

**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

February 3, 2014

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 – None

VI. PUBLIC COMMENT

This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Each speaker will be afforded five minutes to address the City Council Members, 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.** Consider Adoption of Resolution No. 14-3018 Approving an Addendum to the Initial Study and Mitigated Negative Declaration Associated With the 2006-2014 City of Montclair Housing Element [CC]

Consider Approval of a General Plan Amendment for the 2014-2021 City of Montclair Housing Element [CC]

- B. First Reading – Consider Adoption of Ordinance No. 14-941 Adding Chapter 5.02 and Replacing Chapter 5.04 of Title 5 of the Montclair Municipal Code Related to Domestic Animals [CC] 13

VIII. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Commission Meeting January 6, 2014 [CC/SA/MHC/MHA]
- B. Administrative Reports
 - 1. Consider Setting a Public Hearing to Prioritize Funding for Fiscal Year 2014-15 Community Development Block Grant Projects [CC] 17
 - 2. Consider Authorization of a \$30,000 Appropriation From the Gas Tax Fund for Signal Modifications at the Intersection of Phillips Boulevard and Central Avenue [CC]

Consider Authorizing City Manager to Sign a Cooperative Agreement With the City of Chino for Signal Modifications at the Intersection of Phillips Boulevard and Central Avenue [CC] 18
 - 3. Consider Receiving and Filing of Alcoholic Beverage Permit Application – Sake 2 Me Sushi, 5660 Holt Boulevard [CC] 20
 - 4. Consider Approval of Warrant Register and Payroll Documentation [CC] 21
- C. Agreements
 - 1. Consider Approval of Agreement No. 14-14 With House of Car Wash for Car Wash Services for City Vehicles, Subject to Addition of City Attorney Comments as Necessary [CC] 22
- D. Resolutions
 - 1. Consider Adoption of Resolution No. 14-3020 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges [CC] 27

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE – None

XI. COMMUNICATIONS

- A. City Attorney
 - 1. Closed Session Pursuant to Government Code Section 54956.9(d)(1) Regarding Pending Litigation

Kenneth Pollich v. Montclair

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

Patton-Cunningham v. Montclair

B. City Manager/Executive Director

C. Mayor/Chairman

D. Council/SA/MHC/MHA Board

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

1. Minutes of the Public Works Committee Meeting of January 16, 2014 35
2. Minutes of the Code Enforcement Committee Meeting of January 21, 2014 45
3. Minutes of the Personnel Committee Meeting of January 21, 2014 47

XII. COUNCIL WORKSHOP

A. Midyear Budget Review

(Council may consider continuing this item to an adjourned meeting on Wednesday, February 12, 2014, at 6:00 p.m. in the City Council Chambers.)

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

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

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. ADJOURNMENT OF CITY COUNCIL

The next regularly scheduled City Council, Successor Agency Board, Montclair Housing Corporation Board, and Montclair Housing Authority Commission meetings will be held on Tuesday, February 18, 2014, 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 January 30, 2014.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 14-3018 APPROVING AN ADDENDUM TO THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION ASSOCIATED WITH THE 2006-2014 CITY OF MONTCLAIR HOUSING ELEMENT	DATE: February 3, 2014
	SECTION: PUBLIC HEARINGS
	ITEM NO.: A
	FILE I.D.: GPL250
CONSIDER APPROVAL OF A GENERAL PLAN AMENDMENT FOR THE 2014-2021 CITY OF MONTCLAIR HOUSING ELEMENT	DEPT.: COMMUNITY DEV.

REASON FOR CONSIDERATION: Amendments to the City's adopted General Plan require public hearing review and approval by the City Council.

BACKGROUND: The Housing Element is one of the seven statutorily-required elements of the City's General Plan. The Housing Element establishes the City's official policies related to housing and plans for the long-term provision of housing to meet the needs of the community. In addition, the Housing Element must also comply with State requirements. In accordance with State law, the Housing Element is required to demonstrate that adequate housing opportunities are available to meet the City's Regional Housing Needs Assessment allocation across all income categories. The Housing Element is also required to address legislative requirements that have been enacted since adoption of the last Housing Element. The Housing Element is required to be reviewed and certified by the California Department of Housing and Community Development (HCD), finding that the Element complies with State law.

The Housing Element is the only component of the General Plan that is required to be updated on a regular schedule set forth by HCD. The City's current Housing Element, which was last updated in 2011 and certified by HCD, covered the 2006-2014 planning period.

City staff has been working with professional staff from RBF Consulting for several months on the preparation of the 148-page 2014-2021 Housing Element update for consideration by the Planning Commission and City Council. On January 21, 2014, HCD issued a provisional approval of the Housing Element, based on expected implementation of the policy programs outlined in the document. A copy of the approval letter from HCD is attached for the City Council's reference.

The Housing Element update identifies 25 policy programs contained on Pages 2-2 through 2-10 of the document. While a handful of the policy programs involve continuation of existing activities, such as Code Enforcement and the Housing Improvement Task Force, a number of programs involve amending the Montclair Municipal Code (MMC) to comply with State law and to promote the development of affordable housing. Further, many of

Prepared by:

Steve Luster

Reviewed and
Approved by:

Steve Luster

Proofed by:

Jana Embree

Presented by:

Jana Embree

the policy programs are "repeats" of those identified in the 2006-2014 Housing Element; however, staffing constraints have prevented implementation of most of the programs. Upon adoption of the 2014-2021 Housing Element, staff will reprioritize its efforts to implement all of the policy programs outlined in the document. Accordingly, the City Council can expect to see a number of code amendments brought forth in the next 6 to 12 months.

In November 2013, staff conducted a study session with the City Council regarding amendments to the development standards in the City's R-3 (multifamily residential) Zones, in part to comply with the policy programs set forth in the 2006-2014 Housing Element. While the City Council was in favor of most of the proposed changes, there was some reluctance to support increasing the maximum density to 25 dwelling units per acre, reducing the minimum lot area for new development, and minimum floor area of residential units. As a result, staff will be making some revisions to the proposed Ordinance with the goal of resubmitting it to the City Council within the next 30 days for review and consideration.

The policy programs contained within the 2014-2021 Housing Element will also require staff to prepare code amendments addressing the following items:

- Allow the establishment of emergency shelters for the homeless without discretionary action by the City
- Determine where single-room occupancy units (SROs) would be allowed by-right
- Adopt "reasonable accommodation procedures" for persons with disabilities
- Revise Chapter 11.85 MMC ("Residential Density Bonus") to comply with State law
- Define "residential care facilities" and prepare associated development standards and conditions for the use
- Allow manufactured housing as a single-family residential use pursuant to State law
- Remove Conditional Use Permit requirement for development in the R-3 (multiple-family residential) zone

ENVIRONMENTAL REVIEW: The 2014-2021 Housing Element identifies the availability of adequate sites identical to those identified in the 2006-2014 Housing Element. The Mitigated Negative Declaration for the 2006-2014 Housing Element also contained analysis of the environmental effects associated with these sites. Therefore, the 2014-2021 Housing Element does not contain any new sites that were not previously evaluated in the 2006-2014 Housing Element and Mitigated Negative Declaration.

Pursuant to CEQA Guidelines §15164(a), this Addendum to the Mitigated Negative Declaration for the 2006-2014 Housing Element Update is the appropriate environmental documentation prepared for this project (General Plan Housing Element Update). Since the September 19, 2011 adoption of the Mitigated Negative Declaration for the 2006-2014 Update to the Housing Element (City Resolution No. 11-2922), there have been no substantial changes proposed in the actions described in the analysis, no substantial changes to the circumstances under which the project was undertaken, and no new information of substantial importance that would require subsequent environmental review under CEQA §21166 or CEQA Guidelines §15162. This Addendum to the Mitigated Negative Declaration concludes the 2014-2021 Housing Element exhibits no demonstrated change in the 2006-2014 analysis conducted and provides the necessary environmental clearance for the adoption of the 2014-2021 Housing Element.

The Planning Commission conducted a public hearing on this item at its regular meeting on January 27, 2014. The Commission expressed unanimous support for the 2014-2021 Housing Element and General Plan Amendment and recommended City Council approval.

FISCAL IMPACT: A Notice of Public Hearing related to the Addendum to the Initial Study and Mitigated Negative Declaration associated with the 2006-2014 Housing Element and the General Plan Amendment for the 2014-2021 City of Montclair Housing Element was published in the *Inland Valley Daily Bulletin* on January 24, 2014. The cost of said legal advertisement was approximately \$600.

RECOMMENDATION: The Planning Commission and staff recommend the City Council take the following actions:

1. Adopt Resolution No. 14-3018 approving an Addendum to the Initial Study and Mitigated Negative Declaration associated with the 2006-2014 City of Montclair Housing Element.
2. Approve a General Plan Amendment for the 2014-2021 City of Montclair Housing Element.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



January 21, 2014

Mr. Steve Lustro
Community Development Director
City of Montclair
P.O. Box 2308
5111 Benito Street, CA 91763

Dear Mr. Lustro:

RE: Review of the City of Montclair 5th Cycle (2013-2021) Draft Housing Element

Thank you for submitting the City of Montclair draft housing element update received for review on November 26, 2013, along with additional revisions received on January 8, and January 10, 2014. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. The review was facilitated by a telephone conversation on January 9, 2014, with you and the City's consultant, Ms. Michelle Lieberman, Senior Associate with RBF Consulting.

The draft element meets the statutory requirements of State housing element law. This finding was based on, among other reasons, demonstration of adequate sites and programs to facilitate a variety of housing types, including actions to encourage lot consolidation, remove the conditional permit requirement in the R-3 zone, and prioritize development of housing for extremely low-income households. However, pursuant to GC Section 65583(a)(4)(A) amended by Senate Bill 2 (Chapter 633, Statutes of 2007), Program Action 4.1, identified in the previous element, committed to amend the zoning ordinance to permit emergency shelters without discretionary action within one year of the adoption of the 4th cycle housing element. As noted in the current element on page 2-8, Program 4-1 has yet not been implemented. As a result, the Department cannot find the element in full compliance until Montclair amends its zoning ordinance to permit year-round emergency shelter(s) without discretionary action pursuant to SB 2.

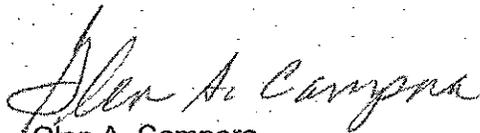
Once the City has made necessary amendments to its zoning ordinance for the Department to find the element in full compliance, the City will also be eligible for several State funding programs designed to reward local governments for compliance with State housing element law. Funding program details are available on the Department's website at http://www.hcd.ca.gov/hpd/hrc/plan/he/loan_grant_hecompl011708.pdf

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must adopt its element within 120 calendar days from the statutory due date of October 31, 2013 for SACOG localities. If adopted after this date, the City will be required to revise the element every four years until adopting at least two consecutive revisions by the statutory deadline (GC Section 65588(e)(4)). For information on housing element adoption requirements, please visit our Department's website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department appreciates the hard work and dedication of the City's housing element team in preparation of the housing element and looks forward to receiving Montclair's adopted housing element. If you have any questions or need additional technical assistance, please contact Janet Myles, of our staff, at (916) 263-7423.

Sincerely,



Glen A. Campora
Assistant Deputy Director

RESOLUTION NO. 14-3018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR APPROVING AN ADDENDUM TO THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION ASSOCIATED WITH THE 2006-2014 CITY OF MONTCLAIR HOUSING ELEMENT AND APPROVING A GENERAL PLAN AMENDMENT FOR THE 2014-2021 CITY OF MONTCLAIR HOUSING ELEMENT

A. Recitals.

WHEREAS, the Housing Element is one of seven statutorily-required elements of the General Plan; and

WHEREAS, the City of Montclair adopted its 2006-2014 General Plan Housing Element in September 2011 and certified by the State's Housing and Community Development Department (HCD) as being in substantial compliance with statute; and

WHEREAS, the California Government Code requires cities to review and update their Housing Element every five years according to a schedule set forth by HCD; and

WHEREAS, the City desires to update its Housing Element to ensure that it accurately reflects the City's official housing policy and contains policy actions and programs that address the housing needs of the Montclair community; and

WHEREAS, the City, through its consultant, RBF Consulting, has prepared the 2014-2021 Housing Element as an update to its previously adopted Housing Element in compliance with State law; and

WHEREAS, because there have been no substantial changes proposed in the actions described in the analysis, no substantial changes to the circumstances under which the project was undertaken, no new information of substantial importance that would require subsequent environmental review under the California Environmental Quality Act (CEQA), and also that the 2014-2021 Housing Element does not contain any new sites that were not previously evaluated in the 2006-2014 Housing Element and Mitigated Negative Declaration, an Addendum to the Mitigated Negative Declaration for the 2006-2014 Housing Element Update is the appropriate environmental documentation prepared for this project (General Plan Housing Element Update), pursuant to CEQA Guidelines §15164(a); and

WHEREAS, public notice of this item will be advertised as a public hearing in the *Inland Valley Daily Bulletin* newspaper on January 24, 2014; and

WHEREAS, the City Council has reviewed and considered the Housing Element along with the information contained in the Addendum to the IS/MND; and

WHEREAS, based on its review and independent judgment, the City Council finds that the Housing Element will not have a significant effect on the environment with the implementation of mitigation measures; and

WHEREAS, on January 27, 2014, commencing at 7:00 p.m. in the Council Chamber at Montclair City Hall, the Planning Commission conducted a public hearing at which time all persons wishing to testify in connection with the General Plan Amendment for the 2014-2021 City of Montclair Housing Element were heard, and said application was fully studied; and

WHEREAS, on February 3, 2014, commencing at 7:00 p.m. in the Council Chambers at Montclair City Hall, the City Council conducted a public hearing at which time all persons wishing to testify in connection with the General Plan Amendment for the 2014-2021 City of Montclair Housing Element were heard, and said application was fully studied.

B. Findings.

1. *The General Plan Housing Element meets the requirements of Housing Element law (Article 10.6 of the Government Code).*

The Housing Element contains a Needs Assessment, Resources and Constraints Analysis, Review of Past Performance, Housing Policy Program, and Adequate Sites Analysis consistent with State requirements. Following City adoption of the 2014-2021 Housing Element, a copy will be submitted to HCD for final certification.

2. *The Housing Element is generally consistent with the goals and policies stated within all other elements of the City's General Plan.*

The Housing Element has been reviewed and is generally consistent with the remaining elements of the Montclair General Plan.

3. *The Housing Element advances the State's housing goal of "decent housing and a suitable living environment for all members of the community."*

The Housing Element contains a Needs Assessment documenting housing needs in Montclair and establishes policy action programs to meet those needs through the preservation, conservation, improvement, and production of housing units. The Housing Policy Action Programs aim to provide opportunities for production of new housing units for all income levels and also address housing for special needs groups including seniors, large families, and workforce housing. Accordingly, City adoption of the Housing Element and implementation of the Housing Policy Action Programs advances the State's housing goal of providing "decent housing and a suitable living environment for all members of the community."

4. The Mitigated Negative Declaration prepared for the 2006-2014 Housing Element Update found the City would amend the Montclair Municipal Code subsequent to Housing Element adoption and, when amended, that these amendments would further promote new and existing programs designed to reduce constraints to affordable housing.

5. The potential environmental effects associated with the rezoning of land implemented were described in the City of Montclair Housing Element Initial Study and

Mitigated Negative Declaration certified by the Montclair City Council via Resolution No. 11-2922.

6. The 2006-2014 Housing Element included an inventory and Housing Capacity analysis describing the sites subject to future rezoning.

7. Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines § 15164(b) allow an Addendum to an adopted Mitigated Negative Declaration to be prepared if minor technical changes or additions to approved projects are necessary.

8. The City of Montclair has considered the Addendum dated February 3, 2014, together with the previously certified Mitigated Negative Declaration by City Council Resolution No. 11-2922, together with the comments received and considered during the public review process. The Addendum and the Mitigated Negative Declaration reflect the independent judgment of the City Council and have been completed in compliance with CEQA, and are adequate for this proposal.

9. The City Council finds the 2006-2014 Housing Element provides the necessary environmental clearance for the adoption of the 2014-2021 Housing Element.

C. Resolution.

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

Section 1. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

Section 2. The City Council hereby approves the Addendum to the Mitigated Negative Declaration associated with the 2006-2014 Housing Element based on the findings contained in Part B of this Resolution.

Section 3. The City Council hereby approves the General Plan Amendment associated with Case No. 2012-18 for the 2014-2021 City of Montclair Housing Element.

APPROVED AND ADOPTED this XX day of XX, 2014.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 14-3018 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, 2014, and that it was adopted by the following vote, to-wit:

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

Yvonne L. Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF ORDINANCE NO. 14-941 ADDING CHAPTER 5.02 AND REPLACING CHAPTER 5.04 OF TITLE 5 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO DOMESTIC ANIMALS <u>FIRST READING</u>	DATE: February 3, 2014 SECTION: PUBLIC HEARINGS ITEM NO.: B FILE I.D.: STD200 DEPT.: PUBLIC WORKS
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REASON FOR CONSIDERATION: To comply with new requirements set by the Santa Ana Regional Water Quality Control Board, cities must include in their municipal codes language regulating animal waste. The City currently has no Ordinance addressing this issue. Staff recommends a revision to Title 5 of the Montclair Municipal Code.

BACKGROUND: On January 29, 2010, the Santa Ana Regional Water Quality Control Board adopted Order No. R8-2010-0036 National Pollutant Discharge Elimination System (NPDES) No. CAS618036. This action addressed Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and cities and unincorporated County areas within the Santa Ana River drainage basin. This group of agencies includes the City of Montclair.

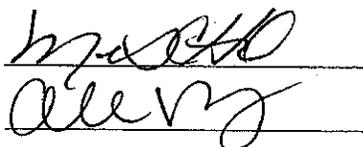
NPDES No. CAS618036 establishes requirements for each affected agency to update and/or revise its municipal code to comply with the various requirements of NPDES No. CAS618036. The Order identifies the Santa Ana River being impaired by bacteria and pathogens, with animal waste considered to be a primary source of the pollutants. Therefore, an ordinance regulating animal waste is required.

Proposed Ordinance No. 14-941, a copy of which is attached for the City Council's review and consideration, contains recommended changes to Title 5 of the Montclair Municipal Code. The changes include the addition of a definition of domestic animals, a revised definition of enforcing officer, and regulations regarding animal defecation.

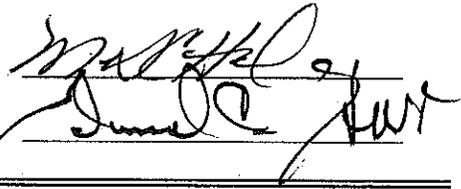
FISCAL IMPACT: Adoption of Ordinance No. 14-941 would have no fiscal impact to the City.

RECOMMENDATION: Staff recommends the City Council adopt the first reading of Ordinance No. 14-941 adding Chapter 5.02 and replacing Chapter 5.04 of Title 5 of the Montclair Municipal Code related to domestic animals.

Prepared by: _____



Reviewed and
Approved by: _____



Proofed by: _____

Presented by: _____

ORDINANCE NO. 14-941

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR ADDING
CHAPTER 5.02 TO TITLE 5 AND REPLAC-
ING CHAPTER 5.04 OF TITLE 5 OF THE
MONTCLAIR MUNICIPAL CODE RELATED
TO DOMESTIC ANIMALS**

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

Section I.

Chapter 5.02 is hereby added to the Montclair Municipal Code and Chapter 5.04 of the Montclair Municipal Code is hereby replaced as follows:

Chapter 5.02 Definitions.

5.02.010 Domestic animals. For the purposes of this title, "domestic animal" means an animal of a species of vertebrates that has been domesticated by humans so as to live and breed in a tame condition and depend on humankind for survival. Domestic animals shall include, but not be limited to, any dog, cat, equine or bovine animal, goat, sheep, swine, poultry, or other domesticated beast or bird.

5.02.020 Enforcing Officer defined. For the purposes of this title, "Enforcing Officer" means the City Manager, the Chief of Police, the Humane Officer, the Health Officer, the Code Enforcement Officer, the NPDES Environmental Compliance Inspector, or such other person as the City Council may designate. The City Council, by contract, may delegate to a humane society or other person the collection of license fees and the performance of any of the duties of the Enforcing Officer.

Chapter 5.04 Animal defecation.

5.04.010 Prohibited ~~Acts~~acts.

A. A person having custody of a domestic animal shall not permit, either willfully or through failure to exercise due care or control, any such domestic animal to defecate upon sidewalk of any public right-of-way; or upon the floor of any common hall in any apartment building, condominium, townhome hotel, or other multiple dwelling; or upon any entranceway, stairway immediately abutting on a public sidewalk; or upon the floor of any shop, store, office building, or other building used in common by the public; or upon the floor or stairway of any public transportation station or public waiting room; or upon the floor, stairway, entranceway, office, lobby, or patio used in common by the public; or, without the consent of the owner or person in lawful occupation thereof, any lawn, yard, or any other private property whatever, which is either improved or occupied.

B. It is unlawful for the owner or person having custody of any domestic animal to permit, either willfully or through failure to exercise due care or control, any such domestic animal to defecate and to allow such feces to thereafter remain upon any public or private property not owned or possessed by the owner or person in control of the animal, provided that the person who owns, harbors, keeps or has charge or control of a domestic animal shall immediately and securely enclose all feces deposited by such domestic animal in a bag, wrapper, or other container and dispose of the same in a sanitary manner. Any person who has charge or control of a domestic animal in a location other than on the property of such person or the property of the owner of the domestic animal shall have in his possession a suitable wrapper, bag, or container (other than articles of personal clothing) for the purposes of complying with the requirements of this section. Any violation of this Section, including failure of such person to carry such wrapper, bag, or container when in charge or control of a domestic animal in a location other than on property of such or the property of the owner of the domestic animal shall subject said person to penalty as provided in Chapter 1.12 of this Code.

Section II. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional.

Section III. Effective Date.

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

Section IV. Posting.

The Deputy City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933.

APPROVED AND ADOPTED this XX day of XX, 2014.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 14-941 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2014, and finally passed not less than five (5) days thereafter on the XX day of XX, 2014, by the following vote, to-wit:

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

Yvonne Smith
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO PRIORITIZE FUNDING FOR FISCAL YEAR 2014-15 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

DATE: February 3, 2014

SECTION: ADMIN. REPORTS

ITEM NO.: 1

FILE I.D.: GRT050

DEPT.: COMMUNITY DEV.

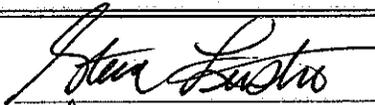
REASON FOR CONSIDERATION: Each fiscal year, the City of Montclair is required to conduct a public hearing to prioritize funding for various competing Community Development Block Grant (CDBG) projects. This hearing is conducted in compliance with requirements of the Department of Housing and Urban Development (HUD) and the County of San Bernardino Department of Community Development and Housing (CDH).

BACKGROUND: In November 2013, staff submitted its applications for CDBG funding to the County of San Bernardino. CDH has compiled a list of proposals eligible for funding from Montclair's annual CDBG allocation, including those submitted by staff and outside agencies, for consideration by the City Council. Details of the eligible proposals, along with the proposed Fiscal Year 2014-15 funding, will be provided to Council for reference and consideration prior to the public hearing.

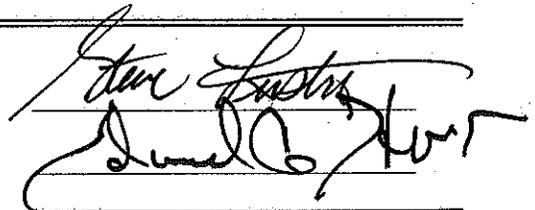
FISCAL IMPACT: The cost to publish a Notice of Public Hearing related to prioritizing funding for Fiscal Year 2014-15 CDBG projects should not exceed \$500.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Tuesday, February 18, 2014, at 7:00 p.m. in the City Council Chambers to prioritize funding for Fiscal Year 2014-15 CDBG projects.

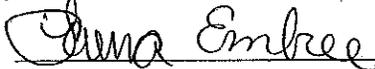
Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A
\$30,000 APPROPRIATION FROM THE GAS
TAX FUND FOR SIGNAL MODIFICATIONS
AT THE INTERSECTION OF PHILLIPS
BOULEVARD AND CENTRAL AVENUE

CONSIDER AUTHORIZING CITY MANAGER
TO SIGN A COOPERATIVE AGREEMENT WITH
THE CITY OF CHINO FOR SIGNAL MODIFICA-
TIONS AT THE INTERSECTION OF PHILLIPS
BOULEVARD AND CENTRAL AVENUE

DATE: February 3, 2014
SECTION: ADMIN. REPORTS
ITEM NO.: 2
FILE I.D.: TRC600
DEPT.: PUBLIC WORKS

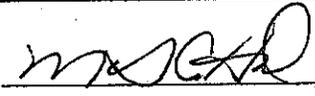
REASON FOR CONSIDERATION: The City of Chino has asked Montclair to participate in a signal modification project at the intersection of Phillips Boulevard and Central Avenue. The City Council is requested to consider Montclair's participation in the proposed project, which would involve authorizing an appropriation of funds for Montclair's portion of the project and authorizing the City Manager to sign a cooperative agreement with the City of Chino.

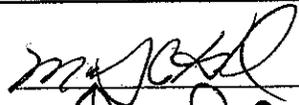
BACKGROUND: In early 2008, the City of Montclair completed Annexation No. 28, which included the northwest portion of the intersection of Phillips Boulevard and Central Avenue. Prior to the annexation, the north half of the intersection was in unincorporated San Bernardino County; the south half was in the City of Chino. With the annexation, one quarter of the intersection came into the City of Montclair and, along with it, one quarter of the maintenance responsibility for the traffic signal at this intersection.

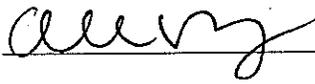
The City of Chino has developed some signal modification plans for this intersection and has requested the City of Montclair fund 25 percent of the cost. The improvements include rewiring the intersection, installing a new traffic signal cabinet and equipment, installing an emergency vehicle preemption system, replacing pedestrian heads with new countdown pedestrian heads and push button assemblies, installing new reflective street name signs, and constructing wheelchair access ramps. The cost estimate for this work is \$110,000.

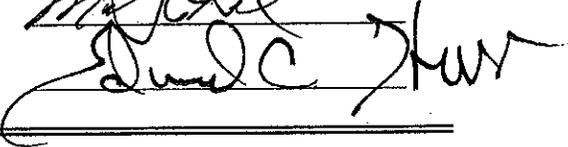
In addition to sharing in the cost of modifications, Chino has also asked Montclair to participate in the monthly operation and maintenance cost of this signal system. Both issues were discussed with the Public Works Committee at its meeting on January 16, 2014, and the Committee concurred with staff's recommendation to participate in both.

If the City Council concurs with the recommendations of the Public Works Committee and staff, Chino will develop a cooperative agreement for funding both the signal modifications and monthly signal maintenance costs. Once approved by the City Attorney, the proposed agreement would be executed by the City Manager.

Prepared by: 

Reviewed and
Approved by: 

Proofed by: 

Presented by: 

FISCAL IMPACT: The cost estimate for the signal modifications is \$110,000, 25 percent of which is \$27,500. Including a 10 percent contingency, the appropriation request is \$30,000. Monthly maintenance cost is anticipated to be \$250. Adequate funds are available for the remainder of the fiscal year in Account No. 1102-4644-52060-400.

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

1. A \$30,000 appropriation from Gas Tax Fund for signal modifications at the intersection of Phillips Boulevard and Central Avenue.
2. The City Manager to sign a cooperative agreement with City of Chino for signal modifications at the intersection of Phillips Boulevard and Central Avenue.

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING
OF ALCOHOLIC BEVERAGE PERMIT
APPLICATION - SAKE 2 ME SUSHI,
5660 HOLT BOULEVARD

DATE: February 3, 2014

SECTION: ADMIN. REPORTS

ITEM NO.: 3

FILE I.D.: FLP025

DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: Applications for Alcoholic Beverage Licenses are routinely presented to the City Council for review.

BACKGROUND: Tokyo Garden Management, LLC, is the new owner of Sake 2 Me Sushi located at 5660 Holt Boulevard. The new owner has requested approval from the California Department of Alcoholic Beverage Control to have the existing Type 41 - "On-Sale General - Eating Place" license transferred into the company's name, thereby allowing the continued sale and service of beer and wine at the establishment.

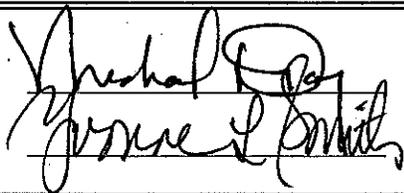
The name of the sushi restaurant was changed in 2011 to Sake 2 Me Sushi from its former name of Joe's Sushi, which had operated at this location since June 2008. This location was originally a Sizzler restaurant that opened in 1963.

ABC representatives have advised staff that there are no reported violations or issues with the current use, and staff has no objections to the transfer request.

FISCAL IMPACT: No fiscal impact

RECOMMENDATION: Staff recommends the City Council receive and file this item.

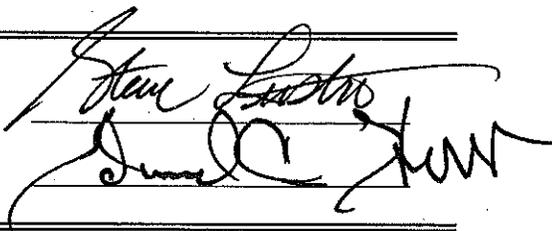
Prepared by:



Proofed by:

Reviewed and
Approved by:

Presented by:



AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION	DATE: February 3, 2014
	SECTION: ADMIN. REPORTS
	ITEM NO.: 4
	FILE I.D.: FIN540
	DEPT.: ADMIN. SVCS.

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

BACKGROUND: Mayor Pro Tem Ruh has examined the Warrant Register dated February 3, 2014, and Payroll Documentation dated December 29, 2013, and recommends their approval.

FISCAL IMPACT: The Warrant Register dated February 3, 2014, totals \$768,347.24. The Payroll Documentation dated December 29, 2013, totals \$685,245.54, with \$395,721.99 being the total cash disbursement.

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

Prepared by: _____

James Smith

Proofed by: _____

Andy Sullivan

Reviewed and
Approved by: _____

Eric Star

Presented by: _____

Eric Star

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT NO. 14-14 WITH HOUSE OF CAR WASH FOR CAR WASH SERVICES FOR CITY VEHICLES, SUBJECT TO ADDITION OF CITY ATTORNEY COMMENTS AS NECESSARY	DATE: February 3, 2014 SECTION: AGREEMENTS ITEM NO.: 1 FILE I.D.: VEH350 DEPT.: PUBLIC WORKS
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REASON FOR CONSIDERATION: The City of Montclair has had an informal arrangement for several years with local business House of Car Wash to provide those services to the City. Staff would like to formalize this arrangement with an agreement. Agreements require City Council approval. A copy of proposed Agreement No. 14-14 with House of Car Wash is attached for the City Council's review and consideration.

BACKGROUND: House of Car Wash, located at 5064 Holt Boulevard, is the only full-service car wash facility in the City. The business provides a complete line of services that fits the needs of the City. Vehicle cleaning services are a necessary part of regular preventive maintenance for all City vehicles.

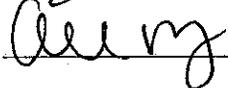
The City and House of Car Wash have had an informal agreement since April 2008 that the company would receive a flat rate of \$699.00 per month for cleaning an unlimited number of vehicles. Based on the typical number of vehicles the City has washed each month, the average per vehicle cost is \$5.83. This cost does not include any tip for the car wash attendant who completes the drying and other details to the vehicle.

Rather than continuing with a flat rate per month, staff has negotiated a per wash rate with House of Car Wash. The proposed rate is \$10 per car with \$1 going to the attendant performing the washing and drying. The proposal was recommended to the Public Works Committee for consideration at its meeting on November 21, 2013, and the Committee concurred with staff's recommendation.

Proposed Agreement No. 14-14 is an annual agreement with provisions for five one-year renewals. The first term of the proposed Agreement will run one-and-one-half years from January 1, 2014, to June 30, 2015.

FISCAL IMPACT: A trial run of the proposed per wash rate was conducted during the month of December. House of Car Wash cleaned 78 vehicles at a total cost of \$780. Typically, the number of cars washed per month is closer to 100. Based on these numbers, it is anticipated that on an annual basis, the City would spend approximately \$10,000 for car wash services, about \$1,600 more than it does under the flat rate of \$699 per month.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 14-14 with House of Car Wash for car wash services for City vehicles, subject to addition of City Attorney comments as necessary.

Prepared by: 
Proofed by: 

Reviewed and
Approved by:

Presented by:




**AN AGREEMENT BY AND BETWEEN
THE CITY OF MONTCLAIR
AND
HOUSE OF CAR WASH**

THIS AGREEMENT is made and entered into this 1st day of January, 2014, by and between the CITY OF MONTCLAIR, a Municipal Corporation, County of San Bernardino, State of California, hereinafter referred to as "CITY," and HOUSE OF CAR WASH, Corporation hereinafter referred to as "CONTRACTOR."

WITNESSETH:

SECTION I

The CONTRACTOR, in consideration of the promises of the CITY hereinafter set forth, hereby agrees to furnish all tools, equipment, materials, labor, and transportation necessary to perform and complete the terms of this Agreement and to faithfully perform and maintain in a good and workmanlike manner the maintenance services on the areas as set forth and listed in this Agreement.

SECTION II

This Agreement is for a period of one and one half years from the date hereinabove set forth and terminating on June 30, 2015. This Agreement may be renewed annually up to five (5) years with the consent of the City and the Contractor, subject to the right of either party to cancel without cause by giving a minimum of thirty (30) days' written notice to the other of such cancellation.

SECTION III

All of the work and services to be performed pursuant to this Agreement shall be performed in a good and workmanlike manner. Contractor shall pay prevailing wages in accordance with the laws of the State of California. Payment for work completed will be based on the following schedule:

Description	Unit Prices	Unit Description
Standard Car Wash	\$10.00	Each
Standard Detail	\$129.00	Each
Hand Wash for Large Vehicles	\$20.00	Each

Payment will be made on the 15th day of each and every calendar month during the term of this Agreement, which will be paid to the Contractor for all work and services to be performed pursuant to the Agreement.

Payment of additional services requested, in writing, by City and not included in the Scope of Services as set forth in this Agreement, shall be negotiated on an item-by-item basis. Any additional services cost will include labor, equipment, overhead, and profit. Charges for additional services shall be invoiced on a monthly basis and

shall be paid by the CITY within a reasonable time after said invoices are received by the CITY.

SECTION IV

The CONTRACTOR shall defend, indemnify, and save harmless the CITY, its elected and appointed officials, officers, agents, and employees from all liability from loss, damage, or injury to persons or property, including the payment by the CONTRACTOR of any and all legal costs and attorneys' fees, in any manner arising out of any negligent or intentional or willful acts or omissions of the CONTRACTOR or any of its agents, servants, employees, or licensees in the performance of this Agreement including, but not be limited to, all consequential damages to the maximum extent permitted by law.

SECTION V

The Public Works Superintendent, or his designated representative, shall be the judge of all work performed by the CONTRACTOR. If the work is not satisfactory, the Public Works Superintendent or his designated representative may suspend the Agreement for any period of time or terminate the Agreement as set forth herein. No sums shall be due or payable to the CONTRACTOR for or during any time of such suspension or after termination.

It is further agreed that in the event the CONTRACTOR fails to prosecute the work or any part thereof contemplated by this Agreement, the Public Works Superintendent, or his designated representative, shall so certify to the City Manager of the CITY; and if thereafter the CONTRACTOR, for a period of five (5) days after written notice, continues to fail to do so, then the CITY may exclude the CONTRACTOR from the premises or any portion thereof and may complete the work contemplated by this Agreement or any portion of said work by letting the unfinished portion of said work, or the portion taken over by the CITY, the cost of which shall be a charge against the CONTRACTOR and may be deducted from any money due or becoming due to the CONTRACTOR from the CITY; or the CONTRACTOR may be compelled to pay the CITY the amount of said charge or the portion thereof unsatisfied.

SECTION VI

SPECIFIC

A. Scope of Work

The work shall consist of furnishing all materials, labor, equipment, and incidentals necessary for cleaning of the exterior and interior of each vehicle.

1. WORKING HOURS: All work shall be performed between the hours of 8:00 a.m. and 5:00 p.m. weekdays and weekends.
2. INSPECTION BY THE CITY: The City shall inspect all work performed under this contract for compliance to the specifications and report any deficiencies to the Contractor.

4. **DAMAGE TO PROPERTY:** The Contractor shall not damage any City property as a result of the work specified. Any damage resulting from the Contractor's work shall be repaired, restored or replaced in kind within a timely manner.
5. **WORKMANSHIP:** All work shall be completed in a timely and workmanlike manner. The Contractor shall provide qualified workers trained according to the House of Car Wash standards.
6. **MEASUREMENT AND PAYMENT:** The unit prices called for in the Agreement shall be full compensation for all labor, materials, and equipment necessary to complete the work as specified

No further compensation shall be made unless authorized by the Public Works Superintendent or his designated representative.

SECTION VII

MISCELLANEOUS PROVISIONS

- A. **Assignment.** No assignment of this Agreement or of any part or obligation of performance hereunder shall be made, either in whole or in part, by the CONTRACTOR without the written consent of the CITY.
- B. **Discrimination.** The CONTRACTOR agrees that no person shall be excluded from employment in the performance of this Agreement on grounds of race, creed, color, sex, age, marital status, or place of national origin. In this connection, the CONTRACTOR agrees to comply with all County, State, and Federal laws relating to equal employment opportunity rights.
- C. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of California.
- D. **Attorneys' Fees.** In the event that any legal proceeding is instituted to enforce any term or provision of this Agreement, the prevailing party in said legal proceeding shall be entitled to recover attorneys' fees and costs from the opposing party in an amount to be determined by the Court to be reasonable.
- E. **Entire Agreement.** This Agreement supersedes any and all other agreements either oral or in writing, between the parties with respect to the subject matter herein. Each party to this Agreement acknowledges that no representation by any other party that is not embodied herein nor any other agreement, statement, or promise not contained in this Agreement shall be valid and binding. Any modification of this Agreement shall be effective only if it is in writing, signed by all parties.

IN WITNESS WHEREOF, the parties hereto execute this Agreement as of the day and year first set forth hereinabove.

Contractor:

HOUSE OF CAR WASH

Vazgen Keshishian
President

Date

City:

CITY OF MONTCLAIR

Paul M. Eaton
Mayor

Date

ATTEST:

Yvonne L. Smith
Deputy City Clerk

Date

APPROVED AS TO FORM:

Diane E. Robbins
City Attorney

Date

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 14-3020 AUTHORIZING PLACEMENT OF LIENS ON CERTAIN PROPERTIES FOR DELINQUENT SEWER AND TRASH CHARGES

DATE: February 3, 2014

SECTION: RESOLUTIONS

ITEM NO.: 1

FILE I.D.: STB300-17

DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: Staff has identified 196 sewer and trash accounts in the odd-numbered-month billing cycle that are more than three billing periods delinquent. Pursuant to Montclair Municipal Code Chapter 1.12, these properties are subject to lien.

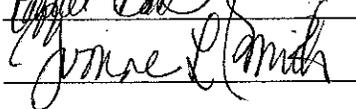
BACKGROUND: Ordinance No. 02-815 authorizes the placement of liens on properties on which delinquent civil debts have accrued and makes property owners responsible for delinquent sewer and trash charges accrued after the effective date of the Ordinance (March 1, 2002) for accounts in tenants' names.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

The 196 liens presented for approval are for accounts that are at least 90 days delinquent.

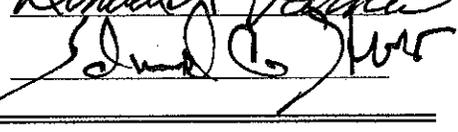
FISCAL IMPACT: Recoverable amount is \$62,146.40, plus \$2,744.00 for release of lien fees, plus \$9,800.00 in lien fees, for a total of \$74,690.40.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 14-3020 authorizing placement of liens on certain properties for delinquent sewer and trash charges as listed on Exhibit A of said Resolution.

Prepared by:

Reviewed and
Approved by:

Proofed by:

Presented by:

RESOLUTION NO. 14-3020

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

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

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

WHEREAS, it has been determined that there are 196 sewer and/or trash accounts on which there are delinquencies in excess of 90 days; and

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

WHEREAS, the owners of these properties were notified on January 9, 2014, that their delinquent accounts are subject to causing a lien to be placed on their properties for settlement of such delinquencies; and

WHEREAS, the owners of these properties were again notified on January 23, 2014, and that such liens would be considered for approval by the Montclair City Council on Monday, February 3, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Montclair does hereby approve the placement of liens on the properties and in the amounts specified in Exhibit A, entitled, *Report of Delinquent Civil Debts - February 2014*, attached hereto.

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

APPROVED AND ADOPTED this XX day of XX, 2014.

Mayor

ATTEST:

Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 14-3020 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, 2014, and that it was adopted by the following vote, to-wit:

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

Yvonne L. Smith
Deputy City Clerk

Exhibit A to Resolution No. 14-3020
Report of Delinquent Civil Debts – February 2014

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
11171	Ada Avenue	Residential	\$ 296.19	\$ 14.00	\$ 50.00	\$ 360.19
10483	Adobe Court	Residential	412.84	14.00	50.00	476.84
10499	Adobe Court	Residential	363.13	14.00	50.00	427.13
10197	Amherst Avenue	Senior	390.06	14.00	50.00	454.06
10207	Amherst Avenue	Residential	238.45	14.00	50.00	302.45
10360	Amherst Avenue	Multifamily	638.68	14.00	50.00	702.68
10421	Amherst Avenue	Multifamily	425.79	14.00	50.00	489.79
10431	Amherst Avenue	Multifamily	425.79	14.00	50.00	489.79
11151	Amherst Avenue	Residential	212.89	14.00	50.00	276.89
4624	Bandera Street	Multifamily	851.57	14.00	50.00	915.57
4990	Bandera Street	Residential	212.89	14.00	50.00	276.89
5079	Bandera Street	Residential	204.32	14.00	50.00	268.32
5101	Bandera Street	Residential	460.70	14.00	50.00	524.70
5105	Bandera Street	Residential	271.99	14.00	50.00	335.99
5207	Bandera Street	Residential	296.19	14.00	50.00	360.19
5231	Bandera Street	Residential	296.19	14.00	50.00	360.19
5241	Bandera Street	Residential	296.19	14.00	50.00	360.19
5243	Bandera Street	Residential	296.19	14.00	50.00	360.19
5598	Bandera Street	Residential	296.19	14.00	50.00	360.19
4432-34	Bandera Street	Multifamily	425.79	14.00	50.00	489.79
10145	Bel Air Avenue	Residential	212.89	14.00	50.00	276.89
10205	Bel Air Avenue	Residential	224.25	14.00	50.00	288.25
10263	Bel Air Avenue	Residential	212.85	14.00	50.00	276.85
5216	Belvedere Way	Residential	217.85	14.00	50.00	281.85
5225	Belvedere Way	Residential	218.77	14.00	50.00	282.77
5196	Benito Street	Commercial	290.96	14.00	50.00	354.96
5206	Benito Street	Commercial	290.96	14.00	50.00	354.96
5212	Berkshire Way	Residential	357.40	14.00	50.00	421.40
5224	Berkshire Way	Senior	412.84	14.00	50.00	476.84
4523	Bodega Court	Residential	388.64	14.00	50.00	452.64
4533	Bodega Court	Residential	223.49	14.00	50.00	287.49
4534	Bodega Court	Residential	228.80	14.00	50.00	292.80
10196	Bolton Avenue	Residential	332.60	14.00	50.00	396.60
11339	Brunswick Lane	Residential	317.08	14.00	50.00	381.08
11419	Brunswick Lane	Residential	203.06	14.00	50.00	267.06
10978	Buckingham Way	Residential	212.89	14.00	50.00	276.89
11034	Buckingham Way	Residential	269.49	14.00	50.00	333.49

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
10935	Buckskin Avenue	Residential	\$ 296.19	\$ 14.00	\$ 50.00	\$ 360.19
10437	Camarena Avenue	Residential	200.15	14.00	50.00	264.15
10203	Camulos Avenue	Residential	224.10	14.00	50.00	288.10
10233	Camulos Avenue	Residential	207.08	14.00	50.00	271.08
10234	Camulos Avenue	Residential	274.60	14.00	50.00	338.60
10259	Camulos Avenue	Residential	379.78	14.00	50.00	443.78
10264	Camulos Avenue	Residential	399.46	14.00	50.00	463.46
10171	Canary Court	Residential	212.89	14.00	50.00	276.89
11409	Cannery Row	Residential	201.97	14.00	50.00	265.97
4643	Canoga Street	Multifamily	851.53	14.00	50.00	915.53
4830	Canoga Street	Multifamily	1,490.41	14.00	50.00	1,554.41
4830	Canoga Street	Multifamily	1,490.41	14.00	50.00	1,554.41
4924	Canoga Street	Residential	212.89	14.00	50.00	276.89
4949	Canoga Street	Residential	212.93	14.00	50.00	276.93
5014	Canoga Street	Residential	212.90	14.00	50.00	276.90
5068	Canoga Street	Residential	238.85	14.00	50.00	302.85
5162	Canoga Street	Multifamily	850.94	14.00	50.00	914.94
4912	Carlton Street	Residential	274.60	14.00	50.00	338.60
11158	Carriage Avenue	Residential	212.89	14.00	50.00	276.89
11190	Carriage Avenue	Residential	225.19	14.00	50.00	289.19
11253	Carriage Avenue	Residential	238.85	14.00	50.00	302.85
11178	Carrillo Avenue	Residential	296.19	14.00	50.00	360.19
9710	Central Avenue	Commercial	349.79	14.00	50.00	413.79
9802	Central Avenue	Commercial	2,810.70	14.00	50.00	2,874.70
11348	Chandler Lane	Residential	200.01	14.00	50.00	264.01
4337	Clair Street	Residential	265.71	14.00	50.00	329.71
4397	Clair Street	Residential	296.19	14.00	50.00	360.19
10207	Coalinga Avenue	Residential	421.36	14.00	50.00	485.36
10231	Coalinga Avenue	Residential	212.89	14.00	50.00	276.89
10213	Columbine Avenue	Residential	212.89	14.00	50.00	276.89
11370	Cumberland Lane	Residential	308.44	14.00	50.00	372.44
11469	Cumberland Lane	Residential	310.23	14.00	50.00	374.23
11470	Cumberland Lane	Residential	302.35	14.00	50.00	366.35
11477	Cumberland Lane	Residential	202.62	14.00	50.00	266.62
10212	Del Mar Avenue	Residential	212.89	14.00	50.00	276.89
10236	Del Mar Avenue	Residential	212.89	14.00	50.00	276.89
10248	Del Mar Avenue	Residential	238.82	14.00	50.00	302.82
4506	Donner Court	Residential	232.01	14.00	50.00	296.01
4528	Donner Court	Residential	212.70	14.00	50.00	276.70
11159	Essex Avenue	Residential	212.89	14.00	50.00	276.89

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
4133	Evert Street	Residential	\$ 331.71	\$ 14.00	\$ 50.00	\$ 395.71
4628	Evert Street	Residential	296.19	14.00	50.00	360.19
4665	Evert Street	Senior	386.90	14.00	50.00	450.90
4674	Evert Street	Residential	212.89	14.00	50.00	276.89
4760	Evert Street	Residential	216.98	14.00	50.00	280.98
4790	Evert Street	Residential	210.39	14.00	50.00	274.39
5361	Evert Street	Residential	427.71	14.00	50.00	491.71
4125	Faircove Court	Residential	302.52	14.00	50.00	366.52
4175	Faircove Court	Residential	295.60	14.00	50.00	359.60
11334	Fairfax Lane	Residential	317.08	14.00	50.00	381.08
11366	Fairfax Lane	Residential	317.08	14.00	50.00	381.08
4174	Fauna Street	Residential	229.31	14.00	50.00	293.31
4219	Fauna Street	Residential	212.89	14.00	50.00	276.89
4244	Fauna Street	Residential	212.89	14.00	50.00	276.89
4267	Fauna Street	Residential	296.19	14.00	50.00	360.19
4291	Fauna Street	Residential	222.06	14.00	50.00	286.06
4456	Fauna Street	Residential	212.89	14.00	50.00	276.89
4703	Fauna Street	Residential	212.89	14.00	50.00	276.89
4703	Fauna Street	Residential	212.89	14.00	50.00	276.89
4738	Fauna Street	Residential	330.44	14.00	50.00	394.44
4805	Fauna Street	Residential	412.84	14.00	50.00	476.84
4932	Fauna Street	Residential	212.87	14.00	50.00	276.87
4952	Fauna Street	Residential	212.84	14.00	50.00	276.84
5450	Fauna Street	Residential	431.15	14.00	50.00	495.15
10232	Felipe Avenue	Residential	296.19	14.00	50.00	360.19
8907-09	Felipe Avenue	Multifamily	425.79	14.00	50.00	489.79
8919-21	Felipe Avenue	Multifamily	425.79	14.00	50.00	489.79
4202	Flora Street	Residential	309.02	14.00	50.00	373.02
4220	Flora Street	Residential	213.00	14.00	50.00	277.00
4532	Flora Street	Residential	209.60	14.00	50.00	273.60
4730	Flora Street	Residential	213.94	14.00	50.00	277.94
5051	Flora Street	Residential	218.77	14.00	50.00	282.77
5083	Flora Street	Residential	367.39	14.00	50.00	431.39
11180	Fremont Avenue	Residential	324.30	14.00	50.00	388.30
10140	Galena Avenue	Residential	275.11	14.00	50.00	339.11
10149	Galena Avenue	Residential	212.89	14.00	50.00	276.89
10161	Geneva Ave	Residential	213.91	14.00	50.00	277.91
3792	Hampton Drive	Residential	202.67	14.00	50.00	266.67
11418	Hartford Lane	Residential	317.08	14.00	50.00	381.08
4103	Howard Street	Residential	212.89	14.00	50.00	276.89

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
4780	Howard Street	Residential	\$ 212.89	\$ 14.00	\$ 50.00	\$ 276.89
5013	Howard Street	Residential	347.32	14.00	50.00	411.32
4552	Humboldt Court	Residential	308.46	14.00	50.00	372.46
10236	Kimberly Avenue	Residential	212.89	14.00	50.00	276.89
10244	Kimberly Avenue	Residential	238.54	14.00	50.00	302.54
10386	Kimberly Avenue	Multifamily	851.58	14.00	50.00	915.58
4671	Kingsley Street	Senior	592.40	14.00	50.00	656.40
4714	Kingsley Street	Residential	296.19	14.00	50.00	360.19
4752	Kingsley Street	Residential	412.84	14.00	50.00	476.84
5003	Kingsley Street	Residential	212.89	14.00	50.00	276.89
5019	Kingsley Street	Residential	212.89	14.00	50.00	276.89
5198	Kingsley Street	Multifamily	592.40	14.00	50.00	656.40
5242	Kingsley Street	Residential	212.89	14.00	50.00	276.89
5476	Kingsley Street	Residential	214.06	14.00	50.00	278.06
5646	Kingsley Street	Residential	279.51	14.00	50.00	343.51
4821-23	Kingsley Street	Multifamily	380.01	14.00	50.00	444.01
4831-33	Kingsley Street	Multifamily	242.67	14.00	50.00	306.67
4385	Kingsley Street #2	Residential	429.29	14.00	50.00	493.29
4535	Mane Street	Residential	329.05	14.00	50.00	393.05
4543	Mane Street	Residential	310.46	14.00	50.00	374.46
4555	Mane Street	Residential	212.89	14.00	50.00	276.89
4846	Mane Street	Residential	212.89	14.00	50.00	276.89
4855	Mane Street	Residential	212.90	14.00	50.00	276.90
10231	Mills Avenue	Residential	409.03	14.00	50.00	473.03
4761	Mission Boulevard	Residential	231.62	14.00	50.00	295.62
5239	Monte Verde Street	Residential	212.89	14.00	50.00	276.89
10290	Monte Vista Avenue	Senior	220.81	14.00	50.00	284.81
10332	Monte Vista Avenue	Residential	412.84	14.00	50.00	476.84
11194	Monte Vista Avenue	Residential	200.01	14.00	50.00	264.01
10557	Morgan Circle	Residential	212.89	14.00	50.00	276.89
10217	OakGlen Avenue	Residential	230.12	14.00	50.00	294.12
10594	OakGlen Avenue	Residential	239.57	14.00	50.00	303.57
10604	OakGlen Avenue	Residential	211.19	14.00	50.00	275.19
5097	Orchard Street	Residential	275.70	14.00	50.00	339.70
5171	Orchard Street	Residential	212.80	14.00	50.00	276.80
5241	Orchard Street	Residential	332.60	14.00	50.00	396.60
5392	Orchard Street	Residential	212.89	14.00	50.00	276.89
5422	Orchard Street	Residential	212.89	14.00	50.00	276.89
3765	Peachwood Dr	Residential	280.97	14.00	50.00	344.97
10124	Poulsen Avenue	Residential	296.19	14.00	50.00	360.19

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
10154	Poulsen Avenue	Residential	\$ 212.89	\$ 14.00	\$ 50.00	\$ 276.89
11238	Poulsen Avenue	Residential	293.44	14.00	50.00	357.44
10206	Pradera Avenue	Residential	212.89	14.00	50.00	276.89
10303	Pradera Avenue	Multifamily	393.94	14.00	50.00	457.94
10313	Pradera Avenue	Multifamily	393.94	14.00	50.00	457.94
10323	Pradera Avenue	Multifamily	393.94	14.00	50.00	457.94
10180	Ramona Avenue	Residential	225.13	14.00	50.00	289.13
11442	Rockford Lane	Residential	317.08	14.00	50.00	381.08
5011	Saddleback Street	Residential	293.23	14.00	50.00	357.23
5225	Saddleback Street	Residential	412.96	14.00	50.00	476.96
5272	Saddleback Street	Residential	212.89	14.00	50.00	276.89
5177	San Antonio Way	Residential	212.89	14.00	50.00	276.89
11052	San Juan Way	Residential	212.89	14.00	50.00	276.89
11014	San Miguel Way	Residential	212.89	14.00	50.00	276.89
11000	San Pasqual Avenue	Residential	318.87	14.00	50.00	382.87
11020	San Pasqual Avenue	Residential	212.89	14.00	50.00	276.89
10133	Santa Anita Avenue	Residential	212.89	14.00	50.00	276.89
10183	Santa Anita Avenue	Residential	212.91	14.00	50.00	276.91
10221	Santa Anita Avenue	Residential	212.89	14.00	50.00	276.89
10236	Santa Anita Avenue	Senior	365.79	14.00	50.00	429.79
10265	Saratoga Avenue	Residential	309.02	14.00	50.00	373.02
11011	Stallion Avenue	Residential	212.91	14.00	50.00	276.91
10289	Tudor Avenue	Residential	212.89	14.00	50.00	276.89
10445	Tudor Avenue	Residential	412.84	14.00	50.00	476.84
10115	Vernon Avenue	Residential	365.13	14.00	50.00	429.13
10431	Vernon Avenue	Residential	260.88	14.00	50.00	324.88
5554	Vernon Court	Residential	212.89	14.00	50.00	276.89
4226	Via Amore	Residential	429.87	14.00	50.00	493.87
4230	Via Amore	Residential	430.31	14.00	50.00	494.31
10422	Via Palma	Residential	210.40	14.00	50.00	274.40
4191	Via Viola	Residential	201.56	14.00	50.00	265.56
11053	Wesley Avenue	Residential	212.89	14.00	50.00	276.89
11073	Wesley Avenue	Residential	222.06	14.00	50.00	286.06
11178	Whitewater Avenue	Residential	212.89	14.00	50.00	276.89
11195	Whitewater Avenue	Residential	237.33	14.00	50.00	301.33
4515	Yosemite Drive	Residential	212.89	14.00	50.00	276.89
4536	Yosemite Drive	Residential	214.58	14.00	50.00	278.58
4538	Yosemite Drive	Residential	296.14	14.00	50.00	360.14
10464	Yosemite Drive	Residential	296.19	14.00	50.00	360.19
TOTALS			\$62,146.40	\$2,744.00	\$9,800.00	\$74,690.40

**MINUTES OF THE REGULAR MEETING OF THE
PUBLIC WORKS COMMITTEE HELD ON THURSDAY,
JANUARY 16, 2014, AT 2:00 P.M. IN THE CITY HALL
CONFERENCE ROOM, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chair Paulitz; Committee Member Eaton; Public Works Director/City Engineer Hudson; Deputy City Manager/Director of Economic Development Staats; Director of Community Development Lustro

Absent: Public Works Superintendent Mendez; Facilities and Grounds Superintendent McGehee; Director, Office of Public Safety/Police Chief deMoet

Also Present: NPDES Coordinator Joe Rosales

III. APPROVAL OF MINUTES

A. Minutes of the Public Works Committee Meeting of November 21, 2013

The Public Works Committee approved the minutes of the Public Works Committee meeting of November 21, 2013.

IV. PUBLIC COMMENT

None

V. TRAFFIC SAFETY/CIRCULATION ISSUES

None

VI. POLICE DEPARTMENT UPDATES/ITEMS

A. Request for Crossing Guard Study (Added Item)

At the last Public Works Committee Meeting the Police Department requested a crossing guard study for Vernon Avenue and Benito Street. The school Resource Officer noted that there were quite a few kids that walk through the intersection of Vernon Avenue and Benito Street and that it would easily meet the pedestrian warrants. The Manual on Uniform Traffic Control Devices (MUTCD) defines a pedestrian as an Elementary School age pedestrian so parents and grandparents do not count. Based on the traffic volumes and pedestrian volumes the warrants are not met in the morning or in

the afternoon. There is a higher volume of pedestrian traffic in the afternoons than in the mornings. Public Works Director/City Engineer Hudson wants to wait until Director, Office of Public Safety/Police Chief deMoet gets back to provide him a copy of the report. Since the request came from the Police Department he can decide what he wants to do as far as pursuing it any further.

VII. COMMUNITY DEVELOPMENT DEPARTMENT PROJECT UPDATES/ITEMS

No new items to report

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

A. Maintenance Reports

Everything is going good.

B. Update on City Wide Carwash Contract with House of Carwash

Staff is developing a written agreement with the House of Carwash at 5064 Holt Boulevard. There has never been a written agreement between the City and House of Carwash only a verbal agreement. Recently what was agreed to and will be put into a written agreement is a flat rate of \$10.00 per vehicle. \$1.00 out of the \$10.00 rate would go towards the tip for the person drying the vehicle. The program started in December and in the first month of operation there were 78 vehicles washed at a cost of \$780.00. The previous agreement was approximately \$700 a month. It does cost a little bit more but the workers will be tipped. The agreement has not been presented to the City Council; it is still in the process of being written. Once it is written it will come to the City Council for approval. Public Works Director/City Engineer Hudson wants a written agreement with all of the insurance provisions.

C. Update on Central Avenue Streetlight Wire Theft

There have been a total of three wire thefts on the Central Avenue overpass south of Holt Boulevard. The first one was a small amount and the wires were replaced. The second time it was the same section and it was also a small amount. Staff had previously discussed an appropriation to install security devices on pull boxes and handhole covers with the Public Works Committee and the City Council. The materials were ordered, but before they came in another theft occurred.

Yesterday, staff was contacted by the City of Ontario who has detectives working on wire theft in their city. They pulled someone over and they had a van full of stolen wire. He was arrested and the City of Ontario sent out a bulletin to all of the local agencies to see if they had any wire theft to report. Grounds and Facilities Superintendent McGehee went and looked at the wire to see if any of it belonged to the City but he could not match up anything with the pieces the City had. All of the security devices have been installed.

The devices will be placed on all of the handhole covers and pull boxes on the Central Avenue/UPRR bridge. New wire was installed last Saturday so the lights are fully functional again. The new devices have special security screws and keys and keys cannot be bought or made to fit them.

D. Splash Pad play surface repair/replacement

When the Splash Pad was opened in May 2013 after a short period of operation staff found that the surface was coming up. It was noticed after the budget had been turned in and after the Splash Pad had opened. Temporary repairs were done but staff advised City Manager Starr that it would need to be replaced after the Splash Pad season ended in September. Staff received estimates when the problem was first noticed. It was just under \$10,000 to do the repairs on what was evident. The concern was that as it is being removed the adhesive may have disappeared under larger sections and more may have to be cut back. If a decision is made to remove the entire surface and replace it could cost approximately \$40,000. Staff is getting prices and at the mid-year budget review staff will ask for an appropriation to do the recommended repairs. It will be the same product but there is a better way of bonding it now. There is no way to color match. If a complete replacement is done then the color will not matter but if a partial replacement can be done the staff will come up with a contrasting color.

IX. PUBLIC WORKS DEPT. ENGINEERING DIVISION UPDATES/ITEMS

A. Speed Humps on Bandera Street between Monte Vista Avenue and Central Avenue - Update

The warrants were done and they meet the requirements for speed humps. The request was for either speed humps or stop signs. Public Works Director/City Engineer Hudson feels better with stop signs. The item did go to City Council and received authorization for the stop signs. Public Works Superintendent Mendez has been to the location and looked at where the stop signs and advanced warning signs will be placed. The work will be completed next week. The stop sign will be placed at Fremont Street and Bandera Street.

B. Animal Waste Ordinance - Draft ordinance is attached for review and for consideration

There was a draft of the Ordinance included in the Public Works Committee Agenda.

The municipal storm water permit that is in place now mandates that all permittees have ordinances that deal with animal waste within their jurisdiction. It is due to the pathogens and bacteria which impair water quality. In order to comply with the municipal storm water permit there needs to be an ordinance to regulate

animal waste and it would require the owner or the handler of the animals to pick up after their animals on public or private property. With no Committee objection the public hearing will be set for the for the next City Council agenda.

C. Cost sharing agreement with City of Chino for traffic signal at Phillips Boulevard and Central Avenue

Staff received a request from the City of Chino who maintains the signal at Phillips Boulevard and Central Avenue to see if the City would participate in signal modifications. They would also like to have the City start paying monthly maintenance and electrical costs. In 2008 there were a few properties that were annexed into the City. The northwest corner is the City of Montclair, the northeast corner is the County of San Bernardino and the two south quadrants are in the City of Chino. Since the City of Chino has the majority of the signal they take responsibility of the signal. Currently the City has cost sharing agreements with the County of San Bernardino, City of Ontario, City of Pomona, and City of Upland. The City of Chino would like the City to enter into a cost sharing agreement for the maintenance. Public Works Director/City Engineer Hudson completely supports it. As soon as the area was annexed into the City Public Works Director/City Engineer Hudson contacted the County of San Bernardino about the City participating in cost sharing. The County said they no longer owned the intersection it was now the City of Chino. Public Works Director/City Engineer Hudson contacted the City of Chino regarding a cost sharing agreement about six years ago and they never contacted the City until last month. Public Works Director/City Engineer Hudson's recommendation is to participate in the maintenance on a monthly basis.

The signal modifications will consist of re-wiring the intersection; putting in a new traffic signal cabinet controller and equipment; install emergency vehicle pre-emption. They will remove the internally illuminated street name signs and replace them with the high reflectivity the City uses for all of its signs. They are going to pour existing traffic signal cabinet foundation to install new conduit and pull boxes. Their estimated cost is \$110,000. The City's cost would be 25 percent of that so it will be approximately \$27,500. The appropriation would come from Gas Tax funds. The Committee agrees with the recommendation to move forward with the cost sharing agreement.

D. Appropriation requests for additional studies regarding Monte Vista Avenue and I-10 Interchange reconstruction (\$25,000) and Central Avenue/UPRR bridge replacement (\$2,000)

There have been two studies that have been looked at on and off over the last few years, one of them being Monte Vista Avenue and I-10 Freeway Interchange. In conjunction with that there is a study

that SANBAG and Caltrans are doing for the express lanes/HOV project. SANBAG is willing to pay for interim improvements until something can be done at all of the top ten ranked interchanges under their interchange reconstruction program. Public Works Director/City Engineer Hudson thought of an idea that might work which is to take the number one through lane and make a combined through lane and left turn pocket on to the freeway. It can go to a split face signal operation which means the northbound movements including turning movements would occur then the southbound movements would occur. The number one lane would never be blocked like it is now with cars making left turns because they would have green lights to do that. The number two lane still remains a through lane. Public Works Director/City Engineer Hudson is not sure if it will work. He has spoken to the traffic engineer and they want to get traffic counts on the turning movements at the interchange. Public Works Director/City Engineer Hudson wants to at least explore it and that is what the \$25,000 appropriation is for. It would come from City funds but if it looks like it would work then Public Works Director/City Engineer Hudson will approach SANBAG and see if they will fund interim construction. There would also have to be modifications to the median on Palo Verde Street in order to accommodate a double left turn pocket. There would be design effort as well as construction. Public Works Director/City Engineer Hudson does not think there should be any signal modifications. The poles at one time were set up for a split phase operation and then it went to protective permissive turn signals so it should not be too difficult to convert them back to a protected signal. The existing left turn pocket would remain the same. The number one lane would have the option of going straight or turning left.

Central Avenue reconstruction does not need an appropriation. There will be an agreement with J.L. Patterson and they have a number of ex Union Pacific Railroad (UPRR) personnel working for them including Richard Gonzalez. Richard Gonzalez was the one that was instrumental in working with the City in putting the agreement together for the Ramona Avenue Grade Separation. He was quite helpful when he worked for UPRR and now he is retired from UPRR and working for J.L. Patterson. He still has contacts at UPRR. He was able to acquire the agreement with both UPRR and SP from 1967 for the original grade separation that was constructed. He took it upon himself to do it. There are funds appropriated for preliminary work associated for the Central Avenue Grade Separation. Deputy City Manager Staats has already signed that agreement so an additional appropriation is not needed. Public Works Director/City Engineer Hudson expects to meet with UPRR to determine what they will be expecting. There are currently five piers in their right-of-way. There are six spans but the sixth span (the most southerly one) actually expands State Street and the State Street Channel. Richard Gonzalez should also be able to get a copy of the expansion plans for the Ontario yard for UPRR. Public Works

Director/City Engineer Hudson has asked for it in the past and was told that it was confidential information. Richard Gonzalez feels he can get a copy of it and it would be important for the City to know what they want to do with rails so staff can see what can fit between rails.

E. Request for parking restrictions on west side of Fremont Avenue south of Palo Verde Street

This problem came up around September last year. Public Works Director/City Engineer Hudson received an email from a resident on the street claiming that Nissan employees are parking in front of their units. The City Manager and Deputy City Manager met with the dealership and talked to them about not parking in front of the units. According to the resident the problem still has not been taken care of. Parking restrictions can be considered if all of the residents along the street agree to it. In this case they are all rental units; the City has never done parking restrictions in an apartment area. Public Works Director/City Engineer Hudson replied to the resident letting them know he would need approval from all of the residents in the complex as well as the management association. The resident felt that it was unfair. If residential parking area is developed then it has to be available to all of the people that live in the complex. The issue died when the resident was not willing to circulate a petition. About three weeks ago there was a request from another resident asking for the exact same thing. Public Works Director/City Engineer Hudson responded saying he would need a petition signed by all of the residents.

The Pines Apartments converted the carports into garages years ago. So where people could park in the carport now they are using the garage for storage. They do not have a place for their car so they park on the street. There is a skilled nursing facility next to the Pines apartments and many of the people who work there park on the street. Some of the employees from Metro Nissan might park there but one of the problems that Metro Nissan has had is that they are much busier and they have hired more people. During the day there is plenty of on street parking. The problem is mainly at night and the people working at the dealership have already gone home. A permit would have to be given to everybody in the apartment complex. Also there is only one parking district in the City and every time one is added it gets added to the same residential resolution. There is already restricted parking on the east side of the street which went into effect several years ago. If restricted parking is added to the west side of the street now the people on the west side of the street can park on the east side of the street and the home owners will begin to complain again. If they do get a petition signed then it will be brought back to the Public Works Committee. The problem with all of the districts is the enforcement. If the enforcement is not there then it does not really matter. This

was just an informational item it did not need any recommendations from the Committee.

F. Mutual Aid Agreement with Inland Empire Utilities Agency

Several years ago the City entered into an agreement with Inland Empire Utilities Agency (IEUA) for sharing of personnel and equipment in the event of a disaster where the City does not have enough resources or another city does not have enough resources. A few years ago the City did ask for assistance from the City of Upland on cleaning a storm drain and Upland billed the City. Upland and Montclair shared resources before and neither billed each other. When this agreement first went into effect they were just following the terms of that agreement so they billed the City for it. The two Mayors got involved and agreed that an invoice never should have been sent, so Upland withdrew their invoice. Montclair has not had a need to share any other City resources but the City did share IEUA's resources for the sewer spill on Silicon Street. IEUA never billed the City for that work. They provided a vector truck and they just took care of it because it needed to be done. They were out there doing something with the Brooks Street Basin and they just jumped in and did it. The formal agreement does provide but does not obligate anybody to share equipment. The agreement was executed by all seven contracted agencies as well as IEUA. The Jurupa Valley services district wants to borrow primarily from the City of Ontario and IEUA. Jurupa Valley wanted to join and the way the agreement is written, all of the contracting agencies have to be in agreement. Public Works Director/City Engineer Hudson is recommending that the City sign Amendment One to the agreement which would add the Jurupa Community Services District. The fiscal impact is negligible. The City is not obligated to provide services nor is it obligated to provide services, but if there is a sharing of services there can be an expectation for reimbursement. This item is on the agenda for Monday nights City Council Meeting. IEUA's Board has already taken action on it.

X. CAPITAL PROJECT UPDATES

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

A. MONTE VISTA AVENUE/UPRR GRADE SEPARATION PROJECT

Union Pacific Railroad (UPRR) informed the City they wanted a clear span structure. Staff provided a couple of alternatives to a clear span structure, one of them being a two-span structure and they have approved that one. It is not the best two-span structure; staff would like UPRR to approve a variation of that instead of putting the support all the way to the north side of State Street. It would be put more or less in the middle of their right-of-way. Public Works Director/City Engineer Hudson received a call from Richard

Gonzalez, even though he is not working on the project he said he would call and see what he could do. Public Works Director/City Engineer Hudson spoke with Richard Gonzalez today and he said that UPRR is not going to approve the modification. The City's design team was not aware of that until Public Works Director/City Engineer Hudson called them. Staff is still waiting for official notification from UPRR. The two-span structure that UPRR has approved will fit within the environmental foot print that is cleared. Public Works Director/City Engineer Hudson has requested a proposal for the revised design. Caltrans is not going to allow Federal Funds to be used for this design since the consultant was already selected before there were any federal funds involved. There was not a DBE goal that was required as part of the design proposal submittal. So as far as they are concerned the City committed a fatal flaw by not following their selection procedure manual, even though the State was going to fund this 100 percent at the outset. Just to make sure the City had Caltrans involvement staff reached out to the Local Assistance Engineers to be part of the selection team to make sure the City was doing everything right. Since the City does not have DBE participation Caltrans will not allow the City to continue to use the consultant already selected. Public Works Director/City Engineer Hudson asked if a new consultant was selected and with DBE participation would they then allow federal funds to be used. The request went out two weeks ago and there still has not been a response. Staff knows that the final design will be a two-span structure with abutments on either side and a center pier located between the existing southerly rail which is the Metrolink rail and the West State Street Storm Drain. Staff knows what the configuration is going to be. With that there is enough information that staff can start design on it now. It is not part of the original scope of services. Staff is going to be looking at a proposal from AECOM for doing this work. Public Works Director/City Engineer Hudson told them what he thought the work was worth. The original consultant was LAN Engineering Corporation and they were bought by AECOM in 2009. The contract has been assigned from LAN to AECOM. AECOM provided notification to the City of their acquisition of LAN in 2009.

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

This project will widen Monte Vista Avenue on the east side between Mission Boulevard and Howard Street. Staff is still waiting on Southern California Edison. They have given the City the relocation plan for the power poles. They have not given City staff their streetlight plan but they did promise to have them to the City by the end of the day tomorrow. Once that information is received then the project can be advertised for bid.

C. NORTHEAST MONTCLAIR PAVING PROJECT-PROJECT COMPLETE

Work included removal and replacement of curb, gutter, and sidewalk; construction of new pedestrian ramps; pavement grinding; installation of new asphalt concrete pavement; and replacement of traffic striping. Project limits were from San Bernardino Street on the south, Rose Avenue on the west, San José Street on the north, and Benson Avenue on the east. The project is now complete and staff received a lot of compliments regarding this project.

D. RECREATION BUILDING REMODEL

This project will update some of the facilities in the Recreation Building. The restrooms and showers will be updated; installation of an employee restroom; install sink and plumbing in employee break room. The design is nearly complete for a first submittal. Assistant Director of Human Services Richter, Community Development Director Lustró, Facilities and Grounds Superintendent McGehee, and Project Manager Steve Stanton will look at the plans to make sure all of their concerns are addressed. Once they have reviewed it, it will be submitted to the Building Department for formal plan checking. This should take place in the next two months.

E. SUNRISE PARK BLOCK WALL RECONSTRUCTION

Staff has met with all of the affected property owners. The block wall has a recess in it where there is a gate that allows access into somebody's back yard and from the back yard into the park when the park is closed. Staff informed the property owner that the recess would have to be removed and the gate closed off. There is a design in the works for the wall. Some of it will be eight-foot tall block wall and some of it is a garden wall on top of a retaining wall. The design will address it. On the south side some of the wall is the original park boundary. Approximately 15 years ago a lot split was done and the condition Public Works had on the lot split was to dedicate road right-of-way for the extension of Harvard Street and additional right-of-way for the expansion of Sunrise Park. The property owner made the dedications but they also had their own back wall that they constructed. Public Works Director/City Engineer Hudson does not think that the City will ever need the extension of Harvard Street. Rather than keep it as road dedication it should be combined with the park and provide additional park improvements. Park improvements would include landscaping and irrigation. It would most likely come from the Park Development fund.

F. CENTRAL AVENUE/UPRR GRADE SEPARATION RECONSTRUCTION

This item was discussed under item IX D.

G. CENTRAL AVENUE/SAN BERNARDINO STREET TRAFFIC SIGNAL UPGRADE

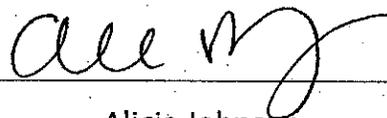
Several months ago staff submitted an application to the state for federal funds for signal modifications at Central Avenue and San Bernardino Street. Due to the high volume of left turn accidents in all directions the grant was approved. There is protective permissive for northbound and southbound, currently it is permissive only for eastbound and westbound. The intent of the project is to make it a protected left turn on all four approaches. There should be adequate funds for this, staff requested \$125,000. On the Monday night City Council agenda there is an item for an appropriation for \$150,000. The state and federal will reimburse the City \$112,000. The local match is approximately \$11,250. On top of that the City will have to do the design work. Most of the design work is complete because several years ago staff applied for the same grant. The design will have to be modified to comply with current standards. Staff may need some assistance in the NEPA process. The project should be a categorical exclusion. Hopefully it can all be done in house, but if somebody from Caltrans decides that they need a technical study then a consultant will have to be brought in. Included in this will be traffic signal timing for every intersection that is impacted by the changes that are made at this intersection. With a protected only signal green time will be lost either on Central Avenue or San Bernardino Street in order to provide the additional time for the protected turns in all directions.

XI. ADJOURNMENT

The next meeting of the Public Works Committee will be at 2:00 p.m. on February 20, 2014.

At 2:57 p.m., Chair Paulitz adjourned the meeting.

Submitted for Public Works Committee approval,



Alicia Johnson
Transcribing Secretary

**MINUTES OF THE MEETING OF THE MONTCLAIR
CODE ENFORCEMENT COMMITTEE HELD ON
MONDAY, JANUARY 21, 2014, AT 6:00 P.M. IN THE
CITY HALL CONFERENCE ROOM, 5111 BENITO
STREET, MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

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

II. ROLL CALL

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

III. APPROVAL OF MINUTES

A. Minutes of Code Enforcement Committee Meeting of December 16, 2013

It was the consensus of the Code Enforcement Committee to approve the minutes of the Code Enforcement Committee meeting of December 16, 2013.

IV. PUBLIC COMMENT - None

V. OLD BUSINESS

1. Shopping Cart Containment Ordinance. Community Development Director Lustro stated that there is no news to report.
2. Pushcart Vending. Community Development Director Lustro stated that there is no news to report.

NEW BUSINESS

1. Public/press contact regarding abandoned home at 5399 Holt Boulevard. Community Development Director Lustro stated that the person trying to save the home has no recipient lot to relocate the home at this time. He advised that the property owner would be able to obtain a demolition permit once he has AQMD clearance for removal of the asbestos in the residence and outbuildings.

Discussion followed regarding the condition of the home and continuing Code Enforcement problems at the site.

2. Update on Massage establishments. Community Development Director Lustro gave the Committee copies of a webinar presentation on proposed changes to California law regulating massage establishments that staff participated in as well as copies of an article on the new law describing how the City would have more power to eliminate prostitution. Council Member Paulitz inquired as to the number of massage establishments in Montclair. Community Development Director Lustro advised that there are eight that have business licenses. He encouraged the Committee to review the handouts because they contain valuable information related to closing illegal massage establishments. Discussion followed regarding AB 1147 (Gomez), examples of other cities' massage establishment experiences, and how the number of these establishments is growing to unmanageable numbers because of current law.
3. Removal of Upland's homeless encampment on 11th Street west of Central Avenue. Discussion followed on how the City could minimize an increase in homeless population in Montclair as a result of Upland's recent action.

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

The Hot Properties list was unable to be updated because of recurring computer glitches. Senior Code Enforcement Officer Gabe Fondario is working with Information Technology Division staff on the computer issues. The list will be forwarded to the Committee once the updates are complete.

VIII. NEXT MEETING

The next Code Enforcement Committee meeting is scheduled for Tuesday, February 18, 2014, at 6:00 p.m. in the City Hall Conference Room. Council Member Dutrey noted he would be unable to attend the meeting.

IX. ADJOURNMENT

At 6:35 p.m., Council Member Paulitz adjourned the Code Enforcement Committee.

Submitted for Code Enforcement
Committee approval,



Laura Embree
Administrative Secretary

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON TUESDAY,
JANUARY 21, 2014, AT 9:16 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 9:16 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 January 6, 2014.

Moved by City Manager Starr, seconded by Council Member Raft, and carried unanimously to approve the minutes of the Personnel Committee meeting of January 6, 2014.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

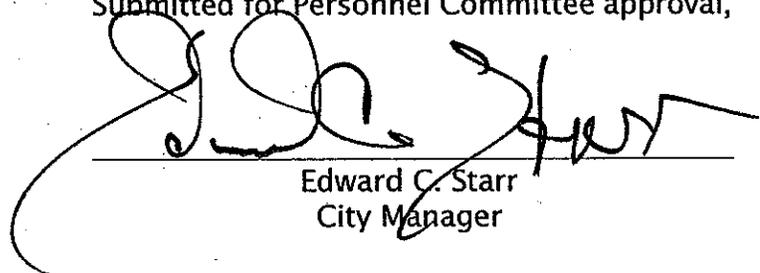
At 9:17 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 9:35 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 9:35 p.m., Mayor Pro Tem Ruh adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager