

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

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

November 18, 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. Introduction of New Employee and Promotee
- B. Recognition of Fruit Park Participants

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 – Consider Adoption of Ordinance No. 13-938 Amending Specific Chapters of Title 10 of the Montclair Municipal Code Related to Adoption of Building Codes to Regulate Construction in the City of Montclair and to Establish January 1, 2014, as the Effective Date of the Codes [CC] 4

VIII. CONSENT CALENDAR

A. Approval of Minutes

- 1. Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Commission Meeting of November 4, 2013 [CC/SA/MHC/MHA]

B. Administrative Reports

- 1. Consider Receiving and Filing of Treasurer's Report [CC] 18
- 2. Consider Approval of Warrant Register and Payroll Documentations [CC] 19
- 3. Consider Receiving and Filing of Treasurer's Report [SA] 20
- 4. Consider Approval of Warrant Register [SA] 21
- 5. Consider Receiving and Filing of Treasurer's Report [MHC] 22
- 6. Consider Approval of Warrant Register [MHC] 23
- 7. Consider Receiving and Filing of Treasurer's Report [MHA] 24
- 8. Consider Approval of Warrant Register [MHA] 25
- 9. Consider Authorization to Purchase One 2013 Honda Civic Hybrid Sedan From Penske Honda Ontario [CC] 26
- 10. Consider Authorization of a \$9,500 Appropriation From the Economic Development Fund for Signage Improvements Associated With the Civic Center Sign Project [CC] 28
- 11. Consider Approval of the Filing of a Notice of Completion for the 5444 Palo Verde Street Improvement Project [MHA]

Consider Authorizing Release of Retention 30 Days After Recordation of Notice of Completion [MHA] 29

- 12. Consider Authorization to Purchase One 2014 Chevrolet 2500HD Pickup Truck [CC] 32

C. Agreements

- 1. Consider Approval of Agreement No. 13-91-I-89, an Irrevocable Annexation Agreement With Josey Chavez for 4743 Howard Street (Assessor's Parcel No. 1012-331-05) [CC] 33

D. Resolutions

1. Consider Adoption of Resolution No. 13-3015 Setting a Public Hearing For January 20, 2014, Related to a Proposed Five-Year Schedule of Maximum Monthly Rate Caps for Residential and Commercial Refuse Services Pursuant To Proposition 218 Notification, Protest, and Public Hearing Process and Directing that Notice Thereto Be Provided to Property Owners of Record Upon Which Proposed Fees Would Be Imposed [CC]

Consider Authorizing Staff to Send Notices to Property Owners Regarding a Workshop and Public Hearing to Consider Establishing Maximum Monthly Residential and Commercial Rate Caps for Refuse Services Pursuant to Proposition 218 Requirements [CC]

Consider Allocating Up to \$12,000 From the Contingency Fund to Mail Notices of a Proposition 218 Public Hearing to Property Owners Regarding Establishing a Five-Year Schedule of Maximum Monthly Rate Caps for Residential and Commercial Refuse Services [CC]

39

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

- A. City Attorney
- 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 November 4, 2013

68

XII. COUNCIL WORKSHOP

- A. Community Relations Unit Update

(Council may consider continuing this item to an adjourned meeting on Monday, December 2, 2013, at 5:45 p.m. in the City Council Chambers.)

XIII. ADJOURNMENT OF CITY COUNCIL, SUCCESSOR AGENCY AND MONTCLAIR HOUSING CORPORATION BOARDS OF DIRECTORS, AND MONTCLAIR HOUSING AUTHORITY COMMISSIONERS

The next regularly scheduled City Council, Successor Agency Board, Montclair Housing Corporation Board, and Montclair Housing Authority Commission meetings will be held on Monday, December 2, 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 November 14, 2013.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF ORDINANCE NO. 13-938 AMENDING SPECIFIC CHAPTERS OF TITLE 10 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO ADOPTION OF BUILDING CODES TO REGULATE CONSTRUCTION IN THE CITY OF MONTCLAIR AND TO ESTABLISH JANUARY 1, 2014, AS THE EFFECTIVE DATE OF THE CODES. <u>FIRST READING</u>	DATE: November 18, 2013 SECTION: PUBLIC HEARINGS ITEM NO.: A FILE I.D.: CDV100 DEPT.: COMMUNITY DEV.
--	---

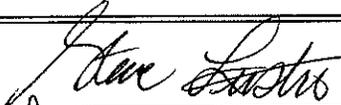
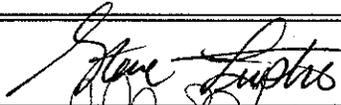
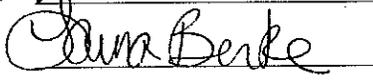
REASON FOR CONSIDERATION: Amendments to the Montclair Municipal Code require public hearing review and approval by the City Council.

BACKGROUND: The California Health and Safety Code establishes a Building Standards Commission, whose duties include approval, codification, and publication of building standards in a triennial edition of the California Building Standards Code. These codes, commonly called Title 24, incorporate the latest editions of the model codes that apply in all parts of California. The commission also establishes a date that these codes become effective throughout the State; the date for this triennial edition is January 1, 2014. The adoption of these codes would regulate the fabrication, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, or other improvements to real property; maintenance of all buildings or structures in the City of Montclair; and providing for issuance of permits and collection of fees therefore.

The Building Standards Code does *not* include adoption of procedural ordinances by a City or other agency related to civil, administrative, or criminal procedures and remedies available for enforcing code violations. In addition, this Ordinance does not address the 2013 California Fire Code adoption.

FISCAL IMPACT: The cost to publish a Notice of Public Hearing in the *Inland Valley Daily Bulletin* related to Ordinance No. 13-938 should not exceed \$400.

RECOMMENDATION: Staff recommends the City Council adopt the first reading of Ordinance No. 13-938 amending various chapters in Title 10 of the Montclair Municipal Code related to adoption of building codes to regulate construction in the City of Montclair and to establish January 1, 2014, as the effective date of the codes.

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

ORDINANCE NO. 13-938

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING SPECIFIC CHAPTERS OF TITLE 10 OF THE MONTCLAIR MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE, VOLUMES 1 AND 2, INCLUDING APPENDIX CHAPTERS "C," "F," "I," AND "J"; THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE; THE 2013 EDITION OF THE CALIFORNIA PLUMBING CODE; THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE; THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE; AND THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS INCLUDING FEES AND PENALTIES

WHEREAS, the California Health and Safety Code establishes a Building Standards Commission whose duties include approval, codification, and publication of building standards in a triennial edition of the California Building Standards Code, commonly called Title 24; and

WHEREAS, the Building Standards Commission also establishes a date that these codes become effective throughout the state; and

WHEREAS, the effective date for this triennial edition is January 1, 2014; and

WHEREAS, adoption of these codes would regulate the fabrication, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, or other improvements to real property; maintenance of all buildings or structures in the City of Montclair; and provision for issuance of permits and collection of fees therefor; and

WHEREAS, the Building Standards Code does *not* include adoption of procedural ordinances by a city or other agency related to civil, administrative, or criminal procedures and remedies available for enforcing code violations.

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

Section I. Section 0.08.010 of the Montclair Municipal Code is hereby amended as follows:

10.08.010 Adoption.

Except as provided in this Chapter, those certain building codes known and designated as the California Building Code, ~~2010~~2013 Edition, Volumes 1 and 2, including Appendix Chapters "C," "F," "I," and "J," based on the ~~2009~~2012 International Building Code as published by the International Code Council, shall

be and become the Building Codes of the City of Montclair for regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building and/or structure or any appurtenances connected or attached to such buildings or structures throughout the eCity. The California Building Code and its appendix chapters will be on file for public examination in the office of the Building Official.

Section II. Section 10.08.020 of the Montclair Municipal Code is hereby deleted in its entirety and replaced as follows:

10.08.020 Building Code amendments.

The following Section of Chapter 1, "Scope and Administration, Division I, California Administration," is hereby amended as follows:

1.8.8 Appeals Board. Subsection 1.8.8 is hereby deleted in its entirety.

The following portions and sections of Chapter 1, "Scope and Administration, Division II, Scope and Administration," are hereby amended as follows:

The following language shall be added to Subsection 101.2, "Scope":

In order to properly maintain and safeguard healthful living conditions and comply with all provisions of the Building Codes, it is hereby declared unlawful to use any streetcars, boxcars, house cars, motor bus bodies, or similar means of conveyance or structures of similar nature of construction, for places of habitation, residence, or place of business in this City. However, nothing contained herein shall prohibit the use of any house trailer or mobile home for places of abode or habitation in an approved mobile home park, provided such structures comply with all other conditions and requirements of this Code.

The following language shall be added to Subsection 102.1, "General":

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Code or any part thereof is in conflict with the Fire Code, the most restrictive shall be applicable.

Subsection 104.1, "General," of Section 104, "Duties and Powers of Building Official," is hereby deleted in its entirety and replaced as follows:

104.1 General. The Building Official is hereby authorized and directed to enforce all the provisions of this Code and referenced technical codes. For such purposes, the Building Official shall have the powers of a law enforcement officer. The Building Official shall have the power to render interpretations of this Code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this Code as may be deemed necessary to clarify the application of the provisions of this Code. Such interpretations, rules, and regulations shall be in conformity with the intent and purpose of this Code.

Subsection 104.12, "Cooperation of Other Officials and Officers," shall be added as follows:

104.12 Cooperation of Other Officials and Officers. The Building Official may request and shall receive the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this Code or other pertinent laws or ordinances.

Subsection 105.2, "Work exempt from permit," is hereby amended as follows:

Item 1 under "Building" is hereby amended as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet or measures over 8 feet in height to the highest point of the roof.

Item 2 under "Building" is hereby deleted in its entirety.

Item 4 under "Building" is hereby deleted in its entirety and replaced as follows:

4. Retaining walls that are not over three (3) feet in height as measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.

Item 9 under "Building" is hereby deleted in its entirety.

Subsection 105.3.2, "Time limitation of application," is hereby adopted and amended to read as follows:

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation. Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing the circumstances beyond the control of the applicant having prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this Code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee. All plans submitted for review prior to the effective date of this ordinance shall expire by limitation within 180 days of application with no extensions.

Subsection 105.5, "Expiration," is hereby adopted and amended to read as follows:

Every permit issued by the Building Official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further, that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under the permit when the permittee is unable to commence work within the time required by this Section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

Section 107, "Submittal Documents," is hereby adopted and amended as follows:

Subsection 107.5, "Retention of construction documents," is hereby amended by adding the following language:

Before final inspection, electronic images of all plans, engineering calculations, and records that are submitted for the purpose of obtaining a building permit shall be submitted to the Building Official. Electronic images shall be based on the Building Division's Electronic Archiving Policy.

Section 109, "Fees," is hereby adopted and amended as follows:

Subsection 109.2, "Schedule of permit fees," is hereby amended by adding the following language:

When submittal documents are required by Section 109, a plan review fee shall be paid at the time of submittal of documents for plan review. Fees shall be assessed in accordance with the Development Review Fee Schedule established by resolution of the City Council. When the City retains a private entity or person to perform plan review, the plan review fee shall be in an amount sufficient to defray the cost of such services, plus a 15 percent fee to cover the cost of administration, but in no case shall the plan review fee be less than the amount specified in this Section.

Subsection 109.4, "Work commencing before permit issuance," is hereby deleted in its entirety and replaced as follows:

109.4 Work Commencing before permit issuance. Whenever work for which a permit is required by this Code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be required in accordance with the schedule as established by the applicable governing authority. The minimum investigation fee shall be the same as the minimum fee set forth in accordance with the schedule as established by the applicable governing authority. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this Code or the technical codes, nor from the penalty prescribed by law. Whenever the same person or entity is found to have performed work for which a permit is required without first obtaining said permit four or more times, said investigation fee shall be ten times the fee amount set forth in accordance with the schedule as established by the applicable governing authority.

Subsection 109.6, "Refunds," is hereby deleted in its entirety and replaced as follows:

109.6 Refunds. The Building Official may authorize refunding of a fee paid hereunder that was erroneously paid or collected. The Building Official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any examination time has been expended. The Building Official shall not authorize the refunding of any fee paid except upon written request filed by the original permittee not later than 180 days after the date of payment.

Section 110, "Inspections," is adopted and amended by adding the following subsection:

110.1.1 Workmanship. It is the intention of the City that all construction carried on under the review of the Building Division is of good quality. The Building Official shall be empowered to enforce the installation of work that is straight, level, plumb, square, etc., as the situation requires. All work shall be well fit and of a durable nature. Paint in all cases shall not be below normal standard for the use applied. The proper grading of walks, drives and yards shall be required when being installed with the work requiring a building permit. A minimum thickness of 3½ inches for flat concrete work and 2 inches for asphalt paving shall be required. All exterior flat concrete work shall include such breaks for expansion as deemed necessary by the Building Official.

Subsection 110.3.4, "Frame inspection," is hereby amended by adding the following language:

The structure shall have lath paper completely installed at the time of framing inspection.

Subsection 110.3.5, "Lath and gypsum," is hereby amended by deleting the "exception" in its entirety.

Subsection 110.3.8, "Other inspections," is hereby amended by adding the following language:

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This Section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or deviation from plans requiring the approval of the Building Official. To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with a fee schedule adopted by this jurisdiction. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

Subsection 110.5, "Inspection requests," is hereby deleted in its entirety and replaced as follows:

110.5 Inspection requests. It shall be the duty of the person doing the work authorized by the permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be requested in writing or by telephone at the option of the Building Official. It shall be the duty of the person requesting any inspections required by either this Code or the technical codes to provide access to and means for inspection of the work.

Section 111, "Certificate of Occupancy," is hereby adopted and amended by adding the following subsection:

111.5 Utility release. The following minimum requirements shall be completed prior to any occupancy or utility connection:

- (1) Written clearance from the Fire and Public Works Departments and Planning and Business License Divisions.
- (2) Written clearance from Monte Vista Water District, NPDES Coordinator and Environmental Manager, when applicable.
- (3) The following, when applicable:

- (a) Electronic imaging of plans received.
- (b) Verification of school fees paid.
- (c) Grading certificate received.
- (d) All plan review fees paid.
- (e) Sewer assessment fees paid.
- (f) Hazardous materials statements received.
- (g) Subcontractor's list received.
- (h) Parkland development fees received.
- (i) Transportation development impact fees received.

Section 114, "Violations," is hereby adopted and amended as follows:

Subsection 114.4, "Violation penalties," is hereby amended by adding the following language:

Whenever the same person or entity is found to have performed work for which a permit is required without first obtaining said permit four or more times, said investigation fee shall be ten times the fee amount set forth in Section 108.

Section III. Sections 10.20.010 and 10.20.020 of the Montclair Municipal Code are hereby amended as follows:

10.20.010 Adoption.

Except as provided in this Chapter, the California Electrical Code, ~~2010~~2013 Edition, based on the ~~2008~~2011 National Electrical Code as published by the National Fire Protection Association, shall be and become the Electrical Code of the City of Montclair, regulating all installation, arrangement, alteration, repair, use, and other operation of electrical wiring, connections, fixtures, and other electrical appliances on premises within the ~~City~~. The California Electrical Code is on file for public examination in the office of the ~~Building~~ Official.

10.20.020 Electrical code amendments.

The ~~2010~~2013 Edition of the California Electrical Code is hereby adopted with no amendments.

Section IV. Section 10.24.010 of the Montclair Municipal Code is hereby amended as follows:

10.24.010 Permit required - Fee.

No person shall erect or install any fence or block or masonry wall without first obtaining a permit to do so from the Building Official. The fee for a fence permit shall be pursuant to the City's Development Review Fee Schedule as established by resolution of the City Council ~~fee schedule shown in the latest adopted edition of the Building Code~~, which shall include the cost of inspection of such fence. The fee for a block or masonry wall permit shall be in accordance with the Development Review Fee Schedule as established by resolution of the City Council ~~as shown in the latest adopted edition of the Building Code~~.

Section V. Sections 10.30.010 and 10.30.020 of the Montclair Municipal Code are hereby amended as follows:

10.30.010 Adoption.

Except as provided in this eChapter, the California Green Standards Code, ~~2010~~2013 Edition, as published by the California Building Standards Commission, shall be and become the Green Building Standards Code of the City of Montclair, regulating and controlling the planning, design, operation, use and occupancy of every newly constructed building or structure in the City. The California Green Building Standards Code shall be on file for public examination in the office of the Building Official.

10.30.020 Green Building Standards Code amendments.

The ~~2010~~2013 Edition of the California Green Building Standards Code is hereby adopted with no amendments.

Section VI. Sections 10.36.010 and 10.36.020 of the Montclair Municipal Code are hereby amended as follows:

10.36.010 Adoption.

Except as provided in this eChapter, the California Mechanical Code, ~~2010~~2013 Edition, based on the ~~2009~~2012 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO), shall be and become the Mechanical Code of the City of Montclair, regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance of heating, ventilating, cooling, refrigeration systems, incinerators, and other miscellaneous heat-producing appliances. The California Mechanical Code is on file for public examination in the office of the Building Official.

10.36.020 Mechanical Code amendments.

The ~~2010~~2013 Edition of the California Mechanical Code is hereby adopted with no amendments.

Section VII. Sections 10.40.010 and 10.40.020 of the Montclair Municipal Code are hereby amended as follows:

10.40.010 Adoption.

Except as provided in this eChapter, the California Plumbing Code, ~~2010~~2013 Edition, based on the ~~2009~~2012 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (~~IAPMO~~)(IAPMO), shall be and become the Plumbing Code of the City of Montclair, regulating erection, installation, alteration, repair, relocation, replacement, maintenance, or use of plumbing systems within the City. The California Plumbing Code ~~will be~~is on file for public examination in the office of the Building Official.

10.40.020 Plumbing Code amendments.

The ~~2010~~2013 Edition of the California Plumbing Code is hereby adopted with no amendments.

Section VIII. Section 10.42.010 of the Montclair Municipal Code is hereby amended as follows:

10.42.010 Adoption.

Except as provided in this Chapter, the California Residential Code, 2010~~2013~~ Edition, based on the 2009~~2012~~ International Residential Code, as published by the California Building Standards Commission, shall be and become the Residential Building Code of the City of Montclair, regulating construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every detached one- and two-family dwelling and townhouse not more than three stories above grade in height with a separate means of egress and structures accessory thereto in the City. The California Residential Code will be on file for public examination in the office of the Building Official.

Section IX. Section 10.42.020 of the Montclair Municipal Code is hereby deleted in its entirety and replaced as follows:

10.42.020 Residential Code amendments.

The following portions and sections of Chapter 1, "Scope and Application, Division I, California Administration," and Division II, "Administration," are hereby amended as follows:

1.8.4 Permits, Fees, Applications and Inspections. Section 1.8.4 is hereby deleted in its entirety.

1.8.8 Appeals Board. Section 1.8.8 is hereby deleted in its entirety.

1.8.9 Unsafe Buildings or Structures. Section 1.8.9 is hereby deleted in its entirety.

Section R105, "Permits," is hereby amended as follows:

Item 1 under "Building" is hereby amended as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet or measures over eight (8) feet in height to the highest point of the roof.

Item 2 under "Building" is hereby deleted in its entirety.

Item 3 under "Building" is hereby deleted in its entirety and replaced as follows:

3. Retaining walls that are not over three feet in height as measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA liquids.

Item 7 under "Building" is hereby deleted in its entirety and replaced as follows:

7. Prefabricated swimming pools that are capable of containing water to a depth of not more than 12 inches.

Section R109, "Inspection," is hereby adopted and amended by adding the following subsections:

R109.0.1 Workmanship. It is the intention of the City that all construction carried on under the review of the Building Division is of good quality. The Building Official shall be empowered to enforce the installation of work that is straight, level, plumb, square, etc., as the situation requires. All work shall be well fit and of a durable nature. Paint in all cases shall not be below normal standard for the use applied. The proper grading of walks, drives and yards shall be required when being installed with the work requiring a building permit. A minimum thickness of 3 1/2 inches for flat concrete work and 2 inches for asphalt paving shall be required. All exterior flat concrete work shall include such breaks for expansion as deemed necessary by the Building Official.

Subsection R109.1.4, "Frame and masonry inspection," is hereby amended by adding the following language:

The structure shall have lath paper completely installed at the time of framing inspection.

Subsection R109.1.5, "Other inspections," is hereby amended by adding the following language:

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This Section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or deviation from plans requiring the approval of the Building Official. To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with a fee schedule adopted by this jurisdiction. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

Section X. Section 10.56.020 of the Montclair Municipal Code is hereby deleted in its entirety and replaced as follows:

10.56.020 Administrative Code amendments.

The following portions and sections of the Administrative Code are amended as follows:

Subsection 101.3, "Scope," is hereby amended by adding the following language:

In order to properly maintain and safeguard healthful living conditions and comply with all provisions of the latest adopted codes, It is declared unlawful to use any streetcars, boxcars, house cars, motor bus bodies, or similar means of conveyance, or structures of similar nature of construction, for places of habitation, residence, or place of business in this City provided, however, that nothing contained herein shall prohibit the use of any house trailer or mobile home for places of abode or habitation in an approved mobile home park, provided such structures comply with all other conditions and requirements of this Code.

Subsection 301.2.1, "Building permits," is hereby amended as follows:

Item 2 is hereby deleted in its entirety.

Item 5 is amended to read as follows:

Retaining walls that are not over three feet in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.

Item 11 is hereby deleted in its entirety.

Subsection 304.1, "General," is hereby deleted in its entirety and replaced as follows:

Fees shall be assessed in accordance with the Development Review Fee Schedule as established by resolution of the City Council of the City of Montclair. For buildings, structures, electrical, plumbing, mechanical, gas or alterations requiring a permit, a fee for each permit shall be paid in accordance with said fee schedule.

Subsection 304.2, "Permit Fees," is hereby deleted in its entirety.

Subsection 304.3, "Plan Review Fees," paragraph one, is hereby deleted in its entirety and replaced as follows:

When submittal documents are required by Subsection 302.2, a plan review fee shall be paid at the time of submittal of documents for plan review. The plan review fee shall be established in the Development Review Fee Schedule as established by resolution of the City Council of the City of Montclair.

Subsection 304.3, "Plan Review Fees," paragraph two, is hereby deleted in its entirety and replaced as follows:

The plan review fees for electrical, mechanical and plumbing work shall be established in the Development Review Fee Schedule as established by resolution of the City Council of the City of Montclair.

Subsection 304.3, "Plan Review Fees," paragraph three, is hereby deleted in its entirety and replaced as follows:

When a plan for grading work is required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said grading plan review fees are established by resolution of the City Council of the City of Montclair. Separate plan review fees shall apply to retaining walls of major drainage structures as required elsewhere in this Code.

Subsection 304.3, "Plan Review Fees," is hereby amended by adding the following language:

When the City retains a private entity or person to perform plan review, the plan review fee shall be in an amount sufficient to defray the cost of such services, plus a 15 percent fee to cover the cost of administration, but in no case shall the plan review fee be less than the amount specified in this Section.

Subsection 304.5.2, "Fee," is hereby deleted in its entirety and replaced as follows:

Whenever the same person or entity is found to have performed work for which a permit is required without first obtaining said permit four or more times, said investigation fee shall be ten times the fee amount set forth in the adopted Development Review Fee Schedule.

Section 305, "Inspections," is hereby amended by adding the following subsection:

305.9 Workmanship. It is the intention of the City that all construction carried on under the review of the Building Division be of good quality. The Building Official shall be empowered to enforce the installation of work which is straight, level, plumb, square, etc., as the situation requires. All work shall be well fit and of a durable nature. Paint in all cases shall not be below normal standard for the use applied. The proper grading of walks, drives and yards shall be required when being installed with the work requiring a building permit. A minimum thickness of 3½ inches for flat concrete work and 2 inches for asphalt paving shall be required. All exterior flat concrete work shall include such breaks for expansion as deemed necessary by the Building Official.

Section 309, "Certificate of Occupancy," is hereby deleted in its entirety.

Table 3-A, "Building Permit Fees," is hereby deleted in its entirety.

Table 3-B, "Electrical Permit Fees," is hereby deleted in its entirety.

Table 3-C, "Mechanical Permit Fees," is hereby deleted in its entirety.

Table 3-D, "Plumbing Permit Fees," is hereby deleted in its entirety.

Table 3-E, "Elevator Permit Fees," is hereby deleted in its entirety.

Table 3-F, "Elevator Annual Certificates of Inspection Fees," is hereby deleted in its entirety.

Section XI. 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 XII. Effective Date.

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

Section XIII. 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.

ATTEST:

Mayor

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. 13-938 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: November 18, 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 October 31, 2013, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending October 31, 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 October 31, 2013.

Prepared by:

Janet Kullebeck
Andrea Phillips

Reviewed and
Approved by:

David L. Parker

Proofed by:

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATIONS	DATE: November 18, 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 two Payroll Documentations.

BACKGROUND: Mayor Pro Tem Ruh has examined the Warrant Register dated November 18, 2013; the Payroll Documentation dated September 22, 2013; and the Payroll Documentation dated October 6, 2013; finds them to be in order; and recommends their approval.

FISCAL IMPACT: The Warrant Register dated November 18, 2013, totals \$1,748,083.93. The Payroll Documentation dated September 22, 2013, totals \$556,570.61, with \$387,455.22 being the total cash disbursement. The Payroll Documentation dated October 6, 2013, totals \$567,959.02, with \$395,036.20 being the total cash disbursement.

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

Prepared by:

Gonnie R. Smith

Reviewed and
Approved by:

[Signature]

Proofed by:

Candice R. Lullis

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: November 18, 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 October 31, 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 October 31, 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 October 31, 2013.

Prepared by:

Michael P. Piro

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

Andreia Phillips

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** November 18, 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 October 31, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Successor to the Redevelopment Agency Warrant Register dated 10.01.13-10.31.13 in the amounts of \$1,416.52 for Project I; \$0.00 for Project II; \$21,237.54 for Project III; \$11,894.19 for Project IV; \$19,247.18 for Project V; \$0.00 for the Mission Boulevard Joint Redevelopment Project; \$0.00 for the Redevelopment Obligation Retirement Funds; \$52.50 from the Tax Exempt Bond Proceeds and \$22.50 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 October 31, 2013.

Prepared by:

Michael P. Pichonke

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

Andrea Stille

Presented by:

John W. [Signature]

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: November 18, 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 October 31, 2013, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending October 31, 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 October 31, 2013.

Prepared by:

Michael Piotrowski

Reviewed and
Approved by:

David L. Park

Proofed by:

Andrea Pillejo

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** November 18, 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 October 31, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Warrant Register dated 10.01.13-10.31.13 in the amount of \$26,034.94 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 October 31, 2013.

Prepared by:

Michelle Piro

Reviewed and
Approved by:

Donald L. Park

Proofed by:

Andrea DeLuca

Presented by:

Michelle Piro

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: November 18, 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 October 31, 2013, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending October 31, 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 October 31, 2013.

Prepared by:

Michael P. Prohaska

Reviewed and
Approved by:

Donald L. Parker

Proofed by:

Andrea Sully

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** November 18, 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 October 31, 2013, pursuant to state law.

BACKGROUND: Vice Chairman Ruh has examined the Warrant Register dated 10.01.13-10.31.13 in the amount of \$0.00 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 October 31, 2013.

Prepared by:

Michael P. Pithonku

Reviewed and
Approved by:

Donald L. Pithonku

Proofed by:

Andre Pithonku

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION TO PURCHASE
ONE 2013 HONDA CIVIC HYBRID SEDAN
FROM PENSKE HONDA ONTARIO

DATE: November 18, 2013

SECTION: ADMIN. REPORTS

ITEM NO.: 9

FILE I.D.: ENV097/ENV325

DEPT.: COMMUNITY DEV.

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing the purchase of a 2013 Honda Civic Hybrid Sedan pursuant to Purchasing Manual requirements that expenditures in excess of \$20,000 requiring written bids be presented for City Council consideration.

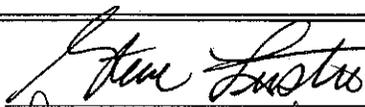
BACKGROUND: Because of recent audits and reviews of the South Coast Air Quality Management District (SCAQMD) AB 2766 Subvention Fund Program, staff has been encouraged to reduce the fund balance of the AB 2766 Program, which is approximately \$123,237. The requested vehicle purchase would replace the Code Enforcement vehicle (a 2005 Ford Taurus) that was totaled in an accident with an Omnitrans bus on January 31, 2013.

Consistent with staff's endeavors over the past decade to add alternate fuel vehicles to the City's fleet to improve air quality, staff solicited written requests in mid-August 2013 for proposals from four local Honda dealers for a model year 2014 Honda Civic Hybrid. It was subsequently communicated to staff by representatives from two of the dealers that pricing information for 2014 Civics may not be available until December. Based on this information, staff mailed revised written requests on September 24, 2013, to the same four dealers requesting a quote on a model year 2013 Honda Civic Hybrid, to which only two dealers responded. Staff made a final effort to obtain a third bid by sending an electronic request on October 29, 2013, to one of the original nonresponsive dealerships and a fifth dealership. Staff did not receive any responses to this final request to obtain a third responsive bid.

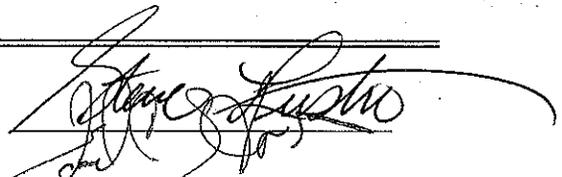
The results of staff's bid request for a 2013 Honda Civic Hybrid Sedan are as follows:

<i>Vendor</i>	<i>Cost</i>
Penske Honda Ontario	\$24,664.28
Metro Honda	\$25,115.54
Norm Reeves Honda	No response
Diamond Honda	No response
Honda Cars of Corona	No response

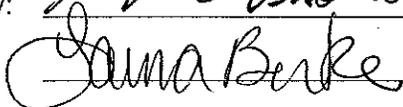
Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:



FISCAL IMPACT: The cost to purchase a 2013 Honda Civic Hybrid Sedan from Penske Honda Ontario, the lowest responsive bidder, would be \$24,664.28. This amount would be borne entirely by SCAQMD AB 2766 Program funds. A total of \$27,000 was approved in the Fiscal Year 2013-14 Community Development Department Budget for replacement of the wrecked vehicle. Accordingly, there would be no impact to the City's General Fund associated with the requested hybrid vehicle purchase.

RECOMMENDATION: Staff recommends the City Council authorize the purchase of one 2013 Honda Civic Hybrid Sedan from Penske Honda Ontario.

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A \$9,500 APPROPRIATION FROM THE ECONOMIC DEVELOPMENT FUND FOR SIGNAGE IMPROVEMENTS ASSOCIATED WITH THE CIVIC CENTER SIGN PROJECT.	DATE: November 18, 2013
	SECTION: ADMIN. REPORTS
	ITEM NO.: 10
	FILE I.D.: CVC060
	DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing a \$9,500 appropriation from the Economic Development Fund to replace signage around the Civic Center to improve building identification and be consistent with other signage installed with recently completed buildings.

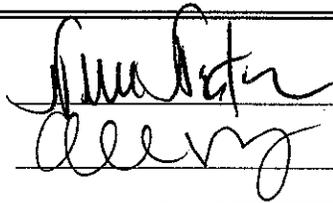
BACKGROUND: As part of the design work for the Youth Center and Senior Center projects, City staff introduced a new, more modern standard for building identification and wall-mounted signs. The new standard uses independent eight-inch bronze-anodized letters that are wall-mounted with metal stud inserts. This type of sign can be seen on both the Youth and Senior Center buildings. In total, six new signs are proposed to be installed, with one sign each at the Library, Community Center, Recreation Center, and Medical Clinic buildings and two signs at City Hall.

Staff has received three bid proposals for the project ranging from \$8,675.50 to \$13,200. The proposals include removal of the existing signs and materials and labor for installation of the new signs. This work would be done under a purchase order.

FISCAL IMPACT: Funding for the work is proposed to come from the Economic Development Fund. The cost for installation of the Community Center signs is \$8,675.50. Staff also requests a construction contingency of \$824.50.

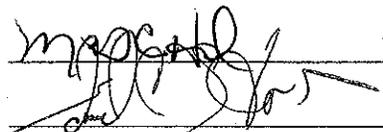
RECOMMENDATION: Staff recommends the City Council appropriate \$9,500 from the Economic Development Fund for signage improvements associated with the Civic Center Sign Project.

Prepared by: _____

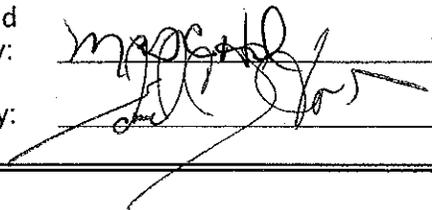


Proofed by: _____

Reviewed and
Approved by: _____



Presented by: _____



AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF THE FILING OF A NOTICE OF COMPLETION FOR THE 5444 PALO VERDE STREET ELECTRICAL IMPROVEMENT PROJECT

CONSIDER AUTHORIZING RELEASE OF RETENTION 30 DAYS AFTER RECORDATION OF NOTICE OF COMPLETION

DATE: November 18, 2013

SECTION: ADMIN. REPORTS

ITEM NO.: 11

FILE I.D.: MHC025

DEPT.: MHA

REASON FOR CONSIDERATION: State law requires Notices of Completion to be recorded with the County Recorder upon acceptance of a public works project. The Montclair Housing Corporation Board of Directors is requested to consider approval of the filing of a Notice of Completion with the Office of the San Bernardino County Recorder and release of retention 30 days after recordation of the Notice of Completion for the 5444 Palo Verde Street Electrical Improvement Project.

BACKGROUND: The Montclair Housing Corporation Board of Directors awarded Fulmin Electrical Corporation a contract on June 17, 2013, for the 5444 Palo Verde Street Electrical Improvement Project and entered into Agreement No. 13-34 with the company. All work required under Agreement No. 13-34 has been satisfactorily completed. The residence and studio's electrical upgrade is considered one of the major components of the property's rehabilitation and included, but was not limited to, an upgrade of the electrical service panels; installation of new wiring; removal of illegal electrical wiring, receptacles, and switches; installation of ground fault circuit interrupter receptacles; and installation of new energy-efficient fixtures.

On August 19, 2013, the MHC Board of Directors approved a request for an increase of \$18,500 in construction contingency because of unforeseen but necessary changes. To recap, after discovering a false ceiling existed, it became necessary to remove ceiling drywall to properly install the new light fixtures. Removal of portions of existing wall material (T1-11 plywood) was required in some of the rooms so the wire could be installed inside the walls rather than on the surface encased in wire mold. Staff discovered there was no insulation in the ceilings or walls once the interior surfaces were removed and determined this would be an appropriate time to install R-13 and R-19 insulation. Added improvements also included new framing in some of the rooms, installation of new drywall and texture coat, and cable-readiness.

FISCAL IMPACT: The 5444 Palo Verde Street Electrical Improvement Project is included in the MHC Fiscal Year 2013-14 Budget. The original contract amount was \$51,927. However, the final cost of the project totaled \$72,781 with the increase in contingency approved by the MHC Board of Directors on August 19, 2013.

Prepared by:

Luciola Paola
Christine P. Walden

Reviewed and
Approved by:

[Signature]

Proofed by:

Presented by:

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors take the following actions related to completion of the 5444 Palo Verde Street Electrical Improvement Project:

1. Approve the filing of a Notice of Completion with the Office of the San Bernardino County Recorder.
2. Authorize release of retention 30 days after recordation of Notice of Completion.

RECORDING REQUESTED BY:

Montclair Housing Corporation

AND WHEN RECORDED MAIL DOCUMENT AND TAX STATEMENT TO:

NAME: **Fabiola Lizaola**

STREET ADDRESS: **5111 Benito Street**

CITY, STATE & ZIP CODE: **Montclair, CA 91763**

Government Code 6103

(Space above this line for Recorder's Use Only)

NOTICE OF COMPLETION

NOTICE is hereby given that: The undersigned is the owner of an interest of estate in the hereinafter described property, the nature of which said interest or estate is:

fee

The full name and address of the undersigned is
Christine S. Caldwell
Assistant Director of Housing
5111 Benito Street
Montclair, CA 91763

The work was completed on that certain work known as:

5444 Palo Verde St. Electrical Improvement Project

for the undersigned City of Montclair,
a Municipal Corporation, on the 6th day of November, 2013

The City accepted the job on the 24th day of June, 2013

The Contractor on said job was
Aaron Mayoral – Fulmin Electrical Corp.
945 W. Berkeley Crt.
Ontario, CA 91762

The improvement consisted of:

Electrical improvements and upgrades to a single-family residence owned and operated by the
Montclair Housing Corporation.

The property upon which said work of improvement was completed is described as:

5444 Palo Verde St. Montclair, CA 91763 / 1008-383-16

VERIFICATION

I, the undersigned, say that I am agent for the owner of the aforesaid interest or estate in the property described in the above notice. I have read the foregoing notice and know and understand the contents thereof, and the facts stated herein are true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____ at 5111 Benito Street, Montclair, California

Christine S. Caldwell, Assistant Director of
Housing

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION TO PURCHASE
ONE 2014 CHEVROLET 2500HD PICKUP
TRUCK

DATE: November 18, 2013

SECTION: ADMIN REPORTS

ITEM NO.: 12

FILE I.D.: VEH450

DEPT.: PUBLIC WORKS

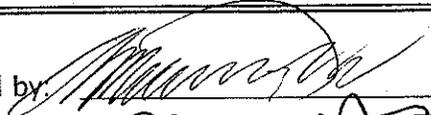
REASON FOR CONSIDERATION: Expenditures in excess of \$20,000 require City Council authorization.

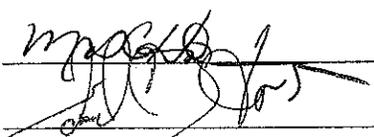
BACKGROUND: The Public Works Fiscal Year 2013-14 Budget includes an appropriation for the purchase of a Chevrolet 2500HD pickup truck to be assigned to the Parks Division as a replacement for the Parks Division's Unit No. 215. Staff requested bids from three local auto dealerships for the truck. Following are the bid results:

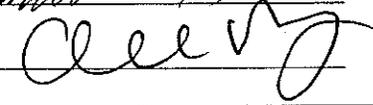
<i>Vendor</i>	<i>Cost</i>
MK Smith Chevrolet	\$24,248.16
Rotolo Chevrolet	\$24,888.50
Mountain View Chevrolet	\$25,914.60

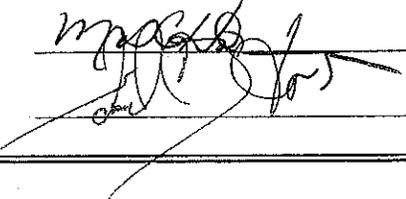
FISCAL IMPACT: The cost to purchase one Chevrolet 2500HD pickup truck from MK Smith Chevrolet is \$24,248.16. There would be an additional cost for safety lighting that would be installed after the vehicle is purchased. In total, the cost of the vehicle and safety lighting would be well under the \$40,200 amount approved in the Budget.

RECOMMENDATION: Staff recommends the City Council authorize staff to purchase one 2014 Chevrolet 2500HD pickup truck.

Prepared by: 

Reviewed and
Approved by: 

Proofed by: 

Presented by: 

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT
NO. 13-91-I-89, AN IRREVOCABLE
ANNEXATION AGREEMENT WITH JOSEY
CHAVEZ FOR 4743 HOWARD STREET
(APN 1012-331-05)

DATE: November 18, 2013

SECTION: AGREEMENTS

ITEM NO.: 1

FILE I.D.: SEW080

DEPT.: COMMUNITY DEV.

REASON FOR CONSIDERATION: Irrevocable Annexation Agreements are subject to City Council review and consideration.

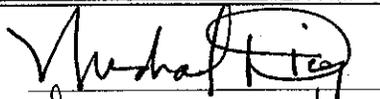
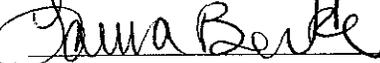
BACKGROUND: Proposed Irrevocable Annexation Agreement No. 13-91-I-89 would permit the property owner of the subject parcel located in unincorporated County territory to connect to the City's sewer main in Howard Street, with the Agreement requiring annexation of the property when feasible at a future date.

If approved by the City Council, the Agreement would also be subject to approval by the Local Agency Formation Commission (LAFCO). The proposed Agreement and sewer connection request are consistent with City policy and meet all applicable City requirements. Following City Council and LAFCO approvals, the Agreement is recorded against the property and becomes binding on future owners, heirs, successors, and assigns.

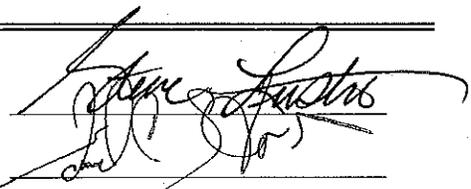
FISCAL IMPACT: There would be no fiscal impact associated with execution of Irrevocable Annexation Agreement No. 13-91-I-89.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 13-91-I-89, an Irrevocable Annexation Agreement with Josey Chavez for the property at 4743 Howard Street (Assessor's Parcel No. 1012-331-05).

Prepared by:

Reviewed and
Approved by:



Proofed by:

Presented by:

AGREEMENT NO. 13-91-I-89

**AN IRREVOCABLE AGREEMENT TO ANNEX
TO THE CITY OF MONTCLAIR**

(Josey Chavez, 4743 Howard Street)

This agreement is entered into this 18th day of November, 2013, between Josey Chavez, a married woman as her sole and separate property, hereinafter referred to as "Owner," and the City of Montclair, hereinafter referred to as "City."

WHEREAS, Owner is the legal property owner of the real property located at 4743 Howard Street, also referenced as San Bernardino County Tax Assessor Parcel No. (APN) 1012-331-05, shown as Exhibit "A" attached, and is further described as follows:

Lot 5 of Tract 4474 as per Map recorded in Book 63, Pages 70 to 72 of Maps, in the Office of the County Recorder of said County.

Commonly known as 4743 Howard Street, Montclair, CA 91763.

WHEREAS, the subject property is a 7,200 square-foot (0.16 acres) lot on the south side of Howard Street, within the unincorporated San Bernardino County area that is a part of the Sphere of Influence of the City of Montclair; and

WHEREAS, the subject property is developed with a single-family residence and detached garage constructed in 1961 (per assessor's records); and

WHEREAS, the Owner desires to connect to and utilize the City's sanitary sewer system for the above-described property, said system otherwise being available only to properties within the City of Montclair corporate limits; and

WHEREAS, Owner desires to annex to the City of Montclair; and

WHEREAS, the City is willing to consent to the connection of said property to the sewer main only on the condition that the property be annexed to the City at the earliest possible time; and

WHEREAS, the City intends to pursue annexation of Owner's property plus other property, but said annexation will cause delay, which would create a substantial hardship for Owner of said property; and

WHEREAS, the agreements, conditions, and covenants contained herein are made for the direct benefit of the land subject to this Agreement and described herein and shall create an equitable servitude upon the land and operate as a covenant running with the land for the benefit of the Owner of the land and his heirs, successors, and assigns.

NOW THEREFORE, the parties do agree as follows:

1. Owner does hereby give irrevocable consent to annex to the City of Montclair at such time as the annexation may be properly approved through appropriate legal proceedings, and Owner does further agree to provide all reasonable cooperation and assistance to the City in the annexation proceedings. Said cooperation is contemplated to include signing any applications of consent prepared by the City, and submitting any evidence reasonably within the control of the Owner to the various hearings required for the annexation. Said cooperation does not include, however, any obligation on behalf of the Owner to institute any litigation of judicial proceeding whatsoever to force annexation to the City.

2. The City of Montclair does hereby agree to authorize the connection of said property, proposed to be developed on Owner's property, to the sewer main located in Howard Street. Said connection to the sewer main shall be permitted by the City at such time as all applicable permits have been obtained and associated fees have been paid.

3. Owner agrees to pay such annexation fees and costs, and other municipal charges as would ordinarily be charged in the annexation of property to the City. Said fees shall be payable when the same becomes due and payable. (In some circumstances, these fees may be borne by the City.)

4. Owner shall pay all fees and charges and make all deposits required by the City to connect to and use the sewer, and Owner agrees to be bound by all City ordinances, rules, and regulations with respect to the sewer system. Owner agrees to pay monthly sewer charges beginning on the date this agreement is approved by the City Council.

5. This agreement shall be recorded with the Office of the Recorder of the County of San Bernardino.

6. Owner shall install any and all future improvements upon said property to the City's standards, except that the County standard(s) shall apply when more restrictive than the City standard(s).

7. Owner shall execute this agreement on behalf of himself, his heirs, successors, and assigns, and said agreement shall be irrevocable without the prior written consent of both parties hereto.

8. The benefit to the subject property shall inure to the benefit of subsequent owners, their heirs, successors, and assigns; and the agreements, conditions, and covenants contained herein shall be binding upon them and upon the land.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY:

CITY OF MONTCLAIR, CALIFORNIA

OWNER:

JOSEY CHAVEZ, a married woman as
her sole and separate property

Paul M. Eaton
Mayor

Josey Chavez

ATTEST:

Yvonne L. Smith
Deputy City Clerk

Date

APPROVED AS TO FORM:

Diane E. Robbins
City Attorney

EXHIBIT "A"

VICINITY MAP
Irrevocable Annexation Agreement No. 13-91-I-89
Josey Chavez, 4743 Howard Street

SUBJECT PROPERTY
4743 Howard Street
(APN 1012-331-05)

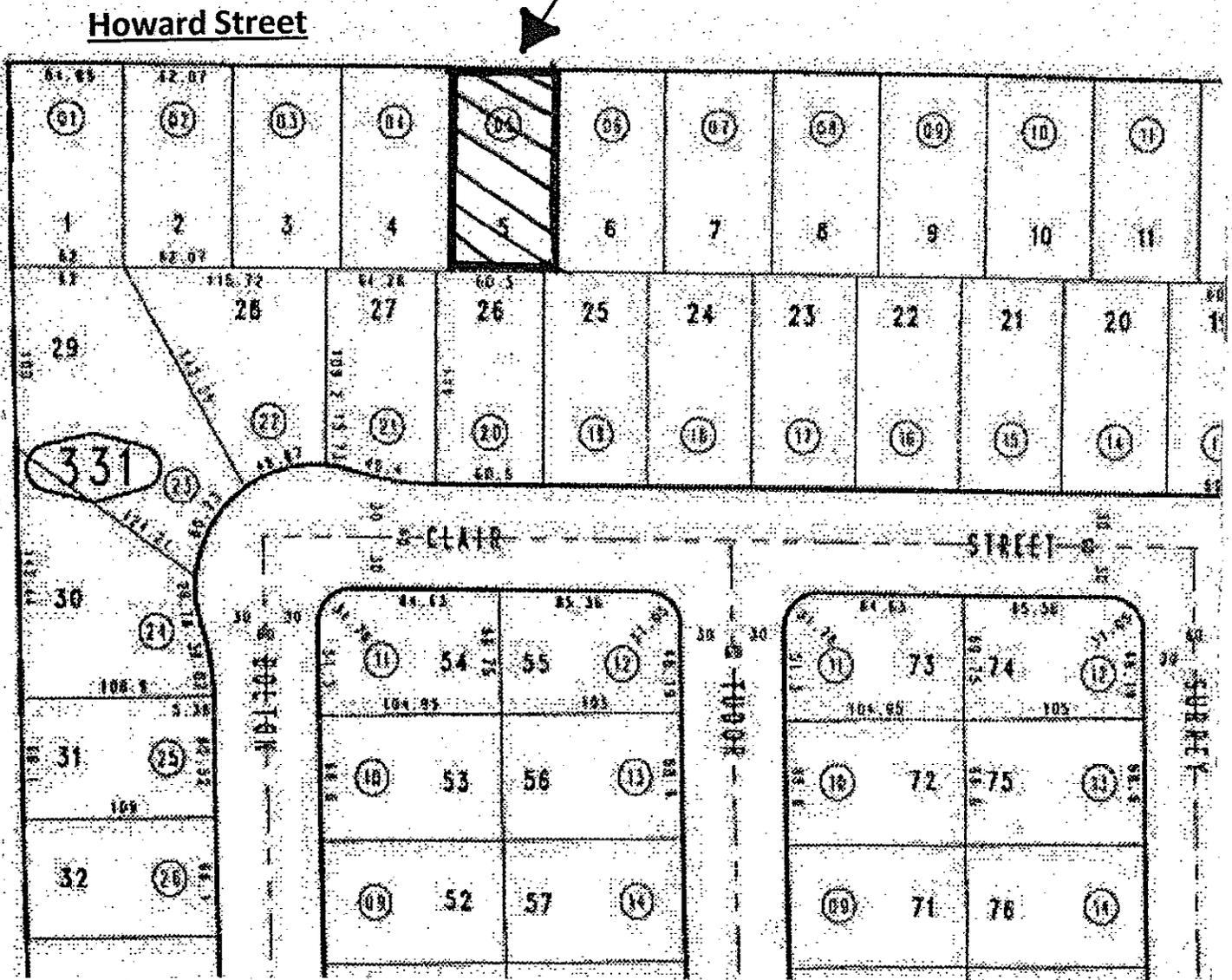
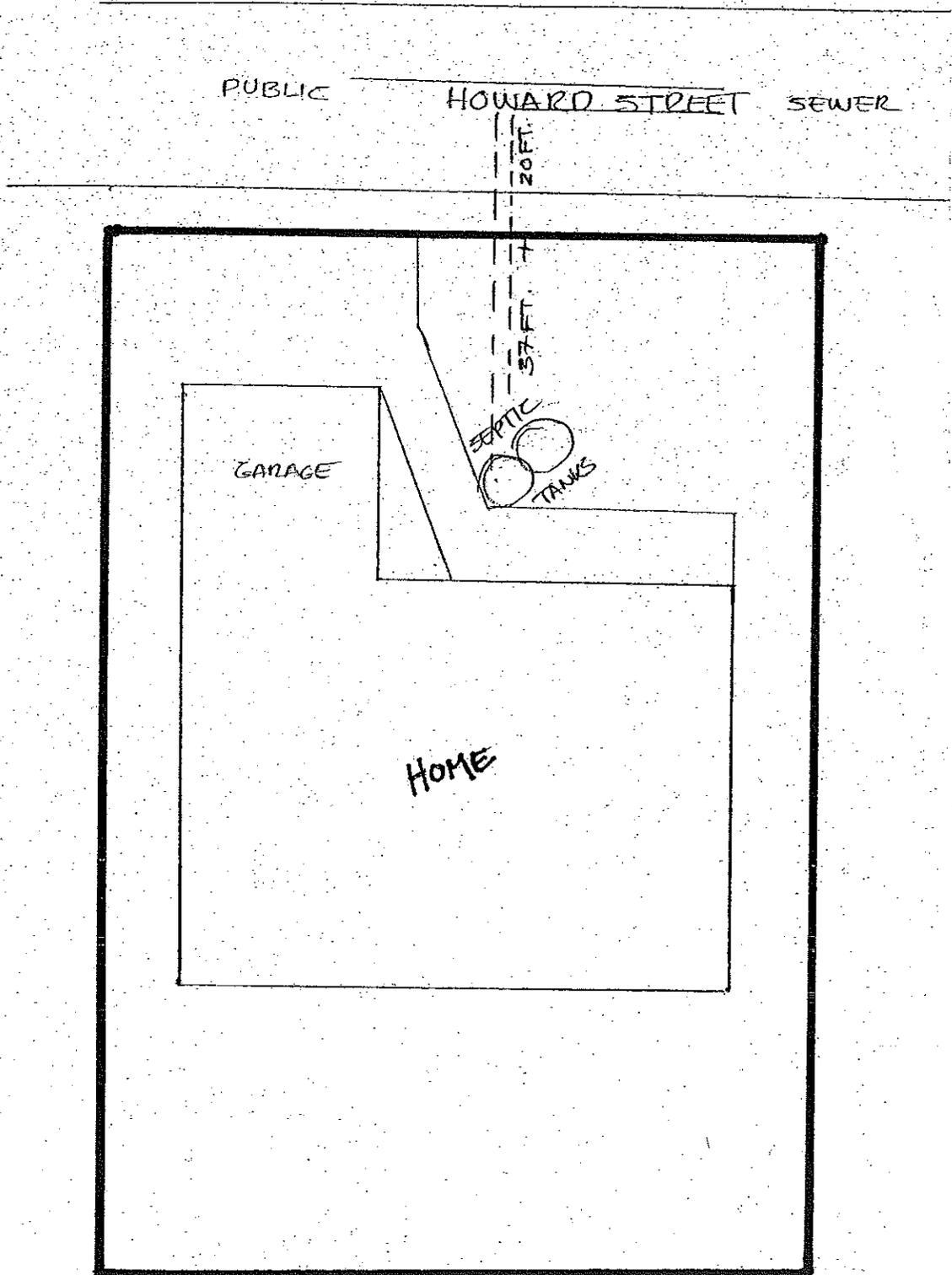


EXHIBIT "B"

UTILITY PLAN
Irrevocable Annexation Agreement No. 13-91-I-89
Josey Chavez, 4743 Howard Street



AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 13-3015 SETTING A PUBLIC HEARING FOR JANUARY 20, 2014, RELATED TO A PROPOSED FIVE-YEAR SCHEDULE OF MAXIMUM MONTHLY RATE CAPS FOR RESIDENTIAL AND COMMERCIAL REFUSE SERVICES PURSUANT TO PROPOSITION 218 NOTIFICATION, PROTEST, AND PUBLIC HEARING PROCESS AND DIRECTING THAT NOTICE THERETO BE PROVIDED TO PROPERTY OWNERS OF RECORD UPON WHICH PROPOSED FEES WOULD BE IMPOSED.

DATE: November 18, 2013

SECTION: RESOLUTIONS

ITEM NO.: 1

FILE I.D.: REF285

DEPT.: ADMIN. SVCS.

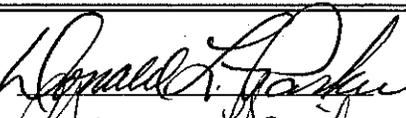
CONSIDER AUTHORIZING STAFF TO SEND NOTICES TO PROPERTY OWNERS REGARDING A WORKSHOP AND PUBLIC HEARING TO CONSIDER ESTABLISHING MAXIMUM MONTHLY RESIDENTIAL AND COMMERCIAL RATE CAPS FOR REFUSE SERVICES PURSUANT TO PROPOSITION 218 REQUIREMENTS

CONSIDER ALLOCATING UP TO \$12,000 FROM THE CONTINGENCY FUND TO MAIL NOTICES OF A PROPOSITION 218 PUBLIC HEARING TO PROPERTY OWNERS REGARDING ESTABLISHING A FIVE-YEAR SCHEDULE OF MAXIMUM MONTHLY RATE CAPS FOR RESIDENTIAL AND COMMERCIAL REFUSE SERVICES

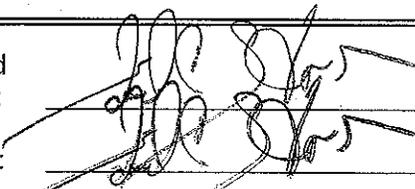
REASON FOR CONSIDERATION: The City of Montclair provides a number of property-related services to residents and property owners within the City's administrative boundaries including greenwaste, recycling, and refuse services—collectively referred to herein as refuse services. The cost of providing refuse disposal services is charged directly to residents and property owners.

Pursuant to Section 6.16.050 of Title 6 of the Montclair Municipal Code, the City Council may, from time to time, consider adjustments to rates for solid waste disposal services; however, in compliance with Proposition 218 (1996), rate adjustments cannot exceed established maximum rate caps unless and until such rates caps are increased pursuant to the public notification and hearing process as required by Proposition 218. The City Council authorizes Proposition 218 public notifications and hearings for property-related fee adjustments, and establishes fee caps related thereto.

Prepared by:




Reviewed and
Approved by:



Proofed by:

Presented by:

Burrtec Waste Industries, the City's franchise refuse hauler, is requesting rate increases for residential and commercial accounts. In order to properly consider refuse rate increases, the City Council must first provide notifications and conduct hearings pursuant to Proposition 218.

BACKGROUND: Burrtec Waste Industries, Inc. (Burrtec), the City's franchise solid waste hauler, is seeking an adjustment to residential and commercial refuse rates. Proposed rate adjustments include new fees for recycling and sanitation to comply with state law mandates, provide enhanced service levels to the community, establish a new multifamily commercial rate, and provide commercial operators with a range of optional services.

Proposition 218 Hearing Requirement

In order to proceed with rate adjustments for residential and commercial refuse services, the City is required to conduct a Proposition 218 hearing to establish a five-year period of maximum rate caps. The requirement to conduct a Proposition 218 public hearing on refuse rates was confirmed on July 24, 2006, when the California Supreme Court published its decision in *Bighorn-Desert View Water Agency v. Beringson*, addressing the property-related fee provisions of Proposition 218. In its decision, the Court ruled that when a rate is set by a government agency, it is a "property-related" fee subject to the public hearing requirements of Proposition 218. A Proposition 218 public hearing on refuse rates was last held on April 16, 2007. At that time, the City Council approved a ten-year schedule of maximum rate caps for refuse services—June 1, 2007 through June 30, 2017.

Government Code Section 53756

In addition to complying with the Proposition 218 public hearing process, municipal agencies are required to comply with Government Code Section 53756, which provides that *an agency providing... refuse collection service may adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases...if it complies with all of the following:*

- a. Adopts the schedule of fees or charges for a property-related service for a period not to exceed five years.
- b. The schedule of fees may include a schedule of adjustment, including a clearly defined formula for adjusting for inflation, not to exceed the cost of providing that service.
- c. Notice of any adjustment pursuant to the schedule shall be given not less than 30 days before the effective date of the adjustment.

Government Code Section 53756 was chaptered into law on July 13, 2012, approximately five years after the City Council conducted its April 16, 2007 Proposition 218 public hearing on refuse service rates.

Proposition 218 Public Hearing Process

Article XIID, Section 6(a) of the State Constitution (Proposition 218-1996), passed by the voters of California on November 5, 1996, requires municipalities to give detailed written notice to the owners of parcels upon which proposed fees or charges are to be applied.

- a. A public hearing shall be conducted not less than 45 days after mailing of the notice.
- b. If written protests against a proposed fee or charge are presented by a majority of owners of the parcels, the fee adjustment shall not be implemented.
- c. If a majority protest is not received, the rate cap shall go into effect without further action.
- d. Written protests can be provided to the City in advance of the date set for a public hearing.

The date recommended for the public hearing before the City Council is January 20, 2014, at 7:00 p.m. in the Montclair City Council Chambers. A workshop in which property owners could inquire regarding proposed refuse rate caps is scheduled for Tuesday, January 7, 2014, at 6:00 p.m., in the Montclair City Council Chambers. City staff and representatives from Burrtec will be available at both the workshop and public hearing to respond to property owners' questions.

Residential Rates

On April 16, 2007, pursuant to provisions of Proposition 218, the City Council adopted Resolution No. 07-2681, establishing a ten-year schedule of maximum residential refuse service rates for the period June 1, 2007 through June 30, 2017. However, on July 13, 2012, AB 2567 was chaptered into law as Government Code Section 53756, prohibiting automatic adjustments for property-related fees for a period not to exceed five years. Accordingly, on and after July 13, 2012, the City of Montclair would be required to conduct a Proposition 218 public hearing before adopting any increase to monthly refuse service rates. Furthermore, any schedule of maximum refuse service rates authorizing automatic adjustments that pass through increases cannot exceed a period of five years.

Agreement No. 13-71, by and between Burrtec Waste Industries (Burrtec) and the City of Montclair, provides for the annual adjustment of residential refuse service rates by a percentage increase not to exceed the *All Cities Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange Co. Area, All-Items Indexes, All Urban Consumers*, for the previous 12 months ending in January.

Burrtec last requested and received a 5.0 percent residential refuse service rate adjustment in April 2009, with an effective date of June 1, 2009. Pursuant to the terms and conditions of Agreement No. 13-71, Burrtec is technically eligible for an increase of 7.6 percent—the cumulative CPI for January 2009 (-0.1 percent); January 2010 (1.8 percent); January 2011 (1.8 percent); January 2012 (2.1 percent); and January 2013 (2.0 percent).

Burrtec is requesting a 4.89 percent rate adjustment with an effective date on or about February 1, 2014. Accordingly, the City Council is requested to:

1. Consider adopting Resolution No. 13-3015 setting a public hearing to consider establishing a proposed maximum five-year schedule of rates for residential refuse services.
2. Authorize noticing property owners of a Proposition 218 public hearing for Tuesday, January 20, 2014.

Residential Refuse Rate: Five-Year Schedule of Maximum Rate Caps

The proposed five-year schedule of rates is based on the terms and conditions contained in Agreement No. 13-71. The first three years of the proposed five-year schedule reflect the same maximum rate caps established by the City Council during the April 16, 2007, public hearing for the same three-year period.

Table 1, below, reflects the proposed schedule of maximum refuse rates that can be assessed to residential rate payers for the five-year rate period that runs from February 1, 2014 through January 1, 2019. At no time during each of the annual rate periods can refuse rates exceed the applicable maximum monthly rate cap for the effective year. If a request for refuse rate increases exceeds the effective maximum monthly rate cap for the applicable year, a new Proposition 218 public hearing would be required.

Proposed maximum residential refuse rate caps are based on a five percent per annum adjustment, pursuant to Agreement No. 13-71.

Maximum residential refuse rate caps are not an indication of actual monthly residential refuse rates.

The City of Montclair typically increases residential refuse rates once every three to five years; and rate increases for the cumulative period are typically at or below 5 percent—well below maximum refuse rate caps, and well below authorized increases pursuant to Agreement No. 13-71.

Table 1

Maximum Proposed Monthly Residential Refuse Rate Caps

Proposed Maximum Residential Rate Caps						
Service	Current Rate	Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Monthly Residential Refuse Rate	\$25.36	\$26.88	\$28.22	\$29.63	\$32.00	\$33.60
Bin 1.5/Frequency 1	\$71.19	\$93.80	\$98.49	\$103.41	\$108.58	\$114.01

Proposed Residential Refuse Rates Effective February 1, 2014

Concurrent with the request to conduct a Proposition 218 public hearing on January 20, 2014 to consider establishing a five-year schedule of maximum residential refuse rate caps, City staff anticipates asking Council to consider a proposed schedule of residential refuse rates effective on or about February 1, 2014. Burrtec is requesting a residential refuse rate adjustment of 4.89 percent, pursuant to Agreement No. 13-71.

For information purposes only as this is to be considered in a separate public hearing: Following is a discussion of components that constitute the monthly residential refuse rate and proposed cost adjustments for each rate component:

- *Refuse Service Rate:* The refuse service rate represents that portion of the rate paid to Burrtec for collecting and transporting refuse to the Materials Recovery Facility (MRF). The City's Agreement with Burrtec allows the refuse service rate to be adjusted each year by the CPI, not to exceed 5 percent annually. Burrtec is requesting a service rate adjustment of \$0.50 (4.89 percent), from \$10.32 to \$10.82.
- *Landfill Rate:* The landfill rate represents a pass-through of actual transportation and tipping fees paid by Burrtec. Currently, refuse generated in Montclair is transported from Burrtec's MRF in Fontana to several landfills within Burrtec's network of landfill disposal sites throughout Southern California. The rate is adjusted by a formula agreed upon in Agreement No. 13-71. There is no anticipated increase in the tipping fee; however, the cost to pick up and transport refuse to landfills has increased significantly, partly because of high diesel fuel prices. Burrtec is requesting a modest \$0.23 adjustment in the landfill rate from \$3.87 to \$4.10.
- *Recycling Service Rate:* The recycling service rate represents the cost of collecting and transporting recyclables to the MRF. The rate is adjusted by a formula agreed upon in Agreement No. 13-71. A recycling service rate adjustment of \$0.16, from \$3.19 to \$3.35, is being proposed.
- *Materials Recovery Facility Fee:* The MRF component is affected by (1) the volume of recyclables processed; (2) the amount of refuse (contamination) found in the recyclables; and (3) the market value of recycled commodities over the preceding 12 months.

Pursuant to AB 341, all cities in the state must reach a 75 percent landfill recovery rate by 2020. As such, the amount of recyclable commodities that Burrtec is able to collect and process has increased significantly as a result of state law. The recent growth in the volume of recyclables has produced a downward trend in commodity prices. At the same time, the amount of material that Burrtec is able to process and redistribute to third parties for use in the manufacturing of goods has climbed dramatically, resulting in a net profit for Burrtec. Accordingly, and pursuant to terms agreed to in Agreement No. 13-71, Burrtec is proposing a credit of \$0.42 per month to residential ratepayers—in contrast, Burrtec currently assesses a \$0.9 processing fee.

During negotiations, Burrtec suggested creating a fund from the proposed Materials Recovery Facility Fee credit to reimburse the City for the cost of general community maintenance—currently, a portion of general community maintenance is paid for by the General Sanitation Fee, adopted by the City Council in 2011. However, in the interest of limiting refuse service costs to residents, City staff recommends the Materials Recovery Facility Fee credit be passed onto the ratepayer.

- *Greenwaste Disposal:* The Greenwaste Disposal Fee represents a pass-through of actual transportation and tipping fees paid by Burrtec. The Greenwaste Disposal Fee has increased from \$28 per ton to \$35.61 per ton. Increases for this rate component are typically tied to increases in fuel prices and tipping fees, and decreases in commodity volume. Currently, the average household in Montclair is generating 3,905 tons of greenwaste per year, up from 3,490 ton four years ago. An increase in commodity volume would generally result in a corresponding decrease in the cost of

disposal. However, the opportunity for a decrease has been offset by significant increases in transportation and tipping fee costs.

The formula used to calculate the greenwaste component is essentially based on disposal volume plus the disposal charge per ton. As indicated, the volume of greenwaste per household increased significantly; however, increases in fuel costs and disposal tipping rates combined to produce a proposed \$0.96 increase in this cost component, up from \$0.81 to \$1.77.

- *Household Hazardous Waste Fee:* The City is in the 21st year of an agreement with the County of San Bernardino to provide household hazardous waste disposal facilities.

Disposal facilities are located at the following locations:

5050 Schaefer Avenue, Chino

1408 East Francis Street, Ontario

1370 North Benson Avenue, Upland

Montclair residents may dispose of hazardous waste at no charge at the time of disposal, and are annually assessed approximately \$5.39 per household (\$0.45 monthly). The Household Hazardous Waste Fee is based on the actual cost charged to the City by San Bernardino County, and is intended as a pass-through cost to each ratepayer. There is no adjustment in the Household Hazardous Waste Fee component for Fiscal Year 2013-14; and any rate increase for Fiscal Year 2014-15 is unknown at this time.

- *General Sanitation Fee:* The general sanitation fee is a rate component assessed to residential ratepayers to reimburse for a portion the City costs related to general community maintenance issues including graffiti abatement, alleyway maintenance, illegal dumping, property cleanup, sanitation services, and removal of abandoned bulky items in neighborhoods and alleyways. Since adoption of the General Sanitation Fee in 2011, the service charge has remained below the actual/estimated cost of service. There is no anticipated adjustment in the General Sanitation Fee component for Fiscal Year 2013-14; nor is a fee adjustment anticipated for Fiscal Year 2014-15. The current monthly assessment per household is \$2.82.
- *Administrative Fee:* The Administrative Fee is a charge imposed by the City to reimburse for the cost of administering the refuse service program—the current fee is \$3.99 per month. Service charges should approximate the actual/estimated cost of service. There is no anticipated adjustment in the General Sanitation Fee component for Fiscal Year 2013-14; nor is a fee adjustment anticipated for Fiscal Year 2014-15.

Table 1 on the following page identifies cost components of Montclair's *Total Monthly Household Refuse Rate* including current and proposed rates—proposed monthly residential refuse rates will be considered at a public hearing scheduled for January 20, 2014.

Table 1 also indicates that adoption of proposed Resolution No. 13-3015 would increase the *Total Monthly Household Refuse Rate* from \$25.36 to \$26.88, an increase of \$1.52.

Senior households would continue to be charged a refuse rate that is 20 percent below the monthly refuse fee for nonsenior households—the monthly senior household rate would increase from \$20.29 to \$21.50, an increase of \$1.21.

**Table 1
Total Monthly Household Refuse Rate Components
Current and Proposed Residential Refuse Rates**

<i>Fee Components</i>	<i>Current</i>	<i>Proposed</i>
Refuse service rate	\$ 10.32	\$ 10.82
Recycling service rate	\$ 3.19	\$ 3.35
Refuse landfill/Transfer rate	\$ 3.89	\$ 4.10
MRF fees	\$ 0.09	\$ (-0.42)
Greenwaste disposal rate	\$ 0.81	\$ 1.77
Total cost of services—paid to Burrtec	\$ 18.10	\$ 19.62
General sanitation fee	\$ 2.82	\$ 2.82
Administrative fee	\$ 3.99	\$ 3.99
Household Hazardous Waste fee	\$ 0.45	\$ 0.45
Total monthly cost to provide refuse collection	\$ 25.36	\$ 26.88
TOTAL MONTHLY HOUSEHOLD RATE	\$ 25.36	\$ 26.88
TOTAL MONTHLY SENIOR HOUSEHOLD RATE	\$ 20.29	\$ 21.50
Monthly City subsidy per senior household	\$ 5.07	\$ 5.38
<i>Miscellaneous:</i>		
<i>Multifamily bin</i>	\$ 3.11	\$ 3.11
<i>Extra Cart: Refuse/Recycling/ Greenwaste</i>	\$ 5.50/\$1.25/ \$ 3.50	\$ 5.50/\$1.25/ \$ 3.50
Large item collection: Monthly Burrtec charge—all City households; cost incorporated in administrative fee	\$2,400.00	\$3,250.00

Senior Household Refuse Rate Subsidy Program

For Information Purposes only as this is to be considered in a separate public hearing: Montclair currently provides a monthly refuse rate subsidy program for senior households—to qualify, accountholders must be age 65 or older, live at the residence, and the refuse account must be in the customer's name. The current monthly household refuse rate for senior households is \$20.29— a savings of \$5.07 off the current Total Monthly Household Refuse Rate of \$25.36; the proposed Senior Household rate of \$21.50 effective on or about February 1, 2014, represents a savings of \$5.38 below the proposed Total Monthly Household Refuse Rate of \$26.88.

Continuation of a discount program for senior households was discussed at the November 21, 2005 meeting of the City Council— the City Council considered alternatives related to discounting refuse service rates and ultimately approved maintaining a 20 percent discount off the Total Monthly Household Refuse Rate until funds in the Refuse Impound Reserve Fund are depleted.

The subsidy program is not a rate discount off the Total Monthly Household Refuse Rate; rather, it is a General Fund subsidy that offsets the Total Monthly Household Refuse Rate currently charged to the households of nonsenior residential refuse ratepayers. The General Fund subsidy is used to make full payment to Burrtec for refuse services provided to senior households.

The Finance Department has determined that the General Fund refuse rate subsidy for senior households can continue through Fiscal Year 2014-15 before funds in the subsidy account are depleted.

Recognizing that the City Council is rightly concerned with the cost of refuse services for households on limited income, continuing a refuse-rate subsidy program for senior households may continue to be an appropriate course of action. To achieve this objective, the City Council, at its January 20, 2014, public hearing on proposed residential refuse rates, may consider maintaining the current 20 percent subsidy or direct City staff to reduce the subsidy to a lesser amount—ranging from 2.5 percent to 17.5 percent.

However, in keeping with direction from the November 21, 2005 City Council meeting, current intent is to migrate senior households to the standard monthly residential refuse rate.

It is apparent that passing on the full cost for refuse services to senior households effective July 1, 2015, would result in a significant monthly increase—\$5.38 based on the proposed monthly refuse rate currently under consideration. Instead, the City Council may elect to consider migrating senior households to the standard household refuse rate over the course of several years.

- Staff recommends continuing the practice of providing a 20 percent discount off the monthly residential refuse rate for senior households through the remainder of Fiscal Year 2013-14. Thereafter, beginning with Fiscal Year 2014-15, Council may direct staff to reduce the 20 percent discount for senior household as follows:
 - ✓ Fiscal Year 2014-15—reduce senior household refuse rate subsidy to 15 percent effective July 1, 2014
 - ✓ Fiscal Year 2015-16—reduce senior household refuse rate subsidy to 10 percent effective July 1, 2015
 - ✓ Fiscal Year 2016-17, reduce senior household refuse rate subsidy to 5 percent effective July 1, 2016
 - ✓ Fiscal Year 2017-18—eliminate senior household refuse rate subsidy effective July 1, 2017
- As an alternative to the proposed reduction to the senior household rate as indicated above, City Council may consider a more gradual reduction, as follows:
 - ✓ Fiscal Year 2014-15—reduce senior household refuse rate subsidy to 17.5 percent effective July 1, 2014
 - ✓ Fiscal Year 2015-16—reduce senior household refuse rate subsidy to 15 percent effective July 1, 2015

- ✓ Fiscal Year 2016-17—reduce senior household refuse rate subsidy to 12.5 percent effective July 1, 2016
- ✓ Fiscal Year 2017-18—reduce senior household refuse rate subsidy to 10 percent effective July 1, 2017
- ✓ Fiscal Year 2018-19—reduce senior household refuse rate subsidy to 8.5 percent effective July 1, 2018
- ✓ Fiscal Year 2019-20—reduce senior household refuse rate subsidy to 5 percent effective July 1, 2019
- ✓ Fiscal Year 2020-21—reduce senior household refuse rate subsidy to 2.5 percent effective July 1, 2020
- ✓ Fiscal Year 2021-22—eliminate senior household refuse rate subsidy effective July 1, 2021

If it is City Council's intent to maintain a senior household refuse rate subsidy program, but at a lesser percentage, City staff recommends the City Council determine what the new subsidy rate would be and decrease it gradually by using one of the two reduction schedules recommended above.

Council Members are advised that in addition to a gradual reduction in the refuse rate discount, senior households would continue to be impacted by any increase in the standard household refuse rate, subject to the applicable subsidy rate in effect at time of implementation. Continuing the refuse rate subsidy program for senior households, as defined herein, would require an ongoing transfer of funds from the General Fund to the General Fund Subsidy Account for senior household refuse rate payers.

Commercial Rates

Similar to the discussion for residential refuse rates, it is the City Attorney's opinion that Proposition 218 requires a public hearing for commercial refuse rates. However, unlike residential refuse rates that were subject to a Proposition 218 public hearing on April 16, 2007, this current effort related to commercial refuse rates is the City's first in relation to conducting a Proposition 218 public hearing.

The process related to conducting a Proposition 218 public hearing for commercial refuse rates is similar to the process followed for residential refuse rates. A Proposition 218 public hearing on commercial refuse rates is now triggered in relation to Burrtec's request to adjust commercial refuse rates.

Agreement No. 13-71 provides for annual adjustment of commercial refuse service rates by a percentage increase not to exceed the *All Cities Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County Area, All-Items Indexes, All Urban Consumers* for the previous 12 months ending in January.

Burrtec last requested and received a 3.5 percent commercial refuse service rate adjustment in June 2008 with an effective date of July 1, 2008. Pursuant to the terms and conditions of Agreement No. 13-71, Burrtec is technically eligible for an increase of 11.5 percent—the cumulative CPI for January 2008 (3.9 percent); January 2009

(-0.1 percent); January 2010 (1.8 percent); January 2011 (1.8 percent); January 2012 (2.1 percent); and January 2013 (2.0).

Burrtec is requesting a 3.60 percent rate adjustment for Roll-Off Commercial Rates effective on or about February 1, 2014, and waives CPI adjustments for all other commercial rates. Accordingly, the City Council is requested to:

1. Consider adopting Resolution No. 13-3015 setting a public hearing to consider establishing a proposed maximum five-year schedule of rates for commercial refuse services.
2. Authorize noticing property owners of a Proposition 218 public hearing for Tuesday, January 20, 2014.

Commercial Refuse Rate: Five-Year Schedule of Maximum Rate Caps

The proposed five-year schedule of commercial rates is based on the terms and conditions contained in Agreement No. 13-71.

Table 2, attached as **Appendix 1**, reflects the proposed schedule of maximum refuse rates that can be assessed to commercial rate payers for the five-year period that runs from February 1, 2014 through January 1, 2019. At no time during each of the annual rate periods can commercial refuse rates exceed the applicable maximum monthly rate cap for the effective year. If a request for commercial rate increases exceeds the effective maximum monthly rate cap for the applicable year, a new Proposition 218 public hearing would be required.

Proposed maximum commercial refuse rate caps are based on a five percent per annum adjustment, pursuant to Agreement No. 13-71.

Maximum commercial refuse rate caps are not an indication of actual monthly commercial refuse rates. The City of Montclair typically increases refuse rates once every three to five years; and rate increases for the cumulative period are typically at or below 5 percent—well below maximum refuse rate caps, and well below authorized increases pursuant to Agreement No. 13-71.

Concurrent with the request to conduct a Proposition 218 public hearing on January 20, 2014 to consider establishing maximum commercial refuse rate caps, City staff will request Council consideration of a proposed schedule of commercial refuse rates effective on or about February 1, 2014. Burrtec is requesting a commercial refuse rate adjustment of 3.60 percent, pursuant to Agreement No. 13-71.

For information purposes only as this is to be considered in a separate public hearing: Following is a discussion of components that constitute the monthly commercial refuse rate and proposed cost adjustments for each rate component.

- *Service costs related to the provision of refuse services.* Service costs are subject to annual CPI adjustments pursuant to Agreement No. 13-71. Burrtec is requesting a 3.6 percent CPI adjustment for Roll-Off Commercial Rates.
- *Pass-through costs including a Greenwaste processing fee and/or the Landfill Disposal rate.* This rate component is impacted by landfill charges and commodity

prices. As proposed, the Disposal/Landfill rate is increasing from \$39.50 per ton to \$41.80 per ton, the Greenwaste rate is increasing from \$28.00 per ton to \$35.61 per ton, and the Roll-Off disposal rate is increasing from \$39.50 per ton to \$41.80 per ton.

- *Frequency Factor.* This component represents the number of times per week (or other designated period of days) that refuse is picked up for disposal. The frequency factor provides ratepayers with a graduating discount rate based on the number of times of service per week.
- *Bin Size.* Bins are provided in the following sizes: 1.5 yards (0.3250 tons); 2.0 yards (0.4333 tons); 3.0 yards (0.6500 tons); 3.0 yards/greenwaste (1.3000 tons); 3.0 yards compacted (1.9500 tons); and 4.0 yards/compacted (2.600 tons). Bin size, Disposal/ Landfill, and Greenwaste disposal rates determine the monthly cost for this component.
- *Franchise Fee.* The franchise fee is an assessment against Burrtec for the exclusive right to be the primary solid waste hauler for the City of Montclair, and consists of a 10 percent fee of gross revenue derived from services to commercial, institutional, and industrial premises, exclusive of revenue from sale of recyclable materials and disposal tip fees. It is at the discretion of the solid waste hauler to absorb or pass on the fee to rate payers.
- *Pavement Impact Fee.* The pavement impact fee is an assessment against Burrtec to compensate the City for damage done to pavement caused by refuse disposal trucks owned and operated by Burrtec. This rate component consists of a 3.5 percent fee of gross revenue from services to commercial, institutional, and industrial premises, exclusive of revenue from sale of recyclable materials and disposal tip fees. It is at the discretion of the solid waste hauler to absorb or pass on the fee to rate payers.

New Proposed Fee Components and Classifications

As part of the proposed rate adjustment for commercial refuse services, City staff is proposing establishing Recycling and Sanitation Fee components to comply with State law, and provide for improved sanitation services to the community. City staff is also proposing the reclassification of Multifamily Residential from *residential refuse service* to *commercial refuse service*. As part of the proposed reclassification, Multifamily Residential would be divided into two rate categories consisting of Multifamily Commercial and Multifamily Commercial Bin with associated refuse rate schedules. Burrtec is also proposing the creation of several new fees for elective refuse services.

- *Multifamily Commercial.* City staff, in concurrence with Burrtec, is proposing the reclassification of Multifamily Residential from *residential refuse service* to *commercial refuse service*. The reclassification of Multifamily Residential would result in a name change to Multifamily Commercial. As part of the proposed reclassification, the newly named Multifamily Commercial would be divided into two rate categories consisting of Multifamily Commercial and Multifamily Commercial Bin. The creation of new rate schedules is also being proposed as part of the proposed reclassification.

The proposed Multifamily Commercial refuse rate category would apply to multifamily complexes without private enclosures for refuse bins. Within multifamily

complexes, refuse bins are used by any resident and nonresident, and no system exists to differentiate between customer bins. Multifamily complexes without private enclosures are typical of apartment complexes with alley access where refuse is collected, and by apartment complexes that do not provide unit-designated refuse bins.

Burrtec initially considered the option of allowing multifamily complexes without private enclosures the opportunity to determine the frequency of refuse service based on individual customer need; however, past experience with this practice exposed a number of problems, including the following:

- ✓ Customers deliberately chose the least costly refuse service available, resulting in inappropriate levels of refuse collection.
- ✓ Customers dumped their refuse into the bins of other customers, because their refuse service was not appropriate for the amount of refuse generated
- ✓ Customers were not able to dispose of their refuse in their designated bins because their bins would be full of the refuse of other customers.
- ✓ Unsanitary conditions persisted around refuse bins given the overflow of refuse between collection days.

In order to avoid the above issues and properly address community maintenance issues affecting multifamily complexes without private enclosures, City staff, in concurrence with Burrtec, is recommending the proposed Multifamily Commercial category be assigned a monthly flat fee, with unlimited refuse service and unlimited frequency.

In contrast, the Multi Family Commercial Bin category would apply to multifamily apartment complexes with private bin enclosures. Residential customers living in these multifamily units have exclusive, private access to protected refuse bins. Multifamily complexes with private enclosures are typical of senior retirement complexes and by apartment complexes that do provide unit-designated refuse bins.

These multifamily complexes tend to produce less amounts of refuse and require less service than multifamily complex without private enclosures. Allowing multifamily complexes with private enclosures the opportunity to determine the frequency of refuse service based on individual customer needs would allow Burrtec to better serve resident needs.

- *Recycling Fee.* The proposed recycling fee of \$1.29 per cubic yard would be used to comply with the provisions of Assembly Bill (AB) 341. AB 341 requires commercial businesses generating four or more cubic yards of refuse per week and multifamily complexes with five or more units to adopt recycling practices. The rate of \$1.29 per cubic yard is proposed and would result in a monthly fee of \$16.75, based on a typical 3-Yard Bin Size, at a frequency rate of once per week.
- *General Sanitation Fee.* A General Sanitation Fee of \$0.40 per yard, multiplied by the collection frequency per month is proposed for commercial refuse accounts. Similar to the General Sanitation fee adopted by the City Council in 2011 for residential refuse accounts, the proposed General Sanitation Fee for commercial refuse accounts is

designed to contribute toward the cost of general community maintenance issues including graffiti abatement, alleyway maintenance, illegal dumping, property cleanup, sanitation services, and removal of abandoned bulky items in neighborhoods and alleyways. In contrast, the General Sanitation Fee for residential refuse customers is \$2.82 per month.

- Implementation of a General Sanitation Fee for commercial refuse accounts is in compliance with City Council direction provided at the February 12, 2011 Strategic Planning Session.

Elective Refuse Service Fees

Burrtec is proposing a category of elective refuse services for commercial ratepayers, for an additional cost.

Proposed elective services include the following:

- ✓ Extra Bin Pickup
- ✓ Locking Containers
- ✓ Steam Cleaning
- ✓ Bulky Item Trip
- ✓ Bulky Item Pickup
- ✓ Relocation Fee of Roll-Off Containers Rental Fee
- ✓ Rental Fee

Elective Service Fees would only be charged to commercial accounts voluntarily agreeing to access available elective services.

Rate Comparisons

A rate survey of neighboring cities was conducted to compare residential and commercial refuse service levels and fee structures, and to better comprehend what other cities in the area charge. The cities surveyed are area cities that contract with Burrtec for refuse services.

Upon completion of the survey, it became apparent that a number of significant limitations would affect the validity and reliability of the comparison. Direct comparison of refuse service levels and fee structures across the surveyed cities provided insignificant empirical data due to wide differences in fee structures, rate components, service levels, and fee definitions.

While the refuse rate comparison established a sense of position within the range of refuse rates among neighboring cities, it did not establish a clear comparison of cost components within the surveyed cities. Rate Comparisons attached as **Appendix 2** include comparisons by service and disposal/processing components, and by total rate.

Comparative surveys do not typically offer clarity as to the cost of providing refuse rates; rather, such comparisons provide a simple tool for showing existing refuse rate ranges for comparable types of services. The following are significant factors when conducting rate comparisons:

- ✓ Many cities have not updated their refuse agreements in several years; therefore, cities that have recently updated agreements will typically have higher refuse rates in comparison to other cities that have not recently adjusted refuse rates. As a result, some cities may have refuse rates that may seem substantially high in comparison to other cities.

Of the agencies surveyed the cities of Highland, Rialto, and Yucaipa were the only ones to have undergone recent rate adjustments. The cities of Rancho Cucamonga and Upland are in the process of adjusting their refuse rates—a new refuse franchise agreement between Burrtec and Upland was recently considered by the Upland City Council. The City of Grand Terrace has not sought rate adjustments in several years and, as a result, is likely to see significant rate increases when rate adjustments are considered.

- ✓ Cities do not typically publish or identify refuse rate components. Instead, they simply state the total fee for commercial and residential refuse rates. As such, it is difficult to identify what the rate components are for commercial and residential refuse rates. Some cities may incorporate a variety of rate components within their monthly refuse rate including but not limited to administration fees, sanitation fees, recycling fees, greenwaste fees, and pavement impact fees. As more and more cities begin to examine the rate structures used by neighboring communities, the use of varied rate components is becoming commonplace. An example is the City of Upland, which recently decided to incorporate a number of fee components within its proposed refuse service rate.
- ✓ Services included in various refuse rates are typically structured differently in each city, thereby making direct comparisons unreliable. For example, some cities may charge a general sanitation fee that covers graffiti abatement and street cleaning; while another city may charge a sanitation fee that only covers bulky item pick-up. As such, it is difficult to compare services provided by refuse haulers. An example of this is the City of Upland, which charges high administrative fees to customers to compensate for the fact that its refuse service rates are not historically tied to a CPI adjustment. Like Montclair, Upland contracts with Burrtec for refuse services.
- ✓ Not all cities provide tiered refuse rates such as Nonsenior and Senior Residential Refuse Rates. While some cities may offer a two-tiered system, the formula by which the rate is subsidized is oftentimes unknown.
- ✓ Economies of scale greatly affect the refuse service rate for cities. Typically, cities with much larger populations that produce vast amounts of refuse are provided much lower refuse service rates—a factor attributed to the lower cost per unit to provide refuse service. Examples include the cities of Rancho Cucamonga, Upland, and Rialto. These cities have significantly larger populations and produce a higher volume of refuse in comparison to Montclair. Cities with smaller populations and producing small amounts of refuse tend to have higher refuse service rates, based on the higher cost per unit to provide refuse services.

Conclusion

Based on the above analysis, staff requests authorization to proceed and comply with Proposition 218 notification and public hearing requirements.

Current and proposed rates effective on or about February 1, 2014, and proposed five-year maximum rate caps for commercial and residential refuse services are contained in **Table 2**, attached as **Appendix 1**.

Proposed commercial and residential refuse rate caps:

1. Comply with Proposition 218 notification/hearing requirements.
2. Reflect a 5 percent CPI adjustment over the previous year.

It is anticipated that proposed maximum rate caps would avoid triggering Proposition 218 requirements during the proposed five-year schedule of maximum rates for commercial and residential refuse accounts.

To achieve full compliance with Proposition 218 notification and hearing requirements, approximately 8,200 notifications would be mailed to residential and commercial property owners, advising of the following:

1. Date of workshop
2. Date of public hearing before the City Council
3. Maximum proposed rate caps
4. Computation formula
5. Proposed commercial and residential refuse rates effective on or about February 1, 2014

Increasing maximum rate caps for residential and commercial refuse service would allow the City to meet its contractual obligations with Burrtec to apply CPI-related increases and other cost-related components without triggering Proposition 218 hearings each time a rate adjustment is considered; provided total rate adjustments do not exceed respective, maximum Proposition 218 rate caps for the applicable year in which they are proposed to go into effect.

FISCAL IMPACT: The cost to comply with Proposition 218 notification and hearing requirements is not expected to exceed \$12,000.

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

1. Adopt Resolution No. 13-3015 setting a public hearing for January 20, 2014, related to a proposed five-year schedule of maximum monthly rate caps for residential and commercial refuse services pursuant to the Proposition 218 notification, protest, and public hearing process and directing that notice thereto be provided to property owners of record upon which proposed fees would be imposed.

2. Authorize staff to send notices to property owners regarding a workshop and public hearing to consider establishing maximum monthly residential and commercial rate caps for refuse services pursuant to Proposition 218 requirements.
3. Allocate up to \$12,000 from the Contingency Fund to mail notices of a proposition 218 public hearing to property owners regarding establishing a five-year schedule of maximum monthly rate caps for residential and commercial refuse services.

Table 2
Maximum Proposed Monthly Refuse Rates

Appendix 1

Residential						
Service/Size/Pickup	Current Rate	Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Household Rate	\$ 25.36	\$ 26.88	\$ 28.22	\$ 29.63	\$ 32.00	\$ 33.60
Bin 1.5/Frequency 1	\$ 71.00	\$ 93.80	\$ 98.49	\$ 103.41	\$ 108.58	\$ 114.01

Commercial						
Service/Size/Pickup	Current Rate	Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Multifamily Commercial:						
Alleyway Service Per Unit	N/A	\$ 32.94	\$ 34.59	\$ 36.32	\$ 38.14	\$ 40.05
Bin 1.5/Frequency 1	N/A	\$ 104.13	\$ 109.34	\$ 114.81	\$ 120.55	\$ 126.58
Bin 1.5/Frequency 2	N/A	\$ 194.69	\$ 204.42	\$ 214.64	\$ 225.37	\$ 236.64
Bin 1.5/Frequency 3	N/A	\$ 285.68	\$ 299.96	\$ 314.96	\$ 330.71	\$ 347.25
Bin 2.0/Frequency 1	N/A	\$ 121.51	\$ 127.59	\$ 133.97	\$ 140.67	\$ 147.70
Bin 2.0/Frequency 2	N/A	\$ 220.50	\$ 231.53	\$ 243.11	\$ 255.27	\$ 268.03
Bin 2.0/Frequency 3	N/A	\$ 321.43	\$ 337.50	\$ 354.38	\$ 372.10	\$ 390.71
Bin 3.0/Frequency 1	N/A	\$ 171.73	\$ 180.32	\$ 189.34	\$ 198.81	\$ 208.75
Bin 3.0/Frequency 2	N/A	\$ 290.25	\$ 304.76	\$ 320.00	\$ 336.00	\$ 352.80
Bin 3.0/Frequency 3	N/A	\$ 411.02	\$ 431.57	\$ 453.15	\$ 475.81	\$ 499.60
Bin 3.0/Frequency 4	N/A	\$ 531.81	\$ 558.40	\$ 586.32	\$ 615.64	\$ 646.42
Bin 3.0/Frequency 5	N/A	\$ 652.58	\$ 685.21	\$ 719.47	\$ 755.44	\$ 793.21
Bin 3.0/Frequency 6	N/A	\$ 773.38	\$ 812.05	\$ 852.65	\$ 895.28	\$ 940.04
Commercial with Recycling:						
Bin 1.5/Frequency 1	\$ 80.67	\$ 100.37	\$ 105.39	\$ 110.66	\$ 116.19	\$ 122.00
Bin 1.5/Frequency 2	\$ 149.28	\$ 186.83	\$ 196.17	\$ 205.98	\$ 216.28	\$ 227.09
Bin 1.5/Frequency 3	\$ 217.89	\$ 275.23	\$ 288.99	\$ 303.44	\$ 318.61	\$ 334.54
Bin 2.0/Frequency 1	\$ 90.41	\$ 116.91	\$ 122.76	\$ 128.90	\$ 135.35	\$ 142.12
Bin 2.0/Frequency 2	\$ 163.30	\$ 211.72	\$ 222.31	\$ 233.43	\$ 245.10	\$ 257.36
Bin 2.0/Frequency 3	\$ 236.20	\$ 308.05	\$ 323.45	\$ 339.62	\$ 356.60	\$ 374.43
Bin 3.0/Frequency 1	\$ 126.14	\$ 165.04	\$ 173.29	\$ 181.95	\$ 191.05	\$ 200.60
Bin 3.0/Frequency 2	\$ 207.59	\$ 276.87	\$ 290.71	\$ 305.25	\$ 320.51	\$ 336.54
Bin 3.0/Frequency 3	\$ 289.05	\$ 390.54	\$ 410.07	\$ 430.57	\$ 452.10	\$ 474.71
Bin 3.0/Frequency 4	\$ 370.50	\$ 504.64	\$ 529.87	\$ 556.36	\$ 584.18	\$ 613.39
Bin 3.0/Frequency 5	\$ 451.95	\$ 618.72	\$ 649.66	\$ 682.14	\$ 716.25	\$ 752.06
Bin 3.0/Frequency 6	\$ 533.41	\$ 732.83	\$ 769.47	\$ 807.94	\$ 848.34	\$ 890.76

Table 2 (Continued)
Maximum Proposed Monthly Refuse Rates

Appendix 1

Commercial						
Service/Size/Pickup	Current Rate	Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Commercial Greenwaste:						
Bin 3.0/Frequency 1	\$ 136.86	\$ 154.59	\$ 162.32	\$ 170.44	\$ 178.96	\$ 187.91
Bin 3.0/Frequency 2	\$ 229.03	\$ 260.48	\$ 273.50	\$ 287.18	\$ 301.54	\$ 316.62
Bin 3.0/Frequency 3	\$ 321.21	\$ 366.39	\$ 384.71	\$ 403.95	\$ 424.15	\$ 445.36
Bin 3.0/Frequency 4	\$ 413.38	\$ 472.27	\$ 495.88	\$ 520.67	\$ 546.70	\$ 574.04
Bin 3.0/Frequency 5	\$ 505.55	\$ 578.16	\$ 607.07	\$ 637.42	\$ 669.29	\$ 702.75
Bin 3.0/Frequency 6	\$ 597.73	\$ 684.06	\$ 718.26	\$ 754.17	\$ 791.88	\$ 831.47
Commercial Compacted:						
Bin 3.0/Frequency 1	\$ 177.49	\$ 225.06	\$ 236.31	\$ 248.13	\$ 260.54	\$ 273.57
Bin 3.0/Frequency 2	\$ 310.29	\$ 401.43	\$ 421.50	\$ 442.58	\$ 464.71	\$ 487.95
Bin 3.0/Frequency 3	\$ 443.10	\$ 577.80	\$ 606.69	\$ 637.02	\$ 668.87	\$ 702.31
Bin 3.0/Frequency 4	\$ 575.90	\$ 754.17	\$ 791.88	\$ 831.47	\$ 873.04	\$ 916.69
Bin 3.0/Frequency 5	\$ 708.70	\$ 930.54	\$ 977.07	\$ 1,025.92	\$ 1,077.22	\$ 1,131.08
Bin 3.0/Frequency 6	\$ 841.51	\$ 1,106.92	\$ 1,162.27	\$ 1,220.38	\$ 1,281.40	\$ 1,345.47
Bin 4.0/Frequency 3	\$ 587.65	\$ 766.98	\$ 805.33	\$ 845.60	\$ 887.88	\$ 932.27
Commercial Temporary:						
Bin 3.0/Frequency 7	\$ 80.35	\$ 92.18	\$ 96.79	\$ 101.63	\$ 106.71	\$ 112.05
Commercial Permanent Roll-Off:						
Bin 40/Frequency 6	\$ 378.93	\$ 411.02	\$ 431.57	\$ 453.15	\$ 475.81	\$ 499.60
Bin 25/Frequency 8	\$ 457.93	\$ 494.62	\$ 519.35	\$ 545.32	\$ 572.59	\$ 601.22
Bin 10/Frequency 8	\$ 457.93	\$ 494.62	\$ 519.35	\$ 545.32	\$ 572.59	\$ 601.22
Bin 40 Comp/Frequency 8	\$ 457.93	\$ 494.62	\$ 519.35	\$ 545.32	\$ 572.59	\$ 601.22
Commercial Temporary Roll-Off:						
Bin 40/Frequency 6	\$ 398.43	\$ 433.03	\$ 454.68	\$ 477.41	\$ 501.28	\$ 526.34
Bin 25/Frequency 8	\$ 483.93	\$ 523.96	\$ 550.16	\$ 577.67	\$ 606.55	\$ 636.88
Bin 10/Frequency 8	\$ 483.93	\$ 523.97	\$ 550.17	\$ 577.68	\$ 606.56	\$ 636.89
Bin 40 Comp/Frequency 8	\$ 483.93	\$ 523.97	\$ 550.17	\$ 577.68	\$ 606.56	\$ 636.89
Commercial Recycling Roll-Off:						
Bin 40/Frequency 6	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Bin 25/Frequency 8	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Bin 10/Frequency 8	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Bin 40 Comp/Frequency 8	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Commercial Extra Services:						
Extra Pickup	\$ 41.12	\$ 43.18	\$ 45.34	\$ 47.61	\$ 49.99	
Locking Container	\$ 6.24	\$ 6.55	\$ 6.88	\$ 7.22	\$ 7.58	
Steam Cleaning (Compactors)	\$ 85.13	\$ 89.39	\$ 93.86	\$ 98.55	\$ 103.48	
Bulky Item Trip Fee	\$ 39.73	\$ 41.72	\$ 43.81	\$ 46.00	\$ 48.30	
Bulky Item Fee (each item)	\$ 11.35	\$ 11.92	\$ 12.52	\$ 13.15	\$ 13.81	
Relocation Fee (Roll-Off)	\$ 85.13	\$ 89.39	\$ 93.86	\$ 98.55	\$ 103.48	
Rental Fee (per day)	\$ 22.90	\$ 24.05	\$ 25.25	\$ 26.51	\$ 27.84	

Refuse Rate Comparisons Between Jurisdictions

Commercial Refuse Rate Comparison
(3.0 yard bin with 1 pickup per week as most common service level)

Ranked By Total Vendor Charge

Jurisdictions	Service	Disposal/ Processing	Total Vendor	City Fees	Total Rate
Upland	\$55.24	\$29.81	\$85.05	\$29.78	\$114.83
Grand Terrace	\$70.00	\$26.40	\$96.40	\$21.13	\$117.53
Rialto	\$81.50	\$29.09	\$110.59	\$29.12	\$139.71
Montclair	\$96.44	\$25.68	\$122.12	\$4.02	\$126.14
Rancho Cucamonga	\$93.86	\$31.25	\$125.11	\$22.27	\$147.38
Highland	\$99.78	\$26.40	\$126.18	\$29.62	\$155.80
Fontana	\$99.17	\$30.72	\$129.89	\$17.24	\$147.13
Montclair (Proposed)	\$96.44	\$48.12	\$144.56	\$20.48	\$165.04
Yucaipa	\$123.50	\$35.75	\$159.25	\$8.96	\$168.21

Since the cities surveyed vary in the services included in the city fee portion this is a direct comparison of cost applicable to refuse collection and disposal.

Ranked By Total Rate

Jurisdictions	Service	Disposal/ Processing	Total Vendor	City Fees	Total Rate
Upland	\$55.24	\$29.81	\$85.05	\$29.78	\$114.83
Grand Terrace	\$70.00	\$26.40	\$96.40	\$21.13	\$117.53
Montclair	\$96.44	\$25.68	\$122.12	\$4.02	\$126.14
Rialto	\$81.50	\$29.09	\$110.59	\$29.12	\$139.71
Fontana	\$99.17	\$30.72	\$129.89	\$17.24	\$147.13
Rancho Cucamonga	\$93.86	\$31.25	\$125.11	\$22.27	\$147.38
Highland	\$99.78	\$26.40	\$126.18	\$29.62	\$155.80
Montclair (Proposed)	\$96.44	\$48.12	\$144.56	\$20.48	\$165.04
Yucaipa	\$123.50	\$35.75	\$159.25	\$8.96	\$168.21

Residential Refuse Rate Comparison

Ranked By Total Vendor Charge

Jurisdictions	Service	Disposal/ Processing	Total Vendor	City Fees	Total Rate
Upland	\$13.85	\$6.25	\$20.10	\$2.95	\$23.05
Montclair	\$13.51	\$4.59	\$18.10	\$7.26	\$25.36
Grand Terrace	\$12.41	\$5.80	\$18.21	\$4.65	\$22.86
Rancho Cucamonga	\$13.05	\$5.50	\$18.55	\$3.33	\$21.88
Rialto	\$13.26	\$5.45	\$18.71	\$5.90	\$24.61
Montclair (Proposed)	\$14.17	\$5.45	\$19.62	\$7.26	\$26.88
Highland	\$14.95	\$5.40	\$20.35	\$2.58	\$22.93
Fontana	\$16.13	\$5.35	\$21.48	\$3.02	\$24.50
Yucaipa	\$16.45	\$5.60	\$22.05	\$2.83	\$24.88

Since the cities surveyed vary in the services included in the city fee portion this is a direct comparison of cost applicable to refuse collection and disposal.

Ranked By Total Rate

Jurisdictions	Service	Disposal/ Processing	Total Vendor	City Fees	Total Rate
Upland	\$13.85	\$6.25	\$20.10	\$2.95	\$23.05
Rancho Cucamonga	\$13.05	\$5.50	\$18.55	\$3.33	\$21.88
Grand Terrace	\$12.41	\$5.80	\$18.21	\$4.65	\$22.86
Highland	\$14.95	\$5.40	\$20.35	\$2.58	\$22.93
Fontana	\$16.13	\$5.35	\$21.48	\$3.02	\$24.50
Rialto	\$13.26	\$5.45	\$18.71	\$5.90	\$24.61
Yucaipa	\$16.45	\$5.60	\$22.05	\$2.83	\$24.88
Montclair	\$13.51	\$4.59	\$18.10	\$7.26	\$25.36
Montclair (Proposed)	\$14.17	\$5.45	\$19.62	\$7.26	\$26.88

RESOLUTION NO. 13-3015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR ESTABLISHING PROPOSED SCHEDULES OF TOTAL MONTHLY RATES FOR REFUSE SERVICES, SUBJECT TO THE PROPOSITION 218 NOTIFICATION, PROTEST, AND PUBLIC HEARING PROCESS AND IN COMPLIANCE WITH THAT PROCESS DIRECTING THAT NOTICE THERETO BE PROVIDED TO PROPERTY OWNERS OF RECORD UPON WHICH PROPOSED FEES WOULD BE IMPOSED AND FURTHER DIRECTING THAT A PUBLIC HEARING ON SUCH PROPOSED FEES SHALL BE SET FOR JANUARY 20, 2014, IN THE MONTCLAIR CITY COUNCIL CHAMBERS

WHEREAS, Article XIII D, Section 6(a) of the State Constitution (Proposition 218), passed by the voters of California on November 5, 1996, requires municipalities to give detailed written notice to the owners of parcels upon which proposed water-, refuse-, and/or sewer-related fees or charges are to be applied; and

WHEREAS, on July 24, 2006, the California Supreme Court published its decision on *Bighorn-Desert View Water Agency v. Beringson*, addressing the property-related fee provisions of Proposition 218, and concluding that in relation to water-, refuse-, and sewer-related services where the rates for such services are set by a government agency, such "property-related" fees are subject to the public hearing requirements of Proposition 218; and

WHEREAS, Proposition 218 requires that a public hearing shall be conducted not less than 45 days after the mailing of a notice of a public hearing on property-related fee adjustments to the record owners of each identified parcel upon which the fee is proposed for imposition; and

WHEREAS, the Notice of Public Hearing shall include the amount of the fee to be imposed, the basis upon which the fee was calculated, and the reason for the fee, together with the date, time, and location of the public hearing, and that the City Council of the City of Montclair hereby gives its consent to provide notice thereto; and

WHEREAS, such notice is attached hereto and by its reference is incorporated into the sum and parts of this Resolution and is approved by the City Council of the City of Montclair for mailing to the property owners of record upon which the proposed fees would be imposed; and

WHEREAS, if written protests against proposed property-related fees are presented by a majority of the property owners of record upon which the proposed fees would be imposed, the fee adjustment shall not be implemented; and

WHEREAS, if a majority protest is not received from the property owners of record upon which the proposed fees would be imposed, the proposed fees shall go into effect without further action, except that schedules of such fees shall first be adopted by Resolution of the Montclair City Council; and

WHEREAS, written protests can be provided to the City in advance and up to the date and time set for a public hearing; and

WHEREAS, a fee shall not be extended, imposed, or increased unless it meets each of the following requirements:

1. Revenues derived shall not exceed the funds required to provide the property-related service.
2. Revenues derived shall not be used for any purpose other than that for which the fee is imposed.
3. The fee imposed shall not exceed the proportional cost of the service.
4. No fee may be imposed unless the service is actually used by, or immediately available to, the owner of the property.
5. No fee may be imposed for general governmental services such as police, fire, ambulance, or library services where the service is available to the public at large in substantially the same manner as it is to property owners.

WHEREAS, Chapter 6.16 of the Montclair Municipal Code establishes a mandatory Refuse Collection Program and a process for the collection of service fees related thereto; and

WHEREAS, effective January 1, 2013, the City Council raised the *Total Monthly Refuse Rate* to \$25.36 per month per nonsenior household—which was below the City's maximum authorization for refuse rates under Proposition 218; and \$126.14 per month for commercial accounts with at 3.0-yard bin and one pickup per week (majority of commercial customer service level); and

WHEREAS, the *Total Monthly Refuse Rate* consists of various rate components including the refuse service rate, disposal rate, landfill rate, recycling rate, greenwaste rate, household hazardous waste rate, general sanitation fee, franchise fee, and administrative rate; and

WHEREAS, Burrtec, the City's solid waste hauler, is requesting, and is authorized, a rate adjustment pursuant to the terms of the existing franchise agreement between the City and Burrtec; and

WHEREAS, the fiscal viability of the City's General Fund would be required to continue sharing a significant and growing responsibility for operating the Refuse Program; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby establish the following justification(s), rate calculation methodologies, and proposed schedule of rates for refuse services for the period February 1, 2014, through January 1, 2019, and that such rates shall be imposed on all record owners/ratepayers of each identified parcel in the City of Montclair, subject to the Proposition 218 notification, protest, and hearing process:

Justification(s) and Rate Calculation Methodologies: The proposed justification(s) and rate calculation methodologies for each property owner's bimonthly bill for refuse services are as follows: Pursuant to the terms of the City's franchise service agreement with Burrtec (Agreement No. 13-71 and subsequent amendments thereto), refuse service rates are subject to annual percentage increases not to exceed the All Cities Consumer Price Index (CPI) for the *Los Angeles-Riverside-Orange Co. area, All-Items Indexes, All Urban Consumers, for the year ending in January*. The CPI fluctuates from year to year, making it an unstable predictor for rate adjustments; but long-term historic patterns can be used as reliable predictors—these patterns produce averages that, when calculated over specified consecutive periods of years, are typically at or below 5 percent. The City's formula for annually adjusting the *Total Monthly Refuse Rate* is based on the CPI; therefore, projected annual rate increases cannot be predicted precisely. However, based on historic patterns, the City can project that when applied over the next five years (February 1, 2014, through January 1, 2019), the average for rate adjustments would not likely exceed 5 percent per year. Accordingly, and except for the February 1, 2014 proposed rate adjustment, an annual CPI of 5 percent is the methodology used to project annual rate increases for the *Total Monthly Refuse Rate*.

Based on this analysis and justifications contained in other relevant sections of this Resolution, the City Council proposes an initial adjustment for February 1, 2014, that increases to residential refuse so that the *Total Monthly Refuse Rate* is \$26.88—the actual cost to the City to provide residential refuse services. The senior household rate would be adjusted to \$21.50—20 percent less than the proposed nonsenior household rate of \$26.88. Commercial refuse vary by bin size and frequency of collection and those also would be increased to the amounts present in **Table 2**—the actual cost to the City to provide commercial refuse services. The February 1, 2014 rate adjustment would be followed by annual rate increases over a 5-year period not to exceed 5 percent annually. State law (Section 53753.5 of the Government Code) provides that, under Proposition 218, property-related fees can be adjusted on an annual basis provided the formula for adjusting rates does not change or does not change in a way that would otherwise impose future increases that are higher than the fee formula contained herein would allow; accordingly, annual rate adjustments may continue indefinitely under the methodology contained herein.

Table 1 indicates the current *Total Monthly Refuse Rate* charged in the City of Montclair.

Table 1
Current Monthly Refuse Rates

<i>Fee Components</i>	<i>Residential</i>	<i>Commercial*</i>
Refuse Service Rate	\$13.51	\$96.44
Disposal/Recycling/Landfill Fees	\$4.59	\$25.68
Total Cost of Services-Burrtec	\$18.10	\$122.12
General Sanitation Fee	\$2.82	N/A
Franchise Fee	N/A	\$4.02
Administrative Fee	\$3.99	N/A
Household Hazardous Waste Fee	\$0.45	N/A
Total Monthly Cost	\$25.36	\$126.14

* Commercial rates vary by size of bins and frequency of collection. The majority of service levels in the City are for 3.0 yard bins collected once per week. The rates shown above reflect that service level; however, all service levels are shown in Table 2.

Table 2 indicating the City of Montclair's current and proposed rates as well as the *Maximum Total Monthly Refuse Rate* for the period from January 1, 2014, through January 1, 2019, is attached hereto and is incorporated into the sum and parts of this Resolution.

BE IT FURTHER RESOLVED that all proposed *Total Monthly Refuse Rates* are approximate. Actual *Total Monthly Refuse Rate* charges for each year would not be higher than the proposed rates, as indicated. In the event rates higher than those proposed are required to meet program needs, the City is required to reconduct the Proposition 218 notification, protest, and hearing process. Fees imposed do not exceed the proportional cost of the service attributable to each affected parcel, and revenues derived are not expected to exceed the cost of service.

BE IT FURTHER RESOLVED that in the event a majority protest of property owners against the proposed schedule of rates for Refuse services fail(s), such rate schedule(s) shall be effective immediately after the Proposition 218 public hearing and upon approval by the Montclair City Council, by Resolution, prior to implementation.

BE IT FINALLY RESOLVED that the City Council of the City of Montclair hereby sets a public hearing for Monday, January 20, 2014, at 7:00 p.m., in the Montclair City Council Chambers to provide interested parties, including property owners, an opportunity to provide oral or written protests to the schedule of Refuse Program rates and that only those protests submitted in writing shall be counted.

APPROVED AND ADOPTED this XX day of XX, 2013.

Mayor

ATTEST:

City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 13-3015 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

Table 2
Maximum Proposed Monthly Refuse Rates

Residential						
<i>Service/Size/Pickup</i>	<i>Current Rate</i>	<i>Effective Dates</i>				
		<i>February 1, 2014</i>	<i>January 1, 2015</i>	<i>January 1, 2016</i>	<i>January 1, 2017</i>	<i>January 1, 2018</i>
Household Rate	\$ 25.36	\$ 26.88	\$ 28.22	\$ 29.63	\$ 32.00	\$ 33.60
Bin 1.5/Frequency 1	\$ 71.00	\$ 93.80	\$ 98.49	\$ 103.41	\$ 108.58	\$ 114.01

Commercial						
<i>Service/Size/Pickup</i>	<i>Current Rate</i>	<i>Effective Dates</i>				
		<i>February 1, 2014</i>	<i>January 1, 2015</i>	<i>January 1, 2016</i>	<i>January 1, 2017</i>	<i>January 1, 2018</i>
Multifamily Commercial:						
Alleyway Service Per Unit	N/A	\$ 32.94	\$ 34.59	\$ 36.32	\$ 38.14	\$ 40.05
Bin 1.5/Frequency 1	N/A	\$ 104.13	\$ 109.34	\$ 114.81	\$ 120.55	\$ 126.58
Bin 1.5/Frequency 2	N/A	\$ 194.69	\$ 204.42	\$ 214.64	\$ 225.37	\$ 236.64
Bin 1.5/Frequency 3	N/A	\$ 285.68	\$ 299.96	\$ 314.96	\$ 330.71	\$ 347.25
Bin 2.0/Frequency 1	N/A	\$ 121.51	\$ 127.59	\$ 133.97	\$ 140.67	\$ 147.70
Bin 2.0/Frequency 2	N/A	\$ 220.50	\$ 231.53	\$ 243.11	\$ 255.27	\$ 268.03
Bin 2.0/Frequency 3	N/A	\$ 321.43	\$ 337.50	\$ 354.38	\$ 372.10	\$ 390.71
Bin 3.0/Frequency 1	N/A	\$ 171.73	\$ 180.32	\$ 189.34	\$ 198.81	\$ 208.75
Bin 3.0/Frequency 2	N/A	\$ 290.25	\$ 304.76	\$ 320.00	\$ 336.00	\$ 352.80
Bin 3.0/Frequency 3	N/A	\$ 411.02	\$ 431.57	\$ 453.15	\$ 475.81	\$ 499.60
Bin 3.0/Frequency 4	N/A	\$ 531.81	\$ 558.40	\$ 586.32	\$ 615.64	\$ 646.42
Bin 3.0/Frequency 5	N/A	\$ 652.58	\$ 685.21	\$ 719.47	\$ 755.44	\$ 793.21
Bin 3.0/Frequency 6	N/A	\$ 773.38	\$ 812.05	\$ 852.65	\$ 895.28	\$ 940.04
Commercial with Recycling:						
Bin 1.5/Frequency 1	\$ 80.67	\$ 100.37	\$ 105.39	\$ 110.66	\$ 116.19	\$ 122.00
Bin 1.5/Frequency 2	\$ 149.28	\$ 186.83	\$ 196.17	\$ 205.98	\$ 216.28	\$ 227.09
Bin 1.5/Frequency 3	\$ 217.89	\$ 275.23	\$ 288.99	\$ 303.44	\$ 318.61	\$ 334.54
Bin 2.0/Frequency 1	\$ 90.41	\$ 116.91	\$ 122.76	\$ 128.90	\$ 135.35	\$ 142.12
Bin 2.0/Frequency 2	\$ 163.30	\$ 211.72	\$ 222.31	\$ 233.43	\$ 245.10	\$ 257.36
Bin 2.0/Frequency 3	\$ 236.20	\$ 308.05	\$ 323.45	\$ 339.62	\$ 356.60	\$ 374.43
Bin 3.0/Frequency 1	\$ 126.14	\$ 165.04	\$ 173.29	\$ 181.95	\$ 191.05	\$ 200.60
Bin 3.0/Frequency 2	\$ 207.59	\$ 276.87	\$ 290.71	\$ 305.25	\$ 320.51	\$ 336.54
Bin 3.0/Frequency 3	\$ 289.05	\$ 390.54	\$ 410.07	\$ 430.57	\$ 452.10	\$ 474.71
Bin 3.0/Frequency 4	\$ 370.50	\$ 504.64	\$ 529.87	\$ 556.36	\$ 584.18	\$ 613.39
Bin 3.0/Frequency 5	\$ 451.95	\$ 618.72	\$ 649.66	\$ 682.14	\$ 716.25	\$ 752.06
Bin 3.0/Frequency 6	\$ 533.41	\$ 732.83	\$ 769.47	\$ 807.94	\$ 848.34	\$ 890.76

Table 2 (Continued)
Maximum Proposed Monthly Refuse Rates

Commercial						
<i>Service/Size/Pickup</i>	<i>Current Rate</i>	<i>Effective Dates</i>				
		<i>February 1, 2014</i>	<i>January 1, 2015</i>	<i>January 1, 2016</i>	<i>January 1, 2017</i>	<i>January 1, 2018</i>
Commercial Greenwaste:						
Bin 3.0/Frequency 1	\$ 136.86	\$ 154.59	\$ 162.32	\$ 170.44	\$ 178.96	\$ 187.91
Bin 3.0/Frequency 2	\$ 229.03	\$ 260.48	\$ 273.50	\$ 287.18	\$ 301.54	\$ 316.62
Bin 3.0/Frequency 3	\$ 321.21	\$ 366.39	\$ 384.71	\$ 403.95	\$ 424.15	\$ 445.36
Bin 3.0/Frequency 4	\$ 413.38	\$ 472.27	\$ 495.88	\$ 520.67	\$ 546.70	\$ 574.04
Bin 3.0/Frequency 5	\$ 505.55	\$ 578.16	\$ 607.07	\$ 637.42	\$ 669.29	\$ 702.75
Bin 3.0/Frequency 6	\$ 597.73	\$ 684.06	\$ 718.26	\$ 754.17	\$ 791.88	\$ 831.47
Commercial Compacted:						
Bin 3.0/Frequency 1	\$ 177.49	\$ 225.06	\$ 236.31	\$ 248.13	\$ 260.54	\$ 273.57
Bin 3.0/Frequency 2	\$ 310.29	\$ 401.43	\$ 421.50	\$ 442.58	\$ 464.71	\$ 487.95
Bin 3.0/Frequency 3	\$ 443.10	\$ 577.80	\$ 606.69	\$ 637.02	\$ 668.87	\$ 702.31
Bin 3.0/Frequency 4	\$ 575.90	\$ 754.17	\$ 791.88	\$ 831.47	\$ 873.04	\$ 916.69
Bin 3.0/Frequency 5	\$ 708.70	\$ 930.54	\$ 977.07	\$ 1,025.92	\$ 1,077.22	\$ 1,131.08
Bin 3.0/Frequency 6	\$ 841.51	\$ 1,106.92	\$ 1,162.27	\$ 1,220.38	\$ 1,281.40	\$ 1,345.47
Bin 4.0/Frequency 3	\$ 587.65	\$ 766.98	\$ 805.33	\$ 845.60	\$ 887.88	\$ 932.27
Commercial Temporary:						
Bin 3.0/Frequency 7	\$ 80.35	\$ 92.18	\$ 96.79	\$ 101.63	\$ 106.71	\$ 112.05
Commercial Permanent Roll- Off:						
Bin 40/Frequency 6	\$ 378.93	\$ 411.02	\$ 431.57	\$ 453.15	\$ 475.81	\$ 499.60
Bin 25/Frequency 8	\$ 457.93	\$ 494.62	\$ 519.35	\$ 545.32	\$ 572.59	\$ 601.22
Bin 10/Frequency 8	\$ 457.93	\$ 494.62	\$ 519.35	\$ 545.32	\$ 572.59	\$ 601.22
Bin 40 Comp/Frequency 8	\$ 457.93	\$ 494.62	\$ 519.35	\$ 545.32	\$ 572.59	\$ 601.22
Commercial Temporary Roll- Off:						
Bin 40/Frequency 6	\$ 398.43	\$ 433.03	\$ 454.68	\$ 477.41	\$ 501.28	\$ 526.34
Bin 25/Frequency 8	\$ 483.93	\$ 523.96	\$ 550.16	\$ 577.67	\$ 606.55	\$ 636.88
Bin 10/Frequency 8	\$ 483.93	\$ 523.97	\$ 550.17	\$ 577.68	\$ 606.56	\$ 636.89
Bin 40 Comp/Frequency 8	\$ 483.93	\$ 523.97	\$ 550.17	\$ 577.68	\$ 606.56	\$ 636.89
Commercial Recycling Roll- Off:						
Bin 40/Frequency 6	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Bin 25/Frequency 8	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Bin 10/Frequency 8	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Bin 40 Comp/Frequency 8	\$ 141.93	\$ 160.22	\$ 168.23	\$ 176.64	\$ 185.47	\$ 194.74
Commercial Extra Services:						
Extra Pickup	\$ 41.12	\$ 43.18	\$ 45.34	\$ 47.61	\$ 49.99	
Locking Container	\$ 6.24	\$ 6.55	\$ 6.88	\$ 7.22	\$ 7.58	
Steam Cleaning (Compactors)	\$ 85.13	\$ 89.39	\$ 93.86	\$ 98.55	\$ 103.48	
Bulky Item Trip Fee	\$ 39.73	\$ 41.72	\$ 43.81	\$ 46.00	\$ 48.30	
Bulky Item Fee (each item)	\$ 11.35	\$ 11.92	\$ 12.52	\$ 13.15	\$ 13.81	
Relocation Fee (Roll- Off)	\$ 85.13	\$ 89.39	\$ 93.86	\$ 98.55	\$ 103.48	
Rental Fee (per day)	\$ 22.90	\$ 24.05	\$ 25.25	\$ 26.51	\$ 27.84	



MONTCLAIR

NOTICE OF PUBLIC HEARING TO CONSIDER AN INCREASE IN SOLID WASTE AND RECYCLING RATES AND TO CONSIDER ANY PROTESTS TO INCREASED RATES

The City Council of the City of Montclair hereby gives notice of its intent to review and consider approval of increases to the existing residential and commercial rates charged by the City's solid waste franchisee, Burrtec Waste Industries, Inc. (Burrtec), for the collection of solid waste and recyclable materials within the City of Montclair. The City Council plans to review and consider this rate increase at a public hearing scheduled for Monday, January 20, 2014 at 7:00 p.m. in the City of Montclair Council Chambers. **A public workshop is also scheduled for Tuesday, January 7, 2014 at 6:00 p.m. in the City of Montclair Council Chambers to answer questions from the public.**

NEW RATES

The intended new rates would increase some amounts to recover cost and charge for new recycling and sanitation services. They would be effective February 1, 2014. The listing on the last page of this notice indicates the City of Montclair's proposed rates as well as the Maximum Total Monthly Refuse Rates for the period from 2014 through 2018. Rate sheets showing components of the rates are available in the Office of the City Clerk.

NECESSITY FOR THE NEW RATES

The new rates are necessary based on the terms of the existing franchise agreement between the City of Montclair and Burrtec, which provides that rates be set to cover direct costs and pass through costs and give the solid waste contractor a rate of return based on an approved cost proposal.

For residential rates the proposed rate increase amounts to \$1.52 per month and is as follow:

- *Refuse Service Rate:* This is for collecting and transporting refuse to the Materials Recovery Facility (MRF). Burrtec is requesting a service rate adjustment of \$0.50.
- *Landfill Rate:* This is a pass-through of actual transportation and tipping fees paid by Burrtec. There is no anticipated increase in the tipping fee; however, the cost to pick up and transport refuse to landfills has increased significantly, partly because of high diesel fuel prices. Burrtec is requesting an adjustment of \$0.23.
- *Recycling Service Rate:* This is the cost of collecting and transporting recyclables to the MRF. A recycling service rate adjustment of \$0.16.
- *Materials Recovery Facility Fee:* Pursuant to AB 341, all cities in the state must reach a 75 percent landfill recovery rate by 2020. As such, the amount of recyclable commodities that Burrtec is able to collect and process has increased significantly as a result of state law. Burrtec is proposing a credit of \$0.42 per month to residential rate payers; currently it assesses a \$0.9 processing fee. That credit is being passed on in the interest of limiting refuse service costs to residents.
- *Greenwaste Disposal:* The Greenwaste Disposal Fee represents a pass-through of actual transportation and tipping fees paid by Burrtec. Burrtec is requesting an adjustment of \$0.96.

For commercial rates the proposed rate adjustments are as follows:

- *Multifamily Commercial.* In concurrence with Burrtec, a reclassification of Multifamily Residential from *residential refuse service* to *commercial refuse service* is proposed. As part of the proposed reclassification, the Multifamily Commercial would be divided into two rate categories consisting of Multi-family Commercial and Multifamily Commercial Bin. The creation of new rate schedules is also being proposed as part of the proposed reclassification.



MONTCLAIR

Commercial refuse service levels vary based upon yardage collected and frequency of collection. A complete table of services levels and proposed rates are present on the next page; however, for the majority of City accounts (3.0 yard bin with a collection frequency of once per week) the proposed rate increase is \$38.90 per month and is as follow:

- *Refuse Service Rate:* This is for collecting and transporting refuse to the Materials Recovery Facility (MRF) and for State mandated recycling. For the service level of a 3.0 yard bin and frequency of once per week, an increase of \$22.44 is proposed.
- *Pass-through Rates:* Burrtec is requesting adjustments to pass on franchise fees and pavement impact fees imposed on its operations. The franchise fee is an assessment against Burrtec for the exclusive right to be the primary solid waste hauler for the City of Montclair. Ratepayers currently are charged 4 percent of this which is proposed to increase to the 10 percent fee charged Burrtec of gross revenue derived from services to commercial, institutional, and industrial premises, exclusive of revenue from sale of recyclable materials and disposal tip fees to Burrtec. The pavement impact fee is an assessment against Burrtec to compensate for damage done to pavement caused by refuse disposal trucks owned and operated by Burrtec. This rate component consists of a 3.5 percent fee of gross revenue from services to commercial, institutional, and industrial premises, exclusive of revenue from sale of recyclable materials and disposal tip fees. For the service level of a 3.0 yard bin and frequency of once per week, an increase of \$11.26 is proposed.
- *General Sanitation Fee:* A General Sanitation Fee of \$0.40 per yard, multiplied by the collection frequency per month is proposed which amounts to an increase of \$5.20 for a 3.0 yard bin and frequency of collection of once per week. This is designed to contribute toward the cost of general community maintenance issues such as graffiti abatement, alleyway maintenance, illegal dumping, property cleanup, sanitation services, and removal of abandoned bulky items in neighborhoods and alleyways.

These rate increases is necessary to enable the City of Montclair to recover its costs of administering the City's solid waste franchise and to provide funding necessary to accomplish solid waste disposal, recycling (as required by State law) and to provide sanitation services. In no case will rates exceed the maximum rates approved by City Council at the public hearing and in previous years the actual rates have been less than would have been allowed by approved maximum rates.

PUBLIC HEARING NOTICE

The City Council of the City of Montclair hereby gives notice of a public hearing to be held at its meeting of Monday, January 20, 2014 at 7:00 p.m. at the City Council Chambers, City Hall, 5111 Benito Street, Montclair, CA. At this hearing, the City Council will consider public comments as well as written protests by property owners against the proposed increase in solid waste/recycling fees and other fees associated with the proposed rates. If written protests are presented by a majority of the affected property owners prior to the close of the public hearing, the City Council will not increase the rates as a matter of State law.

If you would like additional information, please call the Montclair Finance Department at 909-625-9471 or visit our website at www.cityofmontclair.org.

FILING A PROTEST

If you wish to file a written protest, please send a letter in a sealed envelope addressed to 2013 Solid Waste Rates, City Clerk, City of Montclair, 5111 Benito Street, Montclair, CA 91763. Your letter must identify the real property you own or rent by street address and assessor's parcel number. Your letter must be legibly signed by anyone of the current property owners or ratepayers of record.

The City of Montclair must receive your letter at City Hall by 5:00 p.m. on Monday, January 20, 2014, or it must be presented at the City Council meeting of Monday, January 20, 2014 prior to the close of the public hearing on the matter.

Any person interested, including all solid waste/recycling collection customers of the City of Montclair, may appear at the public hearing and be heard on any matter related to the proposed increase in rates.

This notice is for mailing distribution no later than November 25, 2013 by the City of Montclair.

Proposed Monthly Refuse Rates

Residential		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Service/Size/Pickup						
Household Rate		\$26.88	\$28.22	\$29.63	\$32.00	\$33.60
Bin 1.5/Frequency 1		\$93.80	\$98.49	\$103.41	\$108.58	\$114.01

Commercial		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Service/Size/Pickup						

Multifamily Commercial:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Alleyway Service Per Unit		\$32.94	\$34.59	\$36.32	\$38.14	\$40.05
Bin 1.5/Frequency 1		\$104.13	\$109.34	\$114.81	\$120.55	\$126.58
Bin 1.5/Frequency 2		\$194.69	\$204.42	\$214.64	\$225.37	\$236.64
Bin 1.5/Frequency 3		\$285.68	\$299.96	\$314.96	\$330.71	\$347.25
Bin 2.0/Frequency 1		\$121.51	\$127.59	\$133.97	\$140.67	\$147.70
Bin 2.0/Frequency 2		\$220.50	\$231.53	\$243.11	\$255.27	\$268.03
Bin 2.0/Frequency 3		\$321.43	\$337.50	\$354.38	\$372.10	\$390.71
Bin 3.0/Frequency 1		\$171.73	\$180.32	\$189.34	\$198.81	\$208.75
Bin 3.0/Frequency 2		\$290.25	\$304.76	\$320.00	\$336.00	\$352.80
Bin 3.0/Frequency 3		\$411.02	\$431.57	\$453.15	\$475.81	\$499.60
Bin 3.0/Frequency 4		\$531.81	\$558.40	\$586.32	\$615.64	\$646.42
Bin 3.0/Frequency 5		\$652.58	\$685.21	\$719.47	\$755.44	\$793.21
Bin 3.0/Frequency 6		\$773.38	\$812.05	\$852.65	\$895.28	\$940.04

Commercial with Recycling:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Bin 1.5/Frequency 1		\$100.37	\$105.39	\$110.66	\$116.19	\$122.00
Bin 1.5/Frequency 2		\$186.83	\$196.17	\$205.98	\$216.28	\$227.09
Bin 1.5/Frequency 3		\$275.23	\$288.99	\$303.44	\$318.61	\$334.54
Bin 2.0/Frequency 1		\$116.91	\$122.76	\$128.90	\$135.35	\$142.12
Bin 2.0/Frequency 2		\$211.72	\$222.31	\$233.43	\$245.10	\$257.36
Bin 2.0/Frequency 3		\$308.05	\$323.45	\$339.62	\$356.60	\$374.43
Bin 3.0/Frequency 1		\$163.04	\$173.29	\$181.95	\$191.05	\$200.60
Bin 3.0/Frequency 2		\$276.87	\$290.71	\$305.25	\$320.51	\$336.54
Bin 3.0/Frequency 3		\$390.54	\$410.07	\$430.57	\$452.10	\$474.71
Bin 3.0/Frequency 4		\$504.64	\$529.87	\$556.36	\$584.18	\$613.39
Bin 3.0/Frequency 5		\$618.72	\$649.66	\$682.14	\$716.25	\$752.06
Bin 3.0/Frequency 6		\$732.83	\$769.47	\$807.94	\$848.34	\$890.76

Commercial Greenwaste:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Bin 3.0/Frequency 1		\$154.59	\$162.32	\$170.44	\$178.96	\$187.91
Bin 3.0/Frequency 2		\$260.48	\$273.50	\$287.18	\$301.54	\$316.62
Bin 3.0/Frequency 3		\$366.39	\$384.71	\$403.95	\$424.15	\$445.36
Bin 3.0/Frequency 4		\$472.27	\$495.88	\$520.67	\$548.70	\$574.04
Bin 3.0/Frequency 5		\$578.16	\$607.07	\$637.42	\$669.29	\$702.75
Bin 3.0/Frequency 6		\$684.06	\$718.26	\$754.17	\$791.88	\$831.47

Commercial		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Service/Size/Pickup						

Commercial Compacted:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Bin 3.0/Frequency 1		\$225.06	\$236.31	\$248.13	\$260.54	\$273.57
Bin 3.0/Frequency 2		\$401.43	\$421.50	\$442.58	\$464.71	\$487.95
Bin 3.0/Frequency 3		\$577.80	\$606.69	\$637.02	\$668.87	\$702.31
Bin 3.0/Frequency 4		\$754.17	\$791.88	\$831.47	\$873.04	\$916.69
Bin 3.0/Frequency 5		\$930.54	\$977.07	\$1,025.92	\$1,077.22	\$1,131.08
Bin 3.0/Frequency 6		\$1,106.92	\$1,162.27	\$1,220.38	\$1,281.40	\$1,345.47
Bin 4.0/Frequency 3		\$766.98	\$805.33	\$845.60	\$887.88	\$932.27

Commercial Temporary:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Bin 3.0/Frequency 7		\$92.18	\$96.79	\$101.63	\$106.71	\$112.05

Commercial Permanent Roll-Off:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Bin 40/Frequency 6		\$411.02	\$431.57	\$453.15	\$475.81	\$499.60
Bin 25/Frequency 8		\$494.62	\$519.35	\$545.32	\$572.59	\$601.22
Bin 10/Frequency 8		\$494.62	\$519.35	\$545.32	\$572.59	\$601.22
Bin 40 Comp/Frequency 8		\$494.62	\$519.35	\$545.32	\$572.59	\$601.22

Commercial Temporary Roll-Off:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Bin 40/Frequency 6		\$433.03	\$454.68	\$477.41	\$501.28	\$526.34
Bin 25/Frequency 8		\$523.96	\$550.16	\$577.67	\$606.55	\$636.88
Bin 10/Frequency 8		\$523.97	\$550.17	\$577.68	\$606.56	\$636.89
Bin 40 Comp/Frequency 8		\$523.97	\$550.17	\$577.68	\$606.56	\$636.89

Commercial Recycling Roll-Off:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Bin 40/Frequency 6		\$160.22	\$168.23	\$176.64	\$185.47	\$194.74
Bin 25/Frequency 8		\$160.22	\$168.23	\$176.64	\$185.47	\$194.74
Bin 10/Frequency 8		\$160.22	\$168.23	\$176.64	\$185.47	\$194.74
Bin 40 Comp/Frequency 8		\$160.22	\$168.23	\$176.64	\$185.47	\$194.74

Commercial Extra Services:		Effective Dates				
		February 1, 2014	January 1, 2015	January 1, 2016	January 1, 2017	January 1, 2018
Extra Pickup		\$41.12	\$43.18	\$45.34	\$47.61	\$49.99
Locking Container		\$6.24	\$6.55	\$6.88	\$7.22	\$7.58
(Compactors)		\$85.13	\$89.39	\$93.86	\$98.55	\$103.48
Bulky Item Trip Fee		\$39.73	\$41.72	\$43.81	\$46.00	\$48.30
Bulky Item Fee (each item)		\$11.35	\$11.92	\$12.52	\$13.15	\$13.81
Relocation Fee (Roll-Off)		\$85.13	\$89.39	\$93.86	\$98.55	\$103.48
Rental Fee (per day)		\$22.90	\$24.05	\$25.25	\$26.51	\$27.84

MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
NOVEMBER 4, 2013, AT 6:38 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 6:38 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
October 21, 2013.**

Moved by City Manager Starr, seconded by Council Member Raft,
and carried unanimously to approve the minutes of the Personnel
Committee meeting of October 21, 2013.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

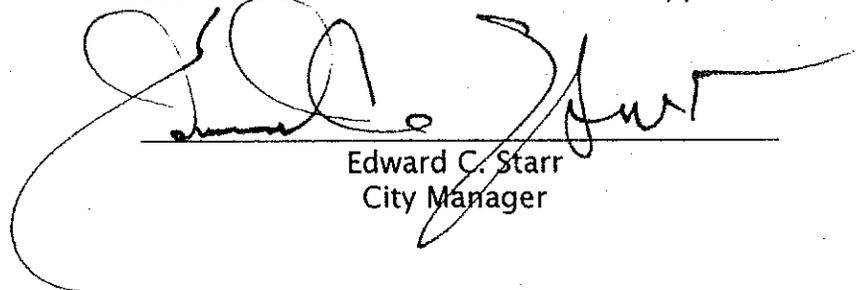
At 6:39 p.m., the Personnel Committee went into Closed Session
regarding personnel matters related to appointments, resignations/
terminations, and evaluations of employee performance.

At 6:52 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 6:52 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

October 31, 2013

TABLE OF CONTENTS

SCHEDULE 1

STATEMENTS OF COMPLIANCE WITH INVESTMENT POLICY AND INVESTMENT STRATEGY FOR NOVEMBER 2013

SCHEDULE 2

STATEMENT OF CASH AND INVESTMENTS BY FUND

SCHEDULE 3

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 NOVEMBER 2013

October 31, 2013

COMPLIANCE STATEMENT

As of October 31, 2013, the City had \$10,061,286 invested in various financial instruments. This conforms with the investment policy approved by the City Council.

During October, 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 NOVEMBER 2013

During November 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 April 30, 2014.

CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENTS BY FUND
AS OF October 31, 2013

Fund	Beginning Balance	Receipts	Disbursements	Interfund Transfers	Ending Balance
General Fund	(\$4,346,802.87)	\$1,797,451.64	\$2,969,781.65	\$220,530.30	(\$5,298,602.58) (1)
Gas Tax Fund	\$1,243,457.81	\$38,765.01	\$159,443.19	\$0.00	\$1,218,648.50
Measure J Fund	\$1,209,992.25	\$93,507.36	\$0.00	\$0.00	\$1,248,757.26
Traffic Safety Fund	\$1,884.00	\$205.00	\$128.00	\$0.00	\$104,603.83
Disability Access Fee Fund	\$487,168.08	\$8,412.76	\$4,746.19	\$0.00	\$2,089.00
Park Development Fund	\$66,342.72	\$46,329.78	\$0.00	\$0.00	\$490,834.65
C.D.B.G. Fund	\$124,903.74	\$1,303.94	\$6.00	(\$61,209.40)	\$51,463.10
Air Quality Improvement Trust Fund	(\$9,148.22)	\$14,587.66	\$2,970.31	\$0.00	\$123,237.37
Senior Nutrition Fund	\$31,506.57	\$0.00	\$17,203.39	\$0.00	(\$11,763.95) (2)
Forfeiture Fund - State	\$76,115.34	\$0.00	\$0.00	\$0.00	\$29,697.57
Prop 30 / SB 109	(\$48,602.26)	\$21,329.00	\$0.00	\$0.00	\$76,115.34
SB 509 Public Safety Fund	\$24,941.09	\$14,629.17	\$11,337.61	\$0.00	(\$38,610.87) (2)
Forfeiture Fund - Federal	\$42,320.64	\$0.00	\$0.00	\$0.00	\$39,570.26
Section 11489 Subfund	\$863.24	\$0.00	\$0.00	\$0.00	\$42,320.64
Federal Forfeiture Fund - Treasury	\$0.00	\$0.00	\$0.00	\$0.00	\$863.24
School District Grant Fund	\$212,870.29	\$13,410.19	\$0.00	(\$159,105.04)	\$67,175.44
State Supplemental Law Enforcement Fund	\$7,621.67	\$0.00	\$0.00	\$0.00	\$7,621.67
Local Law Enforcement Block Grant	\$10,248.86	\$82.10	\$433.18	\$0.00	\$9,897.78
Crime Prevention Fund	\$32,993.16	\$0.00	\$0.00	\$0.00	\$32,993.16
Recycling Grant	(\$88,903.64)	\$117,872.77	\$117,711.90	\$0.00	(\$88,742.77) (2)
After School Program Fund	(\$38,478.93)	\$28,335.89	\$1,836.58	\$0.00	(\$11,979.62) (2)
Champions for Change Grant Fund	\$51,288.71	\$4,538.50	\$6,248.04	\$0.00	\$49,579.17
First 5 Grant Fund	(\$15,991.95)	\$15,991.95	\$0.00	\$0.00	\$0.00
Safety Department Grants	\$8,045.74	\$21,000.00	\$4,248.17	\$0.00	\$24,797.57
OMSD Immunization Grant	\$4,721.59	\$0.00	\$2,625.00	\$0.00	\$2,096.59
Mt. Baldy United Way Grant	\$24,175.00	\$0.00	\$0.00	\$0.00	\$24,175.00
Kaiser Permanente Grant	\$906.21	\$97.62	\$224.30	\$0.00	\$779.53
OMSD Resource Center Grant	\$144.00	\$145.00	\$0.00	\$0.00	\$289.00
Title IIIB Senior Support Services Grant	\$9,953.03	\$0.00	\$0.00	\$0.00	\$9,953.03
Community Foundation Grant	\$14,739.00	\$14,739.00	\$0.00	\$0.00	\$29,478.00
ASES Supplemental Grant	\$0.00	\$0.00	\$554.36	\$0.00	(\$554.36) (2)
Hope Through Housing Grant	(\$466,435.17)	\$6,504.10	\$31,723.66	\$0.00	(\$491,654.73) (4)
Paramedic Fund	\$3,199,675.41	\$0.00	\$2,871.69	\$0.00	\$3,196,803.72
Economic Development	(\$1,167,885.36)	\$128,200.00	\$0.00	\$0.00	(\$1,039,685.36) (3)
2005 lease Revenue Bond Debt Service	\$386,929.80	\$321,287.01	\$301.84	(\$215.86)	\$446,619.11
Sewer Maintenance Fund	\$1,166,411.66	\$0.00	\$0.00	\$0.00	\$1,166,411.66
Sewer Replacement Fund	\$2,795,783.17	\$10,787.08	\$0.00	\$0.00	\$2,806,570.25
Inland Empire Utility Agency Fund	\$21,172.55	\$1,077.20	\$0.00	\$0.00	\$22,249.75
Sewer Expansion Fee	\$251,321.31	\$43,251.05	\$0.00	\$0.00	\$294,572.36
Developer Impact Fees - Local	\$1,166,197.15	\$98,177.55	\$0.00	\$0.00	\$1,264,374.70
Developer Impact Fees - Region	\$69,678.56	\$12,798.31	\$0.00	\$0.00	\$82,476.87
Burttec Pavement Impact Fee	\$46,883.20	\$0.00	\$0.00	\$0.00	\$46,883.20
Utility Undergrounding in Lieu	\$45,513.17	\$702.64	\$0.00	\$0.00	\$46,215.81
General Plan Update Fee	(\$6,273.74)	\$0.00	\$15,033.83	\$0.00	(\$21,307.57) (5)
Infrastructure Fund	\$3,385,810.63	\$0.00	\$0.00	\$0.00	\$3,385,810.63 (1)
Contingency Fund	\$77,753.01	\$0.00	\$0.00	\$0.00	\$77,753.01
Youth Sponsorship Fund	\$6,863,716.30	\$2,682.82	\$0.00	\$0.00	\$6,866,399.12 (1)
Assigned General Fund Reserves	\$17,069,033.88	\$2,930,553.09	\$3,612,311.89	\$0.00	\$16,387,275.08
TOTALS					

Notes on negative cash balances:

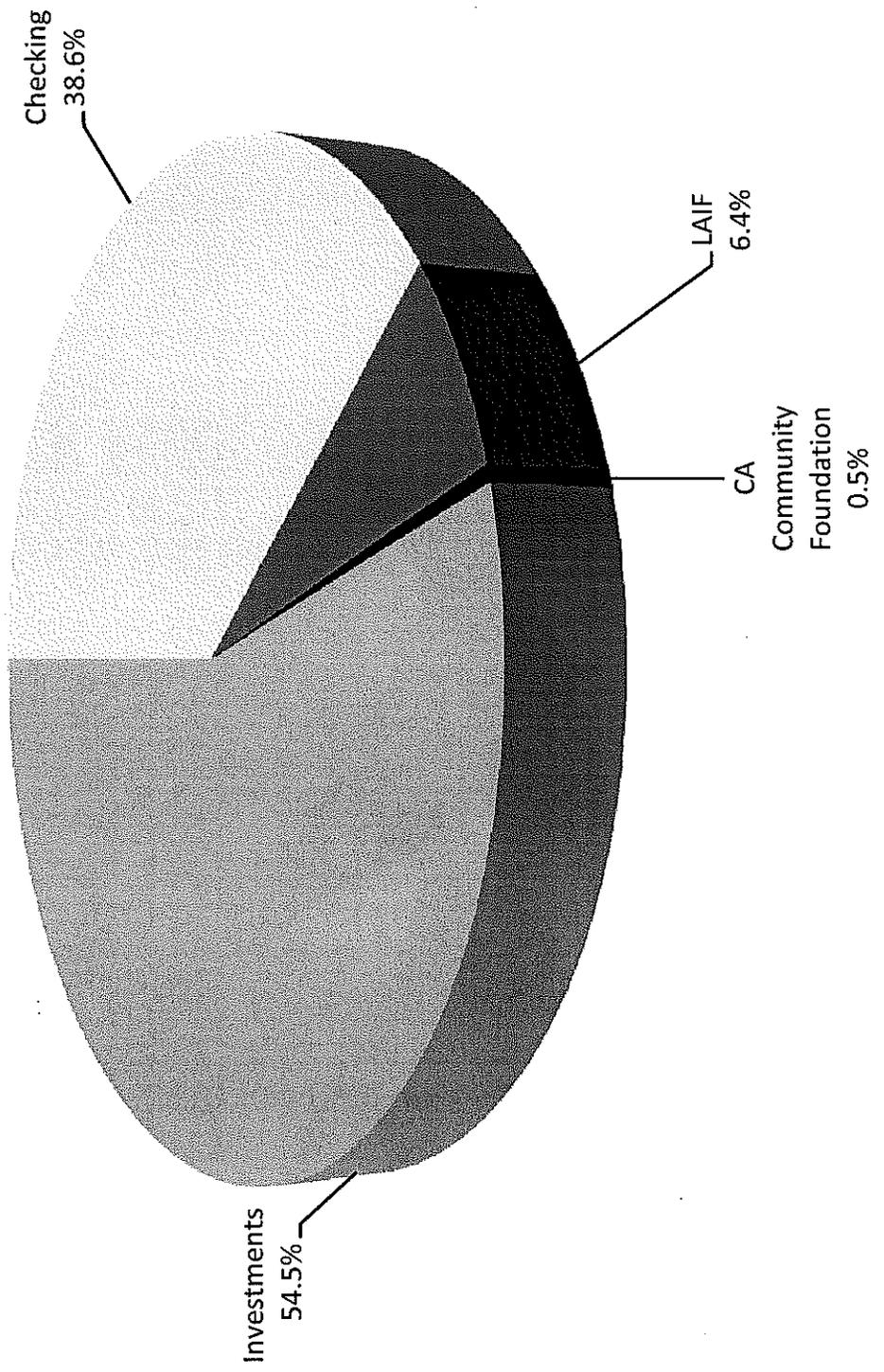
- (1) The General Operational Fund has a negative cash for the majority of the fiscal year awaiting property and sales tax collections. This is covered by the Contingency Fund and other General Fund Reserve Funds until those collections are received. The City is not utilizing restricted resources.
- (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 been sufficient in prior fiscal years to covered the necessary debt service. This excess will be transferred to the General Fund to reimburse it for prior year usages.
- (4) This fund has 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.
- (5) This fund receives transfers from other funds to accomplish infrastructure projects. Those transfers are usually recorded when the projects nears completion or prior to mid-year budget preparation. Any negative in that fund will be eliminated at those times.

CITY OF MONTCLAIR
STATEMENT OF CASH AND INVESTMENT ACCOUNTS
AS OF October 31, 2013

	Par Value	Purchase Date	Maturity Date	Coupon Interest Rate	Current Market Value	Balance at Cost	Totals
CHECKING ACCOUNT							
Checking Account							\$ 6,326,499.64
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 - Ally Bank		11/12/10	11/12/13	1.350%	148,000.00	148,000.00	
Local Agency Investment Fund (LAIF)				0.260%	1,046,279.61	1,045,683.57	
Cash w/California Community Foundation				Unknown	77,753.01	77,753.01	
					\$ 1,512,032.62		\$ 1,511,436.58
U.S. AGENCY SECURITIES (1 to 3 years)							
FAMCA	550,000	04/14/11	2/3/2014	1.340%	551,575.63	549,849.10	
					\$ 551,575.63		\$ 549,849.10
U.S. AGENCY SECURITIES (Over 3 Years)							
FFCB	2,000,000	10/18/12	10/18/17	0.870%	1,984,260.00	2,000,000.00	
FHLB	2,000,000	11/13/12	11/13/17	0.875%	1,974,000.00	2,000,000.00	
FNMA	2,000,000	11/14/12	11/14/17	0.900%	1,974,940.00	2,000,000.00	
FNMA	2,000,000	11/15/12	11/15/17	1.000%	1,981,520.00	2,000,000.00	
					\$ 7,914,720.00		\$ 8,000,000.00
TOTAL							\$ 16,387,785.32

Current market values obtained from First Tennessee Bank.

CITY OF MONTCLAIR
CASH AND INVESTMENTS BY ACCOUNT
October 31, 2013
Total Cash & Investments \$16,387,275



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

FOR THE MONTH ENDING

October 31, 2013

TABLE OF CONTENTS

SCHEDULE 1 - STATEMENT OF CASH AND INVESTMENTS BY FUND

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
October 31, 2013**

PROJECT AREA NO. I		
Low Income	\$ 0.00	
Tax Increment	0.00	
Operating	<u>(10,825.51)</u>	\$ (10,825.51)
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	\$ 0.00	
Tax Increment	0.00	
Operating	<u>190,245.80</u>	\$ 190,245.80
PROJECT AREA NO. IV		
Low Income	\$ 0.00	
Tax Increment	0.00	
Operating	<u>(11,678.57)</u>	\$ (11,678.57)
PROJECT AREA NO. V		
Low Income	\$ 0.00	
Tax Increment	0.00	
Operating	<u>125,039.70</u>	\$ 125,039.70
MISSION BLVD JOINT PROJECT		
Low-Moderate Housing	\$ 0.00	
Tax Increment	0.00	
Operating	<u>24,740.54</u>	\$ 24,740.54
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	9,810,359.53	
Taxable Bond Proceeds	4,451,951.10	14,262,310.63
Unreimbursed September payroll liability		43,644.58
TOTAL CASH & INVESTMENTS BY FUND		<u>\$ 14,623,477.17</u>

**CITY OF MONTCLAIR AS SUCCESSOR TO
THE REDEVELOPMENT AGENCY
STATEMENT OF CASH AND INVESTMENTS
October 31, 2013**

	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Market Value</u>	<u>Book Value</u>
Checking Account				
US Bank			723,007.32	723,007.32
Investments				
LAIF		0.26%	766.36	765.92
Bond proceed funds				
CA State Variable Purpose Refunding	10/01/18	5.00%	1,401,058.40	1,190,000.00
CA State Variable Purpose Refunding	04/01/20	5.00%	3,876,008.90	3,365,000.00
Chabot-Las Positas Comm College	08/01/19	3.00%	1,640,686.50	1,525,000.00
CA State Dept Water Central Valley	12/01/19	3.00%	1,180,425.75	1,085,000.00
Bay Area Toll Authority Refunding SF	04/01/21	5.00%	1,892,693.25	1,575,000.00
CA State Variable Purpose Refunding	02/01/20	4.00%	1,116,730.00	1,000,000.00
LA County Met Transportation Auth	07/01/20	5.00%	2,406,640.00	2,000,000.00
Premium paid on investments (to be recovered upon sale)				2,159,703.93
TOTAL CASH & INVESTMENTS			<u>14,238,016.48</u>	<u>14,623,477.17</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 securities in accordance with the Investment Policy

The Successor Agency has sufficient funds available to meet expenditures during the six-month period ending April 30, 2014.

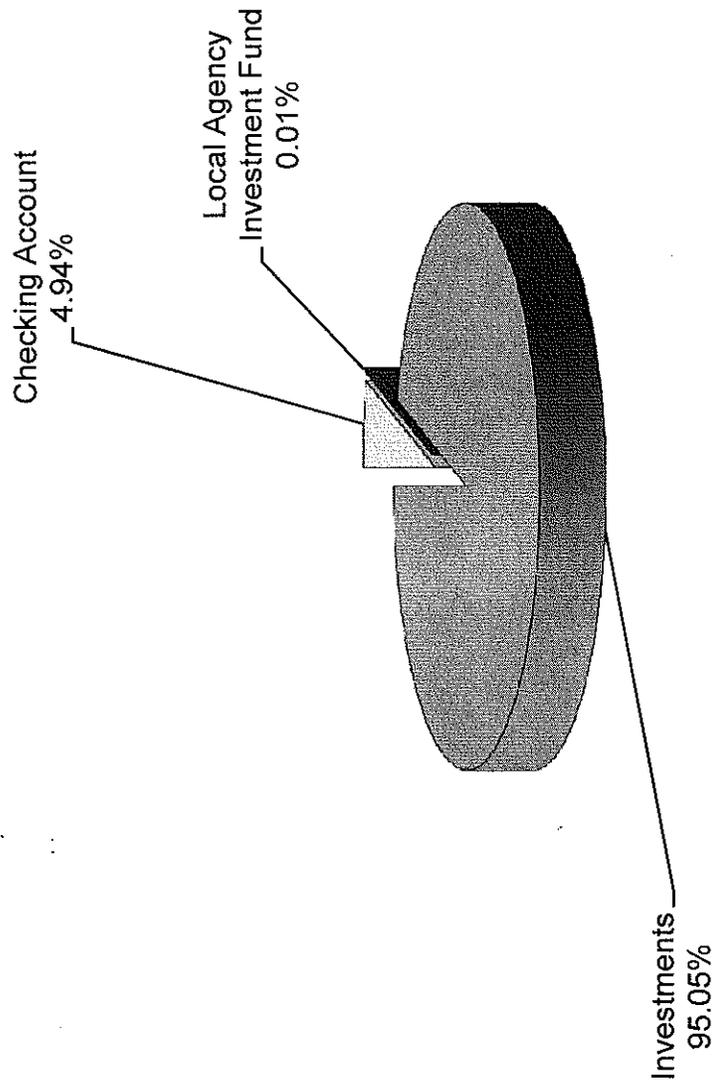
During October, the Successor Agency was in compliance with the internal control procedures set forth in its Investment Policy.



Michael Piotrowski
Finance Supervisor

**CITY OF MONTCLAIR AS SUCCESSOR TO THE REDEVELOPMENT AGENCY
CASH AND INVESTMENTS GRAPH
October 31, 2013**

Total Cash & Investments - \$14,623,477



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

FOR THE MONTH ENDING

October 31, 2013

City of Montclair
Final Warrant Register
Council Date 11/18/13
Regular Warrants
Checking Account: Successor to the RDA

	Warrants	Voided Checks	US Bank transfers - out	Area Totals
Project Area I	354.00	0.00	1,062.52	1,416.52
Project Area II	0.00	0.00	0.00	0.00
Project Area III	8,579.20	0.00	12,658.34	21,237.54
Project Area IV	2,950.00	0.00	8,944.19	11,894.19
Project Area V	6,498.00	0.00	12,749.18	19,247.18
Project Area VI - Mission Blvd	0.00	0.00	0.00	0.00
RORF (Redevelopment Obligation Retirement Funds)	0.00	0.00	0.00	0.00
Tax exempt bond proceeds	52.50	0.00	0.00	52.50
Taxable bond proceeds	22.50	0.00	0.00	22.50
	<u>18,456.20</u>	<u>0.00</u>	<u>35,414.23</u>	

October 2013 Total

53,870.43

Note:

US Bank transfers

Transfer out to City to reimburse for September 2013 payrolls

35,414.23

Vice Chairman Ruh

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: 11/18/13
REGULAR WARRANTS
CHECKING ACCOUNT: SRDA

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
2120	Project Area I Operating Fund	354.00
2320	Project Area III Operating Fun	8,579.20
2420	Project Area IV Operating Fund	2,950.00
2520	Project Area V Operating Fund	6,498.00
2810	Tax Exempt Bond Proceeds	52.50
2820	Taxable Bond Proceeds	22.50
		<hr/>
	Report Total:	18,456.20

Accounts Payable Voucher Register By Vendor Number

User: mpiotrowski
Printed: 11/07/2013 - 2:09 PM



Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
008018	Bank005	2320-4319-53230-400-00000	PA3 2007A Tax Alloc & 2007B Taxable bond	252-1735936	09/27/2013		10/24/2013	3,784.20	8018
	The Bank of New York Mellon								
008019	Bond001	2520-4319-53290-400-00000	Interim Arbitrage Rebate Report PA 4	41612-6736/1018	10/18/2013		10/24/2013	2,250.00	8019
	Bondlogistix LLC								
008020	Firs014	2810-0000-37010-300-00000	Safekeeping fees 6/26/13-9/25/13	5038900	09/25/2013		10/24/2013	52.50	8020
	First Tennessee Bank								
008020	Firs014	2820-0000-37010-300-00000	Safekeeping fees 6/26/13-9/25/13	5038900	09/25/2013		10/24/2013	22.50	8020
	First Tennessee Bank								
008021	IRR001	2120-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013	10/22/2013		10/24/2013	294.00	8021
	Integra Realty Resources - Los								
008021	IRR001	2320-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013	10/22/2013		10/24/2013	3,528.00	8021
	Integra Realty Resources - Los								
008021	IRR001	2420-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013	10/22/2013		10/24/2013	2,450.00	8021
	Integra Realty Resources - Los								
008021	IRR001	2520-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013	10/22/2013		10/24/2013	3,528.00	8021
	Integra Realty Resources - Los								
008021	IRR001	2120-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013A	10/23/2013		10/24/2013	60.00	8021
	Integra Realty Resources - Los								

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
008021	IRR001	2320-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013A	10/23/2013		10/24/2013	720.00	8021
	Integra Realty Resources - Los								
008021	IRR001	2420-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013A	10/23/2013		10/24/2013	500.00	8021
	Integra Realty Resources - Los								
008021	IRR001	2520-4319-53290-400-00000	Appraisal Svcs long range prop mgmt plan	1211302411013A	10/23/2013		10/24/2013	720.00	8021
	Integra Realty Resources - Los								
008022	Robb004	2320-4319-53210-400-00000	Review Integra Realty Resources proposal	26030 00-1009	08/31/2013		10/24/2013	157.50	8022
	Robbins & Holdaway								
	Voucher: 008021 11,800.00								
008023	Stra002	2320-4319-53210-400-00000	Charges for period ending 8/31/13	093013	09/30/2013		10/24/2013	322.00	8023
	Stradling, Yocca, Carlson & Ra								
008023	Stra002	2320-4319-53210-400-00000	Charges for period ending 9/30/13	100913	10/09/2013		10/24/2013	67.50	8023
	Stradling, Yocca, Carlson & Ra								
	Voucher: 008022 157.50								
	Voucher: 008023 389.50								
	Report Total: 18,456.20								

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

October 31, 2013

TABLE OF CONTENTS

SCHEDULE 1 - STATEMENT OF CASH AND INVESTMENTS

CASH AND INVESTMENTS GRAPH

Schedule 1

CITY OF MONTCLAIR
HOUSING CORPORATION
STATEMENT OF CASH AND INVESTMENTS
October 31, 2013

	<u>Interest Rate</u>	<u>Market Value</u>	<u>Book Value</u>
Checking Account			
US Bank			644,512.02
Investments			
LAIF	0.26%	1,580,382.63	1,579,486.56
TOTAL CASH & INVESTMENTS			<u><u>2,223,998.58</u></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 April 30, 2014.

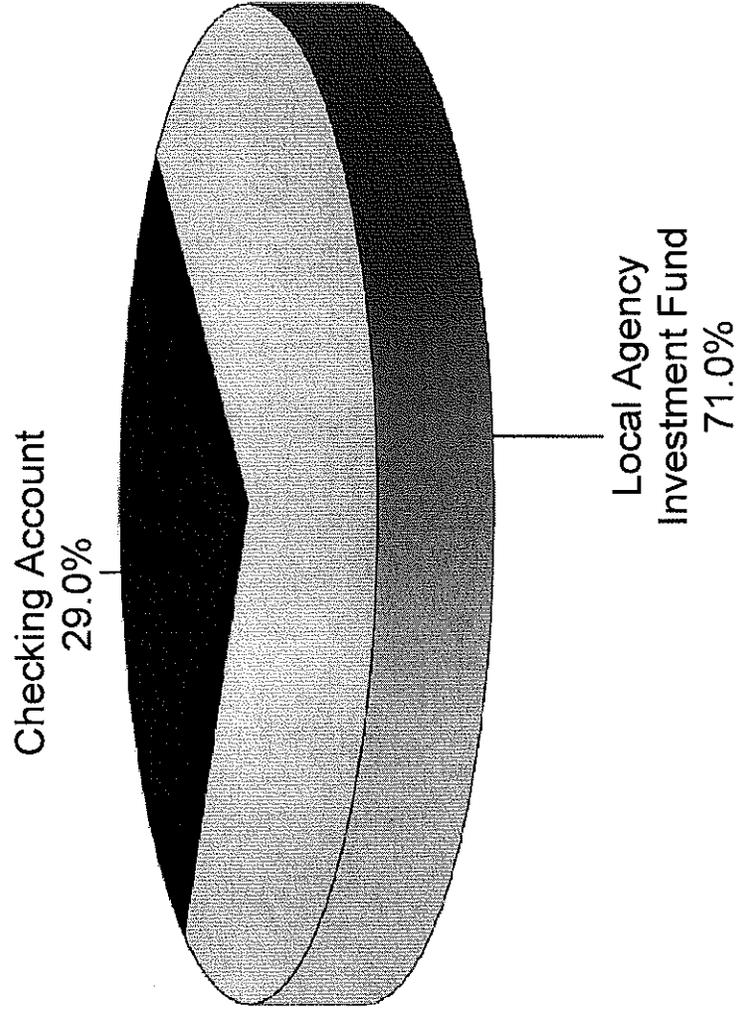
During October 2013, the Corporation was in compliance with the internal control procedures set forth in its Investment Policy.



Michael Piotrowski
Finance Supervisor

**CITY OF MONTCLAIR
HOUSING CORPORATION
CASH AND INVESTMENTS GRAPH
October 31, 2013**

Total Cash & Investments - \$2,223,999



**CITY OF MONTCLAIR
HOUSING CORPORATION
WARRANT REGISTER**

FOR THE MONTH ENDING

October 31, 2013

City of Montclair
Final Warrant Register
Council Date 11/18/13
Regular Warrants
Checking Account: MHC

<u>Warrants</u>	<u>ACH Transfers</u>	<u>Voided Checks</u>	<u>US Bank transfers</u>	<u>Totals</u>
26,034.94	0.00	0.00	0.00	26,034.94

October 2013 Total

26,034.94

US Bank transfers:
None

Vice Chairman Ruh

CITY OF MONTCLAIR
FINAL WARRANT REGISTER
COUNCIL DATE: 11/8/13
REGULAR WARRANTS
CHECKING ACCOUNT: MHC

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
3001	General Fund	26,034.94
	Report Total:	26,034.94

Accounts Payable Voucher Register By Vendor Number

User: mpiotrowski
Printed: 11/06/2013 - 3:21 PM



Voucher Number	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
004113	Hele001 Helena Gardens Owners Associat	3001-4330-56100-400-00000	Canoga - Nov 2013	Nov 2013	10/10/2013		10/10/2013	243.35	4113
004113	Hele001 Helena Gardens Owners Associat	3001-4330-56100-400-00000	4791 Canoga - Nov 2013	Nov 2013	10/10/2013		10/10/2013	109.95	4113
						Voucher: 004113		353.30	
004114	land012 Landscape Maintenance Unlimite	3001-4330-56100-400-00000	Sept 2013 Svc - MHC properties	Sept 2013	10/10/2013		10/10/2013	4,505.00	4114
						Voucher: 004114		4,505.00	
004115	Mont043 Montclair Meadows Owners Assoc	3001-4330-56100-400-00000	10380 Pradera - Nov 2013	Nov 2013	10/10/2013		10/10/2013	50.00	4115
004115	Mont043 Montclair Meadows Owners Assoc	3001-4330-56100-400-00000	10390 Pradera - Nov 2013	Nov 2013	10/10/2013		10/10/2013	50.00	4115
004115	Mont043 Montclair Meadows Owners Assoc	3001-4330-56100-400-00000	10333 Pradera - Nov 2013	Nov 2013	10/10/2013		10/10/2013	50.00	4115
						Voucher: 004115		150.00	
004116	ProT011 Pro Tech Plumbing & Septic	3001-4330-56170-400-00000	5444 Palo Verde - emergency Septic tank	2239	09/25/2013		10/10/2013	550.00	4116
004116	ProT011 Pro Tech Plumbing & Septic	3001-4330-56170-400-00000	5444 Palo Verde - sewer, septic repairs	2240	09/25/2013		10/10/2013	950.00	4116
						Voucher: 004116		1,500.00	
004117	Sout018 Southern California Edison Co	3001-4330-56100-400-00000	5444 Palo Verde 081213-091113	2336647847 913	09/28/2013		10/10/2013	5.39	4117
004117	Sout018 Southern California Edison Co	3001-4330-56100-400-00000	5444 Palo Verde 081213-091113	2337387070 1013	10/04/2013		10/10/2013	1.84	4117

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
004118	Land012	3001-4330-56100-400-00000	4811 Canoga-tree trimming	4811-10/13	10/23/2013		10/24/2013	475.00	4118
		Landscape Maintenance Unlimite							
004118	Land012	3001-4330-56170-400-00000	4811 Canoga-relandscap	4811A/7/13	10/22/2013		10/24/2013	5,295.00	4118
		Landscape Maintenance Unlimite							
004119	Mont002	3001-4330-56100-400-00000	10380 Pradera 080113-093013	010822 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10390 Pradera 080113-093013	010824 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	4275 Kingsley 080113-093013	010825 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10333 Amherst 080113-093013	010827 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	4820 Canoga 080113-093013	010828 1013	10/01/2013		10/24/2013	640.92	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	4820 Canoga 080113-093013	010829 1013	10/01/2013		10/24/2013	640.92	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	4811 Canoga 080113-093013	010830 1013	10/01/2013		10/24/2013	640.92	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	4811 Canoga 080113-093013	010831 1013	10/01/2013		10/24/2013	640.92	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10383 Amherst 080113-093013	012600 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10313 Amherst 080113-093013	012601 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10215 Central 080113-093013	013293 1013	10/01/2013		10/24/2013	91.56	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	4791 Canoga 080113-093013	013386 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10291 Greenwood 080113-093013	013555 1013	10/01/2013		10/24/2013	91.56	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10380 Amherst 080113-093013	013584 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10330 Amherst 080113-093013	013961 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10410 Amherst 080113-093013	015871 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							
004119	Mont002	3001-4330-56100-400-00000	10390 Amherst 080113-093013	017175 1013	10/01/2013		10/24/2013	366.24	4119
		City of Montclair							

Voucher: 004117 7.23

Voucher: 004118 5,770.00

Voucher Vendor No/Name/Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
004119 Mont002 3001-4330-56100-400-00000 City of Montclair	10333 Pradera 080113-093013	047446 1013	10/01/2013		10/24/2013	366.24	4119
				Voucher: 004119		7,141.68	
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10235 Central 080313-100113	05511605 1013	10/01/2013		10/24/2013	334.44	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10215 Central 080313-100113	05512008 1013	10/01/2013		10/24/2013	510.44	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10291 Greenwood 080613-100313	06201005 1013	10/03/2013		10/24/2013	570.59	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10380 Pradera 080713-100413	06704405 1013	10/04/2013		10/24/2013	137.61	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10390 Pradera 080713-100413	06704505 1013	10/04/2013		10/24/2013	234.97	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10333 Pradera 080713-100413	06705404 1013	10/04/2013		10/24/2013	214.25	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	4275 Kingsley 080713-100413	06708102 1013	10/04/2013		10/24/2013	243.26	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10330 Amherst 080713-100413	06708202 1013	10/04/2013		10/24/2013	224.61	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10380 Amherst 080713-100413	06708703 1013	10/04/2013		10/24/2013	243.26	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10390 Amherst 080713-100413	06708805 1013	10/04/2013		10/24/2013	191.47	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10410 Amherst 080713-100413	06711505 1013	10/04/2013		10/24/2013	239.11	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10383 Amherst 080713-100413	06713506 1013	10/04/2013		10/24/2013	290.90	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10333 Amherst 080713-100413	06714001 1013	10/04/2013		10/24/2013	224.18	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10323 Amherst 080713-100413	06714105 1013	10/04/2013		10/24/2013	152.11	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	10313 Amherst 080713-100413	06714206 1013	10/04/2013		10/24/2013	249.47	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	4820 Canoga 080713-100413	07001602 1013	10/04/2013		10/24/2013	247.40	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	4820 Canoga 080713-100413	07001802 1013	10/04/2013		10/24/2013	133.47	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	4811 Canoga 080713-100413	07002002 1013	10/04/2013		10/24/2013	462.84	4120
004120 Mont074 3001-4330-56100-400-00000 Monte Vista Water District	4811 Canoga 080713-100413	07002202 1013	10/04/2013		10/24/2013	630.64	4120

Voucher	Vendor No/Name	Account Number	Description	Inv No	Inv Date	PO	Pmt Date	Amount	Check
004121	Sout018	3001-4330-56100-400-00000	4811 Canoga Gate 091013-100913	2024259988	10/10/2013		10/24/2013	5,535.02	4121
	Southern California Edison Co								
004121	Sout018	3001-4330-56100-400-00000	4820 Canoga 091013-100913	2038187969	10/10/2013		10/24/2013	250.80	4121
	Southern California Edison Co								
004121	Sout018	3001-4330-56100-400-00000	4811 Canoga 091013-100913	2038188173	10/10/2013		10/24/2013	286.47	4121
	Southern California Edison Co								
004121	Sout018	3001-4330-56100-400-00000	10380 Pradera 090913-100813	2185722790	10/09/2013		10/24/2013	41.55	4121
	Southern California Edison Co								
004121	Sout018	3001-4330-56100-400-00000	10410 Amherst 090913-100813	2315792325	10/09/2013		10/24/2013	37.58	4121
	Southern California Edison Co								
004121	Sout018	3001-4330-56100-400-00000	10330/10380 Amherst 091013-100913	2315959668	10/11/2013		10/24/2013	73.12	4121
	Southern California Edison Co								
004121	Sout018	3001-4330-56100-400-00000	5444 Palo Verde 091113-101013	2337387070	10/11/2013		10/24/2013	5.00	4121
	Southern California Edison Co								
Voucher: 004121								719.23	
004122	Sout021	3001-4330-56100-400-00000	4811 Canoga 091113-100913	15782395006	10/11/2013		10/24/2013	172.26	4122
	Southern California Gas Co								
004122	Sout021	3001-4330-56100-400-00000	4820 Canoga 091113-100913	18932395009	10/11/2013		10/24/2013	154.78	4122
	Southern California Gas Co								
004122	Sout021	3001-4330-56100-400-00000	10390 Amherst 091113-101013	19572389484	10/14/2013		10/24/2013	26.44	4122
	Southern California Gas Co								
Voucher: 004122								353.48	
Report Total:								26,034.94	

**CITY OF MONTCLAIR
HOUSING AUTHORITY
TREASURER'S REPORT**

FOR THE MONTH ENDING

October 31, 2013

TABLE OF CONTENTS

SCHEDULE 1 - STATEMENT OF CASH AND INVESTMENTS

CASH AND INVESTMENTS GRAPH

Schedule 1

CITY OF MONTCLAIR
HOUSING AUTHORITY
STATEMENT OF CASH AND INVESTMENTS
October 31, 2013

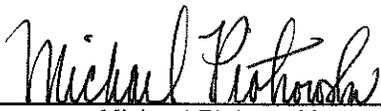
	<u>Interest Rate</u>	<u>Amount</u>
Checking Account		
US Bank		497,118.74
Investments		
LAIF	\$	0.00
TOTAL CASH & INVESTMENTS	\$	497,118.74

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 April 30, 2014.

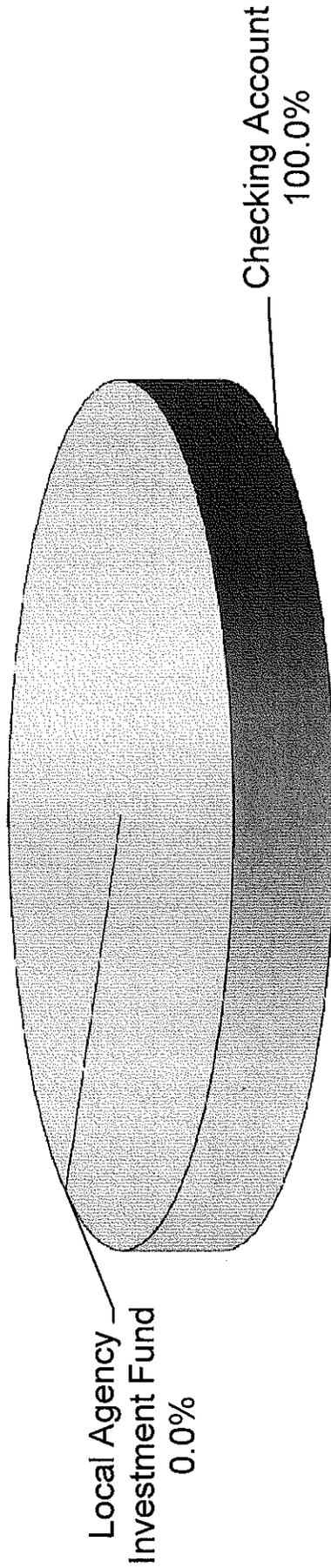
During October 2013, the Authority was in compliance with the internal control procedures set forth in its Investment Policy.



Michael Piotrowski
Finance Supervisor

**CITY OF MONTCLAIR
HOUSING AUTHORITY
CASH AND INVESTMENTS GRAPH
October 31, 2013**

Total Cash & Investments - \$497,119



**CITY OF MONTCLAIR
HOUSING AUTHORITY
WARRANT REGISTER
FOR THE MONTH ENDING
October 31, 2013**

City of Montclair
Final Warrant Register
Council Date 11/18/13
Regular Warrants
Checking Account: MHA

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

October 2013 Total

0.00

No payables activity this period

Vice Chairman Ruh