

CITY OF MONTCLAIR

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

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

July 15, 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.cityofmontclair.org 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. Introduction of Promotee
- B. 2013 Home Beautification Awards

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. Adoption of Resolution No. 13-2994 Amending the Master User Fee Schedule [CC] 5

VIII. CONSENT CALENDAR

A. Approval of Minutes

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

B. Administrative Reports

- 1. Consider Receiving and Filing of Treasurer's Report [CC] 14
- 2. Consider Approval of Warrant Register and Payroll Documentation [CC] 15
- 3. Consider Receiving and Filing of Treasurer's Report [SA] 16
- 4. Consider Approval of Warrant Register [SA] 17
- 5. Consider Receiving and Filing of Treasurer's Report [MHC] 18
- 6. Consider Approval of Warrant Register [MHC] 19
- 7. Consider Receiving and Filing of Treasurer's Report [MHA] 20
- 8. Consider Approval of Warrant Register [MHA] 21
- 9. Consider Amending the Fiscal Years 2013-2018 Capital Improvement Program Adding Additional Funding to the Central Avenue/Union Pacific Railroad Grade Separation Reconstruction Project [CC] 22
- 10. Consider Authorization to Purchase One 2013 Chevrolet Equinox 1LT From Glendora Chevrolet [CC] 26
- 11. Consider Authorization to Purchase One 2014 Ford Explorer From Chino Hills Ford [CC] 27
- 12. Consider Declaring Ropes and Webbing as Surplus and Available for Donation to Mt. San Antonio College for the Fire Technology Program [CC] 28
- 13. Consider Authorizing Staff to Advertise for Bid Proposals for the Northeast Montclair Residential Street Resurfacing Project [CC] 29

C. Agreements – None

D. Resolutions – None

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE – None

XI. COMMUNICATIONS

A. City Attorney

1. Closed Session Pursuant to Government Code Section 54956.9(d)(2)
Regarding Potential Litigation

United States Environmental Protection Agency Settlement Offer –
Casmalia Disposal Site, Santa Barbara County, California

2. Closed Session Pursuant to Government Code Section 54956.9(d)(2)
Regarding Potential Litigation

2 Potential cases

3. Closed Session Pursuant to Government Code Section 54956.9(d)(1)
Regarding Pending Litigation

Patton v. Montclair

4. 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 <i>(for informational purposes only)</i>	
1.	Minutes of the Code Enforcement Committee Meeting of June 17, 2013	30
2.	Minutes of the Public Works Committee Meeting of June 20, 2013	32
3.	Minutes of the Personnel Committee Meeting of July 1, 2013	41

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 potential litigation, pending litigation, and labor negotiations.)

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. 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, August 5, 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 July 11, 2013.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION
NO. 13-2994 AMENDING THE MASTER
USER FEE SCHEDULE

DATE: July 15, 2013
SECTION: PUBLIC HEARINGS
ITEM NO.: A
FILE I.D.: FLP280
DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: In 2003, the City Council directed staff to develop a uniform policy for establishing and recovering user fees and further directed that to the extent possible, such fees are to be consolidated into a single Resolution subject to annual review. In 2006, the City Council adopted Resolution No. 06-2670 amending and adopting the Master User Fee Schedule, as well as the User Fee Cost Recovery Policy. In 2007, pursuant to Resolution No. 06-2670, the City entered into an Agreement with Wohlford Consulting to conduct a cost allocation and user fee study that would allow the City to adjust fees based on a Cost-of-Service Study.

A copy of proposed Resolution No. 13-2994 amending the existing Master User Fee Schedule is attached. *Exhibit A:* Proposed Master User Fee Schedule and *Exhibit B:* Comparative Study Analysis to Resolution No. 13-2994 are included in the City Council agenda packet for consideration.

BACKGROUND: Pursuant to Resolution No. 06-2670, staff is required to annually review user fees to ensure associated costs for the delivery of specified services are appropriately charged to consumers to limit the cost burden on the City's General Fund in accordance with the User Fee Cost Recovery Policy.

The last comprehensive user fee study was conducted in 2006 and was based on Fiscal Year 2004-05 cost data. User fee-related operating costs have significantly increased since 2006, rendering the current Master User Fee Schedule nonreflective of present costs. In 2007, the City Council engaged Wohlford Consulting to conduct a long-term objective analysis of incurred costs in support of various user fee-related activities. Wohlford Consulting is a firm with extensive experience in conducting detailed cost-of-service studies of user fee activities. The consultant's focus was to determine the full cost of providing specific services to the public, identify current fee levels, and determine the cost-impact of subsidies provided by the City for various services. Wohlford Consulting was also tasked with providing recommendations for appropriate fee ranges and development of a revised Master User Fee Schedule.

It is essential to note that the product completed by Wohlford Consulting was a "Cost-of-Service Study" focusing on the cost for City staff to deliver services at known or reasonably

Prepared by: M. Furr
Proofed by: Andrew Dillly

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

projected service and staffing levels. The study did not seek to identify, evaluate, or quantify potential cost saving opportunities nor did it focus on promoting operational efficiency and effectiveness, service improvements, performance, or productivity. Finally, the study was not designed to address staffing numbers, organizational structure, process changes, risk mitigation, or other factors that could later influence operating practices.

Wohlford Consulting used a unit cost buildup methodology to identify the full cost for individual fee activities in its Cost of User Fee Study. The study conducted by Wohlford Consulting took over three years to complete and a presentation of the study was provided to the Council in October 2011.

Wohlford Consulting: Cost-of- Service Study

The basic purpose of the Cost-of-Service Study conducted by Wohlford Consulting was to determine the full cost of each service provided by the City for which a fee is charged. In order to determine the full cost for each fee and provide a basis for the City to establish full cost recovery, the analysis incorporated the following components to achieve a full cost-of-service for each fee:

- ✓ Direct salaries and benefits
- ✓ Services and supplies
- ✓ Indirect activities
- ✓ Supervision and support
- ✓ Inter- and intra-department support
- ✓ Department administration
- ✓ Citywide administration (Cost Allocation Plan)
- ✓ Facility use
- ✓ Capital (annualized)
- ✓ Anticipated growth

To achieve specific objectives, Wohlford evaluated existing fees; submitted recommendations for new and revised fees; conducted data collection and analysis; provided fee schedule restructuring, orientation and consultation services, and quality control targets; communicated routinely with staff and made necessary presentations; and defined and quantified individual service fees.

The study concluded the cost for the City to provide user fee-related services is approximately \$8.9 million annually. In contrast, based on rates and fees charged in Fiscal Year 2009-10 (the study period), Montclair received approximately \$4.1 million in annual fee-based revenues. Accordingly, the study concluded the amount subsidized annually by the City for user fee-based services was approximately \$4.8 million—representing a cost-recovery ratio of 46 percent, *i.e.*, the City subsidizes 54 percent of user fee-based costs. Considering that Montclair's General Fund operating costs remained relatively stable during and after the Great Recession, estimates of the Wohlford Study remain substantially valid.

If the City Council elected to collect 100 percent of user fee-borne costs, Wohlford determined Montclair stood to collect approximately \$4.8 million annually in new revenue.

As part of an overall funding strategy, Montclair, along with numerous other local government agencies, has become increasingly reliant on user fees to fund programs and services that provide limited or no direct benefit to the community as a whole. As competition for limited tax resources increases and interest in privatization of public services intensifies, fees and charges will assume a larger role in the diversification of municipal revenue sources.

With the rising demand for municipal services and corollary restrictions on municipal funding sources, cities have a fiduciary responsibility to increase scrutiny over subsidies provided by use of local General Fund dollars to support enterprise-type funds and service recipients who reap the bulk of derived benefits.

Fee Comparison with Other Cities

A fee comparison component between municipal agencies was not part of the Cost-of-Service Study completed by Wohlford Consulting. Nonetheless, staff considered such a study essential for analyzing and determining user fee recommendations submitted to the City Council for consideration. Accordingly, the Administrative Services Department initiated a separate comprehensive survey of neighboring cities to compare fee service levels and fee structures. Data was compiled and used as a measuring tool to better comprehend what other cities in the area are charging for user fees.

While a comparison of fee costs among neighboring cities may be considered an attractive concept to use when considering user fee structures, it is important to recognize that a number of significant limitations affect the validity and reliability of comparisons. Direct comparisons of fee levels across surveyed cities are usually limited because of wide differences in fee structures, definitions, and program types.

The true value in a fee comparison survey comes from establishing a sense of position within the range of user fee types and charges among neighboring cities; it does not, however establish a clear understanding of specific cost circumstances applied within surveyed communities.

It should be noted that comparative analyses do not offer clarity as to the true or estimated cost of providing user fee-related services; rather, such comparisons provide a simple tool for showing existing fee ranges for comparable types of services. From this perspective, it is essential that in conducting fee comparison surveys, we assume the following:

- ✓ Many cities do not typically conduct cost studies as a means to establish or evaluate fee rates; therefore, applied fees may be based upon historical or other subjective factors unrelated to cost.
- ✓ Cities do not typically publish or identify subsidy rates. Nonetheless, it may be assumed user fees are subsidized, with or without the knowledge of each respective agency. Furthermore, while it possible that some municipal agencies have completed cost studies, assessed fees would suggest subsidies are provided.

- ✓ Services included in various user fees are typically structured differently in each municipal agency, thereby making direct comparisons unreliable.
- ✓ The methodology used to determine user fees in other cities may be deficient or designed to recover less than full cost of providing services.

Proposed Fee Adjustments:

When calculating proposed fees for the Master User Fee Schedule, City staff determined a blended or hybrid approach would be appropriate when determining the cost for each specific user fee.

The blended/hybrid approach for calculating each user fee takes into consideration a variety of factors including the following:

- ✓ Current cost information
- ✓ Fee levels charged by surrounding agencies
- ✓ Market sensitivity
- ✓ Historically subsidized programs
- ✓ Recommendations made by Wohlford Consulting
- ✓ Local conditions

The hybrid/blended approach departs from the singular direction of the Wohlford study to fully assess service-related costs nor is it limited exclusively by user fees assessed in neighboring communities. Instead, the approach favorably combines results derived from both studies to achieve the following:

- ✓ Reflect overall goals of the City Council to limit City subsidies for user-based fees
- ✓ Support programs beneficial to the community
- ✓ Avoid fee shock by carefully evaluating and controlling adjustments in user fees
- ✓ Equalize, to the extent practical, user fee costs when compared with other municipal agencies
- ✓ Minimize user fees for specified activities to encourage public participation
- ✓ Maintain subsidies for City Council-sanctioned activities to encourage, discourage, or maintain specified practices
- ✓ Minimize business flight by discouraging the imposition of fees higher than the market can bear
- ✓ Encourage development within the Montclair community
- ✓ Encourage economic recovery in the aftermath of the Great Recession

The hybrid/blended approach clearly supports programs requiring General Fund subsidies in order to ensure the public health, safety and welfare; compliance; and reasonable public involvement in development processes and other activities. Supported activities include, but are not limited to, water heater permits, appeals, building activities, and recreation programs/services.

In the final analysis, the proposed Master User Fee Schedule was calculated based on current cost information, fee levels charged by neighboring municipal agencies, market sensitivity, historically subsidized programs, recommendations made by Wohlford

Consulting, and local conditions. As such, some proposed fees may be higher or lower than the current fees charged for a particular service. The highest proposed user fee increases are assessed for Building Division-related activities; however, the majority of proposed fees reflect only modest upward adjustments.

Building Fee Increases

Under the proposed Master User Fee Schedule, Building Division-related user fees represent the greatest overall share of total fee increases. Unlike other departments, which shared in user fee evaluations and adjustments in recent years, Building Division-related user fees have seen minimal adjustment. This lack of substantial fee evaluations has resulted in Building Division-related user fees that remain abnormally low when compared to changes in building costs and market forces.

The Building User Fee Schedule includes the following component parts:

- ✓ *Administrative Fees.* Fees charged to cover office staff duties represent the smallest adjustment, climbing from \$23.50 to \$39. The fee covers the cost of staff services and resources related to "in-office" services. The proposed adjustment is comparable to administrative fees charged by neighboring cities.
- ✓ *Building Permit Plan Review Fees.* Fees charged to cover plan review are proposed to receive significant increases. Proposed fee adjustments stem substantially from a change to the cost-of-service methodology as opposed to the current project valuation methodology (a user fee charge based on the total value of the proposed project submitted for review). Under the cost-of-service methodology, inspection and plan review fees would be charged at the same rate. Pursuant to the 1997 Edition of the Uniform Administrative Code adopted in 1999, the Building Division is currently charging plan review fees at a rate of 100 percent of inspection fees. Prior to adoption of the 1997 Edition of the Uniform Administrative Code, the Building Department was limited to assessing a 65 percent plan review fee rate.
- ✓ *Building Inspection Fees.* Fees charged to cover onsite structural inspections are proposed to receive significant increases. Proposed fee adjustments stem substantially from a change to the cost-of-service methodology as opposed to the current project valuation methodology. Currently, building inspection fees are defined by Ordinance No. 99-789 and its adoption of the 1997 Edition of the Uniform Administrative Code. However, building inspection fees have undergone annual changes pursuant to benchmarks published by the Building Standards Commission. This standard gives an updated valuation for each type of building and construction type per square foot.
- ✓ *Mechanical, Electrical, and Plumbing Fees.* Fees charged for inspection of mechanical, electrical, and plumbing projects are subject to the highest proposed fee adjustments. Proposed fee adjustment stem substantially from a change to the cost-of-service methodology. Existing fees reflect allowable charges contained in the 1997 Edition of the Uniform Administrative Code.

Projected Revenue

During the post-Great Recession period, economic development throughout much of the Inland Empire continues to move forward slowly, with only occasional peaks in activity. Accordingly, it is difficult to project additional revenues derived from proposed user fee adjustments. The City of Montclair does anticipate increased activity over the next year when the Montclair Plaza submits plans to incorporate a courtyard patio with restaurants and entertainment components. Other commercial and housing improvements are also anticipated. It is reasonable to estimate the City will minimally realize approximately \$100,000 annually in new General Fund revenue related to user fee adjustments. Depending on the level of building activity, revenue could significantly rise above the minimal estimate. As the economy continues to improve and building activity returns to pre-recession levels, City staff will be able to provide a more accurate projection of annual revenue impacts stemming from proposed user fee adjustments.

Summary of Proposed User Fee Changes – Exhibit A

Attached as *Exhibit A* to Resolution No. 13-2994 is the proposed Master User Fee Schedule. The fee schedule is organized by department and contains all current user-related fees, proposed fee adjustments, and new user fee recommendations. The proposed Master User Fee Schedule was calculated based on current cost information, fee levels charged by surrounding agencies, market sensitivity, and the average labor cost to provide the service. If approved by the City Council, *Exhibit A* would supersede all other operational City user fee schedules, exclusive of those fees not specifically enumerated in the Master User Fee Schedule.

Summary of Comparative Study Analysis – Exhibit B

Attached as *Exhibit B* to Resolution No. 13-2994 is the Comparative Study Analysis. The analysis is comprised of the user fee structure in neighboring communities and compares such fees to similar and proposed fees for the City of Montclair.

FISCAL IMPACT: Pursuant to Resolution No. 06-2670, the City requires that fees be maintained to ensure associated costs for the delivery of specified services are appropriately charged to consumers to limit the cost burden on the City's General Fund. The proposed fee adjustments are based on current cost information, fee levels charged by surrounding agencies, market sensitivity, and the average labor cost to provide the service.

Some proposed fees may be higher or lower than the current fees charged for a particular service. Overall, the majority of the proposed fees are more reflective of actual costs borne by the City. The amount charged for the majority of the proposed fees will see a moderate increase. If adopted, the City will see a modest decrease in the amount of money that is used to subsidize the full cost of fees as well as a moderate increase in the amount of revenue received from services for which the City charges fees. It is not known what would be the total amount of increased revenue should proposed Resolution No. 13-2844 be adopted, given that the amount of services for which fees are charged vary from year to year.

As stated earlier, it is reasonable to estimate the City will minimally realize approximately \$100,000 annually in new General Fund revenue related to user fee adjustments. Depending on the level of building activity, revenue could significantly rise above the minimal estimate. As the economy continues to improve and building activity returns to pre-recession levels, City staff will be able to provide a more accurate projection of annual revenue impacts stemming from proposed user fee adjustments

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

1. Adopt Resolution 13-2994 approving the Master User Fee Schedule for Fiscal Year 2013-14 to continue certain department fees, rates, and charges and increase certain fees, rates, and charges.
2. Authorize the annual review and update of fees based on factors such as the impact of inflation, other cost increases, and the adequacy of coverage costs.
3. Approve the revision of various fees and charges based on more current cost information, fee levels charged by surrounding agencies, market sensitivity, and the findings provided by Wohlford Consulting.
4. Authorize recovery costs for fees and charges to be in direct proportion to the individual/specific gain for services received.

RESOLUTION NO. 13-2994

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR AMENDING
THE MASTER USER FEE SCHEDULE**

WHEREAS, the City of Montclair has the statutory authority to impose fees, charges, and rates under its regulatory and police power as authorized pursuant to California Government Code Section 66000; and

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

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

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

WHEREAS, it has been directed that all user fees, to the extent possible, are to be reviewed and amended annually, consistent with the User Fee Cost Recovery Policy.

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

Section 1. Fee Schedule Adoption. The Master User Fee Schedule, attached hereto as "Exhibit A," is hereby adopted and shall be used as authorization for collecting said fees and charges set forth therein.

Section 2. Effective Date. Excluding those fees approved by separate action of the Montclair City Council with conflicting effective dates, this Resolution shall be in full force and effect thirty (30) days after passage.

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 Resolution No. 13-2994 was duly adopted by the City Council of said city and was approved by the Mayor of said city at a regular meeting of said City Council held on the XX day of XX, 2013, and that it was adopted by the following vote, to-wit:

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

Yvonne L. Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: July 15, 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 June 30, 2013, pursuant to state law.

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

Prepared by:

Michael Piotrowski

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

Yvonne L. Smith

Presented by:

Donald L. Parker

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION	DATE: July 15, 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 July 15, 2013, and Payroll Documentation dated June 2, 2013; finds them to be in order; and recommends their approval.

FISCAL IMPACT: The Warrant Register dated July 15, 2013, totals \$1,740,727.95. The Payroll Documentation dated June 2, 2013, totals \$661,389.46, with \$448,234.42 being the total cash disbursement.

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

Prepared by: <u>Yvonne L Smith</u>	Reviewed and Approved by: <u>[Signature]</u>
Proofed by: <u>Andre Penelope</u>	Presented by: <u>[Signature]</u>

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: July 15, 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 June 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 June 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 June 30, 2013.

Prepared by:

Michael Pithonche

Reviewed and
Approved by:

Donald A. Baker

Proofed by:

James L. Smith

Presented by:

Donald A. Baker

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** July 15, 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 June 30, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Successor to the Redevelopment Agency Warrant Register dated 06.01.13-06.30.13 in the amounts of \$0.00 for Project I; \$0.00 for Project II; \$0.00 for Project III; \$0.00 for Project IV; \$500.00 for Project V; \$0.00 for the Mission Boulevard Joint Redevelopment Project; \$0.00 for the Redevelopment Obligation Retirement Funds; \$0.00 from the Tax Exempt Bond Proceeds and \$0.00 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 June 30, 2013.

Prepared by:

Michael P. Piro

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

Gloria L. Smith

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: July 15, 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 June 30, 2013, pursuant to state law.

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

Prepared by:

Michael P. Pithonche

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

Gloria R. Smith

Presented by:

Donald L. Parker

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** July 15, 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 June 30, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Warrant Register dated 06.01.13-06.30.13 in the amount of \$28,126.51 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 June 30, 2013.

Prepared by:

Michael Piotrowski

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

Gonnie L. Smith

Presented by:

Donald L. Parker

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: July 15, 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 June 30, 2013, pursuant to state law.

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

Prepared by:

Michael Prothornsky
Grover L. Smith

Reviewed and
Approved by:

Donald L. Taylor
D. L. Taylor

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** July 15, 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 June 30, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Warrant Register dated 06.01.13-06.30.13 in the amount of \$670.50 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 June 30, 2013.

Prepared by:

Michael Piotrowski

Reviewed and
Approved by:

Ronald F. Baker

Proofed by:

Gronpe & Smiths

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER AMENDING THE FISCAL YEARS 2013-2018 CAPITAL IMPROVEMENT PROGRAM ADDING ADDITIONAL FUNDING TO THE CENTRAL AVENUE/UNION PACIFIC RAILROAD GRADE SEPARATION RECONSTRUCTION PROJECT

DATE: July 15, 2013
SECTION: ADMIN. REPORTS
ITEM NO.: 9
FILE I.D.: FIN285
DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: Additional funding for the Central Avenue/Union Pacific Railroad Grade Separation Reconstruction Project has been authorized through a federal grant. It is proposed that the Capital Improvement Program (CIP) be amended to reflect the additional funding. Amendments to the CIP require City Council approval.

BACKGROUND: On January 17, 2013, the City submitted an application to the federal government through the California Department of Transportation for funding for the reconstruction of the Central Avenue bridge over the Union Pacific Railroad tracks. Last month, the City was advised that under the federal Highway Bridge Program, the City would receive \$15,197,591 provided the City met a local match of \$1,919,009. Grant funding would be available over an unspecified period of time beginning this fiscal year.

In anticipation of receiving a potential grant, City staff prepared a CIP worksheet identifying the project as Bridge Inspection/Bridge Repair-Grant Assistance in the Fiscal Year 2013-2014 CIP. The CIP was approved by the City Council on June 17, 2013. The worksheet showed prior years' funding of \$25,000 that was used in preparing the grant application. With the application now approved, it is proposed that the project be retitled "Central Avenue/Union Pacific Railroad Grade Separation Project" and that the CIP be amended to reflect the new funding.

The notice of approved funding from Caltrans indicates the majority of the funding would be available after Fiscal Year 2017-2018. Depending on the environmental documentation schedule, it is possible that funding might be available sooner. For convenience, the attached CIP worksheet shows the majority of the funding would be available in Fiscal Year 2017-2018, rather than after.

FISCAL IMPACT: It is proposed the City begin the consultant selection process this fiscal year with the primary focus on beginning the environmental documentation. The grant provides \$132,795. Together with the local match of \$17,205, \$150,000 would be available for this purpose. It is further proposed that the local match be provided through Measure I funds. The CIP worksheet also shows future years' local match through the City's local Measure I as well. The Measure I source of funds beyond the current fiscal year is tentative, just to show a potential source of funds. It is anticipated that other sources of funds may be available in the future, such as SANBAG Measure I Arterial funds.

Prepared by: *M. Scott*
Proofed by: *A. R. V.*

Reviewed and Approved by: *M. Scott*
Presented by: *D. J. Spurr*

RECOMMENDATION: Staff recommends the City Council amend the Fiscal Years 2013-2018 Capital Improvement Program adding additional funding to the Central Avenue/Union Pacific Railroad Grade Separation Reconstruction Project.

Infrastructure Fund Capital Project Funding Information

Project Name: Bridge Inspection/Bridge Repair-Grant Assistance
 Project Details: This project will perform additional bridge inspections and seek funds for bridge repair/rehabilitation/reconstruction for the Central Avenue bridge over the Union Pacific Railroad tracks. (This project was previously identified as Project No. 1-02-1.)

Preparation Date: October 15, 2012 Department: Public Works
 Project No. (Assigned by Finance): 7005 Contact/Ext.: Michael C. Hudson 441

Phase	Prior Years	Fiscal Years					Total	Fund/Program
		2013/2014	2014/2015	2015/2016	2016/2017	2017/2018		
Environmental		132,795.00		1,034,562.00		14,030,234.00	15,197,591.00	Fed. MAP-21
		17,205.00		134,038.00		1,817,766.00	1,969,009.00	Fund 1104-Meas I
Design	25,000.00						25,000.00	Fund 1102
								Gas Tax
R/W Acquisition								
Construction								
Total	25,000.00	150,000.00	0.00	1,168,600.00	0.00	15,848,000.00	17,191,600.00	

Approvals: _____ By: *M. C. Hudson* Date: October 15, 2012
 Department: Public Works Department
 Finance By: _____ Date: _____
 City Council Date: _____ Total Cost: \$17,191,600.00
 Revision Dates: 7/15/2013

2012/13-2017/18 Highway Bridge Program

District: 08 County: San Bernardino
 Sponsor Fed Aid Sys Project #

THIS IS NOT THE FTIP!!! This is for information only!!! Funds may be obligated from FFY 12/13, 13/14, 14/15, and 15/16.

Report Total:

Number of Projects: 1

	Prior	12/13	13/14	14/15	15/16	16/17	17/18	Beyond	Total
Fed \$			132,795		1,034,562			14,030,234	15,197,591
Local Match			17,205		134,038			1,817,766	1,969,009
LSSRP Bond									
Local AC									
Total for all Phases			150,000		1,168,600			15,848,000	17,166,600

Fed \$ Obligated as of 6/3/2013:

Project Priority/Rank Descriptions:

- Rank 0: Construction Obligated. These projects cannot be pushed out of the 4 year element of the FTIP.
- Rank 1A: For the general support of the federally mandated bridge inspection program and scour plan of action development.
- Rank 1B: Projects ready to advertise and have major structural deficiencies.
- Rank 1C: High cost cash managed projects with AC conversion. (Projects may or may not be ready to advertise.)
- Rank 1D: Projects ready to advertise and are Prop 1B seismic funded projects or scour countermeasure projects or rehab/replacement of scour critical bridges. (All are ready to advertise.)
- Rank 1E: All other projects ready to advertise.
- Rank 2A: Bridge Preventive Maintenance Plans
- Rank 2B: Individually listed projects in the FTIP with construction funded in the 4 year element of the FTIP.
- Rank 3A: Projects nearly ready to advertise. Bridges have major structural deficiencies.
- Rank 3B: Projects nearly ready to advertise. Prop 1B seismic funded projects or scour countermeasure projects or rehab/replacement of scour critical bridges.
- Rank 3C: Projects nearly ready to advertise. All other classes of projects.
- Rank 4: Not ready to advertise. Bridges have major structural deficiencies.
- Rank 5: Not ready to advertise. Prop 1B seismic funded projects or scour countermeasure projects or rehab/replacement of scour critical bridges.
- Rank 6: Not ready to advertise. STIP match and voluntary seismic projects.
- Rank 7: Not ready to advertise. General bridge rehabilitation/replacement.

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION TO PURCHASE ONE 2013 CHEVROLET EQUINOX 1LT FROM GLENDDORA CHEVROLET	DATE: July 15, 2013
	SECTION: ADMIN. REPORTS
	ITEM NO.: 10
	FILE I.D.: VEH450
	DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing the purchase of one 2013 Chevrolet Equinox 1LT from Glendora Chevrolet to replace one 2008 Dodge Durango currently used by San Bernardino County West End Narcotic Enforcement Team (WESTNET) Investigators. Mileage on the vehicle is in excess of 100,000 miles. In addition, the vehicle has noise coming from the differential, a coolant leak in the engine, and front and rear bumper damage.

BACKGROUND: The City Council approved the purchase of one 2013 GMC Terrain SLE-1 on June 3, 2013. This vehicle was to replace the 2008 Dodge Durango currently utilized by the San Bernardino County West End Narcotic Enforcement Team (WESTNET). During the process of obtaining updated cost quotations for the vehicle purchase, it was discovered the quotation was for a vehicle with an incorrectly sized engine. Cost quotations for a vehicle with the desired engine were significantly higher and, therefore, cost prohibitive.

Staff researched other vehicles and determined the 2013 Chevrolet Equinox 1LT would meet the needs of the Department as well as WESTNET Investigators.

Following are the cost quotations received for one 2013 Chevrolet Equinox 1LT:

<i>Vendor</i>	<i>Bid Amount</i>
Glendora Chevrolet	\$28,933
Mark Christopher Auto Center	\$28,960
Mountain View Chevrolet	\$29,413

Glendora Chevrolet provided the lowest bid and is the recommended vendor for this purchase.

FISCAL IMPACT: If authorized by the City Council, funding for the vehicle purchase would result in an expenditure of \$28,933 from the State Asset Forfeiture Fund.

RECOMMENDATION: Staff recommends the City Council authorize the purchase of one 2013 Chevrolet Equinox 1LT from Glendora Chevrolet.

Prepared by: <u>Judy B...</u>		Reviewed and Approved by: <u>M. deMoet</u>
Proofed by: <u>Sharon Agajanian</u>		Presented by: <u>David A. Stewart</u>

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION TO PURCHASE
ONE 2014 FORD EXPLORER FROM CHINO
HILLS FORD

DATE: July 15, 2013
SECTION: ADMIN. REPORTS
ITEM NO.: 11
FILE I.D.: VEH450
DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing the purchase of one 2014 Ford Explorer to replace the 2003 Chevrolet Impala currently used by administrative staff. Mileage on the vehicle is in excess of 100,000 miles.

BACKGROUND: The City Council approved the purchase of one 2014 Ford Explorer in the Police Department Fiscal Year 2013-14 Budget.

Following are the cost quotations received for one 2014 Ford Explorer:

<i>Vendor</i>	<i>Bid Amount</i>
Chino Hills Ford	\$28,324
Raceway Ford	\$28,456
Fritts Ford Fleet Center	\$30,833

Chino Hills Ford provided the lowest bid and is the recommended vendor for this purchase.

FISCAL IMPACT: Funding for the vehicle purchase is allocated in the Police Department Fiscal Year 2013-14 Budget.

RECOMMENDATION: Staff recommends the City Council authorize the purchase of one 2014 Ford Explorer from Chino Hills Ford.

Prepared by:

Judy R.
Sharonitzman

Reviewed and
Approved by:

M. DeMaer
Sharonitzman

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER DECLARING ROPES AND WEBBING AS SURPLUS AND AVAILABLE FOR DONATION TO MT. SAN ANTONIO COLLEGE FOR THE FIRE TECHNOLOGY PROGRAM	DATE: July 15, 2013
	SECTION: ADMIN. REPORTS
	ITEM NO.: 12
	FILE I.D.: EQS215-08
	DEPT.: FIRE

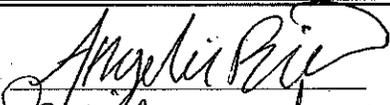
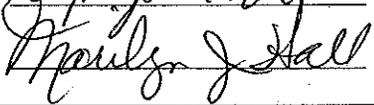
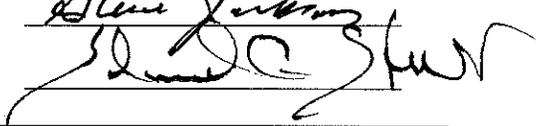
REASON FOR CONSIDERATION: The City Council is requested to consider declaring approximately 150 feet of quarter-inch orange rope, 150 feet of half-inch orange rope, 50 feet of braided utility rope, 150 feet of three-quarter-inch red rope, and various colors and lengths of tubular webbing as surplus and available for donation to Mt. San Antonio College for the Fire Technology Program.

BACKGROUND: The Fire Department purchased life safety ropes and webbing approximately 20 years ago to use during Urban Search and Rescue operations. The ropes and webbing are no longer viable because of their age and are not compliant with NFPA 1983. The Fire Department took this equipment out of service in 2012 and bought replacements. While these ropes and webbing no longer provide life safety benefits, they may be used for knot-tying training purposes.

The Fire Department has a long-standing relationship with the Mt. San Antonio College Fire Technology Program. Each year in October, students from this program graciously volunteer their time to assist at the Fire Department's Open House. In consideration of their annual assistance, the Fire Department would like to donate the out-of-service rope and webbing to the college. This donation would allow students in the Fire Technology Program to learn the skill of knot-tying.

FISCAL IMPACT: The City Council's action to declare the subject items as surplus and available for donation to Mt. San Antonio College would result in no fiscal impact to the City's General Fund.

RECOMMENDATION: Staff recommends the City Council declare approximately 150 feet of quarter-inch-orange rope, 150 feet of half-inch orange rope, 50 feet of braided utility rope, 150 feet of three-quarter-inch red rope, and various colors and lengths of tubular webbing as surplus and available for donation to Mt. San Antonio College for the Fire Technology Program.

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

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZING STAFF TO
ADVERTISE FOR BID PROPOSALS FOR THE
NORTHEAST MONTCLAIR RESIDENTIAL
STREET RESURFACING PROJECT

DATE: July 15, 2013
SECTION: ADMIN. REPORTS
ITEM NO.: 13
FILE I.D.: TRN225
DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: Advertising for bid proposals is subject to City Council approval.

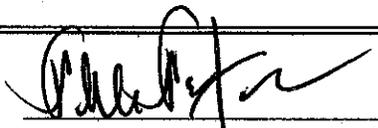
BACKGROUND: The Northeast Montclair Residential Street Resurfacing Project is intended to provide pavement rehabilitation throughout a portion of the City where Monte Vista Water District recently constructed water mainline and services upgrades. The project limits are from San José Street on the north, Rose Avenue on the west, San Bernardino Street on the south, and Benson Avenue on the east.

Proposed improvements include removal and replacement of damaged curb, gutter, and sidewalk; replacement of noncompliant Americans with Disabilities Act (ADA) pedestrian ramps; grinding of existing asphalt concrete pavement; and new asphalt concrete pavement.

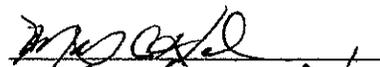
FISCAL IMPACT: Gas Tax funds are being used to fund this project. The total project cost is estimated to be \$480,000. The cost of advertising this project should not exceed \$3,000.

RECOMMENDATION: Staff recommends the City Council authorize staff to advertise for bid proposals for the Northeast Montclair Residential Street Resurfacing Project.

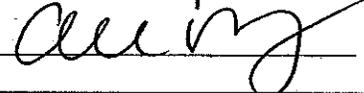
Prepared by:



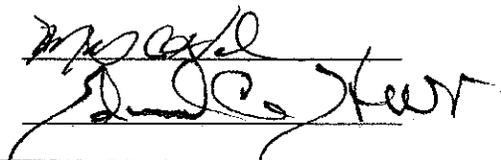
Reviewed and
Approved by:



Proofed by:



Presented by:



**MINUTES OF THE MEETING OF THE MONTCLAIR
CODE ENFORCEMENT COMMITTEE HELD ON
MONDAY, JUNE 17, 2013, AT 6:00 P.M. IN THE
CITY HALL CONFERENCE ROOM, 5111 BENITO
STREET, MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

Council Member Paulitz called the meeting to order at 6:00 p.m.

II. ROLL CALL

Present: Council Member Paulitz, Council Member Dutrey, City Manager Starr; Director of Community Development Lustro, Director, Office of Public Safety/Police Chief deMoet, Deputy City Manager/Director, Office of Economic Development Staats, City Attorney Robbins

III. APPROVAL OF MINUTES

A. Minutes of Code Enforcement Committee Meeting of April 15, 2013

It was the consensus of the Code Enforcement Committee to approve the minutes of the Code Enforcement Committee meeting of April 15, 2013.

IV. PUBLIC COMMENT

None.

V. OLD BUSINESS

Applicant's appeal of specific conditions related to the Conditional Use Permit at the former Déjà Vu Showgirls, 5282 Mission Boulevard (*tabled indefinitely*). A brief discussion followed.

VI. NEW BUSINESS

None.

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

Included in the agenda packet was the updated list of problem properties for the Committee's reference. Discussion followed.

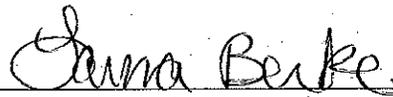
VIII. NEXT MEETING

The next Code Enforcement Committee meeting is scheduled for Monday, July 15, 2013, at 6:00 p.m. in the City Hall Conference Room.

IX. ADJOURNMENT

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

Submitted for Code Enforcement
Committee approval,



Laura Berke
Administrative Secretary

**MINUTES OF THE REGULAR MEETING OF
THE PUBLIC WORKS COMMITTEE HELD ON
THURSDAY, JUNE 20, 2013, AT 2:00 P.M. IN
THE CITY MANAGER'S CONFERENCE ROOM,
5111 BENITO STREET, MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chair Paulitz; Committee Member Eaton; Facilities and Grounds Superintendent McGehee; Police Chief/Public Safety Executive Director deMoet; Deputy City Manager/Economic Development Executive Director Staats; Director of Community Development Lustro; Public Works Director/City Engineer Hudson; Public Works Superintendent Mendez

III. APPROVAL OF MINUTES

A. Minutes of the Public Works Committee Meeting of May 16, 2013

The Public Works Committee approved the minutes of the Public Works Committee meeting of May 16, 2013.

IV. PUBLIC COMMENT

V. TRAFFIC SAFETY/CIRCULATION ISSUES - None

VI. POLICE DEPARTMENT UPDATES/ITEMS - None

VII. COMMUNITY DEVELOPMENT DEPARTMENT PROJECT UPDATES/ITEMS

Community Development Director Lustro reported the following:

A. Gold's Gym Leasing Old Circuit City Building

After two years of negotiation, the mall has finally signed a lease with Gold's Gym to occupy the former Circuit City building.

VIII. PUBLIC WORKS DEPT. - MAINTENANCE ACTIVITIES UPDATES/ITEMS

Chair Paulitz inquired concerning the following Maintenance Activities for June:

Sewers - Flush Black Angus main line every other week due to heavy grease

The line is flushed to prevent a grease blockage. The grease is not just coming from Black Angus; it is also coming from the surrounding restaurants. It is called the Black Angus line because it is located south of the Black Angus restaurant.

Facilities – Continue Repair of the two stairwells at Saratoga Parks, Ball field tower

Both of the stairwells were termite-infested. One of the stairwells was torn down and rebuilt, and the other one was torn down as a safety precaution and the door was boarded up. It will be rebuilt with wood once City staff is available to rebuild it.

Administration – Inspect moving permit routes for damage

Oversize load permits are issued to oversize vehicles to drive on the City's streets. After an oversize load has gone through the City, staff will check for damage to any signal poles or other City property.

City Yard Additional Items – Survey the recently acquired State Street and Greenwood Avenue property

As part of the Monte Vista Avenue Grade Separation, a connector street is being added between State Street and Monte Vista Avenue. The right-of-way was acquired from the property owners to the west and it was fenced off but periodically staff has to do weed abatement within that right-of-way the City owns. It is owned in fee rather than as an easement.

A. Street Sweeping Parking Exemption Issues

A few weeks ago, a resident of the Richmond American Tract received a ticket for parking on the sidewalk. Street parking is prohibited on street sweeping days. The Richmond American Tract is a small lot subdivision with two-car garages and driveways generally long enough to accommodate no more than two vehicles. This development was also constructed with rolled curb and gutters, permitting continuous access over the sidewalks onto the front-yard areas. To avoid getting a ticket for parking on the street, the resident parked on the sidewalk and front-lawn area. He has seven vehicles at his residence. It is believed that half of his vehicles are nonoperational. He requested an exemption permit, which would allow him to park on the street on street sweeping days without getting a ticket.

When the City first started prohibiting parking on street sweeping days several years ago, a few residents claimed they had no place to park their vehicles. They asked for an exemption to the parking prohibition, saying that they would sweep their own gutters. A procedure for exemptions was developed by staff, recommended by the Public Works Committee, and approved by the City Council.

Under the current policy, if a resident has several cars and requests an exemption permit, Public Works Superintendent Mendez checks the registration for each vehicle to make sure it is registered to that address; he also checks the garage to see if the resident has any nonoperational vehicles or is using his/her garage for storage. Based on the established criteria, if the exemption is approved, the resident is required to sweep the gutter. There are also some exemptions granted for medical reasons. If a vehicle has a handicap placard or license plate, it is exempt from the parking restriction.

The number of permits issued over the years reached a high of approximately 300 in 2007–2008. Permits issued during that time expired in 2011. Since 2011, Public Works Superintendent Mendez has been more critical in the review of permit applications requests. Still, there are over 100 permits currently valid. With so many valid permits, staff does not have the resources to verify on a weekly basis whether the resident is sweeping his/her own gutter as required by the permit.

Public Works Director/City Engineer Hudson requested direction from the Committee to revise and return the policy to the Committee for consideration.

XI. PUBLIC WORKS DEPT. ENGINEERING DIVISION UPDATES/ITEMS

A. Status on Lighted Crosswalk Grant Application

Last November, a traffic accident occurred at Orchard Street and Tudor Avenue involving a Montclair High School student struck by a vehicle. A group of people from the school and neighborhood came to the Committee meeting and asked what could be done to improve safety. A lighted crosswalk was suggested, along with a recommendation to apply for a grant. A grant application was submitted to the California Office of Traffic Safety (OTS) last January.

Public Works Director/City Engineer Hudson reported that the City application failed to make the cut. A limited amount of funds is available each year for safety improvements, and the number of applications typically exceeds the funds available. Criteria considered include potential traffic safety impact, collision statistics and rankings, and the seriousness of identified traffic safety problems; the City's application failed to meet these criteria. Staff will consider other sources of funding and report to the Committee.

Regarding the collision statistics, staff reported that in the last five years at this intersection, there have only been three accidents with the one in November being the most serious. There are other locations with significantly worse accident histories in the City including the nearby intersection of Orchard Street and Monte Vista

Avenue. The accidents at the intersection have been failure to yield to right-of-way (red light running or left turns). These issues would not easily be corrected by modifying the signals. This signal is currently protected permissive but it can be changed to a protected only. Doing so may help with the failure to yield to right-of-way, though not for people running red lights.

B. Policy on Allowing Ribbons on Streetlights, Trees, and Other Facilities

Public Works Director/City Engineer Hudson received a call from Secretary/Emergency Services Coordinator Bird regarding placing purple ribbons around the City in celebration of Montclair's Relay for Life in an effort to paint the town purple to let the community know about the event and promote awareness of the American Cancer Society. City Manager Starr had some concerns about establishing a policy for attaching ribbons. Public Works Director/City Engineer Hudson distributed a two-page handout illustrating what various color ribbons represent.

There may be many organizations that want to support certain causes and place ribbons in the City for their cause. Public Works Director/City Engineer Hudson and City Manager Starr both feel that there should be some policy adopted as to where ribbons can be placed, who would place them, how long they would remain, and who would remove them. Public Works Director/City Engineer Hudson would like to develop and return a policy to the Committee for review and consideration.

C. Speed Humps (Added Item)

A request came in for speed humps on Ramona Avenue between San José and Moreno Streets. A policy to allow speed humps was developed two to three years ago. The policy required that several criteria be met including such factors as the street classification, street length, speed, traffic volume, street grades, and road alignment. Police and Fire Department approvals are also necessary. There have been numerous requests for speed humps since the City Council adopted the policy, though none have been followed through.

One resident, Mr. Guillermo Ortega, has discussed the criteria with the Public Works Director and would like to pursue this matter. Public Works Director/City Engineer Hudson has gone through the analysis to determine if the request meets the criteria. Two criteria that are very marginal are speed and volumes of traffic. The speed must be posted at 25 miles per hour (it is), but the 85th percentile must be at least 30 miles per hour. The 85th percentile speed, or the speed at which 85 percent of the drivers are driving at or below, is only 29 miles per hour, so it just misses that criteria but is extremely close. Regarding traffic volumes, there needs to be at

least 1,000 vehicles per day. The current count is 981 vehicles on weekdays and 630 on weekends, so the traffic counts just miss the criterion.

It also must have Police and Fire Department approvals. Public Works Director/City Engineer Hudson contacted Executive Director, Office of Public Safety/Police Chief Jones before he retired; and he said he could not support it where the posted speed limit was more than 25 miles per hour, which implies he could support it if it is posted 25 miles per hour, which this is. Public Works Director/City Engineer Hudson discussed the matter with Executive Director, Office of Public Safety/Police Chief Jones; and he indicated he really did not like them but if it met all the criteria, then it was up to Public Works Director/City Engineer Hudson and he would not object to it.

The City Council took action on an item a few weeks ago—a request to install stop signs at Allesandro Street and Ramona Avenue, which is within the same limits as the speed hump request. The work has yet to be done, and Public Works Superintendent Mendez will likely schedule it to take place the week of July 1. Public Works Director/City Engineer Hudson does not want to put a speed hump and a stop sign in the same area. He indicated he would prefer only installing stop signs, which he has already received approval to do, provided doing so would resolve the issue.

Stop signs are generally not recognized as an effective means of reducing speeds through neighborhoods. The speeding problem found during the traffic survey was that a motorist drove on Ramona Avenue every afternoon at 40 to 45 miles per hour. Public Works Director/City Engineer Hudson referred the traffic survey information to the Police Department, and after an Officer cited a motorist for speeding around the same time in the afternoon, there has not been a problem.

The stop signs will be installed as a result of a sight-distance issue. Allesandro Street did meet requirements for a one-way stop but not for a three-way stop. There was still the sight-distance issue after the one-way stop sign was installed, so with the City Council's authorization, three-way stop signs are scheduled to be installed. Public Works Director/City Engineer Hudson would like to delay installation of speed humps until staff has a chance to monitor the effect of the three-way stop.

Public Works Director/City Engineer Hudson told Mr. Ortega that he would present the request for speed humps to the Committee for its recommendation. The Committee recommends stop signs be installed and the location continue to be monitored with traffic monitors. If speeding continues to be a problem, Public Works Director/City Engineer Hudson may recommend installing speed humps.

D. Addition of Verizon Equipment on Cell Tower at Alma Hofman Park (Added Item)

Verizon would like to put equipment in the City parking lot for the cell tower at Alma Hofman Park. The company wants to add equipment to the cell tower but they need additional space for their equipment. The cell tower is currently owned by SBA. With the payment to SBA, the maximum Verizon can afford to pay the City is \$1,400 a month. The City currently receives \$2,000 a month from SBA for the monopine and some of the others are up to \$1,800 or \$1,900 per month. There is a 4 percent escalator per year. They would use 400 to 500 square feet from the parking lot behind the Youth Center where the CAUTION trailer is parked. One parking spot may be lost once the equipment is installed, but there is excess parking so it should not be a problem.

X. CAPITAL PROJECT UPDATES

Public Works Director/City Engineer Hudson reported the status of the following capital improvement projects:

A. MONTE VISTA GRADE SEPARATION PROJECT

The final categorical exclusion was supposed to be issued last month. There were eight technical studies that had to be prepared, and all of them have been completed. Seven of them have already been approved, leaving only a noise study that was performed last month. The person who approves them is on vacation for the month of June, so it probably will not be approved until early July. All of the comments have been addressed; and as long as the California Department of Transportation does not have any new comments, it should be approved next month. Once approval is received, staff can work on the design modifications.

Public Works Director/City Engineer Hudson has been in contact with the San Bernardino Associated Governments regarding construction management for the project as was done on the Ramona Avenue Grade Separation. He has also been contacted by three different construction management firms expressing interest in submitting their statement of qualifications for the project. It was hoped the City would receive Public Utilities Commission (PUC) funds, but the City is no longer 7th or 8th on the list and has dropped to about 16th place. Very few cities are able to do the grade separation in the year. They have been nominated, so the City should not have any problems receiving \$5 million in PUC funds. It is on a first-come, first-served basis; so as soon as a city makes a request, it should be ready to go. If this project is advertised for construction early next year, it could be under construction by next summer; and it is a two-year project for completion.

B. MONTE VISTA AVENUE WIDENING PROJECT - MISSION BOULEVARD TO HOWARD STREET

This project will widen Monte Vista Avenue on the east side between Mission Boulevard and Howard Street. Last month the City was on the California Transportation Commission (CTC) agenda for approval of a Right-of-Way Certification and it was approved. The City now has authorization from the state to advertise the project. The design has reached a point where approval is needed from the utility companies for relocation of their facilities. Because the City's right-of-way is so narrow, Southern California Edison (SCE) is requesting either the street to be narrowed a little more or more right-of-way needs to be acquired. There is enough room for the poles to go up, but the cross arms at the top of the poles are right at the edge of the right-of-way. SCE would like a couple more feet.

Staff looked at the design to see if the street could be shrunk two more feet without seriously impacting traffic. There would still be adequate room for eleven-foot lanes and for cars to park on both sides of the street. The project will begin in September since it takes about two months for the utility companies to relocate their utilities.

C. RAMONA AVENUE PAVEMENT REHABILITATION - MISSION BOULEVARD TO PHILLIPS

This project will resurface a portion of Ramona Avenue south of Mission Boulevard to Phillips Boulevard. The work will also include sewer repair near the intersection of Ramona Avenue and Howard Street. The project is currently under construction. Pervious concrete is being added in the gutter area for Water Quality purposes. About 20 feet of curb and gutter was cut out and is going to be replaced with pervious concrete so there will be continuous percolation along the street. By the time the contractor reaches Phillips Boulevard, there will hardly be any runoff leaving the City of Montclair. This is something a lot of agencies have been doing either in parking lots or gutters.

D. COMMUNITY CENTER RESTROOMS

The existing Community Center restrooms are not ADA-compliant and are inadequate for the size of the building. New restrooms are being built. The old restrooms will be converted to storage closets. This project is currently under construction and began just after Thanksgiving. The project is currently behind schedule as a result of delays and should be completed some time in July. The contractor still needs to put down the floor epoxy, all tile work is done and grouted, all toilet fixtures have been installed but the partitions have not been installed, and all the plumbing seems to be functional.

One thing the contractor improperly installed (because it was cheaper) was a trap primer. A trap primer is a device to prevent sewer gases from coming up from floor drains. The type the City specified is electronic and does not rely on a drop in water pressure in order for the trap primer to be activated. The contractor installed the type that requires a drop in water pressure; he has it all plumbed. Staff told him he was doing work that was not specified and he said he needed to do something to plug up the holes so he could get all the plumbing done. Now he will have to cut open a section of wall and run electrical to that location.

E. RECREATION BUILDING REMODEL

This project will update some of the facilities in the Recreation building. The City received Community Development Block Grant (CDBG) funds from the federal and County governments. Staff met about a month ago to determine what needs to be done in the Recreation building. The bathrooms and showers need to be renovated to make them handicap accessible and to remove the saunas; expand the weight room and eliminate a hallway that has no useful purpose, which will allow some of the rooms to be expanded; and modify the stage area. Public Works Director/City Engineer Hudson believes all the work will cost approximately \$800,000, but the grant funds will only cover about \$400,000.

Staff has already selected an architect and is negotiating the final scope of services and fees. A conceptual design of the whole building will be done to determine the cost of the project and to see what could be scaled back or if the work could be done in phases. The conceptual drawings will be presented to the Public Works Committee for review and approval before staff proceeds with the design.

F. CENTRAL AVENUE/UPRR GRADE SEPARATION RECONSTRUCTION

Staff was successful in obtaining federal funds for replacement of the bridge at Central Avenue based on its functional obsolescence. It is structurally sound and not in danger of collapsing, but it does have deficiencies. Addressing the deficiencies would mean tearing it down and replacing it. The grant is for approximately \$15 million plus approximately \$2 million in local matching funds.

Public Works Director/City Engineer Hudson will be meeting with the consultant who put the grant application together. The consultant knows of funding sources other than federal that could be used as matching funds.

This is a project that could start next fiscal year; it is currently in the Capital Improvement Program (CIP). A certain amount of funds are available next year for preliminary work. Once the preliminary

work is completed, environmental work will commence and should not be too significant since the structure already exists and is capacity enhancing. Public Works Director/City Engineer Hudson would like to improve the accessibility of Monte Vista Water District as part of this project.

G. CITY HALL SOUTH ENTRANCE PEDESTRIAN RAMP

This project is complete. The last item to be completed was the tree that was planted last month. There are funds in the Fiscal Year 2013-14 Budget for a canopy over the entrance into City Hall.

XI. ADJOURNMENT

The next meeting of the Public Works Committee will be at 2:00 p.m. on July 18, 2013.

At 3:00 p.m., Chair Paulitz adjourned the Public Works Committee.

Submitted for Public Works Committee approval,



Alicia Johnson
Transcribing Secretary

**MINUTES OF THE REGULAR MEETING OF THE
MONTCLAIR PERSONNEL COMMITTEE HELD ON
MONDAY, JULY 1, 2013, AT 7:47 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 7:47 p.m.

II. ROLL CALL

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

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of June 17, 2013

Moved by City Manager Starr, seconded by Council Member Raft, and carried unanimously to approve the minutes of the regular Personnel Committee meeting of June 17, 2013.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

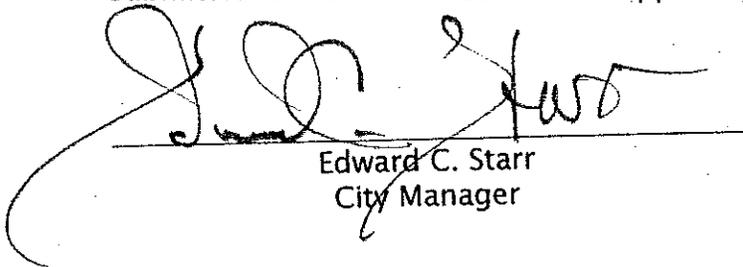
At 7:48 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 8:09 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 8:09 p.m., Mayor Pro Tem Ruh adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager