

CITY OF MONTCLAIR

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

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

June 2, 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](http://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** – None

**VIII. CONSENT CALENDAR**

**A. Approval of Minutes**

1. Minutes of the Regular Joint Council/Successor Agency Board/  
MHC Board/MHA Commission Meeting of May 19, 2014  
[CC/SA/MHC/MHA]

**B. Administrative Reports**

1. Consider Setting a Public Hearing for the Following:

Adoption of Resolution No. 13-2996 Amending the Land Use  
Element of the General Plan

Adoption of Ordinance No. 13-935 Amending Chapters 11.22  
and 11.78 and Repealing Chapter 11.90 of the Montclair Municipal  
Code Related to Development Standards and Requirements in  
the R-3 (Residential Medium-High Density) Zoning District [CC] 4

2. Consider Authorization to Receive \$3,394 From the FY2013  
State Homeland Security Grant Program for Purchase of Fire  
Studio 5.0 Entry Level Training System [CC]

Consider Authorization of a \$3,394 Appropriation From the  
Contingency Fund to Purchase a Fire Studio 5.0 Entry Level  
Training System From Digital Combustion, Inc. [CC] 25

3. Consider Authorizing the Purchase of Educational and  
Promotional Materials for Distribution During Community  
Events [CC] 28

4. Consider Approval of Warrant Register and Payroll  
Documentation [CC] 29

**C. Agreements**

1. Consider Approval of Agreement No. 14-37 With The Liquidation  
Company for the Public Sale of Surplus and Unclaimed Property  
[CC] 30

2. Consider Approval of Agreement No. 14-39 Amending Agreement  
No. 13-58 With Incredible Edible Community Garden to Include  
Insurance Provisions [CC] 33

**D. Resolutions**

1. Consider Adoption of Resolution No. 14-3033 Authorizing  
Placement of Liens on Certain Properties for Delinquent Sewer  
and Trash Charges [CC] 36

**IX. PULLED CONSENT CALENDAR ITEMS**

**X. RESPONSE - None**

**XI. COMMUNICATIONS**

A. City Attorney

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

One Potential case

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

Kenneth Pollich 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 Personnel Committee Meeting of May 19, 2014

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**XII. COUNCIL/MHC WORKSHOP**

A. Fiscal Year 2014-15 Preliminary Budget Review

(Council/MHC Board of Directors may consider continuing this item to an adjourned meeting on Wednesday, June 11, 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 potential and 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 Monday, June 16, 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 May 29, 2014.*

## AGENDA REPORT

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<b>SUBJECT:</b> CONSIDER SETTING A PUBLIC HEARING FOR THE FOLLOWING:  ADOPTION OF RESOLUTION NO. 13-2996 AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN  ADOPTION OF ORDINANCE NO. 13-935 AMENDING CHAPTERS 11.22 AND 11.78 AND REPEALING CHAPTER 11.90 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO DEVELOPMENT STANDARDS AND REQUIREMENTS IN THE R-3 (RESIDENTIAL MEDIUM-HIGH DENSITY) ZONING DISTRICT	<b>DATE:</b> June 2, 2014 <b>SECTION:</b> ADMIN. REPORTS <b>ITEM NO.:</b> 1 <b>FILE I.D.:</b> GPL250 <b>DEPT.:</b> COMMUNITY DEV.
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**REASON FOR CONSIDERATION:** Amendments to the General Plan and Municipal Code require public hearing review and approval by the City Council.

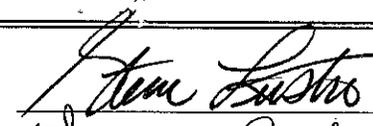
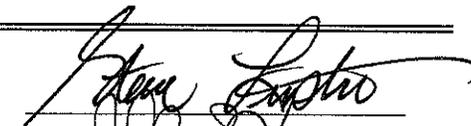
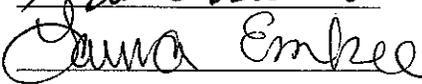
**BACKGROUND:** On February 3, 2014, the City Council adopted Resolution No. 14-3018 approving a General Plan Amendment adopting the 2014-2021 Housing Element Update. The "Policy Program" chapter of the adopted Housing Element sets forth 25 Policy Actions that are required to be undertaken by the City to successfully implement the adopted Housing Element. The Policy Actions being addressed by this agenda item include the following:

Policy Action 3.7 requires staff to "examine the existing (minimum) unit size requirements and amend the City's Zoning Code, as appropriate, to ensure unit size thresholds do not constrain the provision of affordable housing;"

Policy Action 3.9 states, "To ensure the City's parking requirements are not a constraint to residential development, especially new housing units affordable to lower and moderate income households, the City shall review the existing parking requirements, particularly the two-space 'garage' multi-family requirement, and revise the requirements, as appropriate;" and

Policy Action 4.2 requires that "the City shall investigate increasing the maximum permitted density on parcels where the lot configuration, size, and adjacent zoning are such that the parcel is suitable for development at a higher density than currently permitted. Based on its findings, the City shall amend the density and other development standards as appropriate."

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

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The Land Use Element of the General Plan, adopted in 1999, identifies the following four residential land use types:

- "Residential—Very Low Density Single-Family (0-2 units per acre)"
- "Residential—Low Density Single-Family (3-7 units per acre)"
- "Residential—Medium Density (8-14 units per acre)"
- "Senior Housing"

Staff proposes to add a fifth housing category to the Land Use Element of the General Plan: "Residential—High Density (15-30 units per acre)."

Pursuant to Government Code Section 65860, the City's Zoning Code is required to be consistent with the adopted General Plan in order to implement its goals and policies. Accordingly, staff is also proposing to amend Chapters 11.22 and 11.78 and repeal Chapter 11.90 of the Montclair Municipal Code to achieve this required consistency.

Staff notes that this is the first of several General Plan and/or Municipal Code amendments related to implementation of the Policy Actions contained in the adopted Housing Element that are intended to be submitted to the Planning Commission and City Council for consideration. In order for the City to be in full compliance with the adopted 2014-2021 Housing Element, the City must implement the Policy Actions outlined in the document.

The proposed Resolution and Ordinance were originally considered by Council at its meeting on August 19, 2013. Because some concerns were raised with respect to some components of the proposed Zoning Code revisions, Council withdrew the item and requested that it be discussed at a future workshop. On November 18, 2013, staff presented the item to Council for discussion at a workshop preceding the regularly scheduled City Council meeting. At the workshop, Council asked staff to revisit the following proposed code revisions:

- Minimum lot area
- Lot dimensions
- Maximum density
- Minimum floor area of units

Staff prepared a revised Ordinance that was to be scheduled for Council consideration at its March 3, 2014 meeting, but the item was pulled at Council's request before it was scheduled to be set for hearing. The item was subsequently discussed at the Strategic Planning Session on April 24, 2014, at which time Council provided direction to staff regarding the outstanding issues related to this item including repealing Chapter 11.90 ("Residential Developments - Planned") and combining the components of that Chapter into Chapter 11.22.

Proposed Resolution No. 13-2996 related to the General Plan Amendment and revised Ordinance No. 13-935 amending Chapters 11.22 and 11.78, and repealing Chapter 11.90 of the Montclair Municipal Code address the issues identified above and are attached to this report for reference.

**FISCAL IMPACT:** The cost to publish a Notice of Public Hearing in the *Inland Valley Daily Bulletin* related to this agenda item should not exceed \$500.

**RECOMMENDATION:** Staff recommends the City Council set a public hearing for Monday, June 16, 2014, at 7:00 p.m. in the Council Chambers to consider adoption of Resolution No. 13-2996 amending the Land Use Element of the General Plan and to consider adoption of Ordinance No. 13-935 amending Chapters 11.22 and 11.78 and repealing Chapter 11.90 of the Montclair Municipal Code related to development standards and requirements in the R-3 (Residential Medium-High Density) zoning district.

RESOLUTION NO. 13-2996

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF MONTCLAIR APPROV-  
ING AN AMENDMENT TO THE LAND  
USE ELEMENT OF THE GENERAL PLAN

A. Recitals.

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

**WHEREAS**, Section 65358 of the California Government Code allows the City Council to amend all or part of an adopted General Plan if it deems such amendment to be in the public interest; and

**WHEREAS**, Section 65358(b) of the Government Code allows each mandatory element of the General Plan to be amended up to four times during any calendar year; and

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

**WHEREAS**, on February 3, 2014, the City Council adopted Resolution No. 14-3018 approving a General Plan Amendment, adopting the 2014-2021 Housing Element Update; and

**WHEREAS**, the "Policy Program" chapter of the adopted Housing Element sets forth 25 Policy Actions that are required to be undertaken by the City to successfully implement the adopted Housing Element; and

**WHEREAS**, Policy Action 4.2 requires that "the City shall investigate increasing the maximum permitted density on parcels where the lot configuration, size, and adjacent zoning is such that the parcel is suitable for development at a higher density than currently permitted. Based on its findings, the City shall amend the density and other development standards as appropriate"; and

**WHEREAS**, pursuant to Government Code Section 65860, the Zoning Code of the City of Montclair is required to be consistent with the adopted General Plan in order to implement its goals and policies; and

**WHEREAS**, the Land Use Element of the General Plan, which was adopted in 1999, identifies the following four residential land use types:

"Residential—Very Low Density Single-Family (0-2 units per acre)"

"Residential—Low Density Single-Family (3-7 units per acre)"

"Residential—Medium Density (8-14 units per acre)"

"Senior Housing"; and

**WHEREAS**, Ordinance No. 13-935, amending various development standards of the R-3 (Residential Medium-High Density) zone, proposes to increase the maximum density within the R-3 zone to 30 units per acre; and

**WHEREAS**, in order to achieve consistency between the General Plan and Zoning Code, staff proposes to add a fifth housing category to the Land Use Element of the General Plan: "Residential—High Density (15-30 units per acre)"; and

**WHEREAS**, upon adoption of this Resolution, the official General Plan Land Use Map of the City of Montclair shall be amended as depicted in Exhibit "A"; and

**WHEREAS**, the City has prepared an Initial Study/Negative Declaration (IS/ND) in compliance with the California Environmental Quality Act (CEQA); and

**WHEREAS**, the minimum 30-day public review period for the IS/ND commenced on June 24, 2013 and concluded on August 12, 2013; and

**WHEREAS**, on June 24, 2013, the Notice of Availability of the IS/ND was filed with the San Bernardino County Clerk of the Board; and

**WHEREAS**, copies of the IS/ND were available during the public review period at the Community Development counter at City Hall; and

**WHEREAS**, public notice of this item was advertised as a public hearing in the Inland Valley Daily Bulletin newspaper on June 28, 2013; and

**WHEREAS**, on August 12, 2013, 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 were heard, and said application was fully studied; and

**WHEREAS**, the Planning Commission reviewed and considered the amendment to the Land Use Element along with the information contained in the IS/ND, comments received during the public review period, and responses to comments; and

**WHEREAS**, the Planning Commission, as the responsible agency, reviewed and considered the environmental assessment based upon the findings in the Initial Study prepared for the project, and determined that there will be no significant impact on the environment as a result of the proposed amendments to the General Plan Land Use Element and Montclair Municipal Code; and

**WHEREAS**, the Planning Commission also adopted a Negative Declaration and a finding that there will be a DeMinimis impact on fish and wildlife; and

**WHEREAS**, based on its review and independent judgment, the City Council finds that the amendment to the Land Use Element of the General Plan will not have a significant effect on the environment; and

**WHEREAS**, on June 16, 2014, commencing at 7:00 p.m. in the Council Chamber 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 were heard, and said application was fully studied.

B. Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that it is hereby found, determined, and resolved by the City Council of the City of Montclair 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 amendment to the Land Use Element of the General Plan associated with Case No. 2013-5, adding a new housing category of "Residential—High Density (15-30 units per acre)."

**APPROVED AND ADOPTED** this XX day of XX, 2014.

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Mayor

**ATTEST:**

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Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 13-2996 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

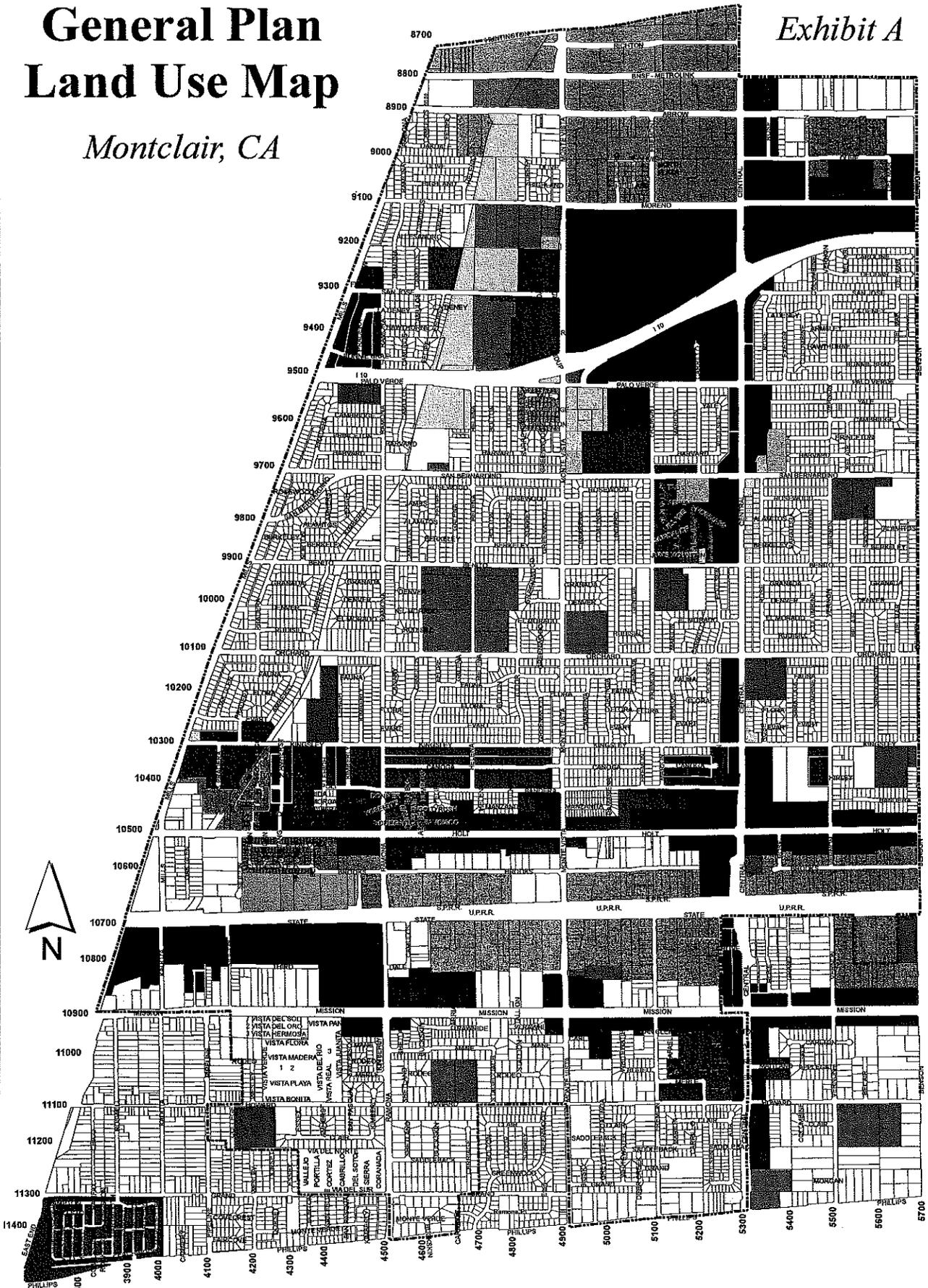
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Yvonne L. Smith  
Deputy City Clerk

# General Plan Land Use Map

Montclair, CA

Exhibit A



### General Plan Land Use

Very Low, 0-2 units/acre	Senior Housing	Regional Commercial	Public/Quasi Public	Planned Development
Low, 3-7 units/acre	Office Professional	Business Park	Neighborhood Park	Medical Center
Medium, 8-14 units/acre	Neighborhood Commercial	Industrial Park	Conservation Basins	City Boundary
High, 15-30 units/acre	General Commercial	Limited Manufacturing	Community Plan	

**ORDINANCE NO. 13-935**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR AMENDING CHAPTERS 11.22 AND 11.78 AND REPEALING CHAPTER 11.90 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO DEVELOPMENT STANDARDS AND REQUIREMENTS IN THE R-3 (RESIDENTIAL MEDIUM-HIGH DENSITY) ZONING DISTRICT (CASE NO. 2013-5)**

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

**WHEREAS**, the California Government Code requires cities to review and update their Housing Element according to a schedule set forth by the State's Housing and Community Development Department (HCD); and

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

**WHEREAS**, in January 2014, HCD provided the City with a letter of substantial compliance indicating that upon adoption by the City Council, the Housing Element would fully comply with State law; and

**WHEREAS**, on February 3, 2014, the City Council adopted Resolution No. 14-3018 approving a General Plan Amendment adopting the 2014-2021 Housing Element Update; and

**WHEREAS**, the "Policy Program" chapter of the adopted Housing Element sets forth 25 Policy Actions that are required to be undertaken by the City to successfully implement the adopted Housing Element; and

**WHEREAS**, Policy Action 3.7 requires staff to "examine the existing (minimum) unit size requirements and amend the City's Zoning Code, as appropriate, to ensure unit size thresholds do not constrain the provision of affordable housing"; and

**WHEREAS**, Policy Action 3.9 states, "To ensure the City's parking requirements are not a constraint to residential development, especially new housing units affordable to lower and moderate income households, the City shall review the existing parking requirements, particularly the two-space 'garage' multifamily requirement, and revise the requirements, as appropriate"; and

**WHEREAS**, Policy Action 3.13 states in part. "To ensure the City's permitting requirements are not a constraint to residential development, especially new housing units affordable to low- and moderate-income households, the City shall amend the Zoning (Code) to remove the conditional use permit requirement for development in the R-3 zone that is three or more acres in size, two or more stories in height, or senior housing" and

**WHEREAS**, Policy Action 4.2 requires that "the City shall investigate increasing the maximum permitted density on parcels where the lot configuration, size, and adjacent zoning is such that the parcel is suitable for development at a higher density than currently permitted. Based on its findings, the City shall amend the density and other development standards as appropriate."

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

**SECTION I. Amendment of Code.**

Chapter 11.22 of the Montclair Municipal Code is hereby repealed in its entirety and replaced as follows:

**Chapter 11.22  
ZONES: R-3 - RESIDENTIAL  
MEDIUM-HIGH DENSITY**

**Sections:**

- 11.22.010 Findings and intent.**
- 11.22.020 Uses permitted.**
- 11.22.030 Uses permitted subject to a conditional use permit.**
- 11.22.040 Property development standards.**
- 11.22.050 Other general development standards.**
- 11.22.060 Miscellaneous development standards.**
- 11.22.070 Common areas.**
- 11.22.080 Covenants, Conditions and Restrictions (CC&Rs)**

**11.22.010 Findings and intent.**

A. The City Council finds that multifamily developments are different in so many respects from other types and forms of development as to require a specialized set of regulations.

B. The intent of this Chapter is to set forth standards, procedures and guidelines that will promote desirable living environments; allow for a diverse range of housing types to appeal to the widest range of residents possible; require high quality architecture, thoughtful site planning, and sufficient amenities; and ensure the preservation of privacy, convenience, health, safety and well-being of residents.

**11.22.020 Uses permitted.**

Except as specifically provided elsewhere in this Title, any and every building, premises and/or land in the R-3 Zone shall be used for, or occupied, and every building shall be erected, constructed, established, altered, enlarged, maintained and moved into or within such R-3 Zone, exclusively and only in accordance with the provisions set forth in this Chapter, and subject to the approval of a Precise Plan of Design submitted and reviewed in accordance with the provisions of Chapter 11.80 of this Title.

A. The following shall be permitted as primary uses:

1. Apartments, condominiums, townhomes, and planned residential developments, subject to the provisions set forth in this Chapter;

2. Mobile home parks; subject to the provisions set forth in Chapter 11.62 of this Title;
  3. Residential care facilities for six or fewer persons;
  4. Senior citizen housing.
- B. The following shall be permitted as accessory uses:
1. Those uses permitted in Sections 11.18.030(D), (F), and (H) of this Title;
  2. Signs, subject to the provisions of Chapter 11.72 of this Title;
  3. Parking lots;
  4. Home occupations, subject to the provisions of Chapter 11.58 of this Title.

**11.22.030 Uses permitted subject to a conditional use permit.**

The following uses may be permitted subject to the issuance of a conditional use permit in accordance with the provisions of Chapter 11.78 of this Title:

- A. Those uses permitted in Section 11.18.030(A), (E), and (K) and Section 11.20.020(B) of this Title;
- B. Convalescent centers, skilled nursing facilities and assisted living facilities.

**11.22.040 Property development standards.**

The following property development standards shall apply to all land and buildings in the R-3 Zone; provided, however, where a lot has a width, depth, or area less than that required by the provisions of this Title and was held under separate ownership or was of official City record prior to June 30, 1984, such lot may be occupied by any use permitted in the R-3 Zone.

A. Lot Area. The net lot area shall be a minimum of one acre (43,560 square feet).

B. Lot Dimensions.

1. Width. The width of the lot shall be a minimum of 175 feet at the front lot line. However, if lots are located at the end of a cul-de-sac or another location that results in a wedge-shaped lot, the minimum width at the front building line shall be not less than 125 feet, provided the average width of the lot is not less than 175 feet.

2. Depth. The depth of the lot shall be a minimum of 200 feet.

C. Maximum Dwelling Unit Density. The maximum dwelling unit densities stated in this subsection are not automatically by-right; projects shall also be required to meet all applicable development standards contained in this Title.

1. The maximum dwelling unit density for courtyard, garden, rowhouse or stacked dwelling multifamily developments on parcels with a net area of less than five (5) acres shall be 20 units per acre.

2. The maximum dwelling unit density for courtyard, garden, rowhouse, or stacked dwelling multifamily developments on parcels with a net area between 5.00 and 9.99 acres shall be 25 units per acre.

3. The maximum dwelling unit density for courtyard, garden, rowhouse or stacked dwelling multifamily developments on parcels with a net area of ten (10) acres or greater shall be 30 units per acre.

D. Building Height. The maximum building height shall be 50 feet with a maximum of four floors, except that any portion of a building within

200 feet of the boundary of any R-1 Zone shall be limited to 38 feet and a maximum of three floors, and any portion of a building within 75 feet of the boundary of any R-1 Zone shall be limited to 28 feet and a maximum of two floors. "Building height" as defined herein means the vertical distance from the average contact ground level of the building to the highest point of the parapet wall of a flat roof or the mean height level between the eaves and ridges for a gable or hip roof.

E. Building design.

1. Structures having dwelling units attached side-by-side shall have an offset or articulation in the front building line of at least four feet (4') for every two dwelling units within such structure. Similar architectural enhancement alternatives may be approved subject to a Precise Plan of Design approved by the Planning Commission.

2. Structures having dwelling units attached side-by-side or stacked above one another shall provide at least one-third of the total number of units within such development as a flat or one-story unit.

F. Lot Coverage. Buildings and structures shall not cover more of a lot than would be permitted when satisfying all yard, open space, parking and access requirements.

G. Minimum Floor Area of Dwelling Units. Multifamily dwelling units shall contain the following minimum floor areas:

1. For studio or one-bedroom units, 800 square feet.
2. For two-bedroom units, 950 square feet.
3. For three-bedroom units, 1,200 square feet.
4. For four-bedroom units, 1,400 square feet.

Said floor areas shall be exclusive of patios, balconies, carports and garages.

H. Minimum Room Sizes. The minimum size of rooms shall comply with the currently adopted California Building Code, except that all bedrooms shall have a minimum area of 110 square feet and a minimum dimension of nine (9) feet.

I. Yards and Setbacks. Developments in the R-3 Zone shall have and maintain the following minimum yards and setbacks (see Sections 11.38.050 and 11.38.060 of this Title for additional requirements). Building setbacks shall be measured from the front property line.

1. Front Yards.

a. For buildings with three stories or less, a 25-foot minimum front-yard setback shall be required.

b. For buildings with four stories, a 35-foot minimum front-yard setback shall be required.

c. Notwithstanding the required front-yard setbacks indicated herein, covered or uncovered porches and balconies that are open on three sides may encroach up to 7 feet into the required front-yard setback.

d. The Planning Commission may require greater setbacks pursuant to a Precise Plan of Design because of the dimensions or bulk of a building, its relationship to the adjacent street(s) and/or to ensure compatibility with contiguous land uses.

e. No portion of the required front-yard setback area shall be used for parking. Driveways of the minimum width necessary for vehicular access shall be permitted to traverse the front-yard setback area.

2. Street Side Yards.
  - a. For buildings with three stories or less, a 25-foot minimum street side-yard setback shall be required.
  - b. For buildings with four stories, a 35-foot minimum street side-yard setback shall be required.
  - c. Notwithstanding the required street side-yard setbacks indicated herein, covered or uncovered porches and balconies that are open on three sides may encroach up to 7 feet into the required street side-yard setback.
  - d. The Planning Commission may require greater setbacks pursuant to a Precise Plan of Design because of the dimensions or bulk of a building, its relationship to the adjacent street(s) and/or to ensure compatibility with contiguous land uses.
  - e. No portion of the required street side-yard setback area shall be used for parking. Driveways of the minimum width necessary for vehicular access shall be permitted to traverse the street side-yard setback area.
3. Interior Side Yards.
  - a. For buildings with three stories or less, a 10-foot minimum interior side-yard setback shall be required.
  - b. For buildings with four stories, a 15-foot minimum interior side-yard setback shall be required.
  - c. Open patios on the first floor shall be permitted to encroach a maximum of 5 feet into any required interior side-yard setback. Open patios above the first floor shall not be permitted to encroach into any required interior side-yard setbacks.
  - d. The Planning Commission may require greater setbacks pursuant to a Precise Plan of Design because of the dimensions or bulk of a building and/or to ensure compatibility with contiguous land uses.
  - e. Interior side-yard setback areas may be used for parking subject to approval of a Precise Plan of Design and provided that required fire lane access is maintained at all times.
4. Rear Yards.
  - a. For buildings with three stories or less, a 10-foot minimum rear-yard setback shall be required.
  - b. For buildings with four stories, a 15-foot minimum rear-yard setback shall be required.
  - c. Notwithstanding the required rear-yard setbacks indicated herein, covered or uncovered porches and balconies that are open on three sides may encroach up to 7 feet into any required rear-yard setback.
  - d. The Planning Commission may require greater setbacks pursuant to a Precise Plan of Design because of the dimensions or bulk of a building and/or to ensure compatibility with contiguous land uses.
  - e. Rear-yard setback areas may be used for parking subject to approval of a Precise Plan of Design and provided that required fire lane access is maintained at all times.
- J. Open Space. Each development shall provide outdoor open space for recreation and leisure activities within the development site in the following manner:
  1. Common open/recreational space shall comprise not less than 35 percent of the net acreage. Public or private driveways, parking spaces or other areas designed for operational functions are not considered open space. Common open/recreational space improvements shall be provided as follows:

a. Developments of 20 units or less shall provide at least two of the following amenities:

i. Permanent barbecue facilities with at least two grills and two table/bench arrangements;

ii. Playground and/or tot lot with permanently-installed play equipment;

iii. Swimming pool or spa.

b. Developments of 21 to 40 units shall provide at least two of the amenities listed in subsection (a) of this Section plus at least one of the following amenities:

i. Sports court (tennis, volleyball, basketball, etc.);

ii. Community building with at least one full kitchen and a minimum of two rooms for meetings, games, activities, etc.

c. Developments of 41 to 100 units shall provide at least one of each of the five amenities in subsections (a) and (b) of this Section.

d. Developments of greater than 100 units shall provide at least one of each of the five amenities in subsections (a) and (b) of this Section plus at least two of the following:

i. A passive, open turf area (natural or synthetic), measuring at least 100 feet by 100 feet, for unstructured recreational activities;

ii. A fitness parcours of at least one-quarter mile in length and a minimum of six (6) activity stations;

iii. Other amenity(ies) to the satisfaction of the Director of Community Development.

e. For projects of greater than 100 units, the Director of Community Development may require the developer to increase the size, number and/or capacity of one or more required amenities to adequately serve the number of residents in the development.

2. Private porches, patios and balconies attached to individual dwelling units may be included in the required outdoor open space calculation provided the minimum dimension is at least 10 feet and the minimum area is 150 square feet.

3. Swimming pools, spas, ponds, lakes, streams and other water features provided for the common use or enjoyment of all residents may be constructed as part of the required outdoor open space; however, such facilities shall not comprise more than 50 percent of the required outdoor open space.

4. The outdoor open spaces created pursuant to the provisions of this Title shall remain open and available for such use for the life of the development.

K. Private Open Space. Each dwelling unit shall have a minimum private open space of 100 square feet with a minimum dimension of 7 feet. Such private open space shall be in the form of porches, patios and/or balconies.

L. Landscaping. The design, installation and maintenance of all landscape and hardscape areas shall be subject to approval of a Precise Plan of Design and shall fully comply with Chapter 11.60 of this Title.

M. Walls and Fences. The general development standards for walls and fences as provided in Sections 11.38.050(M), (N), and (O) of this Title shall apply; provided, however, that the Planning Commission may require additional walls and fences if necessary to protect adjacent properties.

- N. Vehicular Circulation.
  - 1. Streets. Primary and secondary streets shall be designed to meet the following standards:
    - a. Traffic lanes no less than 10 feet in width and no more than 12 feet in width.
    - b. Where on-street parallel parking is provided, the parking lane shall be 8 feet in width. Where 90-degree or angled parking is provided as part of the street design, parking stall dimensions shall be 9 feet in width by 20 feet in length. A maximum 2-foot overhang may be allowed into landscape areas or walkways with a dimension of 6 feet or greater.
  - 2. Driveways Serving Only Garages. If a private driveway serves only garages, and the driveway is posted as a fire lane and/or to prohibit all other parking, the driveway may be constructed with a minimum width of 20 feet; provided, however, that if the driveway is double-loaded with garages on both sides, a minimum distance of 26 feet shall be provided as measured from building wall to building wall.
  - 3. Access and On-Site Circulation.
    - a. Vehicular access to all developments shall be from a public street.
    - b. The design of all on-site vehicular circulation, including roadway widths, turning radii and turnarounds shall be subject to approval by the Fire Department.
    - c. There shall be a minimum vertical clearance of 14 feet along all driveways and vehicular paths that provide access for emergency response vehicles.
- O. Pedestrian Circulation. A pedestrian circulation system shall be incorporated into the residential development for the purpose of providing direct access to all dwelling units, trash enclosures, parking areas, recreation areas and outdoor open space. The circulation system shall include the following:
  - 1. A public sidewalk shall be constructed adjacent to all public streets bordering the project site with a minimum width of 5 feet in accordance with City standards.
  - 2. An on-site walkway system of pedestrian walks and paths that fully complies with all disabled-accessibility standards with respect to surface material, width, grades, ramps, curbs, railings and signage.
- P. Parking Requirements.
  - 1. Resident Parking. Each dwelling unit shall be provided with resident parking as indicated below. A minimum of one required parking space for each unit shall be within a carport or enclosed garage. Every effort shall be made to locate the required parking space(s) for each unit within 200 feet of the unit to which they are assigned.
    - a. Studio – 1 parking space.
    - b. 1 to 2 bedrooms – 2 parking spaces.
    - c. 3 or more bedrooms – 3 parking spaces.
  - 2. Guest Parking. On-site parking for guests shall be provided at a ratio of one parking space for every three units or fraction thereof, regardless of unit size. Guest parking shall be reasonably distributed throughout the development site.
  - 3. Parking Space Dimensions.
    - a. Enclosed Garages. The minimum, clear inside dimensions of each parking space within an enclosed garage shall be 10 feet in width and 20 feet in

length. Said clear inside dimensions shall not be encroached upon by water heaters, HVAC equipment, areas designated for a clothes washer and dryer, or stairs leading to habitable living space.

b. Carports. The minimum, clear dimensions of each parking space within a carport shall be 9 feet in width by 20 feet in length; provided, however, that a 2-foot overhang may be allowed into landscape areas or walkways with a dimension of 6 feet or greater. Where a structural support post occurs for a carport, an additional 2 feet in width shall be added to each parking space on either side of the structural member.

c. Uncovered Parking. The minimum dimensions of each uncovered parking space shall be 9 feet by 20 feet in length; provided, however, that a 2-foot overhang may be allowed into landscape areas or walkways with a dimension of 6 feet or greater.

4. Automatic garage door openers shall be required for each enclosed garage.

5. Parking Lot Striping. Striping for uncovered parking spaces or those within carports shall be double-stripe or "hairpin" style, with the 9-foot dimension being measured to the center of the "hairpin."

6. Tandem Parking. Tandem parking shall only be permitted within enclosed garages and only when both spaces serve the same unit.

7. On-street parking on public streets shall not be used to satisfy any of the parking requirements contained herein.

Q. Signs. The general development standards for signs as set forth in Chapter 11.72 of this Title shall apply, in addition to the following:

1. Permitted Signs.

a. Wall Signs. One illuminated or nonilluminated wall sign with the name of the development shall be permitted on each street frontage. Individual or script copy in durable materials is strongly encouraged. Externally illuminated signs shall be via wall-mounted fixtures that are complementary to the architecture of the development and do not create any nuisance light spill or glare to any of the residential units or the public right-of-way. Internally illuminated signs shall be limited to halo illumination only.

b. Address Signs. One illuminated or nonilluminated wall sign with the numerical address or numerical address and street name of the development shall be permitted on each building on each street frontage. Where a building also fronts on an internal private driveway or parking lot, additional numerical address(es) may be permitted to be displayed for safety and security purposes. Individual or script copy in durable materials is strongly encouraged. Externally illuminated signs shall be via wall-mounted fixtures that are complementary to the architecture of the development and do not create any nuisance light spill or glare to any of the residential units or the public right-of-way. Internally illuminated signs shall be limited to halo illumination only. Address and address/street name signs shall be a minimum of 8 inches in height and a maximum of 10 inches in height. Where more than one address sign is attached to multiple frontages of a single building as described above, the design, size and color of each sign shall be identical.

c. Freestanding Monument Signs. One illuminated or nonilluminated freestanding monument sign shall be allowed for developments with a minimum of 150 feet of continuous frontage on the same street.

i. Height. Monument signs shall be limited to a maximum height of 5 feet as measured from the grade of the adjacent public sidewalk.

ii. Sign Area. The sign face of monument signs shall be limited to a maximum of 40 square feet in size, not including the optional, detachable sign rider described in Subsection (c)(2) below.

1. Design and Illumination. Monument signs shall be of a high-quality architectural design and be constructed of durable materials. If illumination is desired, it shall be via at-grade, flush-mounted fixtures to minimize nuisance glare to the adjacent public right-of-way. As an alternative, above-grade fixtures may be used if it can be demonstrated that the light source will not be directly visible to the public right-of-way or neighboring properties.

2. Sign Copy. The purpose of monument signs is to identify the development by its name and address. No additional sign copy, such as phone numbers, website addresses or other forms of advertising, shall be permitted. A detachable rider to the sign containing sign copy, such as "Now Leasing," "Now Renting," "Vacancy," "No Vacancy," or the like, shall be permitted so long as its design is complementary to the main sign. Such sign riders shall be no greater than 8 square feet in size.

3. Location. Monument signs shall be located within a fully landscaped area and set back a minimum of 5 feet from the back edge of the adjacent public sidewalk. In order to eliminate sight-distance obstructions, monument signs shall be located no less than 30 feet away from any vehicular driveway on the same side of the street, whether the driveway serves the subject development or an adjacent property.

d. Unit Signs. One illuminated or nonilluminated sign identifying the unit number, letter or designation, not to exceed 1 square foot in size, shall be required and maintained for each dwelling unit.

e. Directional Signs. One or more pedestrian and/or vehicular-oriented directional signs no larger than 6 square feet in size and 4 feet in height may be permitted within residential developments of 2 acres or greater, subject to administrative review and approval by the Director of Community Development.

2. Prohibited Signs. All signs not expressly permitted herein shall be prohibited, including those signs identified in Section 11.72.120 of this Title.

R. Operational Standards. In order to provide adequate management, maintenance and oversight for multifamily developments, the following operational standards shall be required for projects constructed after July 1, 2014:

1. For developments of 30 units or less, an on-site manager having the authority to perform or contract for emergency and nonemergency maintenance and repairs shall reside full-time in one of the dwelling units on the subject property.

2. For developments of greater than 30 units, the following requirements shall apply:

a. A permanent rental/leasing/property management office shall be established and maintained on-site and staffed daily during regular business hours.

b. The property owner shall be required to contract with a professional property management company that is on-call 24 hours a day and shall be responsible for all landscape, common area and building maintenance.

**11.22.050 Other general development standards.**

A. **Trash Collection Areas.** Each trash collection area shall be located within 200 feet of the farthest unit it is intended to serve. Such collection areas shall be designed and situated so as to minimize noise and visual intrusion on the subject property, adjacent properties, as well as to not create a fire hazard to nearby structures. Said trash collection areas shall be provided with a minimum illumination level of 500 lumens and designed to City standards to comply with stormwater runoff regulations.

B. **Mail Collection Areas.** Mail delivery service shall be provided within centrally located areas with easy accessibility from an internal driveway or parking area. Mail collection areas shall be located within a fully enclosed building, covered breezeway, or other similar area that is adequately protected from inclement weather, and shall be provided with a minimum illumination level of 500 lumens.

C. **Utility Service and Television Service.** All utility services to multifamily residential developments, including, but not limited to electrical, telephone, cable and satellite television, and broadband service shall be installed underground and within building walls. Should exterior antennas and/or satellite dishes be allowed, the project shall be designed to provide areas on each building for such equipment that are not visible to public rights-of-way or neighboring properties.

D. **Laundry areas.** Laundry areas with plumbing connections meeting minimum building code standards shall be provided for within each residential unit or within a direct-access, enclosed garage. If located within a garage, the necessary space for a washer and dryer shall not encroach into the required clear garage parking space dimensions specified in this Chapter.

E. **Lighting.** Multifamily residential developments shall comply with the following standards and requirements regarding illumination:

1. **Site Lighting.** A professionally-prepared photometric analysis demonstrating that all parking areas, driveways, private streets, walkways, and other outdoor public spaces shall be illuminated to an adequate level for security and safety during all hours of darkness shall be required to be submitted for review and approval by the Community Development Department.

2. **Garages.** Fully enclosed garages shall be wired to include a fixture or fixtures that has/have the capacity to support light sources providing a minimum of illumination level of 1,500 lumens. Said illumination shall be in addition to any lighting that may be provided by the required automatic garage door opener.

F. **Vehicular Storage.** Outdoor areas for the storage of vehicles, trailers, watercraft, recreational vehicles and the like shall be prohibited unless specially designated areas for the exclusive storage of such vehicles are approved by the City as part of the final development plan and provided for in the homeowners association's Covenants, Conditions and Restrictions (CC&Rs). If such areas are provided, they shall be enclosed and screened from view from neighboring properties and public rights-of-way by a decorative masonry wall, minimum 7 feet 6 inches in height, compatible and integrated with the architectural design of the development. Such storage areas shall be landscaped and illuminated to minimum levels during all hours of darkness. A vehicle wash area and/or RV wastewater disposal station may be provided within an approved vehicular storage area, subject to review and approval by the Director of Community Development and Director of Public Works.

**11.22.060 Miscellaneous development standards.**

The following development standards shall be applicable to multifamily developments in addition to those required elsewhere in this Chapter:

A. Grading: Notification of Completion and Written Certification Required. The permittee or his/her agent shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, stormwater retention facilities and all erosion control measures have been completed in accordance with the final approved grading plan and the required reports have been submitted, including written certification that the work completed is in accordance with the final approved grading plan.

B. Landscaping: Notification of Completion and Written Certification Required. The permittee or his/her agent shall notify the Director of Community Development when the final landscaping installation is ready for inspection. Final approval shall not be given until all work, including installation of plant material and an automatic irrigation system, has been completed in accordance with the approved landscape plan, and the permittee has submitted written certification by a licensed professional that the work has been completed in accordance with the final approved landscape plan and all requirements of Chapter 11.60 of this Title.

C. Energy Conservation. The project shall be designed to meet or exceed all state and local energy conservation standards in effect at the time of construction.

D. Fire Detection System. Smoke and carbon monoxide detectors shall be installed in all habitable spaces as required by state and local ordinances at the time of construction.

E. Fire Suppression System. An automatic fire sprinkler system shall be installed in all dwelling units, and in all covered or enclosed nonhabitable spaces, such as garages, carports and trash enclosures as required by local ordinance at the time of construction.

F. Sound Attenuation. Multifamily residential developments shall be designed to comply with state noise attenuation standards and local building requirements in effect at the time of construction.

G. Solar Energy Systems. The goals and objectives of the General Plan encourage and promote an enhanced residential park-like environment through the implementation of aesthetically pleasing development and design standards of this Title. However, it is recognized that there is a need to encourage and promote awareness in the community of alternative means of conserving energy resources. It is further recognized that the use of solar energy can be a cost-effective means of water heating and space heating and cooling, but that the use of such systems may be inconsistent with the goals and objectives of the community and the aesthetic character of the City's residential neighborhoods.

The Planning Commission, in granting approval of a solar energy system, may impose conditions that are necessary and desirable to carry out the purposes of this Chapter and that are consistent with the policies, principles, regulation, criteria and standards applied to other properties, uses and developments in similar circumstances. Further, in considering a solar energy system, the Planning Commission shall impose conditions in order to provide a balance between the goals and objectives of the community and the General

Plan, and the recognize desire to allow solar energy systems as an alternative energy source.

**11.22.070 Common areas.**

A. A development shall be approved subject to submission of a legal instrument setting forth a plan or manner of permanent care and maintenance of all building exteriors, open spaces, recreational areas, and other communal facilities. No such instrument shall be acceptable until approved by the Director of Community Development as to suitability for the proposed use and the City Attorney as to legal form and effect.

B. If the development's common areas are to be conveyed to a homeowners association, the developer shall file a declaration of Covenants, Conditions and Restrictions (CC&Rs) to be submitted with the application for approval that will govern the association. The provisions shall include, but not be limited to, the following:

1. The homeowners association shall be established no later than prior to the sale of the final dwelling unit.
2. Membership shall be mandatory for each buyer and all successive buyers.
3. The open space restrictions shall be permanent.
4. Provisions to restrict parking upon other than approved and developed parking spaces shall be written into the CC&Rs.
5. If the development is constructed in increments or phases that require one or more final maps, reciprocal CC&Rs and reciprocal management and maintenance agreements shall be established causing a merging of the phases as they are completed to embody a single homeowners association with common areas for the total development.

**11.22.080 Covenants, conditions and restrictions (CC&Rs).**

In order to ensure proper maintenance of all streets, parking areas, landscaping and other improvements within the common areas of a multifamily residential development, the following provisions shall be contained in the Covenants, Conditions and Restrictions (CC&Rs). No such CC&Rs shall be acceptable until approved by the Director of Community Development as to the adequacy and suitability for the proposed use and maintenance of all common areas, and by the City Attorney as to legal form and effect. These provisions shall include, but not be limited to, the following:

A. The final CC&Rs, upon approval by the City, shall be recorded with the final map.

B. The City shall be made a party to the CC&Rs and further provide that the City shall approve any changes or amendments to the CC&Rs.

C. The City shall be granted the power to enforce all provisions of the CC&Rs, including, but not limited to, the maintenance of all streets, parking areas, landscaping and other improvements within the common areas of the development.

D. The City shall be granted the express power to enforce all laws and ordinances of the State of California and/or the City of Montclair on the private streets, alleys and parking areas within the project. Nothing within the CC&Rs shall be construed as imposing an obligation or requiring the City to enforce any provision of the CC&Rs.

E. The City shall be entitled to prior written notice of any proposed amendment to the CC&Rs. Such notice shall be given by mailing a copy of the precise language of the proposed amendment to the City, in care of the City Clerk, together with a letter of transmittal explaining the proposed change in general terms. The City shall have an opportunity to review and comment upon the proposed amendment for a period of not less than 45 days prior to the effective date of any such proposed amendment.

F. Right of Entry. The City, through its duly authorized agents or employees, shall have the right to enter upon the common areas for the following purposes:

1. Inspection, maintenance and repair of the landscaping and private street components of the common areas where such maintenance and repair is required;

2. Enforcement of local traffic and/or parking regulations. All privately-owned and maintained streets, alleys, driveways and parking areas shall be open for the use of the public for purposes of vehicle traffic and are so connected with highways and streets that provisions of the Vehicle Code of the State of California may be applied to them in their entirety. Whenever by this provision, or any other law of the City, parking is restricted or prohibited and signs are erected giving notice thereof, duly authorized representatives of the City of Montclair may cause the vehicles in violation thereof to be towed away and stored at the expense of the owner, operator or person to whom the vehicle is entitled to be released, and the vehicle shall not be released except upon payment of the towing and storage costs. In tow-away zones, the Public Works Department shall cause to be posted appropriate signs giving notice thereof.

G. Reimbursement of City Expenditures by the Association. All costs and expenses incurred by the City arising out of its maintenance and repair of the common areas, as provided in subsection (F)(1) and (2) of this Section, shall be charged as an expense of the homeowners association and shall be paid within 30 days of receipt of an invoice for same.

H. Assessments and Lien Rights of the City. If City maintenance costs are not paid within 30 days from the date due, said unpaid costs and expenses shall become a special assessment against the property, and upon hearing and confirmation by the City Council, shall be collected in the same manner as real property taxes and shall be subject to the same penalties, procedures and sale in case of delinquency as is provided for real property taxes.

## **Section II. Amendment of Code.**

Section 11.78.030 ("Permitted uses"), Subsection (A), of the Montclair Municipal Code is hereby amended to read as follows:

### **11.78.030 Permitted uses.**

In addition to those uses specifically identified in Chapters 11.22 through 11.30 of this Title as requiring a conditional use permit, the Planning Commission may grant a conditional use permit for any use listed in this Section as a permitted use subject to a conditional use permit:

- A. Residential Uses.
  1. Assisted living facilities (AP, C-2, C-3);
  2. Convalescent care (AP, C-2, C-3);
  3. Conversions of apartments to condominiums (R-3);

4. Student housing, dormitories, group quarters (AP, C-2, C-3).

**SECTION III. Amendment of Code.**

Chapter 11.90 ("Residential Developments - Planned") is hereby repealed in its entirety.

**SECTION IV. 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 V. Effective Date.**

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

**SECTION VI. Posting.**

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

**APPROVED AND ADOPTED** this XX day of XX, 2014.

**ATTEST:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 13-935 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 L. Smith  
Deputy City Clerk

## AGENDA REPORT

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<b>SUBJECT:</b> CONSIDER AUTHORIZATION TO RECEIVE \$3,394 FROM THE FY2013 STATE HOMELAND SECURITY GRANT PROGRAM FOR PURCHASE OF FIRE STUDIO 5.0 ENTRY LEVEL TRAINING SYSTEM	<b>DATE:</b> June 2, 2014
	<b>SECTION:</b> ADMIN. REPORTS
	<b>ITEM NO.:</b> 2
	<b>FILE I.D.:</b> GRT115
CONSIDER AUTHORIZATION OF A \$3,394 APPROPRIATION FROM THE CONTINGENCY FUND TO PURCHASE A FIRE STUDIO 5.0 ENTRY LEVEL TRAINING SYSTEM FROM DIGITAL COMBUSTION, INC.	<b>DEPT.:</b> FIRE

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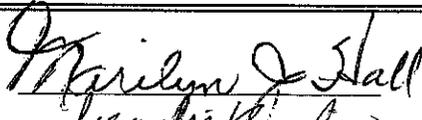
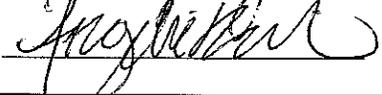
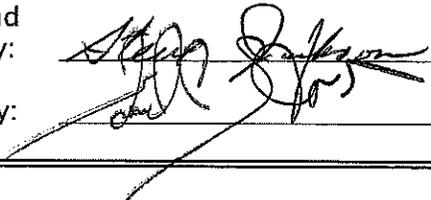
**REASON FOR CONSIDERATION:** The City Council is requested to consider authorizing the Fire Department to receive \$3,394 from the FY2013 State Homeland Security Grant Program (HSGP) and a \$3,394 appropriation from the Contingency Fund to purchase a Fire Studio 5.0 Entry Level Training System from Digital Combustion, Inc.

**BACKGROUND:** The FY2013 HSGP is responsible for distributing nonmatching grant funds to local first responders to provide financial assistance to purchase equipment and supplies to improve emergency response capabilities. All eligible applications are required to purchase equipment or supplies in advance and are entitled to 100 percent reimbursement through the grant program. The distribution of grant funds is coordinated by each Operational Area (OA). The coordinating agency for the City of Montclair is the San Bernardino County Fire Protection District.

Through the FY2013 HSGP, the Fire Department has been authorized to receive \$11,122 in nonmatching grant funds to purchase fire simulator software and the computer hardware to run the software. HSGP funds are distributed to fire jurisdictions within San Bernardino County. Each jurisdiction is allocated a \$10,000 base with the remainder of the grant distributed on a per capita basis to each eligible jurisdiction. The total grant allocation for San Bernardino County for Fiscal Year 2013-14 is approximately \$402,409; the Montclair Fire Department's allocation is \$11,122. This allocation was secured through Agreement No. 13-96.

The Fire Department is currently using Fire Studio 1.0 software by Digital Combustion, Inc.; however, it is antiquated and only has the capacity to run simulations for fire incidents. The Fire Studio 5.0 Entry Level Training System is portable and will have the capability to simulate many different types of incidents. It will enhance the Fire Department's and other West End fire agencies' response capabilities for training and credentialing purposes through joint training exercises. The Fire Studio 5.0 Entry Level Training System consists of a fire simulations software network control module and four simulation work stations.

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

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Digital Combustion, Inc., is the creator of the new software, which is an upgrade to the current software, and is only available from Digital Combustion, Inc. Based on this information, staff recommends that Digital Combustion, Inc., be identified as a sole source vendor for the purchase of the Fire Studio 5.0 Entry Level Training System.

**FISCAL IMPACT:** The cost to purchase the Fire Studio 5.0 Entry Level Training System from Digital Combustion, Inc. is \$3,394. Should the City Council approve this item, \$3,394 would be transferred from the Contingency Fund to Personnel Development Program Small Equipment Account No. 1001-4534-52690-400 to purchase the Fire Studio 5.0 Entry Level Training System. The City would be reimbursed this amount by the FY2013 HSGP.

**RECOMMENDATION:** Staff recommends the City Council authorize the following related to purchase of a Fire Studio 5.0 Entry Level Training System from Digital Combustion, Inc.:

1. The Fire Department to receive \$3,394 from the FY2013 Homeland Security Grant Program.
2. A \$3,394 appropriate from the Contingency Fund.

# Digital Combustion, inc.

Company Address 9121 Atlanta Ave. #705  
 Huntington Beach, CA 92646  
 US

Created Date 3/12/2014  
 Expiration Date 4/12/2014  
 Quote Number 00000457

Prepared By Neil Prochnow  
 Phone (800) 884-8821  
 E-mail neil@digitalcombustion.com  
 Fax (800) 564-9101

Contact Name Tom Dowser  
 Phone (909) 626-1217  
 Email tdowser@cityofmontclair.org

Bill To Name Montclair Fire Dept Station #1  
 Bill To 8901 Monte Vista Ave  
 Montclair, CA 91763-1412  
 US

Ship To Name Montclair Fire Dept Station #1

Product	Product Description	Sales Price	Quantity	Total Price
Communication Link 4 to Communication Link 5 License Upgrade (Digital Download)	Communication Link 4.0 to Communication Link 5.0 License Upgrade (Digital Download) Product Code : COM4/COM5D Platform: Windows List Price : \$TBD	\$0.00	1.00	\$0.00
Communication Link 4.0 (Digital Download)	Communication Link 4 "CommLink" Network Control Module for Fire Studio 4/4.1 & 5 (Digital Download) Product Code : COM4D List Price : \$1795	\$1,795.00	1.00	\$1,795.00
Fire Studio 1.0 to Fire Studio 5.0 Instructor Edition License Upgrade (Digital Download)	Fire Studio 1.0 to Fire Studio 5.0 Instructor Edition License Upgrade (Digital Download) Product Code : FS1/FS5D-IN List Price : \$725	\$725.00	1.00	\$725.00
Fire Studio 5 Player Edition (Digital Download)	Fire Studio 5 Player Edition (Digital Download) Product Code : FS5D-PL List Price : \$230	\$218.50	4.00	\$874.00

Subtotal \$3,394.00  
 Discount 0.00%  
 Total Price \$3,394.00  
 Grand Total \$3,394.00

## Quote Acceptance Information

Signature  
 Name  
 Title  
 Date

## AGENDA REPORT

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<b>SUBJECT:</b> CONSIDER AUTHORIZING THE PURCHASE OF EDUCATIONAL AND PROMOTIONAL MATERIALS FOR DISTRIBUTION DURING COMMUNITY EVENTS	<b>DATE:</b> June 2, 2014
	<b>SECTION:</b> ADMIN REPORTS
	<b>ITEM NO.:</b> 3
	<b>FILE I.D.:</b> PDT200
	<b>DEPT.:</b> POLICE

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**REASON FOR CONSIDERATION:** The City Council is requested to consider authorizing the purchase of educational and promotional items for dissemination by Department personnel during presentations and school and community events.

**BACKGROUND:** The Police Department and its Community Relations Division are dedicated to ensuring the safety of our residents and community. To that end, the Department is committed to providing educational and promotional materials that help guide, support, motivate, and encourage Montclair residents to take an active role in securing a safer community.

Outreach materials are important public safety resources that feature vital safety messages and information ranging from bicycle safety and drugs to implementing and maintaining effective neighborhood watch programs. These materials help children and adults make informed choices about their personal safety; spark conversation about what citizens can do individually and collectively to promote ongoing involvement in their own community; and empower them to unite against bullying, gangs, drugs, and overall crime in the community.

The Department's Community Relations Division ensures personnel are available to attend school and community events and speaking engagements to encourage dialogue about law enforcement-related responsibilities and concerns, as well as crime prevention measures. Safety and crime prevention and awareness materials are disseminated during such events.

California Penal Code Section (PC) 1202.5 authorizes the Superior Court of California, San Bernardino County, to collect restitution from defendants convicted of particular crimes. The funds are then transferred to the local law enforcement agency where the crimes occurred to implement, support, and continue local crime-prevention programs.

**FISCAL IMPACT:** Funds received pursuant to PC 1202.5 are held in the Crime Prevention Fund. If authorized by the City Council, funding for the purchase of educational and promotional materials would result in an expenditure of \$3,600 from said fund.

**RECOMMENDATION:** Staff recommends the City Council authorize the purchase of educational and promotional materials for distribution during community events.

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Prepared by: <u>Judy B.</u>	Reviewed and Approved by: <u>[Signature]</u>
Proofed by: <u>Sharon Gasman</u>	Presented by: <u>[Signature]</u>

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## AGENDA REPORT

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<b>SUBJECT:</b> CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION	<b>DATE:</b> June 2, 2014
	<b>SECTION:</b> ADMIN. REPORTS
	<b>ITEM NO.:</b> 4
	<b>FILE I.D.:</b> FIN540
	<b>DEPT.:</b> ADMIN. SVCS.

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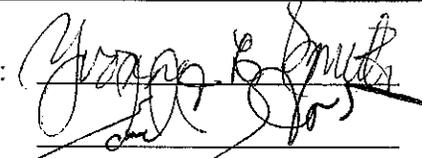
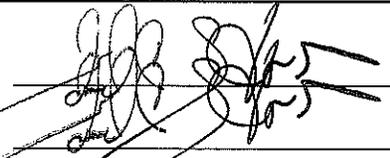
**REASON FOR CONSIDERATION:** The City Council is requested to consider approval of the Warrant Register and Payroll Documentation.

**BACKGROUND:** Mayor Pro Tem Ruh has examined the Warrant Register dated June 2, 2014 and Payroll Documentation dated April 20, 2014, and recommends their approval.

**FISCAL IMPACT:** The Warrant Register dated June 2, 2014, totals \$1,153,815.47 The Payroll Documentation dated April 20, 2014, totals \$540,544.52 gross, with \$380,485.80 net being the total cash disbursement.

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

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

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## AGENDA REPORT

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<b>SUBJECT:</b> CONSIDER APPROVAL OF AGREEMENT NO. 14-37 WITH THE LIQUIDATION COMPANY FOR THE PUBLIC SALE OF SURPLUS AND UNCLAIMED PROPERTY	<b>DATE:</b> June 2, 2014 <b>SECTION:</b> AGREEMENTS <b>ITEM NO.:</b> 1 <b>FILE I.D.:</b> EQS052 <b>DEPT.:</b> POLICE
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**REASON FOR CONSIDERATION:** The City Council is requested to consider approval of Agreement No. 14-37 with The Liquidation Company for the public sale of surplus and unclaimed property.

A copy of proposed Agreement No. 14-37 is attached for the City Council's review and consideration.

**BACKGROUND:** The Police Department has used The Liquidation Company as an alternate auction source to dispose of surplus City property and unclaimed property in Police custody several times each year. The frequency of these auctions has significantly remedied issues related to handling and storage of this property as well as curtailed Police and Finance personnel costs associated with inventorying, tagging, selling, and bookkeeping procedures. The auctioneer works with other public agencies in the auction of surplus and unclaimed property. The Liquidation Company periodically collects the City's surplus and unclaimed property and stores it until a combined-agency auction can be held. Although auctions are held a number of times throughout the year, they are sizable enough to draw a wider turnout than the City could on its own.

Proposed Agreement No. 14-37 authorizes The Liquidation Company to administer the entire auction process once it takes possession of the property.

**FISCAL IMPACT:** The City Council's approval of proposed Agreement No. 14-37 would authorize the auctioneer to receive a standard fee of 35 percent of gross sales.

**RECOMMENDATION:** Staff recommends the City Council approve Agreement No. 14-37 with The Liquidation Company for the public sale of surplus and unclaimed property.

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

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10012-10022 CITRUS AVENUE  
FONTANA, CA92335  
888-700-0523

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## AGREEMENT

This agreement dated the 1<sup>st</sup> of July, 2014 in the County of San Bernardino, State of California, by and between the City of Montclair, hereinafter referred to as SELLER, and The Liquidation Company, a sole proprietorship, hereinafter referred to as AUCTIONEER.

This Agreement is to conduct an unreserved auction for the sale of all board approved surplus property to the SELLER'S needs either through offsite auctions, online at TLCAuctions.com or at eBay.com

1. For all the services, which AUCTIONEER is obligated to perform under the terms of this Agreement, the SELLER shall pay to the AUCTIONEER a standard Seller's Fee of 35 percent of gross sales. AUCTIONEER shall provide a check made payable to City of Montclair of net proceeds of auction. The check shall be delivered to SELLER no later than thirty (30) working days after the sale and removal of sold items.
2. The duty of the AUCTIONEER shall be to serve as AUCTIONEER and to provide the necessary additional team members to solicit and receive bids on property offered for sale and to award said property to the highest qualified bidder. AUCTIONEER has a security bond (#70611286) on file with the State of California. AUCTIONEER is also licensed by the State of California Cal Recycle Program for the collection of electronic waste (#102618). AUCTIONEER shall perform all other duties in regards to such sales, including but not limited to transportation of surplus items, tagging, inventorying, set-up, advertising, telemarketing, clerking, cashiering, DMV paperwork (if applicable), bookkeeping and all other related functions.
3. AUCTIONEER shall be an independent contractor retained by the SELLER for the aforementioned purpose. Employees of the AUCTIONEER will not be considered for any reason to be employees of the SELLER.
4. It shall be the responsibility of the AUCTIONEER to obtain, at the AUCTIONEER'S expense, all required licenses and permits necessary to perform under this Agreement. SELLER warrants that they are the owner of and have merchantable title to the items of surplus property offered for sale as set forth in this agreement, and grants to the AUCTIONEER the right to convey a merchantable title to that property to the successful buyer at the auction. SELLER shall offer all approved surplus property to AUCTIONEER. In the event SELLER provides a listing of surplus items, said list will be made an integral part of this Agreement as Addendum "A". No items shall be removed from Addendum "A" less than four days prior to the scheduled auction date.

5. AUCTIONEER shall comply with all Federal, State, and County safety, environmental, and sanitation laws and regulations.
6. In the case of dispute, the laws of the State of California and the County of San Bernardino shall apply.
7. Non-discrimination in the performance of the terms of this Agreement: AUCTIONEER agrees that he will not engage in or permit subcontractors where applicable, as he may employ, from engaging in discrimination in employment of persons because of race, color, sex, religion, ancestry or national origin.
8. AUCTIONEER shall provide SELLER with the selling price for each lot sold.
9. With this signed agreement SELLER hereby appoints AUCTIONEER as their attorney in fact, to complete all necessary DMV documents as needed, to transfer ownership as required by law of the items sold pursuant to this agreement.
10. The term of this agreement shall automatically renew for successive one year periods each commencing on expiration of the preceding term unless either SELLER or AUCTIONEER terminate this Agreement after thirty (30) days prior written notice specifying the desired date of termination.

The parties hereto have executed this Agreement on the 1<sup>st</sup> day of July, 2014.

BY: Susan Jovin  
 DATE: 5/15/14  
 The Liquidation Company

BY: \_\_\_\_\_  
 Paul M. Eaton, Mayor  
 DATE: \_\_\_\_\_

## AGENDA REPORT

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<b>SUBJECT:</b> CONSIDER APPROVAL OF AGREEMENT NO. 14-39 AMENDING AGREEMENT NO. 13-58 WITH INCREDIBLE EDIBLE COMMUNITY GARDEN TO INCLUDE INSURANCE PROVISIONS	<b>DATE:</b> June 2, 2014 <b>SECTION:</b> AGREEMENTS <b>ITEM NO.:</b> 2 <b>FILE I.D.:</b> HSV044 <b>DEPT.:</b> COMMUNITY DEV.
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**REASON FOR CONSIDERATION:** The City Council is requested to consider approval of Agreement No. 14-39 amending Agreement No. 13-58 with Incredible Edible Community Garden (IECG) to include insurance provisions.

A copy of proposed Agreement No. 14-39 is attached for the City Council's review and consideration.

**BACKGROUND:** The City of Montclair successfully obtained a two-year competitive grant from First 5, The Children and Families Commission for San Bernardino County, to fund a Healthy Cities Project for the community. Agreement No. 13-42 with First 5 provided funding for this program and was approved by the City Council on June 17, 2013. The contract required the delivery of services through subcontracts to partner agencies. Agreement No. 13-58 provided funding to IECG, a partner agency, to provide planning meetings and assist in the development, implementation, and coordination of a Community Garden and Fruit Park in Montclair. The City Council approved Agreement No. 13-58 on August 5, 2013.

Proposed Agreement No. 14-39 would amend Agreement No. 13-58 to include insurance provisions for IECG, at its sole cost and expense, to maintain automobile and general liability policies and to comply with the "Workers' Compensation and Insurance Act" of the California Labor Code, and any amendatory Acts, and provide that any subcontractors or consultants of IECG also comply with these Acts.

The term of proposed Agreement No. 14-39 is June 2, 2014, through June 30, 2015.

**FISCAL IMPACT:** There would be no direct fiscal impact to the City's General Fund should the City Council approve proposed Agreement No. 14-39.

**RECOMMENDATION:** Staff recommends the City Council approve Agreement No. 14-39 amending Agreement No. 13-58 with Incredible Edible Community Garden to include insurance provisions.

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<b>Prepared by:</b> <u><i>M. Richter</i></u>	<b>Reviewed and Approved by:</b> <u><i>[Signature]</i></u>
<b>Proofed by:</b> <u><i>Christine Smedley</i></u>	<b>Presented by:</b> <u><i>[Signature]</i></u>

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AMENDMENT TO AGREEMENT NO. 13-58  
FOR CONTRACTED SERVICES

Effective June 2, 2014, IT IS HEREBY AGREED by and between the CITY OF MONTCLAIR, hereinafter referred to as the "CITY," and Incredible Edible Community Garden, hereinafter referred to as "IECG," that the Agreement between said parties dated July 1, 2013, and known as Agreement No. 13-58 ("the Agreement"), be amended as follows:

1. The following provisions are added to the Agreement:

8. Insurance

(a) IECG, at its sole cost and expense, shall maintain a commercial general liability ("CGL") policy that shall identify Monte Vista Water District, its officers, employees, consultants and agents, and City, its officers, employees, consultants and agents (collectively, the "Covered Parties") as additional insured, or be endorsed to identify Covered Parties as additional insured using a form acceptable to the City. Coverage for additional insureds shall not be limited to vicarious liability. Defense costs must be paid in addition to limits. Each CGL policy shall have liability coverage limits of at least \$1,000,000 per occurrence for bodily injury, personal injury and property damage, and \$2,000,000 aggregate total bodily injury, personal injury and property damage. CGL insurance and endorsements shall be kept in force at all times during the performance of this Agreement and all coverage required herein shall be maintained after the term of this Agreement so long as such coverage is reasonably available.

(b) IECG shall maintain an automobile liability policy with limits of at least \$1,000,000 for bodily injury and property damage, each accident, including owned (if any vehicles are owned by IECG), non-owned and hired autos, or the exact equivalent. In addition, IECG's principal shall have insurance coverage of \$250,000 per occurrence/\$500,000 in the aggregate and \$100,000 property damage, with a personal umbrella policy of \$1,000,000. Automobile liability insurance and endorsements shall be kept in force at all times during the performance of this Agreement and all coverage required herein shall be maintained after the term of this Agreement so long as such coverage is reasonably available.

(c) IECG shall, at all times during the performance of this Agreement, comply with the "Workers' Compensation and Insurance Act" of the California labor Code and any amendatory Acts, and provide that any subcontractors or consultants of IECG also comply with the "Workers' Compensation and Insurance Act" of the California labor Code and any amendatory Acts.

(d) Any insurance, pool coverage, or self-insurance maintained by Covered Parties shall be excess of IECG's insurance and shall not contribute to it. All insurance coverage maintained or procured pursuant to this Agreement shall be endorsed to waive

subrogation against the Covered Parties or shall specifically allow IECG or others providing insurance evidence in compliance with these requirements to waive their right of recovery prior to loss. IECG waives its right of recovery against the Covered Parties for damages covered by insurance required by this Agreement.

(e) All insurance required herein shall be placed with insurers having a current A.M. Best rating of no less than A-:VII or equivalent or as otherwise approved by City.

2. All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year written above.

“CITY”  
CITY OF MONTCLAIR  
5111 Benito Street  
Montclair, CA 91763

“IECG”  
INCREDIBLE EDIBLE COMMUNITY GARDEN  
740 West 26<sup>th</sup> Street  
Upland, CA 91784

By: \_\_\_\_\_  
Paul M. Eaton  
Mayor

By: \_\_\_\_\_  
Mary Petit  
President

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest:

By: \_\_\_\_\_  
Yvonne L. Smith  
Deputy City Clerk

Approved as to Form:

By: \_\_\_\_\_  
Diane E. Robbins  
City Attorney

## AGENDA REPORT

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<b>SUBJECT:</b> CONSIDER ADOPTION OF RESOLUTION NO. 14-3033 AUTHORIZING PLACEMENT OF LIENS ON CERTAIN PROPERTIES FOR DELINQUENT SEWER AND TRASH CHARGES	<b>DATE:</b> June 2, 2014 <b>SECTION:</b> RESOLUTIONS <b>ITEM NO.:</b> 1 <b>FILE I.D.:</b> STB300-17 <b>DEPT.:</b> ADMIN. SVCS.
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**REASON FOR CONSIDERATION:** Staff has identified 147 sewer and trash accounts in the even-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 147 liens presented for approval are for accounts that are at least 90 days delinquent.

**FISCAL IMPACT:** Recoverable amount is \$42,715.53 plus \$2,058.00 for release of lien fees plus \$7,350.00 in lien fees, for a total of \$52,123.53.

**RECOMMENDATION:** Staff recommends the City Council adopt Resolution No. 14-3033 authorizing placement of liens on certain properties for delinquent sewer and trash charges as listed on Exhibit A of said Resolution.

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Prepared by: <u>Claudia Raney</u>	Reviewed and Approved by:	[Signature]
Proofed by: <u>[Signature]</u>	Presented by:	[Signature]

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**RESOLUTION NO. 14-3033**

**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 147 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 May 8, 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 May 22, 2014, and that such liens would be considered for approval by the Montclair City Council on Monday, June 2, 2014.

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

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Mayor

**ATTEST:**

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Deputy City Clerk

I, Yvonne L. Smith, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 14-3033 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

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Yvonne L. Smith  
Deputy City Clerk

Exhibit A to Resolution No. 14-3033  
Report of Delinquent Civil Debts - June 2014

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
4237	3rd Street	Residential	\$ 309.65	\$ 14.00	\$ 50.00	\$ 373.65
11225	Ada Avenue	Residential	322.36	14.00	50.00	386.36
11246	Ada Avenue	Residential	303.07	14.00	50.00	367.07
11239	Ada Avenue	Residential	272.36	14.00	50.00	336.36
10197	Amherst Avenue	Senior	213.89	14.00	50.00	277.89
10227	Amherst Avenue	Senior	409.44	14.00	50.00	473.44
10360	Amherst Avenue	Multifamily	647.09	14.00	50.00	711.09
10431	Amherst Avenue	Multifamily	431.39	14.00	50.00	495.39
10421	Amherst Avenue	Multifamily	431.39	14.00	50.00	495.39
10411	Amherst Avenue	Multifamily	366.10	14.00	50.00	430.10
11151	Amherst Avenue	Residential	215.70	14.00	50.00	279.70
4320	Appaloosa Way	Residential	251.95	14.00	50.00	315.95
4650	Arrow Highway, Building A	Commercial	227.76	14.00	50.00	291.76
4395	Bandera Street	Residential	303.07	14.00	50.00	367.07
4624	Bandera Street	Multifamily	862.78	14.00	50.00	926.78
5105	Bandera Street	Residential	222.20	14.00	50.00	286.20
4432-34	Bandera Street	Multifamily	431.39	14.00	50.00	495.39
4990	Bandera Street	Residential	215.70	14.00	50.00	279.70
5101	Bandera Street	Residential	259.75	14.00	50.00	323.75
5243	Bandera Street	Residential	212.74	14.00	50.00	276.74
5207	Bandera Street	Residential	212.74	14.00	50.00	276.74
5227	Barrington Way	Residential	232.21	14.00	50.00	296.21
10145	Bel Air Avenue	Residential	215.70	14.00	50.00	279.70
10205	Bel Air Avenue	Residential	240.05	14.00	50.00	304.05
10551	Belgian Place	Residential	303.07	14.00	50.00	367.07
5225	Belvedere Way	Residential	223.46	14.00	50.00	287.46
4533	Bodega Court	Residential	216.86	14.00	50.00	280.86
11452	Brunswick Lane	Residential	262.39	14.00	50.00	326.39
10968	Buckingham Way	Senior	256.55	14.00	50.00	320.55
10978	Buckingham Way	Residential	215.70	14.00	50.00	279.70
8953	Camulos Avenue	Residential	222.36	14.00	50.00	286.36
10259	Camulos Avenue	Residential	234.05	14.00	50.00	298.05
10264	Camulos Avenue	Residential	236.22	14.00	50.00	300.22
10171	Canary Court	Multifamily	215.70	14.00	50.00	279.70
4949	Canoga Street	Residential	215.70	14.00	50.00	279.70
4924	Canoga Street	Residential	215.70	14.00	50.00	279.70
4643	Canoga Street	Multifamily	862.77	14.00	50.00	926.77

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
5162	Canoga Street	Multifamily	\$ 862.70	\$ 14.00	\$ 50.00	\$ 926.70
4830	Canoga Street	Multifamily	1,509.88	14.00	50.00	1,573.88
4830	Canoga Street	Multifamily	1,509.88	14.00	50.00	1,573.88
5014	Canoga Street	Residential	215.70	14.00	50.00	279.70
11253	Carriage Avenue	Residential	241.66	14.00	50.00	305.66
11158	Carriage Avenue	Residential	215.70	14.00	50.00	279.70
11169	Carrillo Avenue	Residential	266.13	14.00	50.00	330.13
11431	Chandler Lane	Residential	300.48	14.00	50.00	364.48
11418	Chandler Lane	Residential	241.02	14.00	50.00	305.02
10231	Coalinga Avenue	Residential	215.70	14.00	50.00	279.70
11148	Coalinga Avenue	Residential	263.16	14.00	50.00	327.16
10248	Del Mar Avenue	Residential	241.64	14.00	50.00	305.64
10212	Del Mar Avenue	Residential	215.70	14.00	50.00	279.70
11159	Essex Avenue	Residential	215.70	14.00	50.00	279.70
4665	Ewart Street	Senior	213.54	14.00	50.00	277.54
4133	Ewart Street	Residential	231.68	14.00	50.00	295.68
4760	Ewart Street	Residential	213.13	14.00	50.00	277.13
4456	Fauna Street	Residential	215.70	14.00	50.00	279.70
4219	Fauna Street	Residential	215.70	14.00	50.00	279.70
4244	Fauna Street	Residential	215.70	14.00	50.00	279.70
4952	Fauna Street	Residential	237.68	14.00	50.00	301.68
10232	Felipe Avenue	Residential	224.86	14.00	50.00	288.86
8919-21	Felipe Avenue	Multifamily	431.39	14.00	50.00	495.39
5051	Flora Street	Residential	223.46	14.00	50.00	287.46
4202	Flora Street	Residential	226.27	14.00	50.00	290.27
5083	Flora Street	Residential	255.79	14.00	50.00	319.79
4220	Flora Street	Residential	215.71	14.00	50.00	279.71
4864	Flora Street	Residential	214.97	14.00	50.00	278.97
10287	Fremont Avenue	Residential	223.39	14.00	50.00	287.39
10149	Galena Avenue	Residential	215.70	14.00	50.00	279.70
10161	Geneva Avenue	Residential	215.81	14.00	50.00	279.81
4507	Grand Avenue	Residential	308.26	14.00	50.00	372.26
3752	Hampton Drive	Residential	241.02	14.00	50.00	305.02
11432	Hartford Lane	Residential	321.21	14.00	50.00	385.21
4103	Howard Street	Residential	215.70	14.00	50.00	279.70
4780	Howard Street	Residential	215.70	14.00	50.00	279.70
4910	Howard Street	Residential	451.56	14.00	50.00	515.56
4597	Howard Street	Residential	390.95	14.00	50.00	454.95
5013	Howard Street	Residential	230.48	14.00	50.00	294.48
10227	Kimberly Avenue	Senior	303.19	14.00	50.00	367.19

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
10386	Kimberly Avenue	Multifamily	\$ 862.78	\$ 14.00	\$ 50.00	\$ 926.78
11076	Kimberly Avenue	Residential	202.51	14.00	50.00	266.51
10236	Kimberly Avenue	Residential	215.70	14.00	50.00	279.70
5476	Kingsley Street	Residential	215.83	14.00	50.00	279.83
4752	Kingsley Street	Residential	237.68	14.00	50.00	301.68
5019	Kingsley Street	Residential	215.70	14.00	50.00	279.70
4671	Kingsley Street	Residential	449.72	14.00	50.00	513.72
5242	Kingsley Street	Residential	215.70	14.00	50.00	279.70
4831-33	Kingsley Street	Multifamily	242.67	14.00	50.00	306.67
5003	Kingsley Street	Residential	215.70	14.00	50.00	279.70
4909	Kingsley Street	Residential	433.08	14.00	50.00	497.08
4385	Kingsley Street #2	Residential	239.50	14.00	50.00	303.50
11367	Kingston Lane	Residential	246.09	14.00	50.00	310.09
11362	Kingston Lane	Residential	280.01	14.00	50.00	344.01
4846	Mane Street	Residential	215.70	14.00	50.00	279.70
4555	Mane Street	Residential	215.70	14.00	50.00	279.70
4855	Mane Street	Residential	215.70	14.00	50.00	279.70
4736	Manzanita Street	Residential	312.36	14.00	50.00	376.36
10269	Marion Avenue	Residential	303.07	14.00	50.00	367.07
11442	Marquette Lane	Residential	260.17	14.00	50.00	324.17
5239	Monte Verde Street	Residential	215.70	14.00	50.00	279.70
10290	Monte Vista Avenue	Senior	225.49	14.00	50.00	289.49
10235	Monte Vista Avenue	Residential	302.02	14.00	50.00	366.02
11073	Monte Vista Avenue	Residential	288.35	14.00	50.00	352.35
10332	Monte Vista Avenue	Residential	237.68	14.00	50.00	301.68
10557	Morgan Circle	Residential	215.70	14.00	50.00	279.70
10217	Oak Glen Avenue	Residential	259.02	14.00	50.00	323.02
10594	Oak Glen Avenue	Residential	218.63	14.00	50.00	282.63
10604	Oak Glen Avenue	Residential	226.51	14.00	50.00	290.51
5035	Orchard Street	Residential	391.90	14.00	50.00	455.90
5392	Orchard Street	Residential	215.70	14.00	50.00	279.70
4843	Orchard Street	Residential	290.45	14.00	50.00	354.45
5422	Orchard Street	Residential	215.70	14.00	50.00	279.70
5241	Orchard Street	Residential	251.96	14.00	50.00	315.96
4949	Orchard Street	Residential	203.19	14.00	50.00	267.19
10154	Poulsen Avenue	Residential	215.70	14.00	50.00	279.70
11238	Poulsen Avenue	Residential	224.55	14.00	50.00	288.55
10206	Pradera Avenue	Residential	215.70	14.00	50.00	279.70
4675	Saddleback Street	Residential	228.21	14.00	50.00	292.21
5272	Saddleback Street	Residential	215.70	14.00	50.00	279.70

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
5011	Saddleback Street	Residential	\$ 224.53	\$ 14.00	\$ 50.00	\$ 288.53
5225	Saddleback Street	Residential	237.71	14.00	50.00	301.71
5177	San Antonio Way	Residential	215.70	14.00	50.00	279.70
11052	San Juan Way	Residential	215.70	14.00	50.00	279.70
11014	San Miguel Way	Residential	215.70	14.00	50.00	279.70
11020	San Pasqual Avenue	Residential	215.70	14.00	50.00	279.70
11143	San Pasqual Avenue	Residential	222.36	14.00	50.00	286.36
11094	San Pasqual Avenue	Residential	209.92	14.00	50.00	273.92
11000	San Pasqual Avenue	Residential	227.36	14.00	50.00	291.36
11050	San Rafael Way	Residential	301.01	14.00	50.00	365.01
10221	Santa Anita Avenue	Residential	215.70	14.00	50.00	279.70
10204	Santa Anita Avenue	Residential	303.07	14.00	50.00	367.07
10133	Santa Anita Avenue	Residential	215.70	14.00	50.00	279.70
10298	Santa Anita Avenue	Residential	303.07	14.00	50.00	367.07
10265	Saratoga Avenue	Residential	226.27	14.00	50.00	290.27
11011	Stallion Avenue	Residential	215.70	14.00	50.00	279.70
10289	Tudor Avenue	Residential	215.70	14.00	50.00	279.70
10445	Tudor Avenue	Residential	237.68	14.00	50.00	301.68
10236	Vernon Avenue	Residential	303.07	14.00	50.00	367.07
10115	Vernon Avenue	Residential	232.44	14.00	50.00	296.44
5533	Vernon Court	Residential	215.38	14.00	50.00	279.38
4230	Via Amore	Residential	239.61	14.00	50.00	303.61
4191	Via Napoli	Residential	422.36	14.00	50.00	486.36
4237	Via Riviera	Residential	206.65	14.00	50.00	270.65
11073	Wesley Avenue	Residential	216.71	14.00	50.00	280.71
11263	Whitewater Avenue	Residential	248.49	14.00	50.00	312.49
11195	Whitewater Avenue	Residential	241.48	14.00	50.00	305.48
11178	Whitewater Avenue	Residential	215.70	14.00	50.00	279.70
4548	Yosemite Drive	Residential	411.52	14.00	50.00	475.52
4515	Yosemite Drive	Residential	215.70	14.00	50.00	279.70
<b>TOTALS</b>			<b>\$42,715.53</b>	<b>\$2,058.00</b>	<b>\$7,350.00</b>	<b>\$52,123.53</b>

**MINUTES OF THE MEETING OF THE MONTCLAIR  
PERSONNEL COMMITTEE HELD ON MONDAY,  
MAY 19, 2014, AT 7:50 P.M. IN THE CITY  
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,  
MONTCLAIR, CALIFORNIA**

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**I. CALL TO ORDER**

Mayor Pro Tem Ruh called the meeting to order at 7:50 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 May 5,  
2014.**

Moved by City Manager Starr, seconded by Mayor Pro Tem Ruh,  
and carried unanimously to approve the minutes of the Personnel  
Committee meeting of May 5, 2014.

**IV. PUBLIC COMMENT - None**

**V. CLOSED SESSION**

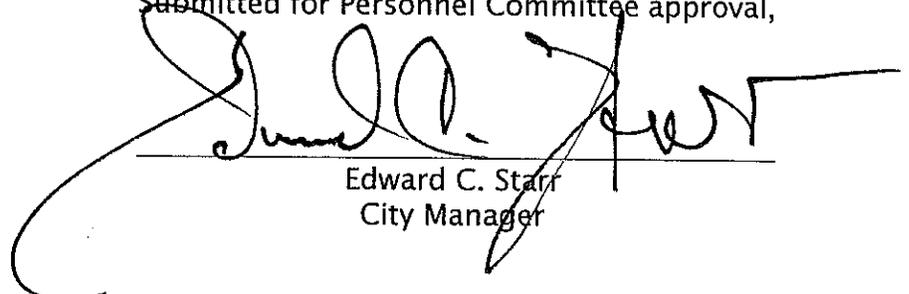
At 7:51 p.m., the Personnel Committee went into Closed Session  
regarding personnel matters related to appointments, resignations/  
terminations, and evaluations of employee performance.

At 8:06 p.m., the Personnel Committee returned from Closed Session.  
Mayor Pro Tem Ruh stated that no announcements would be made at  
this time.

**VI. ADJOURNMENT**

At 8:06 p.m., Mayor Pro Tem Ruh adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



A large, stylized handwritten signature in black ink, appearing to read 'Edward C. Starr', is written over a horizontal line.

Edward C. Starr  
City Manager