.73	50.00	241.73

Street No.	Street	Account Type	Delinquency	Lien Fee	Total Lien Amount
5607	Palo Verde Street	Residential	\$ 191.38	\$ 50.00	\$ 241.38
11112	Pipeline Avenue	Residential	107.67	50.00	157.67
9585	Poulsen Avenue	Residential	163.62	50.00	213.62
9610	Poulsen Avenue	Residential	272.03	50.00	322.03
9935	Poulsen Avenue	Residential	192.50	50.00	242.50
9966	Poulsen Avenue	Residential	121.27	50.00	171.27
10043	Poulsen Avenue	Residential	191.62	50.00	241.62
9375	Pradera Avenue	Multifamily	757.05	50.00	807.05
9532	Pradera Avenue	Residential	174.53	50.00	224.53
9542	Pradera Avenue	Residential	196.93	50.00	246.93
9660	Pradera Avenue	Residential	171.52	50.00	221.52
9970	Pradera Avenue	Residential	301.68	50.00	351.68
10063	Pradera Avenue	Residential	168.28	50.00	218.28
10085	Pradera Avenue	Residential	265.27	50.00	315.27
9425	Pradera Avenue #2	Residential	165.25	50.00	215.25
4426	Princeton Street	Residential	191.62	50.00	241.62
5456	Princeton Street	Residential	289.60	50.00	339.60
9081	Ramona Avenue	Residential	191.62	50.00	241.62
9136	Ramona Avenue	Residential	191.62	50.00	241.62
9151	Ramona Avenue	Residential	148.82	50.00	198.82
9223	Ramona Avenue	Residential	171.25	50.00	221.25
9254	Ramona Avenue	Residential	191.62	50.00	241.62
9539	Ramona Avenue	Residential	265.27	50.00	315.27
9324	Rose Avenue	Senior	151.48	50.00	201.48
9352	Rose Avenue	Residential	191.62	50.00	241.62
9414	Rose Avenue	Residential	191.62	50.00	241.62
9434	Rose Avenue	Residential	191.62	50.00	241.62
9472	Rose Avenue	Residential	191.62	50.00	241.62
9720	Rose Avenue	Residential	217.66	50.00	267.66
9734	Rose Avenue	Residential	101.39	50.00	151.39
9812	Rose Avenue	Residential	218.25	50.00	268.25
9836	Rose Avenue	Residential	238.69	50.00	288.69
9866	Rose Avenue	Senior	169.25	50.00	219.25
9944	Rose Avenue	Residential	119.53	50.00	169.53
9966	Rose Avenue	Residential	192.52	50.00	242.52
10068	Rose Avenue	Residential	191.62	50.00	241.62
4560	Rosewood Street	Residential	191.72	50.00	241.72
4683	Rosewood Street	Residential	191.76	50.00	241.76
5381	Rosewood Street	Residential	171.52	50.00	221.52
5382	Rosewood Street	Residential	166.98	50.00	216.98
4164	Rudisill Street	Residential	191.72	50.00	241.72
4564	Rudisill Street	Residential	195.19	50.00	245.19
5360	Rudisill Street	Residential	217.58	50.00	267.58
5409	Rudisill Street	Residential	217.51	50.00	267.51
5421	Rudisill Street	Residential	217.58	50.00	267.58

Street No.	Street	Account Type	Delinquency	Lien Fee	Total Lien Amount
4372	San Bernardino Court	Residential	\$ 154.42	\$ 50.00	\$ 204.42
4375	San Bernardino Court	Residential	195.01	50.00	245.01
4392	San Bernardino Court	Residential	180.04	50.00	230.04
4274	San Bernardino Street	Residential	201.07	50.00	251.07
4711	San Bernardino Street	Residential	191.62	50.00	241.62
4833	San Bernardino Street	Residential	191.44	50.00	241.44
4843	San Bernardino Street	Residential	189.41	50.00	239.41
5418	San Bernardino Street	Residential	192.39	50.00	242.39
5474	San Bernardino Street	Residential	200.93	50.00	250.93
5489	San Bernardino Street	Residential	197.84	50.00	247.84
5562	San Bernardino Street	Residential	191.54	50.00	241.54
4485	San Jose Street	Residential	217.55	50.00	267.55
5540	San Jose Street	Residential	123.06	50.00	173.06
5593	San Jose Street	Residential	178.00	50.00	228.00
5617	San Jose Street	Residential	133.21	50.00	183.21
4424	San Jose Street #06	Residential	276.39	50.00	326.39
4424	San Jose Street #10	Residential	199.73	50.00	249.73
4424	San Jose Street #12	Residential	191.87	50.00	241.87
4424	San Jose Street #18	Residential	190.19	50.00	240.19
4424	San Jose Street #27	Residential	191.62	50.00	241.62
4424	San Jose Street #30	Residential	180.00	50.00	230.00
9932	Santa Anita Avenue	Residential	191.62	50.00	241.62
10016	Santa Anita Avenue	Residential	198.98	50.00	248.98
10056	Santa Anita Avenue	Residential	134.82	50.00	184.82
9820	Saratoga Avenue	Residential	277.19	50.00	327.19
9514	Surrey Avenue	Residential	219.37	50.00	269.37
9617	Surrey Avenue	Residential	191.62	50.00	241.62
9824	Tudor Avenue	Residential	191.64	50.00	241.64
10036	Tudor Avenue	Residential	168.53	50.00	218.53
9831	Vail Drive	Residential	126.04	50.00	176.04
9222	Vernon Avenue	Residential	147.26	50.00	197.26
9350	Vernon Avenue	Residential	199.73	50.00	249.73
9803	Vernon Avenue	Residential	265.27	50.00	315.27
9863	Vernon Avenue	Residential	263.67	50.00	313.67
9912	Vernon Avenue	Residential	190.26	50.00	240.26
10015	Vernon Avenue	Residential	119.84	50.00	169.84
5436	Yale Street	Residential	118.38	50.00	168.38
TOTALS			\$ 54,246.98	\$ 12,950.00	\$ 67,196.98

**MINUTES OF THE MEETING OF THE MONTCLAIR
CODE ENFORCEMENT COMMITTEE HELD ON
TUESDAY, FEBRUARY 21, 2012, AT 6:02 P.M. IN
THE CITY HALL CONFERENCE ROOM, 5111 BENITO
STREET, MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Council Member Paulitz called the meeting to order at 6:02 p.m.

II. ROLL CALL

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

III. APPROVAL OF MINUTES

A. Minutes of Code Enforcement Committee Meeting of December 19, 2011

It was the consensus of the Code Enforcement Committee to approve the minutes of the Code Enforcement Committee meeting of December 19, 2011.

IV. PUBLIC COMMENT

V. OLD BUSINESS

- A. Director of Community Development Lustro reintroduced discussion about amending the Municipal Code related to yard sales and stated that a draft of the proposed amended Municipal Code section is included in the agenda packet for the Committee's reference and asked if there were any questions.

Council Member Paulitz asked how we planned to educate the public about the change in yard sales.

Director Lustro advised that fliers would be handed out, a notice would be included in the utility bills, an ad would be placed in the newspaper, and information would be posted on our website. In addition, yard sale rules would be distributed to residents at the time they obtain a yard sale permit.

Council Member Paulitz asked what would be required for a moving sale.

Director Lustro answered that the applicant would need to show a contract to sell that proves he/she has entered into a contract to sell their property. The presence of a "for sale" sign would not be adequate.

Council Member Paulitz asked what would be required for an estate sale.

Director Lustro advised that under proposed Section 11.74.040, a death certificate would be required.

Council Member Paulitz asked how staff plans to restrict new merchandise.

Director Lustro answered under proposed Section 11.74.060(A), there is language to cover new and/or large quantities of commercially obtained merchandise.

The Committee discussed yard sale signs. Staff used to distribute a "Yard Sale" sign with each permit but recently ran out. Staff investigated having new signs printed, but the cost was so prohibitive, yard sale permits are being issued without the sign, allowing applicants to make their own signs according to the sign criteria.

Council Member Dutrey expressed his concern on how the applicant-made signs would look.

The Committee discussed possibilities of increasing the number of signs allowed, the size of the signs, allowing directional signs off site, and printing smaller signs.

Discussion followed related to omitting the language in proposed Section 11.74.080(B)(1), which would allow signs to be attached to utility poles, etc.

City Attorney Robbins suggested including a guideline or a sample of what a yard sale sign should look like with the yard sale permit.

Council Member Dutrey suggested repeat yard sale violators have their items confiscated.

City Attorney Robbins suggested that repeat violators be restricted from having a yard sale for 12 months.

Council Member Dutrey reported a repeat violator on Grand Avenue has held a yard sale every weekend for the last ten weeks.

Director Lustro noted he would refer the matter to Code Enforcement for follow-up.

Council Member Paulitz commented he would like the fees for violators included in the new proposed language. He requested some of the language be refined in the draft Ordinance and brought back to the Code Enforcement Committee for review.

VI. NEW BUSINESS

City Manager Starr observed on every Monday, the gardeners at the Girl Scout Council property at Monte Vista and Palo Verde and the church across the street from City Hall are blowing their garbage into the street and leaving it there.

Director Lustro expressed his belief that such activity is prohibited in the Municipal Code.

Director Lustro reported that he and City Planner Mike Diaz met with the attorney for Déjà Vu Showgirls, located on Mission Boulevard, related to the business's impending closure date of November 1, 2012. He advised that while the attorney was receptive to comments, she talked in generalities and mentioned her client is interested in converting the adult business into a bar without a restaurant.

Council Member Paulitz suggested they hire an architect/expert on converting uses and asked if the company owns the parking lot property also to the north.

Director Lustro indicated that it does.

VII. DISTRIBUTION OF LIST OF PROBLEM PROPERTIES/Q&A

Community Development Director Lustro stated that a current list of problem properties is included in the agenda packet for the Committee's reference and asked if there were any questions.

VIII. NEXT MEETING

The next Code Enforcement Committee meeting is scheduled for Monday, March 19, 2012, at 6:00 p.m. in the City Hall Conference Room.

IX. ADJOURNMENT

At 6:38 p.m., Council Member Paulitz adjourned the Code Enforcement Committee.

Submitted for Code Enforcement
Committee approval,



Laura Berke
Administrative Secretary

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON TUESDAY,
FEBRUARY 21, 2012, AT 8:28 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Mayor Eaton called the meeting to order at 8:28 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
February 5, 2012.**

Moved by City Manager Starr, seconded by Council Member Ruh,
and carried unanimously to approve the minutes of the Personnel
Committee meeting of February 5, 2012.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

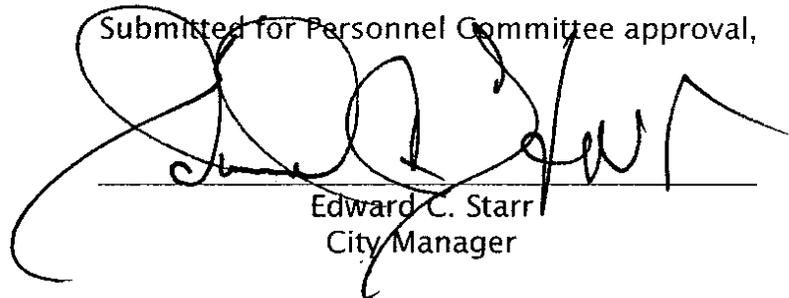
At 8:29 p.m., the Personnel Committee went into Closed Session
regarding personnel matters related to appointments, resignations/
terminations, and evaluations of employee performance.

At 8:43 p.m., the Personnel Committee returned from Closed Session.
Mayor Eaton stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 8:43 p.m., Mayor Eaton adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager