

CITY OF MONTCLAIR

AGENDA FOR CITY COUNCIL, SUCCESSOR AGENCY,
AND MONTCLAIR HOUSING CORPORATION, AND
MONTCLAIR HOUSING AUTHORITY MEETINGS

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

May 20, 2013

7:00 p.m.

As a courtesy please silence your cell phones and other electronic devices while the meeting is in session. Thank you.

The CC/SA/MHC/MHA 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, Successor Agency and Montclair Housing Corporation Boards of Directors, and Montclair Housing Authority Commissioners

II. INVOCATION

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

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS

- A. Presentation by San Bernardino Associated Governments Executive Director Dr. Raymond W. Wolfe on the Metro Gold Line Foothill Extension

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, Successor Agency Board of Directors, Montclair Housing Corporation Board of Directors, and Montclair Housing Authority Commissioners. (Government Code Section 54954.3)

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

VII. PUBLIC HEARINGS

- A. First Reading – Adoption of Ordinance No. 13-934 Adding Section 6.16.140 to the Montclair Municipal Code Prohibiting Scavenging in Solid Waste Containers in the City [CC] 4

VIII. CONSENT CALENDAR

A. Approval of Minutes

- 1. Minutes of the Regular Joint Council/Successor Agency Board/ MHC Meeting of May 6, 2013 [CC/SA/MHC/MHA]

B. Administrative Reports

- 1. Consider Receiving and Filing of Treasurer's Report [CC] 10
- 2. Consider Approval of Warrant Register and Payroll Documentation [CC] 11
- 3. Consider Receiving and Filing of Treasurer's Report [SA] 12
- 4. Consider Approval of Warrant Register [SA] 13
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- 6. Consider Approval of Warrant Register [MHC] 15
- 7. Consider Receiving and Filing of Treasurer's Report [MHA] 16
- 8. Consider Approval of Warrant Register [MHA] 17
- 9. Consider Setting a Public Hearing to Consider Ordinance No. 13-933 Amending Chapters 11.02, 11.42, and 11.78 of the Montclair Municipal Code Related to Definitions, Alcoholic Beverage Sales, and Conditional Use Permits [CC] 18
- 10. Consider Declaring Certain City Property and Unclaimed Property in Police Custody as Surplus and Available for Auction or Destruction [CC] 38

C. Agreements

- 1. Consider Approval of Agreement No. 13-33 With the Federal Emergency Management Agency to Receive a Total Award Amount of \$412,720 From the FY2012 Assistance to Firefighters Grant Program for Purchase of a Fire Engine/Pumper [CC] 52

D. Resolutions – None

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE – None

XI. COMMUNICATIONS

A. City Attorney

1. Closed Session Pursuant to Government Code Section 54957(b)(1)

Consider appointment of Chief of Police with temporary assignment as Executive Director, Public Safety

2. 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.

B. City Manager/Executive Director

C. Mayor/Chairman

D. Council/MHC Board

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

1. Minutes of the Personnel Committee Meeting of May 6, 2013

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XII. ADJOURNMENT OF SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS AND MONTCLAIR HOUSING AUTHORITY COMMISSIONERS

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

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. ADJOURNMENT OF CITY COUNCIL

The next regularly scheduled City Council, Successor Agency Board, Montclair Housing Corporation Board, and Montclair Housing Authority Commission meetings will be held on Monday, June 3, 2013, 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, Successor Agency Board, Montclair Housing Corporation Board, and Montclair Housing Authority Commission 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 Deputy City Clerk at (909) 625-9416. 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 north door of Montclair City Hall on May 16, 2013.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF ORDINANCE NO. 13-934 ADDING SECTION 6.16.140 TO THE MONTCLAIR MUNICIPAL CODE PROHIBITING SCAVENGING IN SOLID WASTE CONTAINERS IN THE CITY <u>FIRST READING</u>	DATE: May 20, 2013 SECTION: PUBLIC HEARINGS ITEM NO.: A FILE I.D.: REF275-88 DEPT.: ADMIN. SVCS.
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REASON FOR CONSIDERATION: The City Council is requested to consider adoption of Ordinance No. 13-934 adding Section 6.16.140 to the Montclair Municipal Code prohibiting scavenging in solid waste containers in the City.

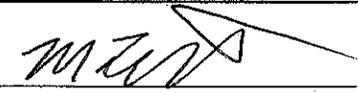
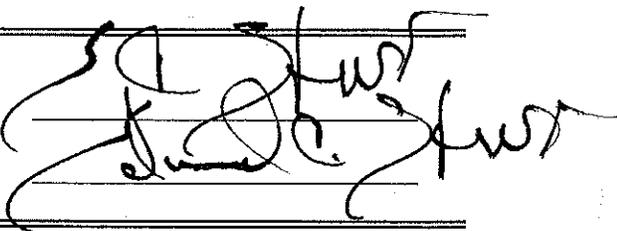
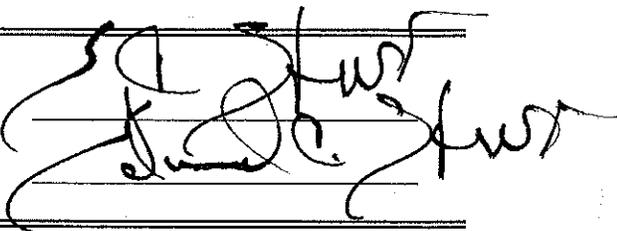
A copy of proposed Ordinance No. 13-934 is attached for the City Council's review and consideration.

BACKGROUND: At the City Council meeting of November 19, 2012, a report was provided to Council regarding recommendations on how to curtail theft of recyclable materials—commonly known as "scavenging." Various recommendations were submitted for consideration, one of which was the creation and eventual adoption of an Ordinance prohibiting the scavenging of recyclable materials. It was the consensus of the City Council to receive and file the report and to have staff proceed with the recommended actions.

In 1989, the California State Legislature enacted the California Integrated Waste Management Act establishing a solid waste management process that required cities and other local jurisdictions to implement integrated waste management practices including source reduction, reuse, and recycling. In addition, under Public Resources Code Section 40059, various aspects of solid waste handling constitute matters of local concern to be governed by local agencies.

The City has implemented provisions for collection of solid waste as codified in the Montclair Municipal Code Chapter 6.16 ("Refuse Collection and Disposal"). Under this Chapter, the City may award solid waste franchises to contractors who are granted the privilege of collecting and disposing of refuse, garbage, rubbish, and other solid waste produced within the City.

Recently, the City has received complaints from residents regarding removal of recyclable commodities from solid waste containers by other than licensed solid waste contractors. As defined in proposed Ordinance No. 13-934, such behavior is typically referred to as "scavenging."

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

Law enforcement has identified the following three primary areas of concern related to scavenging:

1. Scavenging tends to attract nonresidents to neighborhoods where the nonresidents thereafter loiter nearby or on private property, resulting in an increase in calls for law enforcement service.
2. Scavenging concerns have been heightened in recent years as a direct result of an increase in identity theft crimes. Individuals who engage in scavenging could collect personal information about the owners of the solid waste and could thereafter use such information to execute identity theft crimes.
3. Scavenging leads to increased amounts of trash and debris left behind by persons engaged in scavenging, particularly in local parks and public facilities.

There is growing concern among residents that removal of recyclable materials from residential trash containers during nighttime hours is a safety concern.

Scavenging also represents a concern for public health. The most obvious concern is the potential health risk to people who rummage through raw garbage for recyclables. Others are also at risk when scavengers remove carpet, clothing, and furniture from trash containers and sell such items to unsuspecting buyers who could be exposed to contamination.

The City also loses revenue when scavengers steal recyclables. The City participates in revenue sharing with solid waste haulers. Revenues that are not collected because of scavenging are lost to the City and the solid waste hauler, thereby increasing operating costs. The City does not receive credit for waste diversion when recyclables are taken and recycled elsewhere. Without credit for recyclables, the City is less likely to meet the current AB 939 standard of 50 percent diversion. Recent legislation has now increased the target level to 75 percent diversion of solid waste from landfills by 2020. CalRecycle, formerly the California Integrated Waste Management Board, has levied penalties ranging from \$5,000 to \$82,800 on municipalities for failure to implement effective diversion plans.

Enforcement of the Ordinance will require a collective approach from Code Enforcement, Neighborhood Watch, and the Montclair Police Department. Violation of the Ordinance constitutes an infraction resulting in fines of up to \$500. Proposed Ordinance No. 13-934 provides for a graduated level of penalties for each successive violation.

FISCAL IMPACT: There would be no direct fiscal impact to the City's General Fund should the City Council adopt proposed Ordinance No. 13-934. There is the potential for some revenue from scavenging citations; however, it should be noted scavengers typically lack financial resources and may fail to carry appropriate identification.

RECOMMENDATION: Staff recommends the City Council adopt the first reading of Ordinance No. 13-934 adding Section 6.16.40 to the Montclair Municipal Code related to scavenging in solid waste containers in the City.

ORDINANCE NO. 13-934

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ADDING SECTION 6.16.140 TO THE MONTCLAIR MUNICIPAL CODE PROHIBITING SCAVENGING IN SOLID WASTE CONTAINERS IN THE CITY

WHEREAS, the Legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 ("AB 939" or the "Act"), established a solid waste management process that requires cities and other local jurisdictions to implement plans for source reduction, reuse, and recycling as integrated waste management practices; and

WHEREAS, Public Resources Code Section 40059, implementing Article XI, Section 7, of the California Constitution, provides that aspects of solid waste handling of local concern include, but are not limited to: frequency of collection; means of collection and transportation; level of services, charges and fees, and the nature, location, and extent of providing solid waste services; and whether the services are to be provided by City of Montclair employees or by means of nonexclusive, partially exclusive, or wholly exclusive franchise, contract, license, or otherwise that may be granted by local government under terms and conditions prescribed by the governing body of the local agency; and

WHEREAS, the City has the right to award solid waste franchises to contractors and has done so in accordance with Chapter 6.16 of the Montclair Municipal Code; and

WHEREAS, Public Resources Code Section 41950 and Section 41951 prohibit unauthorized removal of recyclable solid wastes and materials placed at designated recycling collection locations; and

WHEREAS, the City is obligated to protect the public health and safety of the residents and business owners of the City of Montclair as well as comply with its duties to solid waste contractors under the contracts entered into for hauling of solid wastes; and

WHEREAS, the City has received complaints regarding the removal of items from solid waste containers by other than licensed solid waste contractors including complaints regarding removal of recyclable commodities from solid waste containers.

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

SECTION I: Section 6.16.140 prohibiting scavenging in solid waste containers in the City is hereby added as follows:

Sec. 6.16.140 Scavenging Prohibited.

(A) Scavenging. It is unlawful for any person to engage in the act of scavenging. For purposes of this section, "scavenging" means engaging in any of the following activities:

(1) Tampering or meddling with a container used for disposal of solid waste including recyclable materials.

(2) Tampering or meddling with the contents of any container used for disposal of solid waste including recyclable materials.

(3) Removing the contents of any container used for disposal of solid waste including recyclable materials.

(4) Removing any container used for disposal of solid waste, including recyclable materials, from the location where the container has been placed by the owner of the container or owner's agent or employee.

(5) Removing, tampering, or meddling with solid waste, including recyclable materials, set out for collection pursuant to the provisions of this Chapter 6.16 on private property or on any sidewalk, street, or public right-of-way.

(B) Exceptions. The provisions of this section do not apply to:

(1) A contractor or its agents or employees performing under authority of contract.

(2) A City agent performing under the authority of the City.

(3) The owner or legal user of a container in which solid waste and/or recyclable materials are disposed in including the owner's authorized agents and employees.

(C) Enforcement.

(1) It is unlawful for any person to violate any provision or fail to comply with any requirements of this section. In addition to other remedies provided by law, any person violating any provision of this section or failing to comply with any of the requirements is deemed guilty of an infraction within the manner provide in Montclair Municipal Code Section 1.12.010.

(2) Each person shall be deemed guilty of a separate offense for each and every day, or any portion thereof, during which any violation of or failure to comply with any of the provisions of this section is committed, continued, or permitted.

(D) Penalties. Each infraction is punishable by:

(1) A fine not exceeding \$100 for the first violation.

(2) A fine not exceeding \$200 for the second violation within one year.

(3) A fine not exceeding \$500 for each additional violation within one year.

(E) It is declared to be an infraction for any person, other than those individuals listed in subsection (B), to violate any provision of this Section 6.16.140.

SECTION II: Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or 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 or Deputy City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933.

APPROVED AND ADOPTED this XX day of XX, 2013.

Mayor

City Attorney

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 13-934 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2013, and finally passed not less than five (5) days thereafter on the XX day of XX, 2013, by the following vote, to-wit:

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

Yvonne L. Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: May 20, 2013

SECTION: ADMIN. REPORTS

ITEM NO. 1

FILE I.D.: FIN520

DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: The City Council is requested to consider receiving and filing the City of Montclair Treasurer's Report for the month ending April 30, 2013, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2013.

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

RECOMMENDATION: Staff recommends the City Council receive and file the Treasurer's Report for the month ending April 30, 2013.

Prepared by:

Michael Piotrowski
Gorrie Smith

Reviewed and
Approved by:

Royce Parker
David Stort

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION	DATE: May 20, 2013
	SECTION: ADMIN. REPORTS
	ITEM NO.: 2
	FILE I.D.: FIN540
	DEPT.: ADMIN. SVCS.

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

BACKGROUND: Mayor Pro Tem Ruh has examined the Warrant Register dated May 20, 2013, and Payroll Documentation dated April 7, 2013; finds them to be in order; and recommends their approval.

FISCAL IMPACT: The Warrant Register dated May 20, 2013, totals \$1,155,786.60. The Payroll Documentation dated April 7, 2013, totals \$580,374.84, with \$410,656.14 being the total cash disbursement.

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

Prepared by:

Gyonna L Smith

Reviewed and
Approved by:

[Signature]

Proofed by:

Andrea Phillips

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: May 20, 2013

SECTION: ADMIN. REPORTS

ITEM NO.: 3

FILE I.D.: FIN510

DEPT.: SUCCESSOR RDA

REASON FOR CONSIDERATION: The City Council acting as successor to the Redevelopment Agency Board of Directors is requested to consider receiving and filing the Successor to the Redevelopment Agency Treasurer's Report for the month ending April 30, 2013, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Successor to the Redevelopment Agency Treasurer's Report for the period ending April 30, 2013.

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

RECOMMENDATION: Staff recommends the City Council acting as successor to the Redevelopment Agency Board of Directors receive and file the Successor to the Redevelopment Agency Treasurer's Report for the month ending April 30, 2013.

Prepared by:

Michael Piotrowski

Reviewed and
Approved by:

Ronald Parker

Proofed by:

Gyome Smith

Presented by:

James J. [unclear]

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** May 20, 2013
SECTION: ADMIN. REPORTS
ITEM NO.: 4
FILE I.D.: FIN530
DEPT.: SUCCESSOR RDA

REASON FOR CONSIDERATION: The City Council acting as successor to the Redevelopment Agency Board of Directors is requested to consider receiving and filing the Successor to the Redevelopment Agency Warrant Register for the month ending April 30, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Successor to the Redevelopment Agency Warrant Register dated 04.01.13-04.30.13 in the amounts of \$37,409.09 for Project I; \$0.00 for Project II; \$4,158,643.67 for Project III; \$1,029,314.40 for Project IV; \$2,293,948.46 for Project V; \$370,874.08 for the Mission Boulevard Joint Redevelopment Project; \$0.00 for the Redevelopment Obligation Retirement Funds; \$77.73 from the Tax Exempt Bond Proceeds and \$35.27 from the Taxable Bond Proceeds and finds it to be in order.

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

RECOMMENDATION: Vice Chairman Ruh recommends the City Council as successor to the Redevelopment Agency Board of Directors approve the Successor to the Redevelopment Agency Warrant Register for the period ending April 30, 2013.

Prepared by:

Michael Piotrowski

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

James L. Smith

Presented by:

James L. Smith

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: May 20, 2013

SECTION: ADMIN. REPORTS

ITEM NO.: 5

FILE I.D.: FIN525

DEPT.: MHC

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to receive and file the Montclair Housing Corporation Treasurer's Report for the month ending April 30, 2013, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2013.

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

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors receive and file the Treasurer's Report for the month ending April 30, 2013.

Prepared by:

Michael P. Piskunov

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

George L. Smith

Presented by:

James J. West

AGENDA REPORT

SUBJECT:	CONSIDER APPROVAL OF WARRANT REGISTER	DATE:	May 20, 2013
		SECTION:	ADMIN. REPORTS
		ITEM NO.:	6
		FILE I.D.:	FIN545
		DEPT.:	MHC

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending April 30, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Warrant Register dated 04.01.13-04.30.13 in the amount of \$53,959.16 for the Montclair Housing Corporation and finds it to be in order.

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

RECOMMENDATION: Vice Chairman Ruh recommends the Montclair Housing Corporation Board of Directors approve the Warrant Register for the period ending April 30, 2013.

Prepared by:

Michael P. Piro
Gloria L. Smith

Reviewed and
Approved by:

Donald L. Parker
Dundee Stewart

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: May 20, 2013

SECTION: ADMIN. REPORTS

ITEM NO.: 7

FILE I.D.: FIN525

DEPT.: MHA

REASON FOR CONSIDERATION: The Montclair Housing Authority Board of Directors is requested to receive and file the Montclair Housing Authority Treasurer's Report for the month ending April 30, 2013, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending April 30, 2013.

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

RECOMMENDATION: Staff recommends the Montclair Housing Authority Board of Directors receive and file the Treasurer's Report for the month ending April 30, 2013.

Prepared by:

Michael Pichon

Reviewed and
Approved by:

Ronald Parker

Proofed by:

Yvonne L. Smith

Presented by:

Sumit Patel

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** May 20, 2013
SECTION: ADMIN. REPORTS
ITEM NO.: 8
FILE I.D.: FIN545
DEPT.: MHA

REASON FOR CONSIDERATION: The Montclair Housing Authority Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending April 30, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Warrant Register dated 04.01.13-04.30.13 in the amount of \$125.00 for the Montclair Housing Authority and finds it to be in order.

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

RECOMMENDATION: Vice Chairman Ruh recommends the Montclair Housing Authority Board of Directors approve the Warrant Register for the period ending April 30, 2013.

Prepared by:

Michael Pithonshu

Reviewed and
Approved by:

Donald P. ...

Proofed by:

Gronne L Smith

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO CONSIDER ORDINANCE NO. 13-933 AMENDING CHAPTERS 11.02, 11.42, AND 11.78 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO DEFINITIONS, ALCOHOLIC BEVERAGE SALES, AND CONDITIONAL USE PERMITS	DATE: May 20, 2013
	SECTION: ADMIN. REPORTS
	ITEM NO.: 9
	FILE I.D.: FLP025/LDU050
	DEPT.: COMMUNITY DEV

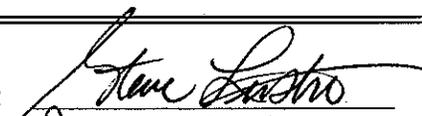
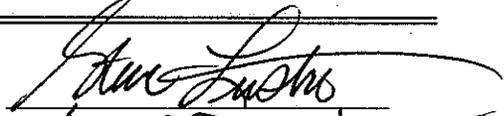
REASON FOR CONSIDERATION: Amendments to the Montclair Municipal Code require public hearing review and approval by the City Council.

BACKGROUND: In late 2012, staff was contacted by a Montclair business owner who desired to offer bottles of wine in conjunction with flower and plant arrangements currently sold by the establishment. Planning staff explained that the off-premises sale of alcoholic beverages requires a Conditional Use Permit (CUP) pursuant to Chapter 11.42 of the Montclair Municipal Code (MMC). However, MMC Section 11.42.050 also states that staff shall not accept a CUP application for a new off-sale establishment unless it is located 500 feet or more from any other off-sale establishment as measured from property line to property line. Since the property in which the subject business is located is only 100 feet from a property where another off-sale establishment currently exists, it was communicated to the business owner that staff was prohibited by the Municipal Code from accepting a CUP application for the request.

The business owner subsequently contacted a member of the City Council regarding the request. The Code Enforcement Committee discussed the proposal at its December meeting. Community Development staff was directed by the Committee to assemble information related to a possible code amendment relaxing the current minimum separation between establishments engaging in the off-premises sale of alcoholic beverages. Further, staff was subsequently directed by the Committee to investigate the implementation of a "Minor" or "Administrative" Conditional Use Permit process that could be applicable to the subject request and which would be less costly for the applicant.

FISCAL IMPACT: The cost to publish a Notice of Public Hearing in the *Inland Valley Daily Bulletin* related to proposed Ordinance No. 13-933 should not exceed \$400.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, June 3, 2013, at 7:00 p.m. in the Council Chambers to consider adoption of Ordinance No. 13-933 amending Chapters 11.02, 11.42, and 11.78 of the Montclair Municipal Code related to definitions, alcoholic beverage sales, and conditional use permits.

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

ORDINANCE NO. 13-933

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING CHAPTER 11.02 ("DEFINITIONS") OF THE MONTCLAIR MUNICIPAL CODE, CHAPTER 11.42 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO THE REGULATION OF SALE OF ALCOHOLIC BEVERAGES, AND CHAPTER 11.78 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO CONDITIONAL USE PERMITS AND ADMINISTRATIVE CONDITIONAL USE PERMITS (CASE NO. 2013-8)

WHEREAS, in June 1994, the City Council amended the Montclair Municipal Code (MMC) through Ordinance No. 94-720, adding Article 9 to Chapter 6 of Title 9 (now MMC Chapter 11.42); regulating businesses engaged in the sale of alcoholic beverages for consumption on- or off-site; and

WHEREAS, the City Council found and determined that business establishments engaged in the sale of alcoholic beverages have the potential to "adversely affect the health, peace or safety of the City's residents, property owners, businesses, visitors and workers"; and

WHEREAS, said code amendment instituted the requirement that all business establishments desiring to engage in the sale of alcoholic beverages for on- or off-site consumption shall obtain a Conditional Use Permit; and

WHEREAS, the code amendment included minimum separation requirements for off-sale establishments to avoid an overconcentration of such establishments and also to ensure that off-sale establishments are located a minimum distance from schools, parks, playgrounds, houses of worship, and hospitals; and

WHEREAS, MMC Section 11.42.050(B) requires that off-sale establishments observe a minimum separation of 500 feet from one another, as measured from property line to property line, and that off-sale establishments be located at least 500 feet away from schools, parks, playgrounds, houses of worship, and hospitals; and

WHEREAS, in response to a request by a Montclair business owner, the Code Enforcement Committee of the City Council has directed staff to review MMC Section 11.42.050(B) and prepare a recommendation relaxing the minimum separation requirements and instituting an alternate review process for businesses desiring to sell alcoholic beverages as a minor incidental use; and

WHEREAS, staff conducted an electronic survey through the League of California Cities' Planning Listserve for the purpose of collecting information from jurisdictions that have provisions for Minor Conditional Use Permits, Administrative Conditional Use Permits, or like entitlements; and

WHEREAS, staff sees some benefit in instituting an administrative review process and reduced application fees for selected types of land uses; and

WHEREAS, implementation of an Administrative Conditional Use Permit (ACUP) process necessitates revisions to Chapter 11.78 of the Montclair Municipal Code, which governs Conditional Use Permits; and

WHEREAS, staff remains concerned about overconcentration of alcoholic beverage establishments in Montclair and believes that some separation guidelines should be retained in the Municipal Code.

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

Section I. Amendment of Code.

The following definition is hereby added to Section 11.02.010 ("Definitions") of the Montclair Municipal Code:

Off-sale beer and wine establishment as an incidental use means an establishment that is making application for or has obtained a retail liquor license (Type 20) from the California Department of Alcoholic Beverage Control (ABC) authorizing the sale of alcoholic beverages for consumption off the premises in original sealed containers. Such establishments shall be limited to an aggregate display area for alcoholic beverages of four (4) square feet or less and ten (10) cubic feet or less within the public area of the demised tenant space or building. Said display(s) shall be located a minimum of ten (10) feet from all storefront windows of the establishment. Because of the strictly incidental nature of alcoholic beverage sales in such establishments, any business identification signs or temporary promotional signs for such establishments shall not include words, descriptions, inferences, logos, graphics, or the like indicating that the business engages in the incidental off-premises sale of alcoholic beverages.

Section II. Amendment of Code.

Section 11.42.050 ("Conditional use permits for off-sale liquor establishments") of the Montclair Municipal Code is hereby repealed and replaced as follows:

Sec. 11.42.050 Conditional use permits for off-sale liquor establishments.

A. Conditional Use Permit (CUP) or Administrative Conditional Use Permit (ACUP) Required. Any land use that is identified in any Chapter of this Title as a permitted use, and which authorizes a business enterprise to engage in the retail sale of alcoholic beverages as an off-sale liquor establishment, shall be permitted only upon such conditions as the Director of Community Development, Planning Commission, or City Council deems necessary and appropriate, which shall include the mandatory conditions set forth in subsection (C) of this Section, as applicable.

B. Restrictions on Concentration of Off-Sale Liquor Establishments.

1. No CUP shall be issued to an off-sale liquor establishment of 8,000 square feet or less; and no application for such CUP shall be accepted, unless the proposed off-sale liquor establishment is located 500 feet or more from any other off-sale liquor establishment, measured from property line to property line of the parcels involved, provided, however, that businesses engaging in the off-sale of beer and wine as an incidental use as defined in this Title and subject to approval of an ACUP shall observe a minimum separation of 400 feet from any other off-sale liquor establishment or any other business engaging in off-sale beer and wine as an incidental use, measured as the shortest distance between the public entrances of the subject establishments.

2. No CUP shall be issued to an off-sale liquor establishment of 8,000 square feet or less; and no application for such CUP shall be accepted, unless the proposed off-sale liquor establishment is located 500 feet or more from any existing house of worship, public or private school, park, playground, or hospital measured from property line to property line of the parcels involved. The 500-foot separation requirement shall not be applicable if the proposed off-sale liquor establishment is located within a retail commercial center of two acres or more.

C. Mandatory Conditions of Approval. In addition to the applicable requirements of Section 25600 *et seq.* of the Business and Professions (B&P) Code, the following mandatory conditions of approval shall be imposed on any CUP or ACUP issued under this Section:

1. No inventory, materials, merchandise, or supplies shall be stored or displayed except within a wholly enclosed building.

2. The premises shall be maintained at all times in a neat and orderly manner.

3. Trash receptacles shall be provided in such number and at such locations as may be specified by the Planning Commission (CUP) or Director of Community Development (ACUP).

4. No exterior security bars and rollup doors applied to windows and pedestrian building entrances shall be allowed.

5. Exterior lighting of the parking areas shall be modified as necessary to provide a minimum intensity of at least one foot-candle of light throughout the parking area at all times in compliance with the Montclair Security Ordinance.

6. Window signs or displays shall comply with the following requirements:

a. Temporary or permanent window signs, posters, banners, or other applied graphics shall not cover more than 25 percent of each window and shall not be placed in windows in a manner that will obstruct the view into the building by emergency personnel.

b. Window sign placement shall not obstruct the view of the sales transaction area from inside and outside the building.

c. Any window tinting shall allow for physical identification of all persons in the sales transaction area from outside the building.

d. Temporary or permanent window signs, interior or exterior banners, or other signs placed within the store that are visible from outside the store and advertise the availability of or offer for purchase alcoholic beverages of any kind at the site shall be prohibited.

7. No video or arcade games, pinball machines, pool tables, jukeboxes, or similar devices shall be allowed within the subject lease space with the exception of official State lottery machines.

8. No exterior public telephones, vending or other coin-operated machines, children's rides, collection boxes, and so forth shall be located on the exterior of the subject lease space or the remainder of the site.

9. No alcoholic beverages, including beer and wine, shall be consumed on the premises.

10. Employees selling alcoholic beverages shall be of such age, and subject to such supervision, as is specified in B&P Code §25663(b).

11. The exterior appearance of the permittee's premises shall be designed and maintained in a manner consistent with the exterior appearance of commercial premises existing or proposed in the immediate neighborhood so as not to cause blight or deterioration or to substantially diminish or impair property values in the neighborhood.

12. The permittee shall comply with all State statutes, rules, and regulations related to the sale, purchase, display, possession, and consumption of alcoholic beverages.

13. The permittee shall acknowledge and agree that the City has a legitimate and compelling governmental interest in permittee's strict compliance with all conditions imposed upon the permit including adherence to State statutes, rules, and regulations as specified in subsection (C)(12) of this Section. The permittee shall further acknowledge and agree that any violation of a State statute, rule, or regulation concerning the sale to or consumption of alcoholic beverages by a minor has been determined by the City to have a deleterious secondary effect upon:

a. The specific land use requested by the permittee and authorized by the City;

b. The compatibility of permittee's authorized land use with adjacent land uses; and

c. The welfare and safety of the general public within the City.

In view of such deleterious secondary effects, permittee shall acknowledge that the City has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the CUP, as a consequence of one or more violations of a State statute, rule, or regulation concerning the sale to or consumption of alcoholic beverages by a minor.

14. The permit shall, after notice to the permittee and an opportunity to be heard, be subject to the imposition of additional conditions following its issuance, which additional conditions may be imposed by the Planning Commission or, upon appeal, by the City Council to address problems of land use compatibility, security, or crime control that have arisen since the issuance of the permit.

15. No alcoholic beverages shall be consumed on the site nor shall any person have an open alcoholic beverage container on the site or adjacent sidewalks, streets, or alleys. Signs stating, "NO LOITERING. POSSESSION OF OPEN ALCOHOLIC BEVERAGE CONTAINERS ON THESE PREMISES AND ADJACENT PUBLIC AREAS IS PROHIBITED PURSUANT TO MMC SECTION 7.08.010(A)" at each entrance and in the parking lot adjacent to the licensed premises.

Section III. Amendment of Code.

The Table of Contents for Chapter 11.78 ("CONDITIONAL USE PERMITS") of the Montclair Municipal Code is hereby repealed and replaced as follows:

Chapter 11.78

CONDITIONAL USE PERMITS

Sections:

- 11.78.010 Purpose and authorization.
- 11.78.020 Qualifications.
- 11.78.030 Permitted uses.
- 11.78.035 Permitted uses - administrative review.
- 11.78.040 Nonconforming structures and uses.
- 11.78.050 Buildings within planned rights-of-way.
- 11.78.060 Initiation of proceedings.
- 11.78.070 Hearing.
- 11.78.080 Findings, conditions, and time limits.
- 11.78.090 Appeals.
- 11.78.100 Revocation.

Section IV. Amendment of Code.

Sections 11.78.010 through 11.78.030 of the Montclair Municipal Code are hereby repealed and replaced as follows:

Sec. 11.78.010 Purpose and authorization.

This Chapter is intended to provide the flexibility and procedures necessary for certain uses and activities that are not allowed as a matter of right within a zoning district by reason of uniqueness, size, scope, or possible negative effect on public facilities or surrounding uses but may be permitted after special consideration and public review of each request in order to ensure conformity and compatibility with the goals and objectives of the adopted General Plan and zoning code, subject to a Conditional Use Permit (CUP) or Administrative Conditional Use Permit (ACUP). In granting such permits, the Planning Commission (CUP) or Director of Community Development (ACUP) may stipulate conditions, in addition to those required by the provisions of this Title, which would tend to safeguard the health, safety, and property value in the area.

Sec. 11.78.020 Qualifications.

A Conditional Use Permit may be granted by the Planning Commission or an Administrative Conditional Use Permit may be granted by the Director of Community Development, for those uses stated in Sections 11.78.030 through 11.78.050 of this Chapter and other uses identified in this Title requiring approval of a Conditional Use Permit or Administrative Conditional Use Permit.

Sec. 11.78.030 Permitted uses.

The Planning Commission may grant a Conditional Use Permit (CUP) for any use listed in this Section as a permitted use only in the zoning districts noted and subject to conditions related to the use, construction, implementation, operation, and automatic revocation as the Planning Commission may deem appropriate and necessary for the general welfare of the community:

- A. Residential Uses.
 - 1. Assisted living facilities (AP, C-2, C-3);
 - 2. Convalescent care (AP, C-2, C-3);
 - 3. Student housing, dormitories, group quarters (AP, C-2, C-3).
- B. Commercial Uses (Animal Services).
 - 1. Animal hospitals, boarding facilities, and kennels (MIP, M-1, M-2);
 - 2. Animal shelters (M-1, M-2);
 - 3. Feed and tackle supplies with outdoor storage (C-3, M-1, M-2);
 - 4. Pet sales and supplies - retail (MIP).
- C. Commercial Uses (Alcoholic Beverage Sales).

The uses identified in this subsection shall also be subject to the applicable requirements of Chapter 11.42 of this Title.

1. Off-sale alcoholic beverages within an overall floor area of less than 15,000 square feet, except those retail businesses specifically identified in Section 11.78.035(B)(1) of this Chapter as requiring an Administrative Conditional Use Permit (C-2, C-3);

2. Off-sale alcoholic beverages within an overall floor area of 15,000 square feet or greater (C-2);

3. On-sale alcoholic beverages in conjunction with a bona fide eating establishment (C-2, C-3, MIP);

4. Microbrewery with on-site tasting (C-3);

5. Microbrewery in conjunction with a bona fide eating establishment (C-2, C-3).

D. Commercial Uses (General Merchandise).

1. Antiques - retail (MIP);

2. Auction houses (MIP, M-1, M-2);

3. Carpet and floor covering stores - retail (MIP, M-1, M-2);

4. Cigar/cigarette/electronic cigarette/smoke shops (C-2, C-3),

subject to the following criteria:

a. Such establishments shall be located a minimum of 1,000 feet, measured property line to property line, from any public or private school serving students in grades Pre-K through 12; and

b. Such establishments shall be located a minimum of 1,000 feet, measured property line to property line, from one another;

5. Commercial plant nursery - wholesale (MIP, M-1, M-2);

6. Construction equipment sales with outdoor storage (C-3, MIP, M-1, M-2);

7. Construction equipment sales without outdoor storage (MIP);

8. Convenience stores (C-2, C-3);

9. Firearms, ammunition and related products as a stand-alone use - retail (C-3, MIP, M-1);

10. Furniture, office and home furnishings (MIP);

11. Garden supply, hardware/home improvement center, plant nursery with outdoor display area (C-2, C-3, MIP);

12. Hobby, toy and game shops with more than four (4) personal computers for customer use (C-2, C-3);
 13. Newsstands - staffed (C-2, C-3);
 14. Sporting goods and equipment with firearms and/or ammunition sales (C-2, C-3);
 15. Swap meets, marketplaces, concession malls (C-3).
- E. Commercial Uses (Lodging Facilities).
1. Bed and breakfast facilities (AP, C-2, C-3);
 2. Hotels and motels (AP, C-2, C-3).
- F. Commercial Uses (Medical/Health Services).
1. Hospitals (AP).
- G. Commercial Uses (Motor Vehicle/Watercraft Sales and Service).
1. Automobile/watercraft body and painting as a primary use (MIP, M-1, M-2);
 2. Automobile, motorcycle, RV and watercraft sales and service - new and/or used with outdoor display (C-3, MIP);
 3. Automobile rental agencies with on-site parking for rental vehicles (C-2, C-3, MIP);
 4. Car washes (C-2, C-3, MIP);
 5. Commercial parking lots, garages and structures as a primary use (AP, C-2, C-3);
 6. Fueling/service stations with or without ancillary uses, such as minimart, auto repairs, car wash, or quick-serve food establishment (C-2, C-3, MIP, M-1, M-2);
 7. Limousine, charter bus, shuttle or taxicab service with on-site fleet vehicle storage (AP, C-2, C-3, MIP, M-1, M-2);
 8. Quick lube facilities (C-3, MIP, M-1, M-2);
 9. Truck, trailer, moving van, and equipment rentals (C-2, C-3, MIP, M-1, M-2).
- H. Commercial Uses (Personal Services).
1. Cemeteries, crematories, mausoleums, columbaria (M-1, M-2);
 2. Coin laundries (C-2, C-3);
 3. Fortune telling, palm or card reading (C-3);
 4. Funeral homes and mortuaries (C-3, MIP);
 5. Pawn shops (C-3);
 6. Tattoo, dermagraphics, or body piercing as a primary use (C-3, MIP).
- I. Commercial Uses (Recreation/Entertainment).
1. Banquet halls as a stand-alone use (C-3, MIP, M-1);
 2. Billiards and pool halls (C-2, C-3);
 3. Cyber cafés, internet access, and electronic game arcades (C-2, C-3);
 4. Golf courses and driving ranges (C-3, MIP, M-1, M-2);
 5. Hookah establishments as a stand-alone use (C-3);
 6. Indoor amusement facilities, batting cages, bike/skate parks, bowling centers, go-kart facilities, karaoke establishments, recreation/sports/gyms/health clubs, roller/ice hockey facilities, and skating rinks (C-2, C-3, MIP)
 7. Outdoor amusement parks and facilities, bike/skate parks, go-kart facilities, miniature golf, recreation/sports/health clubs, skating rinks, batting

cages, roller/ice hockey facilities, miniature and remote control car tracks, and remote control hobby facilities (C-2, C-3, MIP, M-1, M-2);

8. Public assembly, auditoriums, and meeting halls (C-2, C-3, MIP);
9. Theaters (live stage and motion picture) and concert halls (C-3, MIP).

J. Commercial Uses (Religious Institutions).

1. Houses of worship (AP, C-2, C-3, MIP, M-1, M-2);
2. Monasteries and religious group quarters as a primary use (C-3, MIP).

K. Commercial Uses (Special Uses).

1. Wireless telecommunications facilities (AP, C-2, C-3, MIP, M-1, M-2).

L. Educational/Instructional/Day Care Uses.

1. Colleges (AP, C-3, MIP);
2. Elementary, middle and high schools - private (AP, MIP);
3. Preschools and children's day care facilities (AP, C-2, C-3).

M. Manufacturing and Industrial Uses.

1. Automobile wrecking yards, salvage and junkyards (M-2);
2. Chemical manufacturing and processing (M-2);
3. Concrete batch plants (M-2);
4. Detergent and soap manufacturing (M-2);
5. Explosives and fireworks manufacturing and storage (M-2);
6. Laundries and dry cleaners - commercial (M-1, M-2);
7. Lumber and wood products with outdoor storage (MIP, M-1, M-2);
8. Metal or iron work fabrication (M-1, M-2);
9. Outdoor business operations with permitted manufacturing/
industrial use (MIP, M-1, M-2);

10. Recycling/transfer facilities and material recovery facilities (M-2);

11. Research, development, and testing of products with outdoor operations (M-1, M-2);

12. Rock, sand, gravel, and mineral extraction and recycling (M-2);

13. Stone, clay, and glass manufacturing (M-2);

14. Tire retreading (M-2);

15. Vehicle battery manufacturing (M-2);

N. Warehouse and Storage Uses.

1. Building materials with outdoor storage (MIP, M-1, M-2);

2. Lumber/contractor storage yard as a primary use (MIP, M-1, M-2);

3. Outdoor storage as a primary use (M-1, M-2);

4. Outdoor storage as an ancillary use to a permitted use in a building (MIP, M-1, M-2);

5. Outdoor storage for gardening/landscape companies and contractors (MIP, M-1, M-2);

6. Self-storage, mini-storage warehouse facilities (C-3, MIP, M-1, M-2);

Section V. Amendment of Code.

Section 11.78.035 ("Permitted uses - administrative review") of the Montclair Municipal Code is hereby added as follows:

Sec. 11.78.035 Permitted uses – administrative review.

The Director of Community Development may grant an Administrative Conditional Use Permit (ACUP) for any use listed in this Section as a permitted use only in the zoning districts noted and subject to conditions related to the use, construction, implementation, operation, and automatic revocation as the Director may deem appropriate and necessary for the general welfare of the community, provided the use is deemed to be exempt from the provisions of the California Environmental Quality Act (CEQA):

- A. Residential Uses.
 - 1. Caretaker quarters (C-3, MIP, M-1, M-2);
 - 2. Residential care facilities – 7 or more persons (AP, C-2, C-3);
- B. Commercial Uses (Alcoholic Beverage Sales).
 - 1. Off-sale beer and wine (ABC Type 20) as an incidental use to a retail business and where display of alcoholic beverages constitutes an aggregate of four (4) square feet or less of the public area of the demised tenant space and subject to the applicable requirements of Chapter 11.42 of this Title (C-2, C-3).
- C. Commercial Uses (Temporary and Special Uses).
 - 1. Collocation of an additional carrier on an existing wireless telecommunications facility, provided the collocation would not result in any of the following (AP, C-2, C-3, MIP, M-1, M-2):
 - a. An increase in height of the existing facility;
 - b. A substantial change to the visual appearance of the existing facility;
 - c. An increase in the area of the ground lease space that results in a reduction of required landscape area or required parking.
 - 2. Fruit, vegetable, and flower stands – product grown on-site (MIP, M-1, M-2);
 - 3. Mobile recycling and reverse vending units (C-2, C-3, MIP, M-1, M-2);
 - 4. Outdoor seating in conjunction with an approved restaurant/food use – 8 seats or more (C-2, C-3, MIP);
 - 5. Temporary parking lots (AP, C-2, C-3, MIP, M-1, M-2);
 - 6. Temporary structures in conjunction with carnivals, farmers' markets, fairs, circuses, and religious gatherings (C-3, MIP, M-1, M-2);
 - 7. Temporary use of storage and sea containers in conjunction with a legally established use (MIP, M-1, M-2);
 - 8. Temporary use of structures, trailers, and facilities in conjunction with a legally established use (AP, C-2, C-3, MIP, M-1, M-2).
 - 9. Temporary use of undeveloped/vacant property by contractors performing public infrastructure work and/or repairs.
- D. Educational/Instructional/Day Care Uses.
 - 1. Adult day care (C-2, C-3; C-2, C-3 & MIP within NMSP; BP & C within HBSP);
 - 2. Adult vocational classes, trade schools, computer training, traffic and driving schools (AP, C-2, C-3; C-3 & MIP within NMSP; BP, C & CO within HBSP);
 - 3. Children's tutorial classes (AP, C-2, C-3; C-3 & MIP within NMSP; BP, C & CO within HBSP);

4. Music, art, dance, gymnastics, martial arts instruction, personal fitness, Pilates, talent/acting studio, and yoga – greater than 2,000 square feet (AP, C-2, C-3, MIP; C-3 & MIP within NMSP; BP, C & CO within HBSP).

Section VI. Amendment of Code.

Sections 11.78.040 through 11.78.120 of the Montclair Municipal Code are hereby repealed and replaced as follows:

Sec. 11.78.040 Nonconforming structures and uses.

A. Nonconforming structures.

All structures, including main buildings, accessory structures, walls, fences, signs, and other structures, that do not comply with height, setback, density, and/or lot coverage standards specified by this Title, or for which the number of parking spaces provided is less than required, or any residential structures within any Commercial or Industrial zone, except as may be permitted by this Title, are hereby deemed to be nonconforming structures; and the following provisions shall apply:

1. Enlargement and extension. No enlargement, extension, or expansion shall be made to a nonconforming structure unless otherwise permitted by this Title. Building additions to a single-family residence in the R-1 Zone shall be permitted, provided that the addition observes the setbacks currently required by this Title and that all other development standards of the underlying zone can be met.

2. Building additions to single-family residences without required covered parking. In the R-1 Zone, single-family residences without required covered parking pursuant to Chapter 11.66 of this Title may be expanded as follows:

a. The floor area of the main residential structure is not increased by more than 25 percent or 500 square feet, whichever is less, over a period of five years or less.

b. The new construction shall not occupy the only available area(s) suitable for required parking and access thereto.

3. Construction of accessory structures and second dwelling units on R-1 lots without required covered parking. The construction of a detached accessory structure pursuant to Chapter 11.19 of this Title, or an attached or detached second dwelling unit pursuant to Chapter 11.23 of this Title, on a lot in the R-1 Zone developed with a single-family residence upon which required covered parking is not provided shall be prohibited unless the required covered parking is constructed prior to, or concurrently with, said accessory structure or second dwelling unit. A certificate of occupancy for an accessory structure or second dwelling unit shall not be issued by the Building Official until a certificate of occupancy has been issued for the structure providing the required covered parking.

4. Maintenance and repairs. General maintenance and necessary repairs that are not structural in nature may be made to legal nonconforming structures in all zoning districts. Structural repairs to a legal nonconforming structure may be authorized by the Building Official if it is determined that said repairs are necessary to protect the health and safety of the occupants, public at-large, or adjacent property and the cost does not exceed 50 percent of the

replacement cost of the legal nonconforming structure. Improvements required to strengthen unreinforced masonry structures shall be permitted without replacement cost limitations, provided that such work is limited strictly to compliance with seismic safety standards.

5. Abandonment of nonconforming structures. Any nonconforming building, structure, sign, or improvement that has been vacated or not utilized for a continuous period of 180 days or more shall be deemed to have lost its nonconforming status and shall, at the discretion of the Director of Community Development, be demolished, removed, or modified to such extent that it would be in conformance with the current development standards for the zone in which the building, structure, sign, or improvement is located. Additionally, any sign that became nonconforming on March 21, 2001, pursuant to Ordinance No. 94-733 and the criteria set forth in Section 11.72.140 of this Title, or any sign that has been subsequently determined to be nonconforming, shall not be refaced or reestablished to identify a different business than was identified on the previously legal nonconforming sign.

6. Replacement of nonconforming structures. Any nonconforming single-family residential, commercial, industrial, or institutional structure that is involuntarily damaged by fire or other catastrophic event may be restored or reconstructed to its original condition provided that the cost of such restoration/reconstruction does not exceed 50 percent of the replacement value of the structure as determined by the Director of Community Development and that the restoration shall commence within one year from the date the damage occurred.

7. Replacement of nonconforming multifamily structures. Any nonconforming multifamily residential dwelling unit that is involuntarily damaged or destroyed by fire or other catastrophic event may be restored subject to the provisions set forth in California Government Code Section 65852.25.

8. Relocation of a nonconforming structure. A nonconforming structure shall not be moved to any other lot or to any other portion of the lot on which it is located unless, as a result of the move, the structure would then conform to the regulations of the zoning district.

9. Nonconforming historic structures. Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a nonconforming historic structure may be made when authorized by the Director of Community Development and Building Official or their designees, provided that:

a. The structure has been designated as having significant historical or architectural significance by the City Council, State of California, or federal government or was constructed in, or prior to, 1940;

b. Any unsafe conditions are corrected; and

c. The use(s) therein shall be in conformance with all applicable provisions of this Chapter.

B. Nonconforming uses.

Nonconforming uses are those that were legally established but that are not currently listed as permitted or conditionally permitted in the zoning district in which they are located or those that currently require a Conditional Use Permit but at the time of their initiation did not require a Conditional Use Permit. The following provisions shall apply to legal nonconforming uses:

1. No nonconforming use shall be expanded or moved in whole or part to any portion of the lot or parcel upon which it is located or other structure other than that occupied by such use at the time it was established.

2. No nonconforming use shall be changed to a different nonconforming use.

3. If a nonconforming use is discontinued or abandoned for a continuous period of 180 days or more, such use shall be deemed to have lost its nonconforming status and shall not be reestablished.

4. Adult-oriented businesses. The amortization of nonconforming adult-oriented businesses shall be subject to the provisions set forth in Section 11.40.060 of this Title.

C. Permits or certificates of occupancy prohibited. When any nonconforming structure or use is no longer permitted pursuant to the provisions of this Title, no building or sign permit or certificate of occupancy shall thereafter be issued for further continuance, alteration, or expansion. Any permit or certificate of occupancy issued in error shall not be construed as allowing the continuation of the nonconforming structure or use.

D. Removal of illegal nonconforming structures and uses. Nothing contained in this Section shall be construed or implied so as to allow for the continuation of illegal nonconforming structures and uses.

E. Burden of proof. The burden of proof regarding nonconforming structures and uses shall be with the property owner to the satisfaction of the Director of Community Development.

Sec. 11.78.050 Buildings within planned rights-of-way.

The Director of Community Development may grant an Administrative Conditional Use Permit as follows:

A. For temporary structures within planned rights-of-way when the property owner applying for such permit signs an agreement with the City to remove any such temporary building or structure at his/her expense whenever so requested by the City for street widening or opening; or

B. Upon evidence that the entire property of the owner, of which the area of the planned right-of-way forms a part, cannot reasonably be used for a permitted use and yield a reasonable return to the owner without a new or improved structure within such planned right-of-way.

Sec. 11.78.060 Initiation of proceedings.

A. Any property owner or his/her authorized representative desiring a Conditional Use Permit or Administrative Conditional Use Permit may file an application for such permit with the Planning Division on forms furnished by the City. Additional submittal requirements as designated by Planning Division staff shall accompany said application form in order to constitute a complete application. The additional submittal requirements may include, but not be limited to, the following:

1. A legal description of the subject property;

2. A site plan, floor plans, elevations, and other appropriate drawings illustrating existing and proposed buildings or facilities;

3. A narrative describing the nature of the proposed use, hours of operation, estimated occupancy, and other relevant information;

4. A reference to the specific provisions of this Title that are applicable to the Conditional Use Permit or Administrative Conditional Use Permit sought;

5. A filing fee, the amount of which is determined by Resolution of the City Council;

6. Conditional Use Permit justification form;

7. Environmental assessment form;

8. Names and mailing addresses, printed on mailing labels, of all owners of real property within 300 feet of the external boundaries of the subject property, as shown on the latest adopted, publicly available tax roll of the County of San Bernardino.

B. No application for the same general purpose concerning the same property, which application has been recommended for denial by the Planning Commission or denied by the Director of Community Development, Planning Commission, and/or City Council on appeal, shall be received or processed by the Planning Division within 12 months after such denial except by the consent of at least four members of the Planning Commission present at a regular meeting of the Planning Commission.

Sec. 11.78.070 Hearing.

A. Upon the acceptance of a completed application for a Conditional Use Permit (CUP) or Administrative Conditional Use Permit (ACUP), Planning Division staff shall forward the application to the Development Review Committee for review and comments and shall communicate to the applicant said recommendations and comments from the Development Review Committee. If no major changes are recommended, then the City Planner shall, in the case of a CUP, set a date for a public hearing before the Planning Commission. For an ACUP, the City Planner shall forward the application to the Director of Community Development for consideration and action. If major changes to the proposal are recommended or required, then the submitted plans shall be returned to the applicant for revision and resubmittal. When the necessary corrections have been made, the application shall be deemed complete. For CUPs, the City Planner shall set a date for a public hearing; for ACUPs, the application shall be forwarded to the Director for consideration and action.

B. For Conditional Use Permits, the Secretary of the Planning Commission shall give notice of such requested CUP and of the time and place of such public hearing as follows:

1. By one publication in a newspaper having a general circulation in the City at least 10 days, but no more than 15 days, prior to the date set for the public hearing; and

2. By mailed notice not less than ten days prior to the date set for the public hearing to all owners of real property within a radius of 300 feet of the external boundaries of the property described in the application, using the last known name and mailing address of such owners as shown on the most recent available tax roll for the County of San Bernardino. Notice may be given to property owners within a greater radius at the discretion of the Planning Commission or the Director of Community Development.

3. The Planning Commission shall cause to be made by its own members, or members of staff, such investigation of facts bearing upon such application set for hearing including an analysis of precedent cases as in the

opinion of the Planning Commission will serve to provide the necessary information to enable the Commission to act.

4. A copy of the staff report shall be made available to the applicant and to the general public upon request prior to the hearing.

5. At the time and place so fixed and noticed, the public hearing shall be conducted before the Planning Commission. The Commission shall consider all pertinent oral and written evidence and information prior to adoption of a formal and numbered Resolution granting or denying such Conditional Use Permit. A summary of all pertinent testimony offered at the hearing; the names and addresses of persons testifying; and copies of all notices, affidavits of newspaper publication(s), and records of action taken shall be a part of the permanent case file.

C. For Administrative Conditional Use Permits, the Director of Community Development shall give notice of such requested ACUP as follows:

1. By mailed notice not less than ten days prior to the date set for a final decision by the Director to all owners of real property within a radius of 300 feet of the external boundaries of the property described in the application, using the last known name and mailing address of such owners as shown on the most recent available tax roll for the County of San Bernardino. Notice may be given to property owners within a greater radius at the discretion of the Director of Community Development.

2. The Director of Community Development shall conduct an investigation of facts bearing upon such application including an analysis of precedent cases as, in the opinion of the Director, will serve to provide the necessary information to enable him/her to act.

3. The Director of Community Development shall consider all pertinent oral, written, and electronic communications received by Planning Division staff related to the subject application prior to granting or denying such Administrative Conditional Use Permit. A summary of all pertinent communication received by staff, copies of all notices, affidavits of newspaper publication(s), and records of action taken shall be a part of the permanent case file.

Sec. 11.78.080 Findings, conditions, and time limits.

A. Findings. The Planning Commission, prior to approval of a request for a Conditional Use Permit, shall adopt a Resolution stating that the evidence presented shows that each of the findings below have been made. In the case of an Administrative Conditional Use Permit, the Director of Community Development shall prepare an approval letter stating the evidence presented shows that each of the following findings have been made:

1. That the use is essential or desirable to the public convenience and public welfare;

2. That granting the permit will not be materially detrimental to the public welfare and to other property in the vicinity;

3. That the use conforms to good zoning practices and development standards; and

4. That the use is not contrary to any of the objectives of the adopted General Plan.

B. Finding of Public Convenience and Necessity.

1. In the event that a CUP is granted for a business establishment engaged in the sale of alcoholic beverages for on- or off-site consumption and that establishment is located in a census tract where there is "undue concentration" pursuant to Section 23958.4 of the Business and Professions Code, then the Planning Commission shall also make a finding of Public Convenience and Necessity in addition to the findings in Subsection (A) of this Section.

2. In the event that an ACUP is granted for a business establishment engaged in the sale of beer and wine as an incidental use as defined in this Title and that establishment is located in a census tract where there is "undue concentration" pursuant to Section 23958.4 of the Business and Professions Code, then the Director of Community Development shall also make a finding of Public Convenience and Necessity in addition to the findings in Subsection (A) of this Section. In the alternative, the Director, at his/her sole discretion, may refer the application to the Planning Commission to make the required Finding of Public Convenience and Necessity.

C. Conditions.

1. The Planning Commission may grant the requested Conditional Use Permit, or the Director of Community Development an Administrative Conditional Use Permit, in whole or in part upon such items and conditions as he/she/it may deem necessary to safeguard and protect the public health, safety, and general welfare, the existing and possible future uses on adjoining land in the neighborhood, the proper handling and regulation of traffic, and to ensure the eventual development of the property with respect to which the permit is granted.

2. Prior to the issuance of any building or occupancy permit, the owner and anyone applying on his/her behalf shall agree, in writing, to meet and abide by all the conditions and requirements imposed on the Conditional Use Permit or Administrative Conditional Use Permit.

D. Time Limit.

1. Each determination of the Planning Commission or Director of Community Development granting a Conditional Use Permit or Administrative Conditional Use Permit shall be conditioned upon the privileges being utilized within six months after the effective date thereof unless a shorter or longer time period is established by the Planning Commission or Director; and if they are not utilized or preliminary construction work is not begun within such time and/or progressing adequately to the satisfaction of the Director of Community Development, this authorization shall become void and any privilege or permit granted shall be deemed to have lapsed. The Planning Commission, however, shall have the authority to extend the time limit required for a Conditional Use Permit for good cause and in the case of unavoidable delay upon submittal of a written request and the required time extension filing fees by the applicant at least ten days prior to the expiration date. Similarly, the Director shall have the authority to extend the time limit required for an Administrative Conditional Use Permit for good cause and in the case of unavoidable delay upon submittal of a written request and the required time extension filing fees by the applicant at least ten days prior to the expiration date.

2. As a condition for granting an extension of time, the Planning Commission (CUP) or Director of Community Development (ACUP) may revise existing conditions or impose additional conditions to ensure that the project

will be in compliance with City standards in effect at the time such extension is granted.

3. Once any portion of the Conditional Use Permit or Administrative Conditional Use Permit is utilized, the other portions thereof shall become immediately operative and shall be strictly complied with.

4. When a land use for which a Conditional Use Permit or Administrative Conditional Use Permit was granted is discontinued for a period of six continuous months, such use shall not be reestablished unless a new CUP or ACUP, as applicable, is approved for the subject use. Further, if any land use legally established without the benefit of a CUP or ACUP is discontinued for six continuous months but, under the current requirements of this Title, would require approval of a CUP or ACUP, said land use shall not be reestablished unless a CUP or ACUP, as applicable, is approved for the subject use.

Sec. 11.78.090 Appeals.

A. Conditional Use Permits.

1. The action of the Planning Commission shall become final on the date the Planning Commission makes its final determination on the application. However, within 15 days after the date of the Planning Commission's decision, a written appeal therefrom may be taken to the City Council by any person aggrieved by the determination of the Planning Commission in connection with the application. Such appeal shall be accompanied by the required appeal fee, which shall be one half of the initial Conditional Use Permit filing fee. The City Council, on its own motion, may appeal any determination of the Planning Commission within 15 days of the Planning Commission's decision or at the next regularly scheduled City Council meeting, whichever occurs later. An appeal fee shall not be required in the event of such City Council appeal.

2. The appeal request shall stay any proceedings associated with the action appealed from. Upon receipt of the request for the appeal, Planning Division staff shall transmit to the City Council the appeal request and copies of all other papers constituting the official record, together with a written report stating why the appeal should or should not be granted.

3. The City Council may, by Resolution, affirm, reverse, or modify in whole or in part any decision, determination, or requirement of the Planning Commission; but before conducting a public hearing on granting any appeal of a Planning Commission decision, the City Council shall set the matter for hearing and give the same notice as that provided in Section 11.78.070(B) of this Chapter.

4. The appeal hearing by the City Council shall be based upon the record of the Planning Commission. In the event any new information or evidence is produced for consideration, the City Council shall refer the matter back to the Planning Commission for review and recommendation.

B. Administrative Conditional Use Permits.

1. The action of the Director of Community Development shall become final on the date he/she makes a final decision on the application. However, within 15 days after the date of the Director's decision, a written appeal therefrom may be taken to the Planning Commission by any person aggrieved by the determination of the Director in connection with the application. Such appeal shall be accompanied by the required appeal fee, which shall be one half of the initial Administrative Conditional Use Permit filing

fee. The Planning Commission or City Council, on its own motion, may appeal any decision of the Director within 15 days of his/her decision or at the next regularly scheduled Planning Commission or City Council meeting, whichever occurs later. An appeal fee shall not be required in the event of such appeal by the Planning Commission or City Council.

2. The appeal request shall stay any proceedings associated with the action appealed from. Upon receipt of the request for the appeal, Planning Division staff shall transmit to the Planning Commission the appeal request and copies of all other papers constituting the official record, together with a written report stating why the appeal should or should not be granted.

3. The Planning Commission may, by Resolution, affirm, reverse, or modify in whole or in part any decision, determination, or requirement of the Director of Community Development; but before conducting a public hearing on granting any appeal of the Director's decision, the Planning Commission shall set the matter for hearing and give the same notice as that provided in Section 11.78.070(B) of this Chapter.

4. The appeal hearing by the Planning Commission shall be based upon the record of the administrative decision by the Director of Community Development. In the event any new information or evidence is produced for consideration, the Planning Commission shall refer the matter back to the Director for review and recommendation.

5. The action of the Planning Commission on an appeal of the Director's decision shall become final on the date the Planning Commission makes its determination on the appeal. Any person aggrieved by the determination of the Planning Commission in connection with the appeal, or the City Council on its own motion, may appeal the Planning Commission's decision, subject to the timeframe, fees, and criteria set forth in Section 11.78.090(A) of this Chapter.

Sec. 11.78.100 Revocation.

A. Conditional Use Permits.

1. The Planning Commission, on its own motion or upon the direction of the City Council, may conduct a hearing upon the question of the revocation of a Conditional Use Permit granted under or pursuant to the provisions of this Title.

2. Notification of such public hearing shall be given in accordance with Section 11.78.070(B) of this Chapter provided, however, the owner of the subject property shall have his/her notice mailed by certified mail, postage paid, return receipt requested.

3. A Conditional Use Permit granted pursuant to a hearing may be revoked and a nonconforming use may be terminated if the Planning Commission and City Council make any of the following findings:

a. That any condition of a Conditional Use Permit or an amended Conditional Use Permit has not been complied with or has been violated;

b. That the use is detrimental to the public health or safety or is a nuisance;

c. That the Conditional Use Permit was obtained by fraud;

d. That the use for which the permit was granted is not being exercised;

e. That the use for which the permit was granted has ceased or been suspended for six months or more; or

f. That the condition of the improvements, if any, involved in a legal nonconforming use is such that the property, with or without alteration of any existing improvements, can be used for a nonconforming use without impairing the constitutional rights of any person.

4. After a hearing upon the revocation of a Conditional Use Permit, the Planning Commission shall report its findings of fact and recommendations to the City Council by a formal and numbered Resolution; and upon receipt of such recommendations, the City Council shall determine the facts at a public hearing and may revoke, modify, or allow to remain unchanged the Conditional Use Permit in accordance with the City Council's final determination in such matters.

B. Administrative Conditional Use Permits.

1. The Planning Commission, on its own motion, upon the recommendation of the Director of Community Development or upon the direction of the City Council, may conduct a hearing upon the question of the revocation of an Administrative Conditional Use Permit granted under or pursuant to the provisions of this Title.

2. Notification of such public hearing shall be given in accordance with Section 11.78.070(B) of this Chapter provided, however, the owner of the subject property shall have his/her notice mailed by certified mail, postage paid, return receipt requested.

3. An Administrative Conditional Use Permit may be revoked and a nonconforming use may be terminated if the Planning Commission and City Council make any of the following findings:

a. That any condition of an Administrative Conditional Use Permit or an amended Administrative Conditional Use Permit has not been complied with or has been violated;

b. That the use is detrimental to the public health or safety or is a nuisance;

c. That the Administrative Conditional Use Permit was obtained by fraud;

d. That the use for which the permit was granted is not being exercised;

e. That the use for which the permit was granted has ceased or been suspended for six months or more; or

f. That the condition of the improvements, if any, involved in a legal nonconforming use is such that the property, with or without alteration of any existing improvements, can be used for a nonconforming use without impairing the constitutional rights of any person.

4. After a hearing upon the revocation of an Administrative Conditional Use Permit, the Planning Commission shall report its findings of fact and recommendations to the City Council by a formal and numbered Resolution, and upon receipt of such recommendations, the City Council shall determine the facts at a public hearing and may revoke, modify, or allow to remain unchanged the Administrative Conditional Use Permit in accordance with the City Council's final determination in such matters.

Section VII. 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 VIII. Effective Date.

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

Section IX. 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, 2013.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 13-933 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2013; and finally passed not less than five (5) days thereafter on the XX day of XX, 2013, by the following vote, to-wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Yvonne L. Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER DECLARING CERTAIN CITY
PROPERTY AND UNCLAIMED PROPERTY
IN POLICE CUSTODY AS SURPLUS AND
AVAILABLE FOR AUCTION OR DESTRUCTION

DATE: May 20, 2013
SECTION: ADMIN. REPORTS
ITEM NO.: 10
FILE I.D.: EQS051/052
DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to declare certain City property and unclaimed property in Police custody as surplus so it may be made available for auction or destruction.

BACKGROUND: The items included on the attached lists are considered as surplus City property, including broken and unserviceable items, or as unclaimed property in Police custody. Upon being declared as surplus by the City Council, the items would be available for auction or destruction as indicated.

FISCAL IMPACT: There is no estimation as to the proceeds to be received through auction of these items.

RECOMMENDATION: Staff recommends the City Council declare certain City property and unclaimed property in Police custody as surplus and available for auction or destruction.

Prepared by:

Sharon Aguiar

Reviewed and
Approved by:

K. Brown

Proofed by:

Judy B.

Presented by:

Sharon Aguiar

CITY OF MONTCLAIR PROPERTY AUCTION LOG

TAG #	ID #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	CR #	PRICE SOLD FOR
N	13-1		1	HP PC TOWER	MXM73404K6		
15834	13-2		1	ANTEC PC TOWER			
16144	13-3		1	HP PC TOWER			
15783	13-4		1	ANTEC PC TOWER			
16025	13-5		1	HP PC TOWER			
16148	13-6		1	HP PC TOWER			
3 16596	13-7		1	COMPAQ PC TOWER			
16150	13-8		1	HP PC TOWER			
16028	13-9		1	HP PC TOWER			
16149	13-10		1	HP PC TOWER			
16023	13-11		1	HP PC TOWER			
N	13-12		1	HP PC TOWER	MXL821049H		
16021	13-13		1	HP PC TOWER			
15837	13-14		1	ANTEC PC TOWER			
15806	13-15		1	KNOWLES-MCNIFF PC TOWER			

CITY OF MONTCLAIR PROPERTY AUCTION LOG

TAG #	ID #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	CR #	PRICE SOLD FOR
N	13-16		1	HP PC TOWER	USV3310CCQ4		
N	13-17		1	HP PC TOWER	USV3310CCQ2		
N	13-18		1	HP PC TOWER	USV3310CCQ3		
N	13-19		1	HP PROLIENT PC TOWER	D330KJ44H01 1		
N	13-20		1	HP PC TOWER	M00JLJNH327		
16583	13-21		1	HP OFFICEJET PRO L7590			
4 15666	13-22		1	VIEWSONIC VA720			
15817	13-23		1	VIEWSONIC VA720			
N	13-24		1	PLANAR PL1910M	BD817A81375		
15218	13-25		1	VIEWSONIC VPD150			
N	13-26		1	PLANAR PL1910M	BD817A81378		
N	13-27		1	VIEWSONIC VX2260WM	R2S094322027		
N	13-28		1	VIEWSONIC VX2260WM	R2S094322005		
15669	13-29		1	PRINCETON VL1916			
N	13-30		1	PLANAR PL1910M	BD817A81383		

CITY OF MONTCLAIR PROPERTY AUCTION LOG

TAG #	ID #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	CR #	PRICE SOLD FOR
15733	13-31		1	PRINCETON VL1716			
15931	13-32		1	PRINCETON VL1916			
16159	13-33		1	SAMSUNG 225BW			
15753	13-34		1	PRINCETON VL1916			
15760	13-35		1	AOPEN F70VS			
16136	13-36		1	VIEWSONIC VX1932 WM-3			
4 16058	13-37		1	PRINCETON LCD1912			
N	13-41		1	NEC MULTISYNC 1560NX	36108689YA		
15659	13-42		1	DELL E151FP			
16044	13-43		1	BENQ FP767			
16673	13-44		1	LG FLATRON W2053 TX-PF			
N	13-45		1	PRINCETON LCD WI901PD	TVUH2602674		
15956	13-46		1	PRINCETON VL1918			
16670	13-47		1	HP L1908W			
15488	13-49		1	VIEWSONIC VX900			

CITY OF MONTCLAIR PROPERTY AUCTION LOG

TAG #	ID #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	CR #	PRICE SOLD FOR
N	13-50		1	PRINCETON VL173	WCCC4901604		
15800	13-51		1	PRINCETON VL193			
15705	13-53		1	US LOGIC PV1710			
N	13-54		1	HP FL474A	CNK83106NH		
N	13-55		1	LARGE TRIPOD 116			
N	13-56		1	MEDIUM TRIPOD BOGEN 3036			
⁴ N 15726	13-57		1	CANON IMAGE CLASS D761			
15082	13-58		1	HP LASERJET 4000N			
15023	13-59		1	HP LASERJET 6L			
N	13-60		1	EPSON B271A PICTURE MATE	FURE094053		
N	13-61		1	LEXMARK 4350-060	1370014154		
N	13-62		1	MAGIC CARD ULTRA SHIED	433211/02		
15437	13-63		1	HP DJ 845C			
15921	13-64		1	KODAK I65 SCANNER			
16078	13-65		1	KODAK I65 SCANNER			

CITY OF MONTCLAIR PROPERTY AUCTION LOG

TAG #	ID #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	CR #	PRICE SOLD FOR
15670	13-66		1	HP LASERJET 4L			
15576	13-68		1	HP LASERJET 1200			
N	13-69		1	EPSON LQ-590	FSQY088690		
N	13-70		1	HP LASERJET 4MP	USCB010173		
N	13-71		1	MISC PARTS			
N	13-72		1	MISC PARTS			
⁴³ N	13-73		1	DATA 911 MDS2000		6154	
N	13-74		1	MISC CABLES + OLD PHONES			
N	13-75		1	EPSON PIXMA MP250	JVMD41152		
N	13-76		1	VIDEOTEK RM-2A TV		982209	
15794	13-77		1	KNOWLES-MCNIFF PC TOWER			
15820	13-78		1	E-Power Server			
N	13-79		1	HP Workstation xw4100	USV41006J7		
N	13-80		1	HP Compaq DC7600	2UA62816Y3		
16030	13-81		1	HP Compaq DC7600			

CITY OF MONTCLAIR PROPERTY AUCTION LOG

TAG #	ID #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	CR #	PRICE SOLD FOR
16196	13-82		1	HP Compaq DC7700			
N	13-83		1	HP Compaq DC7600	2UA62816X2		
N	13-84		1	HP Compaq DC7600	2UA62816XY		
N	13-85		1	HP Compaq DC7600	2UA62816XX		
N	13-86		1	HP Compaq DC7600	2UA62816Y1		
15388	13-87		1	Dell Demension 4100			
15461	13-88		1	Dell Demension 4300			
15636	13-89		1	Server			
15590	13-90		1	Epson Perfection 1660 Photo			
15493	13-91		1	HP LaserJet 1000			
15664	13-92		1	HP LaserJet 1300			
16579	13-93		1	ViewSonic VA1916			
16163	13-94		1	HP OfficeJet 9110			
16161	13-95		1	HP Business InkJet 2800			
16580	13-96		1	ViewSonic VA1916			

CITY OF MONTCLAIR PROPERTY AUCTION LOG

TAG #	ID #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	CR #	PRICE SOLD FOR
16394	13-97		1	HP L2045w Monitor			
16780	13-98		1	ViewSonic VX2260WWM			
45							

CITY OF MONTCLAIR PROPERTY AUCTION LOG

MONTH April 2013

DEPARTMENT Police Department		DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	City Tag
Auction #	ESTIMATED VALUE	QUANTITY		
	\$100.00	100	none	
	\$200.00	4	none	
	\$240.00	12	none	
	\$20.00	1	none	
	\$55.00	11	none	
48	\$175.00	1	none	11774
	\$50.00	1	none	
	\$50.00	1	FD7AA04946	
	\$10.00	1	none	
	\$15.00	1	none	
	\$20.00	1	EKB80300406	
	\$20.00	2	EKB90101188/EKB90101186	
	\$20.00	1	EKB90101185	
	\$30.00	1	2372355	
	\$75.00	1	V300-07601	

CITY OF MONTCLAIR PROPERTY AUCTION LOG

DEPARTMENT		Police Department		MONTH	2013		APRIL	
Auction #	ESTIMATED VALUE	QUANTITY	DESCRIPTION OF ITEM TO BE AUCTIONED	SERIAL #	City Tag			
	\$25.00	1	Transcription machine, cassette tape	none				
	\$10.00	4	Womans sweater, navy wool	none				
	\$10.00	1	C420 NiMH battery charger, Scott Health and Safety brand	none				
49	\$100.00	1	Audio Intelligence device, Unitel 210 body wire in metal case	2491				
	\$75.00	1	Audio Intelligence device, Unitel 121 body wire in metal case	1914				
	\$30.00	6	Handgun case, blue, hard plastic, Sig Sauer	none				
	\$5.00	1	Handgun case, black, hard plastic	none				
	\$200.00	1	Voice Stress Analyzer equip.case, cassette recorder, Toshiba laptop	49595057A	15803			
	\$18.00	6	mini-cassette recorders 3 Sony 3 Olympus	none				
	\$3.00	1	Mini-cassette tapes9 pack	none				
	\$5.00	1	Drager gas mask in hard plastic case with filter	none				
	\$20.00	20	3 point tactical sling hardware,Lg O-ring, sm. O-ring, Med. O-ring sewn to swivel front mount	none				
	\$10.00	3	MSA gas mask	none				

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT NO. 13-33 WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO RECEIVE A TOTAL AWARD AMOUNT OF \$412,720 FROM THE FY2012 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR PURCHASE OF A FIRE ENGINE/PUMPER	DATE: May 20, 2013 SECTION: AGREEMENTS ITEM NO.: 1 FILE I.D.: GRT115 DEPT.: FIRE
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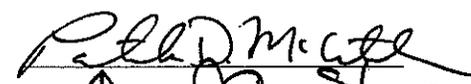
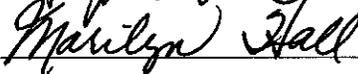
REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 13-33 with the Federal Emergency Management Agency (FEMA) to receive a total award amount of \$412,720 from the FY2012 Assistance to Firefighters Grant (AFG) Program for purchase of a fire engine/pumper.

A copy of proposed Agreement No. 13-33 is attached for the City Council's review and consideration.

BACKGROUND: The purpose of the FEMA AFG Program is to enhance, through financial assistance, the safety of the public and firefighters regarding fire and fire-related hazards. The Fire Department applied to FEMA on July 2, 2012, to include an equipment project in the FY2012 AFG Program. The purpose of this project is to purchase a new Type 1 NFPA-compliant fire engine/pumper to assist the Fire Department in fulfilling its mission statement of providing the community with professional, courteous, and proficient service; to protect life, property, and the environment; and to create a safe environment in which to live and work. FEMA notified the Fire Department on May 10, 2013, that its grant application was approved for inclusion in the FY2012 AFG Program as Grant No. EMW-2012-FV-01221 with a total award amount of \$412,720. The amount includes the cost to purchase a fire engine/pumper and additional equipment such as ladders, hoses, and nozzles; personnel costs and travel expenses related to the scope of work for the project; and taxes. The grant's period of performance is from May 1, 2013, through April 30, 2014.

FISCAL IMPACT: Should the City Council approve this item, the Fire Department will formally receive a total award amount of \$412,720 from the FY2012 AFG Program. Pursuant to the terms of proposed Agreement No. 13-33, 90 percent of the cost to purchase a fire engine/pumper, or \$371,448, would be covered by the FY2012 AFG Program with federal funds. The City would be required to provide the remaining 10 percent, or \$41,272, from the Vehicle Replacement Fund.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 13-33 with the Federal Emergency Management Agency to receive a total award amount of \$412,720 from the FY2012 Assistance to Firefighters Grant Program for purchase of a fire engine/pumper.

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



FEMA

U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES

ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - Vehicle Acquisition program

GRANTEE: Montclair Fire Department

PROGRAM: Vehicle Acquisition

AGREEMENT NUMBER: EMW-2012-FV-01221

AMENDMENT NUMBER:

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Article VII	GPD Allocations
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Article IX	FEMA Officials
Article X	Central Contractor Registration (CCR)

Article I - Project Description

The purpose of the Assistance to Firefighters Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the grantee's project submitted as part of the grantee's application, and detailed in the project narrative as well as the request details section of the application - including budget information - is consistent with the program's purpose and worthy of award. Therefore, the grantee shall perform the work described in the approved grant application as itemized in the request details section of the application and further described in the grant application's narrative. These sections of the application are made a part of these grant agreement articles by reference. The grantee may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval from FEMA.

Article II - Grantee Concurrence

By providing the Primary Contact's electronic signature and indicating acceptance of the award, the grantee accepts and agrees to abide by the terms and conditions of the grant as set forth in this document and the documents identified below. Grantees agree that they will use the funds provided through the Fiscal Year 2012 Assistance to Firefighters Grant Program in accordance with these Articles of Agreement and the

program guidelines provided in the Fiscal Year 2012 Assistance to Firefighters Grant program guidance. All documents submitted as part of the application are made a part of this agreement by reference.

Article III - Period of Performance

The period of performance shall be from **01-MAY-13 to 30-APR-14**.

Article IV - Amount Awarded

The amount of the award is detailed on the Obligating Document for the Award attached to these articles. Following are the budgeted estimates for each object class of this grant (including Federal share plus grantee match):

Personnel	\$2,200.00
Fringe Benefits	\$0.00
Travel	\$1,000.00
Equipment	\$374,000.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$35,520.00
Indirect Charges	\$0.00
Total	\$412,720.00

NEGOTIATION COMMENTS IF APPLICABLE (max 4000 characters)

The Program Office has made the following reduction to the grant:

The approved cost for the Pumper/Engine is \$ 350,000 not \$ 420,000.

Therefore, they have recommended the award at this level:

Total budget \$ 412,720
Federal share \$ 371,448
Applicant share \$ 41,272

Any questions pertaining to the award package, please contact the GPD Grants Management Specialist: Earl Davis at Earl.Davis@dhs.gov.

Article V - Financial Guidelines

The grantee and any subgrantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to FEMA grants are listed below:

A. Administrative Requirements

1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110)

B. Cost Principles

1. 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
2. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
3. 2 CFR Part 230, Cost Principles for Nonprofit Organizations (OMB Circular A-122)
4. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

C. Audit Requirements

1. OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations

Article VI - Prohibition on Using Federal Funds

Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.

Article VII - GPD Allocations

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the FY 2012 Assistance to Firefighters Grant Program guidance and application kit.

Article VIII - Financial Reporting

Recipients of any Assistance to Firefighters Grants will be required to submit a semi-annual Federal Financial Report (FFR) via the automated system on the Standard Form 425. The FFR is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements throughout the government. The FFR, to be submitted using the online e-grant system, will be due semi-annually based on the calendar year beginning with the period after the award is made. Grant recipients will be required to submit a FFR throughout the entire period of performance of the grant.

The reporting periods for the FFR are January 1 through June 30 (Report due by July 31), and July 1 through December 31 (Report due by January 30).

At the end of the grant's period of performance, all grantees are required to produce a final report on how the grant funding was used and the benefits realized from the award. Grantees must submit a final financial report and a final performance report within 90 days after the end of the period of performance.

Article IX - FEMA Officials

Program Officer: Catherine Patterson is the Program Officer for the Assistance to Firefighters Grant Program. The Program Officer is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application.

Grants Assistance Officer: Katrice Hagan is the Assistance Officer for this grant program. The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

Grants Management Division POC: The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

Article X - Central Contractor Registration (CCR)

Recipients of an AFG grant are required Central Contractor Registration (CCR) in the SAM.gov system. Active registration in the Central Contractor Registry ensures grantees are compliant with Federal regulations under Federal Financial Accountability and Transparency Act (FFATA). CCR registration is free, and may take up to 5 to 10 business days to process. For help with registering in the CCR, please visit SAM.gov for more information.

**FEDERAL EMERGENCY MANAGEMENT AGENCY
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1. AGREEMENT NO.
EMW-2012-FV-01221

2. AMENDMENT NO.
0

3. REQUESTING NO.
95-6005731

4. TYPE OF ACTION
AWARD

5. CONTROL NO.
W279230N

6. RECIPIENT NAME AND ADDRESS
Montclair Fire Department
8901 Monte Vista Avenue
Montclair
California, 91763-2308

7. GRANTING OFFICE NAME AND ADDRESS
Grant Programs Directorate
500 C Street, S.W.
Washington DC, 20528-7000
POC: Katrice Hagan

8. GRANTING OFFICE ADDRESS
FEMA, Financial Services Branch
500 C Street, S.W., Room 723
Washington DC, 20472

9. NAME OF PERSONNEL FROM AGENCY
Patrick Mccutcheon

10. PHONE NO.
9094473540

11. NAME OF PROJECT COORDINATOR
Catherine Patterson

12. PHONE NO.
1-866-274-0960

13. EFFECTIVE DATE OF THIS ACTION
01-MAY-13

14. METHOD OF PAYMENT
SF-270

15. ASSISTANCE ARRANGEMENT
Cost Sharing

16. PERFORMANCE PERIOD
From:01-MAY-13 To:30-APR-14

Budget Period
From:01-NOV-12 To:30-SEP-13

17. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME AGENCY	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON FEDERAL COMMITMENT
AFG	97.044	2013-1C-C111-P4000000-4101-D	\$0.00	\$371,448.00	\$371,448.00	\$41,272.00
TOTALS			\$0.00	\$371,448.00	\$371,448.00	\$41,272.00

18. ADDITIONAL FUNDS OR OTHER FUNDING SOURCES AVAILABLE TO THE RECIPIENT
N/A

19. SIGNATURE REQUIREMENTS
RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for details)

Assistance to Firefighters Grant recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

20. FOR DISASTER PROGRAMS, RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

21. RECIPIENT SIGNATORY OFFICIAL (NAME AND TITLE)
N/A

DATE
N/A

22. FEMA SIGNATORY OFFICIAL (NAME AND TITLE)
Katrice Hagan

DATE
01-MAY-13

[Go Back](#)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the _____ day of _____, 2013.

**FEDERAL EMERGENCY MANAGEMENT
AGENCY**

CITY OF MONTCLAIR

Timothy W. Manning
Deputy Administrator
National Preparedness and Protection

Paul M. Eaton
Mayor

ATTEST:

Yvonne L. Smith
Deputy City Clerk



FEMA

Mr. Patrick Mccutcheon
Montclair Fire Department
8901 Monte Vista
Montclair, California 91763-2308

Re: Grant No.EMW-2012-FV-01221

Dear Mr. Mccutcheon:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2012 Assistance to Firefighters Grant has been approved. FEMA's Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to \$412,720.00. The Federal share is 90 percent or \$371,448.00 of the approved amount and your share of the costs is 10 percent or \$41,272.00.

As part of your award package, you will find Grant Agreement Articles. Please make sure you read and understand the Articles as they outline the terms and conditions of your grant award. Maintain a copy of these documents for your official file. **You establish acceptance of the grant and Grant Agreement Articles when you formally receive the award through the AFG online system.** By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval from FEMA.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the awards process or how to request your grant funds, please call the helpdesk at 1-866-274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy W. Manning".

Timothy W. Manning
Deputy Administrator for National Preparedness and Protection

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
MAY 6, 2013, AT 8:10 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Mayor Pro Tem Ruh called the meeting to order at 8:10 p.m.

II. ROLL CALL

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

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of April 15, 2013.

Moved by City Manager Starr, seconded by Council Member Raft, and carried unanimously to approve the minutes of the Personnel Committee meeting of April 15, 2013.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

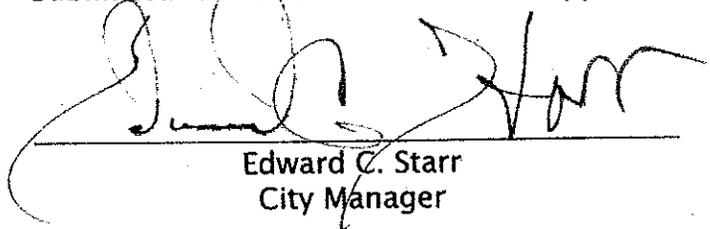
At 8:11 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 8:28 p.m., the Personnel Committee returned from Closed Session. Mayor Pro Tem Ruh stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 8:28 p.m., Mayor Pro Tem Ruh adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager

CITY OF MONTCLAIR

TREASURER'S REPORT

FOR THE MONTH ENDING

April 30, 2013

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STATEMENT OF CASH AND INVESTMENT ACCOUNTS

GRAPH

CASH AND INVESTMENTS BY ACCOUNT

CITY OF MONTCLAIR
STATEMENTS OF COMPLIANCE WITH THE INVESTMENT POLICY
AND
INVESTMENT STRATEGY FOR MAY 2013

April 30, 2013

COMPLIANCE STATEMENT

As of April 30, 2013, the City had \$11,300,141 invested in various financial instruments. This conforms with the investment policy approved by the City Council.

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


Janet Kulbeck
Accountant

INVESTMENT STRATEGY FOR THE MONTH OF APRIL 2013

During May surplus moneys will be invested in the Local Agency Investment Fund and other investments authorized in the Investment Policy. The City has sufficient funds available to meet expenditures during the six month period ending October 31, 2013.

**CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENTS BY FUND
AS OF April 30, 2013**

Fund	Beginning Balance	Receipts	Disbursements	Interfund Transfers	Ending Balance
General Fund	(\$3,060,937.07)	\$3,251,632.71	\$2,518,337.85	\$30,958.91	(\$2,296,683.30) (1)
Gas Tax Fund	\$1,345,829.29	\$103,634.91	\$120,709.17	\$0.00	\$1,328,755.03
Measure I Fund	\$1,051,674.47	\$37,872.87	\$0.00	\$0.00	\$1,089,547.34
Traffic Safety Fund	\$149,345.70	\$10,988.84	\$0.00	\$21,306.09	\$181,640.63
Disability Access Fee Fund	\$607.00	\$268.00	\$0.00	\$0.00	\$875.00
Park Development Fund	\$415,029.32	\$53,630.82	\$154.23	(\$6,000.00)	\$462,705.91
C.D.B.G. Fund	\$72,482.63	\$79,005.33	\$0.00	\$0.00	\$151,487.96
Air Quality Improvement Trust Fund	\$109,383.02	\$1,531.00	\$3,564.31	\$0.00	\$107,349.71
Older American Fund	(\$15,462.81)	\$11,477.35	\$11,965.02	\$0.00	(\$15,950.48) (2)
Forfeiture Fund - State	\$64,542.84	\$12,971.39	\$0.00	\$0.00	\$77,514.23
Prop 30 / SB 109	\$0.00	\$37,960.00	\$0.00	\$0.00	\$37,960.00
SB 509 Public Safety Fund	(\$66,860.50)	\$22,383.00	\$0.00	\$0.00	(\$44,477.50) (4)
Forfeiture Fund - Federal	\$18,657.65	\$5,037.52	\$3,448.20	\$0.00	\$20,246.97
Section 11489 Subfund	\$37,532.82	\$2,289.07	\$0.00	\$0.00	\$39,821.89
Federal Forfeiture Fund - Treasury	\$230.97	\$0.00	\$0.00	\$0.00	\$230.97
School Districts Grant Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
State Supplemental Law Enforcement Fund	\$158,864.27	\$42,679.42	\$0.00	\$0.00	\$201,543.69
Local Law Enforcement Block Grant	(\$6,444.52)	\$14,622.00	\$0.00	\$0.00	\$8,177.48
Crime Prevention Fund	\$9,903.96	\$46.39	\$0.00	\$0.00	\$9,950.35
Recycling Grant	\$11,992.42	\$10,646.00	\$0.00	\$0.00	\$22,638.42
After School Program Fund	\$106,038.17	\$140,740.94	\$121,751.82	\$0.00	\$124,027.29
California Nutrition Network Grant Fund	(\$44,373.16)	\$0.00	\$4,295.72	\$0.00	(\$48,668.88) (2)
Human Services Special Revenue Grant	\$23,843.51	\$0.00	\$8,777.93	\$0.00	\$15,065.58
Fire Department Grant Fund	(\$39,855.14)	\$27,145.45	\$27,145.45	\$0.00	(\$39,855.14) (2)
Human Services Grant Fund	\$47,393.85	\$4,103.40	\$416.32	\$0.00	\$51,080.93
Paramedic Fund	(\$338,047.94)	\$6,748.93	\$23,219.04	\$0.00	(\$354,518.05) (4)
Economic Development	\$1,759,192.36	\$0.00	\$0.00	\$0.00	\$1,759,192.36
2005 lease Revenue Bond Debt Service	(\$745,951.96)	\$126,300.00	\$0.00	\$0.00	(\$619,651.96) (3)
Sewer Maintenance Fund	\$539,672.88	\$252,757.16	\$190,265.02	(\$4,700.00)	\$697,465.02
Sewer Replacement Fund	\$950,269.20	\$0.00	\$0.00	\$0.00	\$950,269.20
C.B.M.W.D. Agency	\$2,646,175.20	\$97,080.39	\$0.00	\$0.00	\$2,743,255.59
Sewer Expansion Fee	\$6,133.10	\$9,710.01	\$0.00	\$0.00	\$15,843.11
Developer Impact Fees - Local	\$199,303.01	\$7,816.80	\$0.00	\$0.00	\$207,119.81
Developer Impact Fees - Region	\$1,049,042.45	\$17,592.40	\$0.00	\$0.00	\$1,066,634.85
Burtec Pavement Impact Fee	\$46,163.19	\$0.00	\$0.00	\$0.00	\$46,163.19
Utility Undergrounding In Lieu	\$46,883.20	\$0.00	\$0.00	\$0.00	\$46,883.20
General Plan Update Fee	\$42,818.33	\$734.25	\$0.00	\$0.00	\$43,552.58
Infrastructure Fund	\$363,765.91	\$54,779.85	\$98,283.86	\$0.00	\$320,261.90
Contingency Fund	\$3,410,473.78	\$0.00	\$0.00	\$0.00	\$3,410,473.78
Youth Sponsorship Fund	\$77,753.01	\$0.00	\$0.00	\$0.00	\$77,753.01
Assigned General Fund Reserves	\$6,207,373.57	\$123,198.56	\$83,879.79	(\$41,565.00)	\$6,205,127.34
TOTALS	\$16,649,437.98	\$4,567,584.76	\$3,216,213.73	\$0.00	\$18,000,809.01

Notes on negative cash balances:

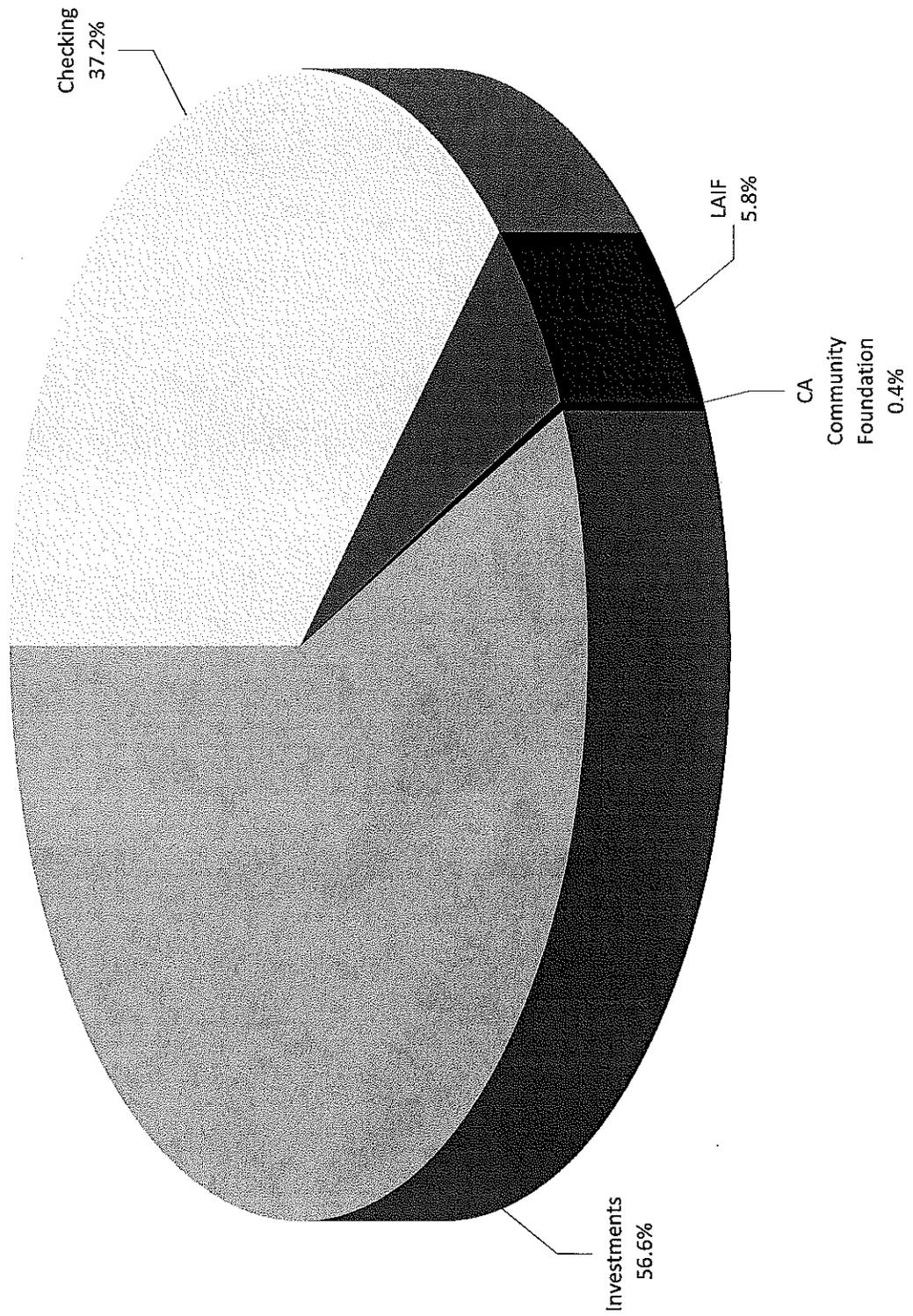
- (1) The General Operational Fund has a negative cash for the majority of the fiscal year awaiting property and sales tax collections. This is covered by the Contingency Fund and other General Fund Reserve Funds until those collections are received and the City is not utilizing restricted resources.
- (2) These are reimbursable grant funds that utilize general pool monies initially to cover expenditures pending reimbursement from the granting agencies. Therefore, it is not uncommon for these to be negative until that reimbursement is received.
- (3) This debt service operation utilizes transaction and use taxes which are part of the sales tax. These have not been fully received for the current year yet and the City has paid the debt service as required which causes this temporary negative cash. The transaction and use taxes are estimated to cover debt service for the fiscal year.
- (4) These funds have had operational deficits from prior years. That deficit has been addressed during the budgeting process and will be recaptured through future revenues or from the Contingency Fund at fiscal year-end.

**CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENT ACCOUNTS
AS OF April 30, 2013**

	Par Value	Purchase Date	Maturity Date	Coupon Interest Rate	Current Market Value	Balance at Cost	Totals
CHECKING ACCOUNT							
Checking Account				0.500%			\$ 6,700,667.55
CASH W/FISCAL AGENT, CD's, LAIF DEPOSITS, AND SHORT-TERM U.S. AGENCY SECURITIES							
CD - Metlife Bank		11/10/10	11/12/13	1.300%	240,000.00	240,000.00	
CD - GE Money Bank		11/12/10	05/12/13	1.000%	240,000.00	240,000.00	
CD - Ally Bank		11/12/10	11/12/13	1.350%	148,000.00	148,000.00	
Local Agency Investment Fund (LAIF)				0.250%	1,045,049.59	1,045,049.59	
Cash w/California Community Foundation				Unknown	77,753.01	77,753.01	
					<u>\$ 1,750,802.60</u>	<u>\$ 1,750,802.60</u>	
U.S. AGENCY SECURITIES (1 to 3 years)							
FAMCA	550,000	04/14/11	2/3/2014	1.340%	554,304.88	549,338.86	
FNMA	1,000,000	07/19/11	07/19/16	2.125%	1,003,790.00	1,000,000.00	
					<u>\$ 1,558,094.88</u>	<u>\$ 1,549,338.86</u>	
U.S. AGENCY SECURITIES (Over 3 Years)							
FFCB	2,000,000	10/18/12	10/18/17	0.870%	2,006,060.00	2,000,000.00	
FHLB	2,000,000	11/13/12	11/13/17	0.875%	2,000,540.00	2,000,000.00	
FNMA	2,000,000	11/14/12	11/14/17	0.900%	2,000,620.00	2,000,000.00	
FNMA	2,000,000	11/15/12	11/15/17	1.000%	2,000,760.00	2,000,000.00	
					<u>\$ 11,124,169.76</u>	<u>\$ 8,000,000.00</u>	
TOTAL							<u>\$ 18,000,809.01</u>

Current market values obtained from First Tennessee Bank.

CITY OF MONTCLAIR
CASH AND INVESTMENTS BY ACCOUNT
April 30, 2013
Total Cash & Investments \$18,000,809



**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
TREASURER'S REPORT**

FOR THE MONTH ENDING

April 30, 2013

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SCHEDULE 2 - STATEMENT OF CASH AND INVESTMENTS

CASH AND INVESTMENTS GRAPH

Schedule 1

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH AND INVESTMENTS BY FUND
April 30, 2013**

PROJECT AREA NO. I

Low Income	\$	274.43	
Tax Increment		0.00	
Operating		<u>2,284.02</u>	\$ 2,558.45

PROJECT AREA NO. II

Special Housing	\$	0.00	
Low Income		0.00	
Tax Increment		0.00	
Operating		<u>0.00</u>	\$ 0.00

PROJECT AREA NO. III

Low Income	\$	2,953.88	
Tax Increment		0.00	
Operating		<u>140,047.93</u>	\$ 143,001.81

PROJECT AREA NO. IV

Low Income	\$	2,057.79	
Tax Increment		0.00	
Operating		<u>40,933.53</u>	\$ 42,991.32

PROJECT AREA NO. V

Low Income	\$	2,946.59	
Tax Increment		0.00	
Operating		<u>83,489.21</u>	\$ 86,435.80

MISSION BLVD JOINT PROJECT

Low-Moderate Housing	\$	0.00	
Tax Increment		0.00	
Operating		<u>11,391.17</u>	\$ 11,391.17

ROPS

ROPS		0.00	
ROPS Area I		0.00	
ROPS Area II		0.00	
ROPS Area III		0.00	
ROPS Area IV		0.00	
ROPS Area V		0.00	
ROPS Area VI		<u>0.00</u>	\$ 0.00

BOND PROCEED FUNDS

Tax Exempt Bond Proceeds	9,743,129.42	
Taxable Bond Proceeds	4,421,444.05	14,164,573.47

TOTAL CASH & INVESTMENTS BY FUND

	<u>\$ 14,450,952.02</u>
--	-------------------------

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH AND INVESTMENTS
April 30, 2013**

	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Market Value</u>	<u>Book Value</u>
Checking Account				
Wells Fargo		0.05%	303,647.01	303,647.01
US Bank			161,040.50	161,040.50
Investments				
LAIF		0.27%	764.96	764.96
Bond proceed funds				
CA State Variable Purpose Refunding	10/01/18	5.00%	1,432,450.60	1,190,000.00
CA State Variable Purpose Refunding	04/01/20	5.00%	4,016,161.15	3,365,000.00
Chabot-Las Positas Comm College	08/01/19	3.00%	1,685,338.50	1,525,000.00
CA State Dept Water Central Valley	12/01/19	3.00%	1,213,268.70	1,085,000.00
Bay Area Toll Authority Refunding SF	04/01/21	5.00%	1,970,088.75	1,575,000.00
CA State Variable Purpose Refunding	02/01/20	4.00%	1,152,840.00	1,000,000.00
LA County Met Transportation Auth	07/01/20	5.00%	2,525,620.00	2,000,000.00
Premium paid on investments (to be recovered upon sale)				2,245,499.55
TOTAL CASH & INVESTMENTS			<u>14,461,220.17</u>	<u>14,450,952.02</u>

NOTE:

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

The Successor Agency has sufficient funds available to meet expenditures during the six-month period ending October 31, 2013.

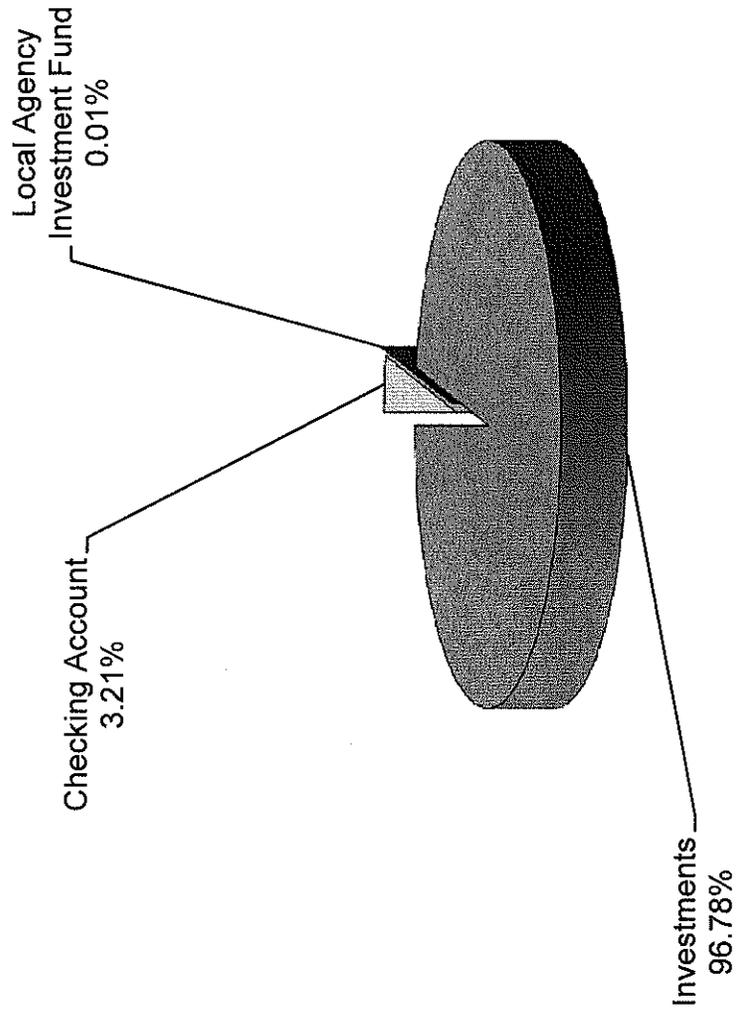
During April, the Successor Agency was in compliance with the internal control procedures set forth in its Investment Policy.



Michael Piotrowski
Senior Accountant

**CITY OF MONTCLAIR AS SUCCESSOR TO THE REDEVELOPMENT AGENCY
CASH AND INVESTMENTS GRAPH
April 30, 2013**

Total Cash & Investments - \$14,450,952



**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
WARRANT REGISTER**

FOR THE MONTH ENDING

April 30, 2013

City of Montclair
Final Warrant Register
Council Date 5/20/13
Regular Warrants
Checking Account: Successor to the RDA

	Warrants	Voided Checks	US Bank transfers - out (in) ***	Area Totals
Project Area I	36,782.97	0.00	626.12	37,409.09
Project Area II	0.00	0.00		0.00
Project Area III	4,147,165.10	0.00	11,478.57	4,158,643.67
Project Area IV	1,029,675.89	0.00	(361.49)	1,029,314.40
Project Area V	2,294,797.79	0.00	(849.33)	2,293,948.46
Project Area VI - Mission Blvd	370,808.65	0.00	65.43	370,874.08
RORF (Redevelopment Obligation Retirement Funds)	0.00	0.00	0.00	0.00
Tax exempt bond proceeds	77.73			77.73
Taxable bond proceeds	35.27			35.27
	<u>7,879,343.40</u>	<u>0.00</u>	<u>10,959.30</u>	

*** Includes 10,959.30 transferred to MHA as per JE# 71-10-2013

April 2013 Total

7,890,302.70

Vice Chairman Ruh

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: 5-20-13
REGULAR WARRANTS
CHECKING ACCOUNT: SRDA

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
2120	Project Area I Operating Fund	36,699.25
2320	Project Area III Operating Fun	4,146,160.56
2420	Project Area IV Operating Fund	1,028,978.29
2520	Project Area V Operating Fund	2,293,793.25
2620	Mission Blvd Operating Fund	370,808.65
Report Total:		7,876,440.00

C

7,876,440.00 +
2,903,40 +
7,879,343.40 *

Accounts Payable Voucher Register By Vendor Number

User: mpiotrowski
Printed: 05/13/2013 - 9:55 AM



Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
007492	SBCAu0012120-0000-67010-400	County of San Bernardino Audit	SA-Area I Operating Fund-DDR Portion	04232013	04/23/2013		04/23/2013	36,699.25	7492
007492	SBCAu0012320-0000-67010-400	County of San Bernardino Audit	SA-Area III Operating Fund-DDR Portion	04232013	04/23/2013		04/23/2013	4,146,160.56	7492
007492	SBCAu0012420-0000-67010-400	County of San Bernardino Audit	SA-Area IV Operating Fund-DDR Portion	04232013	04/23/2013		04/23/2013	1,028,978.29	7492
007492	SBCAu0012520-0000-67010-400	County of San Bernardino Audit	SA-Area V Operating Fund-DDR Portion	04232013	04/23/2013		04/23/2013	2,293,793.25	7492
007492	SBCAu0012620-0000-67010-400	County of San Bernardino Audit	SA-Area V Operating Fund-DDR Portion	04232013	04/23/2013		04/23/2013	370,808.65	7492
								Voucher: 007492	7,876,440.00
								Report Total:	7,876,440.00

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: 5-20-13
REGULAR WARRANTS
CHECKING ACCOUNT: SRDA

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
2120	Project Area I Operating Fund	83.72
2320	Project Area III Operating Fun	1,004.54
2420	Project Area IV Operating Fund	697.60
2520	Project Area V Operating Fund	1,004.54
2810	Tax Exempt Bond Proceeds	77.73
2820	Taxable Bond Proceeds	35.27

	Report Total:	2,903.40

Accounts Payable Voucher Register By Vendor Number

User: mpiotrowski
Printed: 05/13/2013 - 9:53 AM



Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
008008	Firs014	2810-0000-37010-300	FTB Safekeeping Fees 12/26/13 - 3/25/13	5038900	03/25/2013		04/11/2013	77.73	8008
	First Tennessee Bank								
008008	Firs014	2820-0000-37010-300	FTB Safekeeping Fees 12/26/13 - 3/25/13	5038900	03/25/2013		04/11/2013	35.27	8008
	First Tennessee Bank								
								Voucher: 008008	113.00
008009	Mont063	2120-4319-52630-400	Rent for May 2013	May 2013	04/15/2013		04/30/2013	83.72	8009
	Montclair Town Center LLC								
008009	Mont063	2320-4319-52630-400	Rent for May 2013	May 2013	04/15/2013		04/30/2013	1,004.54	8009
	Montclair Town Center LLC								
008009	Mont063	2420-4319-52630-400	Rent for May 2013	May 2013	04/15/2013		04/30/2013	697.60	8009
	Montclair Town Center LLC								
008009	Mont063	2520-4319-52630-400	Rent for May 2013	May 2013	04/15/2013		04/30/2013	1,004.54	8009
	Montclair Town Center LLC								
								Voucher: 008009	2,790.40
								Report Total:	2,903.40

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

April 30, 2013

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SCHEDULE 1 - STATEMENT OF CASH AND INVESTMENTS

CASH AND INVESTMENTS GRAPH

**CITY OF MONTCLAIR
HOUSING CORPORATION
STATEMENT OF CASH AND INVESTMENTS
April 30, 2013**

	<u>Interest Rate</u>	<u>Amount</u>
Checking Account		
Wells Fargo	0.05%	\$ 633,948.95
US Bank		218,099.87
Investments		
LAIF	0.26%	\$ 1,577,687.75
TOTAL CASH & INVESTMENTS		\$ <u>2,429,736.57</u>

NOTE:

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

The Corporation has sufficient funds available to meet expenditures during the six-month period ending October 31, 2013.

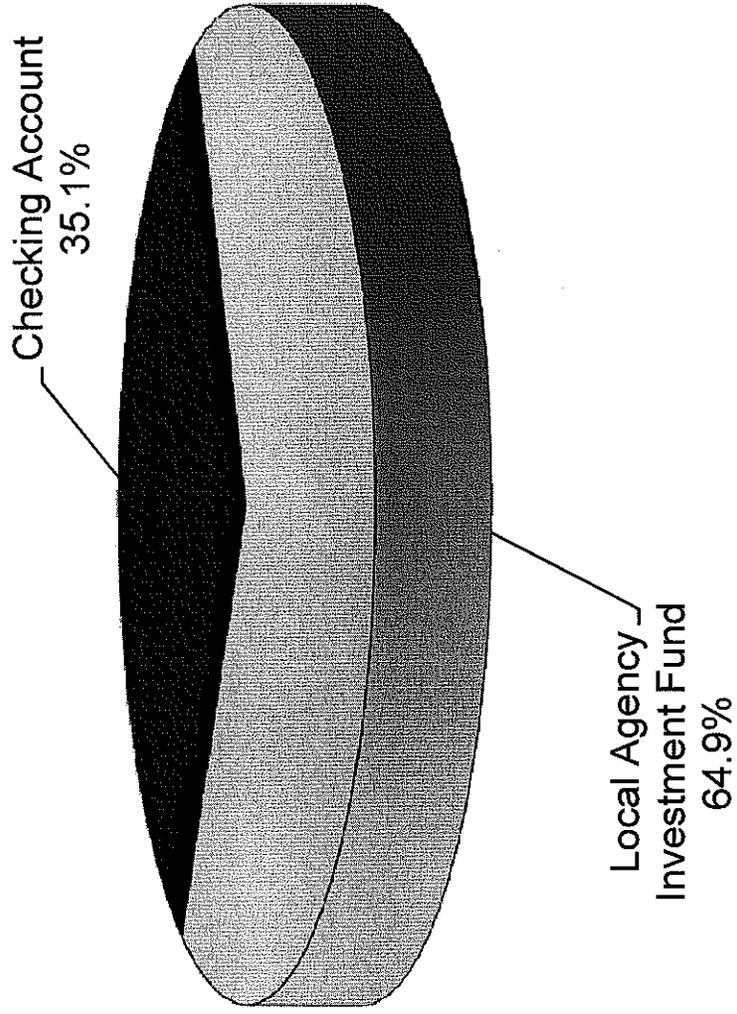
During April 2013, the Corporation was in compliance with the internal control procedures set forth in its Investment Policy.



Michael Piotrowski
Senior Accountant

**CITY OF MONTCLAIR
HOUSING CORPORATION
CASH AND INVESTMENTS GRAPH
April 30, 2013**

Total Cash & Investments - \$2,429,737



**CITY OF MONTCLAIR
HOUSING CORPORATION
WARRANT REGISTER**

FOR THE MONTH ENDING

April 30, 2013

City of Montclair
Final Warrant Register
Council Date 5/20/13
Regular Warrants
Checking Account: MHC

<u>Warrants</u>	<u>Voided Checks</u>	<u>US Bank transfers - out.</u>	<u>Totals</u>
53,959.16	0.00	0.00	53,959.16
April 2013 Total			<u><u>53,959.16</u></u>

Vice Chairman Ruh

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: 5-20-13
REGULAR WARRANTS
CHECKING ACCOUNT: MHC

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
3001	General Fund	53,959.16
	Report Total:	53,959.16

Accounts Payable Voucher Register By Vendor Number

User: mpiotrowski
Printed: 05/07/2013 - 9:55 AM



Voucher Number	Vendor No/Name/Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
004031	Buch002 3001-4330-56170-400 Buchbinder Maintenance, Inc.	5444 Palo Verde-remove & dismantle	040113-A	04/01/2013		04/11/2013	2,400.00	4031
004031	Buch002 3001-4330-56170-400 Buchbinder Maintenance, Inc.	5444 Palo Verde-remove & dismantle-	040113-B	04/01/2013		04/11/2013	1,700.00	4031
004031	Buch002 3001-4330-56170-400 Buchbinder Maintenance, Inc.	5444 Palo Verde-hub	040213-A	04/01/2013		04/11/2013	1,652.61	4031
					Voucher: 004031		5,752.61	
004032	Enco001 3001-4330-56170-400 Encore Image	4811 Canoga-Apt bldg lettering	47900	03/26/2013		04/11/2013	2,059.92	4032
004032	Enco001 3001-4330-56170-400 Encore Image	4820 Canoga-Apt bldg lettering	47901	03/26/2013		04/11/2013	1,959.30	4032
004032	Enco001 3001-4330-56170-400 Encore Image	4791 Canoga-Apt bldg lettering	47963	03/26/2013		04/11/2013	1,592.85	4032
					Voucher: 004032		5,612.07	
004033	Grec003 3001-4330-56170-400 Grecian Marble-Onyx	4820 Canoga-wall panels	32813	03/28/2013		04/11/2013	1,350.00	4033
					Voucher: 004033		1,350.00	
004034	Hele001 3001-4330-56100-400 Helena Gardens Apartment	Canoga Apts-May 2013 Assessment	May 2013	04/11/2013		04/11/2013	243.35	4034
004034	Hele001 3001-4330-56100-400 Helena Gardens Apartment	4791 Canoga Apt-May 2013 Assessment	May 2013	04/11/2013		04/11/2013	109.95	4034
					Voucher: 004034		353.30	
004035	Hugo001 3001-4330-56170-400 Hugo Jaramillo	10323/10333 Amherst-roof,eves,façia	1803	04/09/2013		04/11/2013	12,484.00	4035

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
004043	mont074	3001-4330-56100-400	10380 Amherst 020813-040513	06708703	04/05/2013		04/25/2013	220.48	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	10390 Amherst 020813-040513	06708805	04/05/2013		04/25/2013	187.32	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	10410 Amherst 020813-040513	06711505	04/05/2013		04/25/2013	241.19	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	10383 Amherst 020813-040513	06713506	04/05/2013		04/25/2013	241.19	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	10333 Amherst 020813-040513	06714001	04/05/2013		04/25/2013	295.96	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	10323 Amherst 020813-040513	06714105	04/05/2013		04/25/2013	162.46	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	10313 Amherst 020813-040513	06714206	04/05/2013		04/25/2013	214.25	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	4791 Canoga 020813-040513	06912003	04/05/2013		04/25/2013	187.32	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	4820 Canoga 020813-040513	07001602	04/05/2013		04/25/2013	232.90	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	4820 Canoga 020813-040513	07001802	04/05/2013		04/25/2013	110.67	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	4811 Canoga 020813-040513	07002002	04/05/2013		04/25/2013	251.55	4043
	Monte Vista Water District								
004043	mont074	3001-4330-56100-400	4811 Canoga 020813-040513	07002202	04/05/2013		04/25/2013	166.61	4043
	Monte Vista Water District								
							Voucher: 004043	3,866.15	
004044	sout018	3001-4330-56100-400	4811 Canoga Gate 031213-041013	2024259988	04/13/2013		04/25/2013	23.91	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	4820 Canoga 031213-041013	2038187969	04/12/2013		04/25/2013	213.51	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	4811 Canoga 031213-041013	2038188173	04/13/2013		04/25/2013	239.86	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	10380 Pradera 0314-041213	2185722790	04/13/2013		04/25/2013	37.43	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	10390 Pradera 0314-041213	2185722824	04/13/2013		04/25/2013	29.89	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	10410 Amherst 031213-041013	2315792325	04/13/2013		04/25/2013	35.99	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	10330 Amherst 031213-041013	2315959668	04/13/2013		04/25/2013	35.11	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	10830 Amherst 031213-041013	2315959668	04/13/2013		04/25/2013	37.31	4044
	Southern California Edison Co								
004044	sout018	3001-4330-56100-400	5444 1/2 Palo Verde 0314-041213	2336647847	04/13/2013		04/25/2013	5.89	4044
	Southern California Edison Co								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
004044	sout018	3001-4330-56100-400	5444 Palo Verde 0314-041213	2337387070	413	04/13/2013	04/25/2013	8.93	4044
	Southern California Edison Co								
							Voucher: 004044	667.83	
004045	Sout021	3001-4330-56100-400	4811 Canoga 031413-041313	15782395006	413	04/16/2013	04/25/2013	214.58	4045
	Southern California Gas Co								
004045	Sout021	3001-4330-56100-400	4820 Canoga 031413-041313	18932395009	413	04/16/2013	04/25/2013	178.70	4045
	Southern California Gas Co								
004045	Sout021	3001-4330-56100-400	10390 Amherst 031413-041313	19572389484	413	04/16/2013	04/25/2013	29.65	4045
	Southern California Gas Co								
							Voucher: 004045	422.93	
004046	TKRP001	3001-4330-56170-400	4820 Canoga-bathroom	5814		03/04/2013	04/25/2013	1,450.00	4046
	T.K.R. Plumbing								
							Voucher: 004046	1,450.00	
							Report Total:	53,959.16	

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

April 30, 2013

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SCHEDULE 1 - STATEMENT OF CASH AND INVESTMENTS

CASH AND INVESTMENTS GRAPH

Schedule 1

CITY OF MONTCLAIR
HOUSING AUTHORITY
STATEMENT OF CASH AND INVESTMENTS
April 30, 2013

	<u>Interest Rate</u>	<u>Amount</u>
Checking Account		
US Bank		509,484.82
Investments		
LAIF	\$	0.00
TOTAL CASH & INVESTMENTS	\$	<u><u>509,484.82</u></u>

NOTE:

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

The Authority has sufficient funds available to meet expenditures during the six-month period ending October 31, 2013.

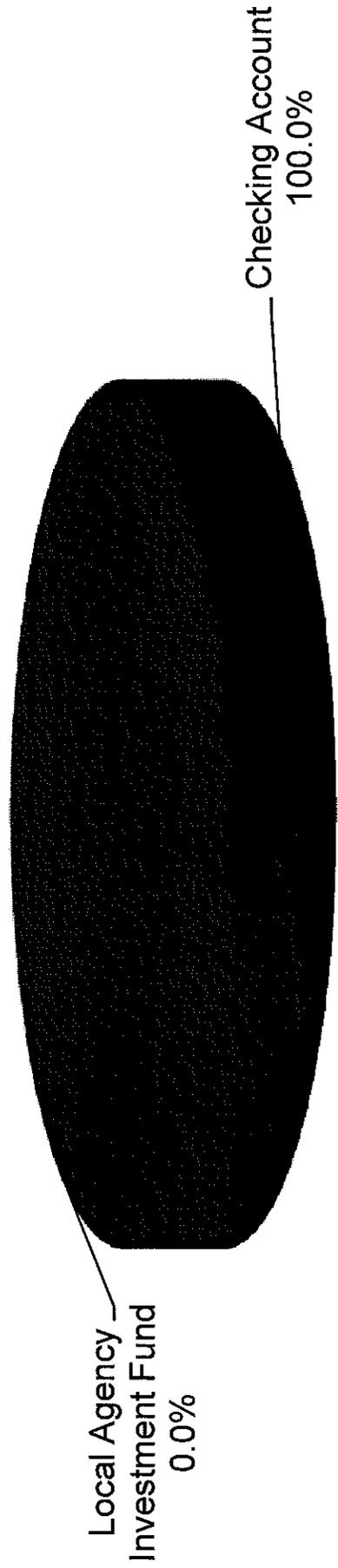
During April 2013, the Authority was in compliance with the internal control procedures set forth in its Investment Policy.



Michael Piotrowski
Senior Accountant

**CITY OF MONTCLAIR
HOUSING AUTHORITY
CASH AND INVESTMENTS GRAPH
April 30, 2013**

Total Cash & Investments - \$509,485



**CITY OF MONTCLAIR
HOUSING AUTHORITY
WARRANT REGISTER
FOR THE MONTH ENDING
April 30, 2013**

City of Montclair
Final Warrant Register
Council Date 5/20/13
Regular Warrants
Checking Account: MHA

<u>Warrants</u>	<u>Voided Checks</u>	<u>US Bank transfers - out.</u>	<u>Totals</u>
125.00	0.00	0.00	125.00

April 2013 Total

125.00

Vice Chairman Ruh

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: 5-20-13
REGULAR WARRANTS
CHECKING ACCOUNT: MHA

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
4001	Low/Moderate Income Hsg Asset	125.00
	Report Total:	125.00

Accounts Payable Voucher Register By Vendor Number



User: mpiotrowski
Printed: 05/14/2013 - 8:21 AM

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
001002	Land012	4001-4350-56100-400	Monthly Service for March 2013	4113/4/13	04/02/2013		04/30/2013	125.00	1002
		Landscape Maintenance Unlimate							
							Voucher: 001002	125.00	
							Report Total:	125.00	