

**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

January 20, 2015

7:00 p.m.

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

The CC/SA/MHC/MHA meetings are now available in audio format on the City's website at www.cityofmontclair.org and can be accessed the day following the meeting after 10:00 a.m.

- I. CALL TO ORDER** – City Council, Successor Agency and Montclair Housing Corporation Boards of Directors, and Montclair Housing Authority Commissioners

II. INVOCATION

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

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS

- A. Introduction of New Employees/Promotees
- B. Presentation Thanking Montclair Businesses and Organizations for Support of the City's Community Toy Drive
- C. Presentation of Military Banners to Montclair Servicemen and Servicewomen Who Have Completed Their Military Service
- D. Presentation Honoring Eagle Scout Kevin Neuer for His Project at Saratoga Park

VI. PUBLIC COMMENT

This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Each speaker will be afforded five minutes to address the City Council Members, Successor Agency Board of Directors, Montclair Housing Corporation Board of Directors, and Montclair Housing Authority Commissioners. (Government Code Section 54954.3)

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

VII. PUBLIC HEARINGS

- A. Consider Approval of Tentative Tract Map No. 18986 for a Five-Lot Residential Subdivision at 11286 Fremont Avenue [CC] 5

VIII. CONSENT CALENDAR

- A. Approval of Minutes
 - 1. Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Commission Meeting of January 5, 2015 [CC/SA/MHC/MHA]
- B. Administrative Reports
 - 1. Consider Receiving and Filing of Treasurer's Report [CC] 7
 - 2. Consider Approval of Warrant Register and Payroll Documentations [CC] 8
 - 3. Consider Receiving and Filing of Treasurer's Report [SA] 9
 - 4. Consider Approval of Warrant Register [SA] 10
 - 5. Consider Receiving and Filing of Treasurer's Report [MHC] 11
 - 6. Consider Approval of Warrant Register [MHC] 12
 - 7. Consider Receiving and Filing of Treasurer's Report [MHA] 13
 - 8. Consider Approval of Warrant Register [MHA] 14
 - 9. Consider Setting a Public Hearing to Prioritize Funding for Fiscal Year 2015-16 Community Development Block Grant Projects [CC] 15
 - 10. Consider Approval of the Filing of a Notice of Completion, Reduction of Faithful Performance Bond to 10 Percent, and Retention of Payment Bond for Six Months for the Sunrise Park Blockwall Replacement Project [CC]
 - Consider Release of Retention 30 Days After Recordation of Notice of Completion [CC]
 - Consider Authorizing an Additional \$3,460 for Costs Related to the Sunrise Park Blockwall Replacement Project [CC] 16
 - 11. Consider Authorization of a \$2,422.30 Appropriation from the Public Safety Grant Fund to Purchase One Laptop Computer from Advanced Technical Solutions and One Projector from ProjectorPeople.com [CC]
 - Consider Authorization to Receive \$2,422.30 from the FY2013 State Homeland Security Grant Program to Reimburse the Public Safety Grant Fund [CC] 19

C. Agreements

- | | |
|---|----|
| 1. Consider Approval of Agreement No. 15-08 with Mt. San Antonio Community College District to Continue Providing a Comprehensive Fitness Program for the Fire Department [CC] | 31 |
| 2. Consider Approval of Agreement No. 15-10 Amending Agreement No. 13-63 with Frick, Frick & Jetté Architects, Incorporated, for Additional Design Services for the Human Services and Recreation Facility ADA Upgrade Project [CC] | 36 |

D. Resolutions - None

IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Attorney

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

Omlin v. Montclair

2. Closed Session Pursuant to Government Code Section 54956.8 Regarding Real Property Negotiations

Property: 4960 Palo Verde Street - Located on the North Side of Palo Verde Street, east of the entrance to the eastbound I-10 Freeway (APN # 1008-332-04)

Agency Negotiator: Marilyn J. Staats, Deputy City Manager

Negotiating Parties: Successor Agency to the City of Montclair Redevelopment Agency and Press On Properties, LLC

Under Negotiation: Recommendations Regarding Purchase Price

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 January 5, 2015 | 41 |
| 2. Minutes of the Public Works Committee Meeting of December 18, 2014 | 42 |

XII. COUNCIL WORKSHOP

A. Calvin Quach Appeal Hearing

(Council may consider continuing this item to an adjourned meeting on Monday, February 2, 2015, at 5:45 p.m. in the City Council Chambers.)

XIII. ADJOURNMENT OF MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS, AND MONTCLAIR HOUSING AUTHORITY COMMISSIONERS

(At this time, the City Council and Successor Agency will meet in Closed Session regarding pending litigation and real property negotiations.)

XIV. CLOSED SESSION ANNOUNCEMENTS

XV. ADJOURNMENT OF CITY COUNCIL AND SUCCESSOR AGENCY

(The City Council will adjourn to Monday, February 2, 2015, at 7:00 p.m. in the City Council Chambers for the Calvin Quach Appeal Hearing)

The next regularly scheduled City Council, Successor Agency Board, Montclair Housing Corporation Board, and Montclair Housing Authority Commission meetings will be held on Monday, February 2, 2015, 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, Andrea M. Phillips, Deputy City Clerk, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the bulletin board adjacent to the north door of Montclair City Hall on January 15, 2015.

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF TENTATIVE TRACT MAP NO. 18986 FOR A FIVE-LOT RESIDENTIAL SUBDIVISION AT 11286 FREMONT AVENUE

DATE: January 20, 2015
SECTION: PUBLIC HEARINGS
ITEM NO.: A
FILE I.D.: LDU350
DEPT.: COMMUNITY DEV.

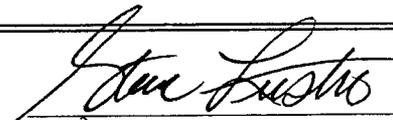
REASON FOR CONSIDERATION: Tentative tract maps require public hearing review and approval by the City Council.

BACKGROUND: The tentative tract map, which has been recommended by the Planning Commission, was initiated by Fremont LLC in connection with its desire to subdivide an existing .78-acre parcel at 11286 Fremont Avenue for the purpose of constructing five single-family dwellings pursuant to the requirements and development standards of the "R-1(SL)" zoning district (Chapter 11.36 of the Montclair Municipal Code). The Planning Commission conducted a public hearing on the request on December 8, 2014. Two members of the public addressed the Planning Commission during the public hearing and the single minor concern expressed was addressed through a modified condition of approval, to which the developer agreed.

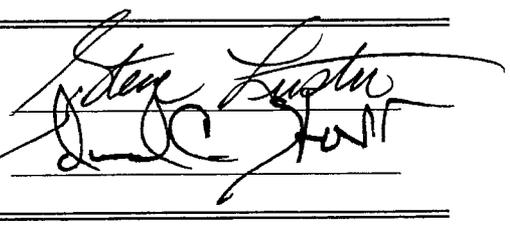
FISCAL IMPACT: There would be no fiscal impact to the City's General Fund should the City Council approve Tentative Tract Map No. 18986.

RECOMMENDATION: Staff is requesting this item be continued to February 2, 2015, at 7:00 p.m. in the City Council Chambers to comply with legal noticing requirements. The applicant was notified of the circumstances that led to the need to continue the public hearing to consider approval of their item.

Prepared by:



Reviewed and Approved by:



Proofed by:



Presented by:



AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: January 20, 2015

SECTION: ADMIN. REPORTS

ITEM NO. 1

FILE I.D.: FIN520

DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: The City Council is requested to consider receiving and filing the City of Montclair Treasurer's Report for the month ending December 31, 2014, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending December 31, 2014.

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

RECOMMENDATION: Staff recommends the City Council receive and file the Treasurer's Report for the month ending December 31, 2014.

Prepared by:

Michael Piskowski

Reviewed and
Approved by:

Ronald J. Parker

Proofed by:

Andrea Dellipri

Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATIONS

DATE: January 20, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 2

FILE I.D.: FIN540

DEPT.: ADMIN. SVCS.

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

BACKGROUND: Mayor Pro Tem Raft has examined the Warrant Register dated January 20, 2015, and Payroll Documentations dated December 28, 2014, and January 11, 2015, and recommends their approval.

FISCAL IMPACT: The Warrant Register dated January 20, 2015, totals \$747,256.54. The Payroll Documentation dated December 28, 2014, totals \$576,527.38 gross, with \$405,532.21 net being the total cash disbursement. The Payroll Documentation dated January 11, 2015, totals \$531,496.04 gross, with \$369,505.37 net being the total cash disbursement.

COMMENDATION: Staff recommends the City Council approve the above referenced Warrant Register and Payroll Documentations.

Prepared by: *Amelia Hallgren* Reviewed and Approved by: *[Signature]*

Proofed by: *Stephanie Hilde* Presented by: *[Signature]*

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: January 20, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 3

FILE I.D.: FIN510

DEPT.: SUCCESSOR RDA

REASON FOR CONSIDERATION: The City Council acting as successor to the Redevelopment Agency Board of Directors is requested to consider receiving and filing the Successor to the Redevelopment Agency Treasurer's Report for the month ending December 31, 2014, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Successor to the Redevelopment Agency Treasurer's Report for the period ending December 31, 2014.

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

RECOMMENDATION: Staff recommends the City Council acting as successor to the Redevelopment Agency Board of Directors receive and file the Successor to the Redevelopment Agency Treasurer's Report for the month ending December 31, 2014.

Prepared by:

Michal Piotrowski

Reviewed and
Approved by:

Ronald L. Parker

Proofed by:

Andrew Sivilly

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** January 20, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 4
FILE I.D.: FIN530
DEPT.: SUCCESSOR RDA

REASON FOR CONSIDERATION: The City Council acting as successor to the Redevelopment Agency Board of Directors is requested to consider receiving and filing the Successor to the Redevelopment Agency Warrant Register for the month ending December 31, 2014, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Successor to the Redevelopment Agency Warrant Register dated 12.01.14–12.31.14 in the amounts of \$29,448.70 for the Combined Operating Fund; \$0.00 for the Redevelopment Obligation Retirement Funds; \$0.00 from the Tax Exempt Bond Proceeds; and \$0.00 from the Taxable Bond Proceeds and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the City Council as successor to the Redevelopment Agency Board of Directors approve the Successor to the Redevelopment Agency Warrant Register for the period ending December 31, 2014.

Prepared by:

Michael Proctor

Reviewed and
Approved by:

Ronald L. Parker

Proofed by:

Ambrea Phillips

Presented by:

David Jones

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: January 20, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 5

FILE I.D.: FIN525

DEPT.: MHC

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to receive and file the Montclair Housing Corporation Treasurer's Report for the month ending December 31, 2014, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending December 31, 2014.

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

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors receive and file the Treasurer's Report for the month ending December 31, 2014.

Prepared by:

Michael Piotrowski

Reviewed and
Approved by:

Ronald L. Parker

Proofed by:

Andrew Pillepi

Presented by:

[Signature]

AGENDA REPORT

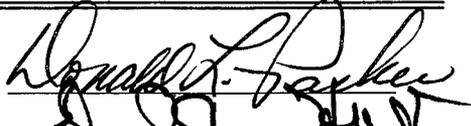
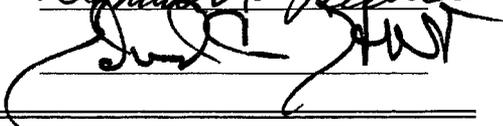
SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** January 20, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 6
FILE I.D.: FIN545
DEPT.: MHC

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending December 31, 2014, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 12.01.14-12.31.14 in the amount of \$58,609.51 for the Montclair Housing Corporation and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the Montclair Housing Corporation Board of Directors approve the Warrant Register for the period ending December 31, 2014.

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

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: January 20, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 7

FILE I.D.: FIN525

DEPT.: MHA

REASON FOR CONSIDERATION: The Montclair Housing Authority Board of Directors is requested to receive and file the Montclair Housing Authority Treasurer's Report for the month ending December 31, 2014, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending December 31, 2014.

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

RECOMMENDATION: Staff recommends the Montclair Housing Authority Board of Directors receive and file the Treasurer's Report for the month ending December 31, 2014.

Prepared by:

Michael Protoroch

Reviewed and
Approved by:

Ronald L. Parker

Proofed by:

Andrew Smith

Presented by:

[Signature]

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** January 20, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 8
FILE I.D.: FIN545
DEPT.: MHA

REASON FOR CONSIDERATION: The Montclair Housing Authority Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending December 31, 2014, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 12.01.14-12.31.14 in the amount of \$0.00 for the Montclair Housing Authority and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the Montclair Housing Authority Board of Directors approve the Warrant Register for the period ending December 31, 2014.

Prepared by:

Michael Pistorowicz

Reviewed and
Approved by:

Donald P. Raft

Proofed by:

Andrew Sillj

Presented by:

D. Raft

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO PRIORITIZE FUNDING FOR FISCAL YEAR 2015-16 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

DATE: January 20, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 9

FILE I.D.: GRT050

DEPT.: COMMUNITY DEV.

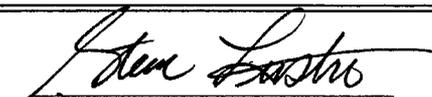
REASON FOR CONSIDERATION: Each fiscal year, the City of Montclair is required to conduct a public hearing to prioritize funding for various competing Community Development Block Grant (CDBG) projects. This hearing is conducted in compliance with requirements of the Department of Housing and Urban Development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

BACKGROUND: In November 2014, staff submitted its applications for CDBG funding to the County of San Bernardino. CDH has compiled a list of proposals eligible for funding from Montclair's annual CDBG allocation. Typically, in addition to City-sponsored programs and projects, CDH receives proposals from outside non-profit agencies and entities competing for funding from the City's annual allocation. However, no proposals were received from outside agencies requesting funding from the City's annual CDBG allocation during this funding cycle. Accordingly, details of the three eligible City proposals, along with the proposed Fiscal Year 2015-16 funding, will be provided to Council for reference and consideration prior to the public hearing.

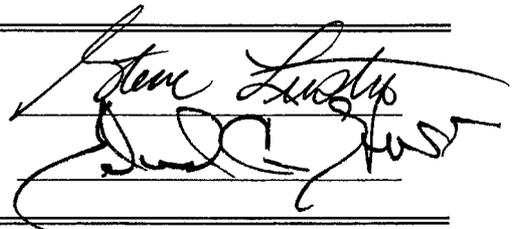
FISCAL IMPACT: The cost to publish a Notice of Public Hearing in the *Inland Valley Daily Bulletin* related to prioritizing funding for Fiscal Year 2015-16 CDBG projects should not exceed \$500.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, February 2, 2015, at 7:00 p.m. in the City Council Chambers to prioritize funding for Fiscal Year 2015-16 CDBG projects.

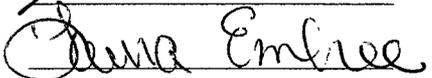
Prepared by:



Reviewed and
Approved by:



Proofed by:



Presented by:

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF THE FILING OF A NOTICE OF COMPLETION, REDUCTION OF FAITHFUL PERFORMANCE BOND TO 10 PERCENT, AND RETENTION OF PAYMENT BOND FOR SIX MONTHS FOR THE SUNRISE PARK BLOCKWALL REPLACEMENT PROJECT

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

CONSIDER AUTHORIZING AN ADDITIONAL \$3,460 FOR COSTS RELATED TO THE SUNRISE PARK BLOCKWALL REPLACEMENT PROJECT

DATE: January 20, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 10

FILE I.D.: PRK600

DEPT.: PUBLIC WORKS

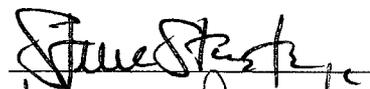
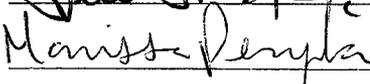
REASON FOR CONSIDERATION: State law requires Notices of Completion to be recorded with the County Recorder upon acceptance of a public works project. The City Council is requested to consider approval of the filing of a Notice of Completion with the Office of the San Bernardino County Recorder and related to actions concerning the Sunrise Park Blockwall Replacement Project.

BACKGROUND: On August 4, 2014, M. C. Alyea Construction, Inc., was awarded a contract for construction of the Sunrise Park Blockwall Replacement Project and entered into Agreement No. 14-73 with the City. All work required under Agreement No. 14-73 has been satisfactorily completed. The Sunrise Park Blockwall Replacement Project replaced approximately 285' of blockwall along the northern perimeter of the park. Work also included relocation of an existing SCE meter pedestal and park lighting and irrigation equipment.

Beyond the original scope of work, additional work was necessary to remove and replace several trees within a resident's back yard in order to construct the designed footings and wall.

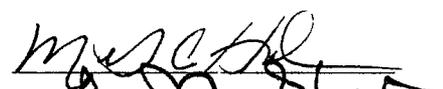
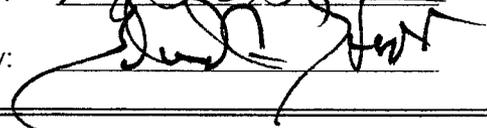
The project was originally designed to construct nearly 500 feet of new block wall. Following the bid opening on May 15, 2014, it was determined that the expense of the wall exceeded the overall project budget of \$130,000. Staff recommended to the City Council that all bids be rejected, that the scope of work be modified, and the project be readvertised. The revised project limited removal and replacement to that portion of the wall that was unsafe and in danger of falling.

FISCAL IMPACT: M.C. Alyea Construction, Inc., was awarded the construction contract for \$108,380. The City Council also authorized a construction contingency of \$12,000, bringing the total expenditure authorization to \$120,380.

Prepared by: 
Proofed by: 

Reviewed and
Approved by:

Presented by:

During the course of construction, it was necessary to modify the scope of work by way of construction change orders. The changes ultimately increased the total construction cost from the authorized amount of \$108,000 to the final cost of \$119,879, an increase of \$11,879 and still within the construction contingency authorized by the City Council at the time of award. However, due to the additional cost of readvertising the project, it is necessary to appropriate an additional \$3,460 to cover that cost, bringing the total project cost to \$133, 460. The project is funded entirely by Park Development funds.

RECOMMENDATION: Staff recommends the City Council take the following actions related to the Sunrise Park Blockwall Replacement Project:

1. Approve the filing of a Notice of Completion with the Office of the San Bernardino County Recorder.
2. Reduce the Faithful Performance Bond to 10 percent.
3. Retain the Payment Bond for six months.
4. Release retention 30 days after recordation of Notice of Completion.
5. Authorize an additional \$3,460 for costs related to the Sunrise Park Blockwall Replacement Project

RECORDING REQUESTED BY:

City of Montclair

AND WHEN RECORDED MAIL DOCUMENT AND
TAX STATEMENT TO:

NAME: **City of Montclair**

STREET ADDRESS: **5111 Benito Street**

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

Government Code 6103

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

NOTICE OF COMPLETION

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

fee

Michael C. Hudson
Public Works Director
City Engineer
5111 Benito Street
Montclair, CA 91763

The full name and address of the undersigned is

The work was completed on that certain work known as:

Sunrise Park Blockwall Replacement Project

for the undersigned City of Montclair,
a Municipal Corporation, on the 20th day of January, 2015

The City accepted the job on the 6th day of January, 2015

The Contractor on said job was
M.C. Alyea Construction
5161 Hedrick
Riverside, CA. 92505

The improvement consisted of:

Park Improvements

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

5616 Princeton Street, Montclair, CA 91763

VERIFICATION

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

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

Executed on: January 20, 2014 at 5111 Benito Street, Montclair, California

Michael C. Hudson
Public Works Director
City Engineer

AGENDA REPORT

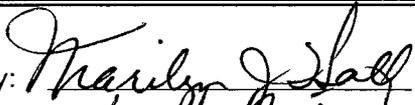
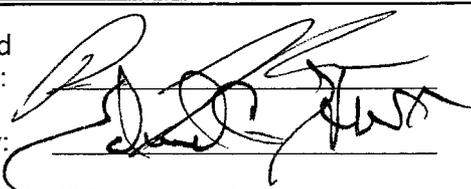
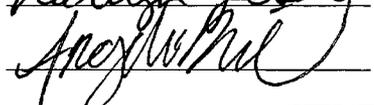
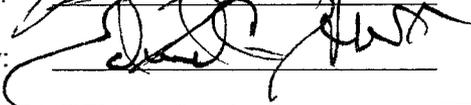
SUBJECT: CONSIDER AUTHORIZATION OF A \$2,422.30 APPROPRIATION FROM THE PUBLIC SAFETY GRANT FUND TO PURCHASE ONE LAPTOP COMPUTER FROM ADVANCED TECHNICAL SOLUTIONS AND ONE PROJECTOR FROM PROJECTORPEOPLE.COM	DATE: January 20, 2015
	SECTION: ADMIN. REPORTS
	ITEM NO.: 11
	FILE I.D.: GRT115
CONSIDER AUTHORIZATION TO RECEIVE \$2,422.30 FROM THE FY2013 STATE HOMELAND SECURITY GRANT PROGRAM TO REIMBURSE THE PUBLIC SAFETY GRANT FUND	DEPT.: FIRE

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing a \$2,422.30 appropriation from the Public Safety Grant Fund to purchase one laptop computer from Advanced Technical Solutions and one projector from ProjectorPeople.com, and to authorize the Fire Department to receive \$2,422.30 from the FY2013 State Homeland Security Grant Program (SHSGP) to reimburse the Public Safety Grant Fund.

BACKGROUND: The FY2013 SHSGP is responsible for distributing nonmatching grant funds to local first responders to provide financial assistance for the purpose of purchasing equipment and supplies to improve emergency response capabilities at terrorist events. All eligible applicants 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. The coordinating agency for the City of Montclair is the San Bernardino County Fire Protection District.

The Fire Department has been authorized to receive \$12,776 in nonmatching grant funds from the FY2013 SHSGP for the purchase of Fire Studio 5.0 Entry Level Training System software to simulate many types of incidents for training and credentialing purposes through joint training exercises, and four laptop computers to be used with the training system. City Council authorized the purchase of the software on June 2, 2014, and the four laptop computers on August 4, 2014, which came to a total of \$10,273.05. A modification request was submitted to the San Bernardino County Fire Protection District Grants Unit requesting that the balance of funds from our grant allocation of \$2,502.95 be reallocated for the purchase of one additional laptop and one projector to be used in conjunction with the Fire Studio 5.0 Entry Level Training System. The California Office of Emergency Services approved the modification request on October 14, 2014.

Staff recommends that the additional laptop computer be purchased from Advanced Technical Solutions for \$1,719.76 because this vendor was approved by the City Council on August 4, 2014, during the competitive bid process for the previous laptop computers that were purchased at the same price.

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

Competitive bids were received from the following vendors for the projector:

<u>Vendor</u>	<u>Bid Amount</u>
Advanced Technical Solutions	\$784.81
B & H Photo-Video-Pro Audio	\$758.51
ProjectorPeople.com	\$702.54

Staff recommends that the projector be purchased from ProjectorPeople.com as it is the lowest competitive bidder.

Advanced Technical Solutions and ProjectorPeople.com are registered in the System for Award Management (SAM) and have no active exclusion records that would disbar the companies from receiving federal funds.

FISCAL IMPACT: The total cost to purchase one laptop computer and one projector is \$2,422.30. Should the City Council approve this item, \$2,422.30 would be transferred from the Public Safety Grant Fund to Account No. 1163-4534-52690-400-0000 for purchase of the laptop and projector. The City would be reimbursed this amount by the FY2013 SHSGP.

RECOMMENDATION: Staff recommends the City Council authorize the following actions related to the purchase of one laptop computer from Advanced Technical Solutions and one projector from ProjectorPeople.com:

1. A \$2,422.30 appropriation from the Public Safety Grant Fund.
2. The Fire Department to receive \$2,422.30 from the FY2013 State Homeland Security Grant Program to reimburse the Public Safety Grant Fund.

CITY OF MONTCLAIR BID QUOTATION FORM

Department Fire Department **Date** 1/12/2014

Purchase Requisition No. _____

Item(s) Description: XGA Projector

Reason for Purchase: To be used with Fire Studio 5 Entry Level Training System which was purchased with grant funds

Employee Obtaining Quotes Tom Dowser

VENDORS CONTACTED

BID QUOTES*

(1) NAME	<u>ProjectorPeople.com</u>		649.00
ADDRESS	<u>PO Box 62256</u>		0.00
PHONE NO.	<u>800-639-3010 ext. 2260</u>	NAME OF REP.	<u>Lisa Phillips</u>
COMMENTS	<u>No sales tax or shipping fees</u>		
			Subtotal 649.00
			Tax 53.54
			Shipping 0.00
			Labor 0.00
			Total 702.54
(2) NAME	<u>B & H Photo Video Pro Audio</u>		700.70
ADDRESS	<u>420 Ninth Avenue, New York City, NY 10001</u>		0.00
PHONE NO.	<u>800-947-8003</u>	NAME OF REP.	<u>Dee Dee</u>
COMMENTS	<u>No sales tax or shipping fees</u>		
			Subtotal 700.70
			Tax 57.81
			Shipping 0.00
			Labor 0.00
			Total 758.51
(3) NAME	<u>Advanced Technical Solutions, Inc.</u>		725.00
ADDRESS	<u>5701 Lonetree Blvd, Ste. 108E, Rocklin, CA 95765</u>		0.00
PHONE NO.	<u>916-435-8181</u>	NAME OF REP.	<u>Daniel Parsons</u>
COMMENTS	<u>No charge for shipping</u>		
			Subtotal 725.00
			Tax 59.81
			Shipping 0.00
			Labor 0.00
			Total 784.81

*Quotations are to include tax and delivery charges

RECOMMENDED VENDOR AND JUSTIFICATION

As the lowest bidder, we are requesting to make the purchase of the projector from ProjectorPeople.com

MFD A-4

Marilyn Hall

From: Sampson, Ericka [esampson@sbcfire.org]
Sent: Tuesday, October 14, 2014 4:19 PM
To: Marilyn Hall
Subject: RE: FY2013 HSGP - Approved Modification
Attachments: FY13 - Montclair F.D.xlsm

Good afternoon,

This is to inform you that the modification submitted by your jurisdiction has been approved by CalOES. Attached is a list of your approved projects for the FY13 HSGP grant. Consider this email as your authorization to start the procurement process and please make sure to follow grant guidelines and requirements. **Please do not make any changes to your project or it will be disallowed.**

Thank you

Ericka Sampson
San Bernardino County *Fire* Protection District
Grants Administration
157 West 5th Street, 2nd Floor
San Bernradino, CA 92415-0451
(909) 387-5931 Phone
(909) 387-5968 Fax
[smpson@sbcfire.org](mailto:sampson@sbcfire.org)

*Modification
Approval*



Quote #349924

Please indicate above number with order

www.projectorpeople.com
 PO Box 62256
 Baltimore, MD 21264-2256
 Telephone: 800/639-3010 x2260
 Fax: 813/261-1512
 Rep: Lisa Phillips
 Email: lisa@projectorpeople.com

Date: 1/7/2015
 Customer #: MON052

Bill To:
 Montclair Fire Dept
 Attention: Tom Dowser
 MONTCLAIR, CA 91763
 US
 Phone: 909/624-0557
 Email: tdowser@cityofmontclair.org

Ship To:
 Montclair Fire Dept
 Attention: Tom Dowser
 MONTCLAIR, CA 91763
 US

VISA, MC, AMEX PREFERRED

Customer #	Ship Via	F.O.B.	Terms	
MON052	BEST WAY	Ship Point	QUOTE	
Item Number	Item Description	Qty	Unit Price	Extended Price
HITCPX3030WN	PROJECTOR, XGA 3200 LUMEN 6.8LB LCD 4000:1 CONTRAST Note: free shipping, no sales tax	1	\$649.00	\$649.00
			Subtotal	\$649.00
			8.25% Sales Tax	53.54 \$0.00
			S & H	\$0.00
			Total	\$649.00

\$ 702.54

Rep: Lisa Phillips
 800/639-3010 x2260

Print Date: 1/7/2015 1:41 PM

Marilyn Hall
LOGOUT

Entity Dashboard

AV MARKETPLACE, INC.
DUNS: 044625114 CAGE Code: 1JFY7
Status: Active

6313 BENJAMIN RD STE 110
TAMPA, FL, 33634-5181,
UNITED STATES

Expiration Date: 04/25/2015
Purpose of Registration: All Awards

[Entity Overview](#)

[Entity Record](#)

[Core Data](#)

[Assertions](#)

[Reps & Certs](#)

[POCs](#)

[Reports](#)

[Service Contract Report](#)

[BioPreferred Report](#)

[Exclusions](#)

[Active Exclusions](#)

[Inactive Exclusions](#)

[Excluded Family Members](#)

[RETURN TO SEARCH](#)

Entity Overview

Entity Information

Name: AV MARKETPLACE, INC.
Doing Business As: PROJECTOR PEOPLE
Business Type: Business or Organization
POC Name: Arny Dougherty
Registration Status: Active
Activation Date: 04/25/2014
Expiration Date: 04/25/2015

Exclusions

Active Exclusion Records? No

SAM | System for Award Management 1.0

IBM v1.P.23.20141126-1047

WWW6

Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.





Government, Education, and Corporate Department

For Pricing Requests, Purchase Orders, and Customer Service:

Phone: **800-947-8003**
212-239-7503

Fax: **800-858-5517**
212-239-7759

Email: Education: emailbids@bhphoto.com
Corporate: corporatesales@bhphoto.com

Federal Government: gsa@bhphoto.com
State and Local: biddept@bhphoto.com

The Professional's Source

420 Ninth Avenue, New York City, NY 10001 • www.bhphotovideo.com

Federal ID#: 13-2768071

Prices Are Valid Until:

12/26/14

Bid No.: 518356830

Sold To:

Montclair Fire Department
8901 Monte Vista Ave
MONTCLAIR, CA 91763

Ship To:

Montclair Fire Department
8901 Monte Vista Ave
MONTCLAIR, CA 91763

Bill Phone: (909)447-3540

(909)447-3540

Date	Customer Code	Terms	Salesperson	Ship Via	
12/12/14	70494215	N/A	34K	EXPEDITED DELIVERY	
Qty	Ord	Item Description	SKU# MFR#	Item Price	Amount
1		HITACHI CP-X3030 3200LUM XGA PROJECTOR/REG <i>This Item Has Free Shipping To The Continental USA.</i>	HICPX3030WN (CPX3030WN)	700.70	700.70
PLEASE NOTE: ----- ***** B&H SUPERSTORE HOLIDAY SCHEDULE ***** The SuperStore will be closed on Thursday, December 25th ***** The SuperStore will be open on New Year's Day, Thursday January 1st, 10:00AM-6:00PM Certain items may be enforced by vendor to sell at the vendor-imposed price posted at the time of order.					
Payment Type - NO PAYMENT TYPE SELECTED				Sub-Total: 700.70 Shipping: 0.00 SalesTax - 8.25% 57.81 \$ 758.51 Total: 700.70	

Marilyn Hall

LOGOUT

Entity Dashboard

B & H FOTO & ELECTRONICS CORP.
DUNS: 116012659 CAGE Code: 2Y053
Status: Active

420 9TH AVE
NEW YORK, NY, 10001-1620 ,
UNITED STATES

Expiration Date: 06/02/2015
Purpose of Registration: All Awards

[Entity Overview](#)

[Entity Record](#)

[Core Data](#)

[Assertions](#)

[Reps & Certs](#)

[POCs](#)

[Reports](#)

[Service Contract Report](#)

[BioPreferred Report](#)

[Exclusions](#)

[Active Exclusions](#)

[Inactive Exclusions](#)

[Excluded Family Members](#)

[RETURN TO SEARCH](#)

Entity Overview

Entity Information

Name: B & H FOTO & ELECTRONICS CORP.
Doing Business As: B&H PHOTO-VIDEO
Business Type: Business or Organization
POC Name: Elizabeth Lite
Registration Status: Active
Activation Date: 08/27/2014
Expiration Date: 06/02/2015

Exclusions

Active Exclusion Records? No

SAM | System for Award Management 1.0

IBM v1.P.23.20141126-1047

WWW6

Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.





Advanced Technical Solutions, Inc.
 5701 Lonetree Blvd
 Suite 107/108E

California Certified Small & Micro
 Business
 Number 1755556
 EIN 90-0982274
 Seller's Permit SR KH 102-403763

ATSQ5878

Date Jan 8, 2015

Sold To	
City of Montclair Marilyn Hall 8901 Monte Vista Avenue Montclair, CA 91763	
Phone	(909)447-3543
Fax	

Ship To	
City of Montclair Marilyn Hall 8901 Monte Vista Avenue Montclair, CA 91763	
Phone	(909)447-3543
Fax	

FOB	Terms
Destination	Net 45

Qty	Part #	Description	Unit Price	Ext. Price
1	CP-X3030WN	Hitachi CP-X3030WN LCD Projector - 720p - HDTV - 4:3 CP-X3030WN LCD PROJ XGA 3200 LUMENS HDMI 6.8LBS F/1.9 - 2.3 - NTSC, PAL, SECAM - 1024 x 768 - XGA - 4,000:1 - 3200 lm - HDMI - USB - VGA In - Fast Ethernet - 330 W - 3 Year Warranty	\$725.00	\$725.00

Daniel Parsons
 5701 Lonetree Blvd
 Suite 108E
 Rocklin, CA 95765
 Phone: PH: 916-435-8181
 Fax: FAX: 916-435-8203
 Daniel.Parsons@adtecsol.com

SubTotal	\$725.00
8.25% Sales Tax	\$59.81 \$61.63
Shipping	\$0.00

Total	\$786.63
--------------	-----------------

\$784.81

Thank you for allowing Advanced Technical Solutions, Inc. to provide this quote. Please reference the quote number in the upper right hand corner on any purchase order resulting from this quote. This quote is valid for 30 days from the date of the quote.



Advanced Technical Solutions, Inc.
 5701 Lonetree Blvd
 Suite 107/108E

California Certified Small & Micro
 Business
 Number 1755556
 EIN 90-0982274
 Seller's Permit SR KH 102-403763

ATSQ5877

Date Jan 8, 2015

Sold To	
City of Montclair Marilyn Hall 8901 Monte Vista Avenue Montclair, CA 91763	
Phone	(909)447-3543
Fax	

Ship To	
City of Montclair Marilyn Hall 8901 Monte Vista Avenue Montclair, CA 91763	
Phone	(909)447-3543
Fax	

FOB	Terms
Destination	Net 45

Qty	Part #	Description	Unit Price	Ext. Price
1	F2Q33UT#ABA	HP ZBook 17 17.3" LED Notebook - Intel - Core i7 i7-4700MQ 2.4GHz - Graphite SMART BUY ZBOOK 17 MOBILE WKSTN NB I7-4700MQ 2.4G 8GB 500GB 17.3IN 8 GB RAM - 500 GB HDD - DVD-Writer - NVIDIA, Intel Quadro K610M, HD 4600 - Windows 7 Professional 64-bit (English) - 1600 x 900 Display - Bluetooth - English Keyboard	\$1,585.00	\$1,585.00
1	EWR15/35	Electronic Waste Recycling Fee 15/35"	\$4.00	\$4.00

Daniel Parsons
 5701 Lonetree Blvd
 Suite 108E
 Rocklin, CA 95765
 Phone: PH: 916-435-8181
 Fax: FAX: 916-435-8203
 Daniel.Parsons@adtecsol.com

SubTotal	\$1,589.00
Sales Tax	\$130.76 \$134.73 8.25
Shipping	\$0.00

Total	\$1,723.73
--------------	-------------------

1,719.76

Thank you for allowing Advanced Technical Solutions, Inc. to provide this quote. Please reference the quote number in the upper right hand corner on any purchase order resulting from this quote. This quote is valid for 30 days from the date of the quote.

Marilyn Hall
LOGOUT

Entity Dashboard

Advanced Technical Solutions, Inc.
DUNS: 009852093 CAGE Code: 75Q41
Status: Active

5701 Lonetree Blvd Ste 108E
Rocklin, CA, 95765-3792,
UNITED STATES

Expiration Date: 06/30/2015
Purpose of Registration: All Awards

[Entity Overview](#)

[Entity Record](#)

[Core Data](#)

[Assertions](#)

[Reps & Certs](#)

[POCs](#)

[Reports](#)

[Service Contract Report](#)

[BioPreferred Report](#)

[Exclusions](#)

[Active Exclusions](#)

[Inactive Exclusions](#)

[Excluded Family Members](#)

[RETURN TO SEARCH](#)

Entity Overview

Entity Information

Name: Advanced Technical Solutions, Inc.
Business Type: Business or Organization
POC Name: Danny Parsons
Registration Status: Active
Activation Date: 07/17/2014
Expiration Date: 06/30/2015

Exclusions

Active Exclusion Records? No

SAM | System for Award Management 1.0

IBM v1.P.23.20141126-1047

WWW6

Note to all Users: This is a Federal Government computer system. Use of this system constitutes consent to monitoring at all times.



AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT NO. 15-08 WITH MT. SAN ANTONIO COMMUNITY COLLEGE DISTRICT TO CONTINUE PROVIDING A COMPREHENSIVE FITNESS PROGRAM FOR THE FIRE DEPARTMENT

DATE: January 20, 2015

SECTION: AGREEMENTS

ITEM NO.: 1

FILE I.D.: FRD205

DEPT.: FIRE

REASON FOR CONSIDERATION: The City Council is requested to consider approval of Agreement No. 15-08 with Mt. San Antonio Community College District to continue providing a comprehensive fitness program for fire safety personnel. A copy of proposed Agreement No. 15-08 is attached for the City Council's review and consideration.

BACKGROUND: In 2003, the Fire Department established a formal Wellness and Fitness Program. Continuation of this program provides firefighters with the ability to maintain a training regimen to meet the rigorous physical demands required by the work they do and to prevent or minimize debilitating injuries.

The Mt. San Antonio Community College District's Exercise Science and Wellness Center offers a comprehensive program that has been beneficial in our ongoing efforts to minimize injuries to our firefighters. Proposed Agreement No. 15-08 would continue providing a fitness program that would include the following components:

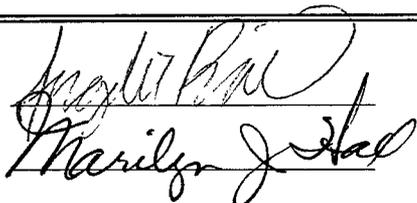
1. A comprehensive fitness evaluation and health-risk assessment for all firefighters participating in the program.
2. A group lecture provided by certified instructors from the American College of Sports Medicine and/or National Strength and Conditioning Association that emphasizes development of exercise programs utilizing core training.

The Deputy City Clerk assigned Agreement No. 15-08 to the proposed agreement for control purposes.

FISCAL IMPACT: The cost to continue the Wellness and Fitness Program is \$1,988. This amount has been allocated in the Fiscal Year 2014-15 Fire Department Budget.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 15-08 with Mt. San Antonio Community College District to continue providing a comprehensive fitness program for the Fire Department.

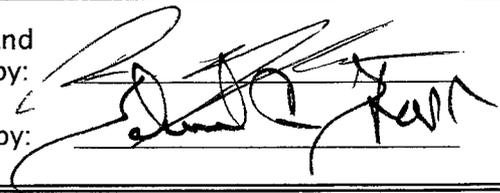
Prepared by:



Proofed by:

Reviewed and
Approved by:

Presented by:





AGREEMENT

1415-003

This Agreement is made on November 14, 2014 by and between Mt. San Antonio Community College District of 1100 North Grand Avenue, Walnut, California 91789 and Montclair Fire Department of 8901 Monte Vista, Montclair, California 91763.

The party who is contracting to receive services shall be referred to as “Client”, and the party who will be providing the services shall be referred to as “District” in this Agreement.

The District has a background in Vocational Education and Training, and is willing to provide services to Client based on their background, and Client desires to have instructional services provided by District.

Therefore, the parties agree as follows:

1. **DESCRIPTION OF SERVICES.** Beginning on January 2, 2015 and ending on June 30, 2015 District will provide the following services, (collectively the “Services”) for up to 18 participants.

Fitness Evaluation and Exercise Training/Lecture Program

The Fitness Evaluation is a screening tool used to evaluate an individual’s health and fitness level. All tests are performed by a certified staff member. The Comprehensive Fitness Evaluation is comprised of a Health Risk Assessment Questionnaire, Fitness Evaluation, Cardiovascular Fitness Test and a Printed Report. All information is confidential and provided to the individual during the interpretation and to the Montclair Fire Department upon request. (*See Attachment A for details*).

COMPONENTS OF FITNESS EVALUATION - \$1,790

Health Risk Assessment Questionnaire

- Medical History
- Activity Index
- Cardiovascular Risk Profile
- Stress/Tension Level
- Nutrition Profile

Fitness Evaluation

- Resting Vitals – Heart Rate & Blood Pressure
- Height and Weight
- Bodyfat Analysis
- Muscular Strength and Endurance Assessment
- Range of Motion Evaluation

BOARD OF TRUSTEES:

Dr. Manuel Baca • Rosanne M. Bader • Judy Chen Haggerty, Esq. • Fred Chyr • Dr. David K. Hall • Robert F. Hidalgo • Laura Santos
William Scroggins - COLLEGE PRESIDENT / CEO

Cardiovascular Fitness Test

- Sub-Max Bike Test with Heart Rate Measurement

Printed Report

- Personalized Comprehensive Fitness Analysis
- Identified Flagged Events and Risk Factors
- Confidential Interpretation
- Exercise Program Recommendations

Note: Evaluations do not include blood panels or x-rays

COMPONENTS OF EXERCISE/LECTURE TOPICS

- **Lecture Module – 3 hours Core Training \$198**

Sessions emphasizing a variety of fitness and nutrition topics including exercise adherence, behavior modification, reducing the risk of injury, and weight loss. Nutrition discussion addressing meal planning and healthy cooking for weight loss and reducing risk of disease. All conducted by an ACSM, NSCA, and/or certified instructor in the topic area.

2. **PRESENTER(S).** The District shall have the sole discretion in determining who will be assigned to serve as presenter(s).
3. **PAYMENT.** The training that is the subject of the Agreement shall be for the exclusive benefit of the Client and shall be open to its designees only. In consideration of the instructional and related services provided by the District, the Client agrees to pay the District the amounts determined as follows. Client will pay a total fee to District of \$1,988. The balance to be paid as services are completed and invoiced by the District. Client agrees to pay all invoices 30 days from date of invoice. Upon termination of this Agreement, payments under this paragraph shall cease; provided, however, that District shall be entitled to payments for periods or partial periods that occurred prior to the date of termination and for which District has not yet been paid.
4. **TERM/TERMINATION.** This Agreement shall automatically terminate upon District's completion of the services required by this Agreement. The District retains the right to cancel any services that is offered under this Agreement no later than 10 days before the first meeting of the service class. The Client retains the right to cancel any training that is offered under this Agreement no later than 10 days before the first meeting of the service class.
5. **RELATIONSHIP OF PARTIES.** It is understood by the parties that the District and its Instructor(s) is an independent contractor with respect to Client, and not an officer, agent or employee of Client. Client will not provide fringe benefits, including health insurance benefits, paid vacation, or any other employee benefit, for the benefit of District and its Instructor(s)/Presenter(s). The Client further agrees not to enter into a separate competitive agreement with any of the District's Instructor(s)/Presenter(s) from the date of this agreement until two (2) years after the completion of this agreement.

BOARD OF TRUSTEES:

Dr. Manuel Baca • Rosanne M. Bader • Judy Chen Haggerty, Esq. • Fred Chyr • Dr. David K. Hall • Robert F. Hidalgo • Laura Santos
William Scroggins - COLLEGE PRESIDENT / CEO

6. **NOTICES.** All notices required or permitted under this Agreement shall be in writing and shall be deemed delivered when delivered in person or deposited in the United States mail, postage prepaid, addressed as follows:

Client:

Rick Mayhew, Fire Chief
Montclair Fire Department
8901 Monte Vista
Montclair, California 91763

District:

Irene Malmgren, Vice President of Instruction
Mt. San Antonio Community College District
1100 North Grand Avenue
Walnut, California 91789

Such address may be changed from time to time by either party by providing written notice to the other in the manner set forth above.

7. **NONDISCRIMINATION.** Neither party to this Agreement shall, on the basis of ethnic group identification, religion, age, sex, color, or physical or mental disability, unlawfully deny any person the benefits of or unlawfully subject any person to discrimination in the operation of this agreement.
8. **ENTIRE AGREEMENT.** This Agreement contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties.
9. **AMENDMENT.** This Agreement may be modified or amended if the amendment is made in writing and is signed by both parties.
10. **SEVERABILITY.** If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.
11. **WAIVER OF CONTRACTUAL RIGHT.** The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.

BOARD OF TRUSTEES:

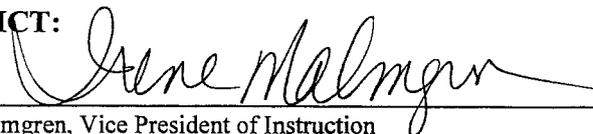
Dr. Manuel Baca • Rosanne M. Bader • Judy Chen Haggerty, Esq. • Fred Chyr • Dr. David K. Hall • Robert F. Hidalgo • Laura Santos
William Scroggins - COLLEGE PRESIDENT / CEO

12. **INDEMNIFICATION.** District shall indemnify, defend and hold harmless Client, its subsidiaries, officers, agents, instructors, subcontractors, and employees from and against any and all liability and expenses including defense cost and legal fees and claims for damages or liability of any nature whatsoever, including bodily injury, death or personal injury, or for damage to or loss of use of property, arising out of the performance of the services described in this Agreement, caused in whole or in part by any negligent act or omission of District, or anyone directly or indirectly employed by District. This indemnification shall survive termination of this Agreement or final payment hereunder. This indemnification is in addition to any other rights or remedies which either party may have under the law or under this Agreement.

Client shall indemnify, defend and hold harmless District, its subsidiaries, officers, agents, instructors, subcontractors, and employees from and against any and all liability and expenses including defense cost and legal fees and claims for damages or liability of any nature whatsoever, including bodily injury, death or personal injury, or for damage to or loss of use of property, arising out of the performance of the services described in this Agreement, caused in whole or in part by any negligent act or omission of Client, or anyone directly or indirectly employed by Client. This indemnification shall survive termination of this Agreement or final payment hereunder. This indemnification is in addition to any other rights or remedies which either party may have under the law or under this Agreement.

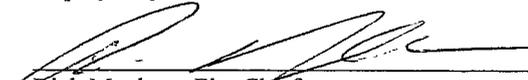
13. **APPLICABLE LAW.** This Agreement shall be governed by the laws of the State of California.
14. **TO BECOME EFFECTIVE, THIS AGREEMENT MUST BE SIGNED AND RETURNED TO THE DISTRICT PRIOR TO COMMENCEMENT OF SERVICE(S).**

Agreed this day of October 24, 2013.

DISTRICT:
By: 
Irene Malmgren, Vice President of Instruction
Mt. San Antonio Community College District

CLIENT:
By: _____
Paul Eaton, Mayor
City of Montclair

By: _____
Attest
Andrea Phillips
Deputy City Clerk

By: 
Rick Mayhew, Fire Chief
Montclair Fire Department

95-6005731
Company Tax ID# (TIN)

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF AGREEMENT
NO. 15-10 AMENDING AGREEMENT
NO. 13-63 WITH FRICK, FRICK & JETTÉ
ARCHITECTS, INCORPORATED, FOR
ADDITIONAL DESIGN SERVICES FOR THE
HUMAN SERVICES AND RECREATION
FACILITY ADA UPGRADE PROJECT

DATE: January 20, 2015
SECTION: AGREEMENTS
ITEM NO.: 2
FILE I.D.: CVC060
DEPT.: PUBLIC WORKS

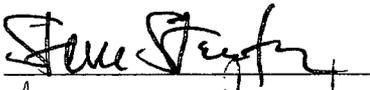
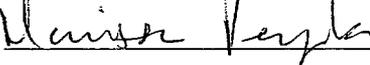
REASON FOR CONSIDERATION: The City Council previously approved Agreement No. 13-63 for architectural design services on August 19, 2013. The intent of the agreement was to address Americans with Disabilities Act (ADA) issues at the Human Services and Recreation Facility building. Additional funds have become available for further modifications to the building, but some design changes to what has already been designed are necessary to accommodate the future construction.

BACKGROUND: At the August 19, 2013, council meeting, Agreement No. 13-63 was approved between the City and Frick, Frick & Jetté Architects, Incorporated, for design of the Human Services and Recreation Facility Improvements. The agreement was for an amount not to exceed \$55,000 and for a term not to exceed 18 months. The conceptual design of the Human Services and Recreation Facility Improvements Project was prepared by Frick, Frick & Jetté Architects, Incorporated with the intent of completing the project in multiple phases as Community Development Block Grants (CDBG) funding became available.

The design for Phase 1 of the building improvements is complete and the project has since been advertised, awarded, and scheduled to begin construction this month. Staff is confident that CDBG funding will remain available in the upcoming fiscal year to continue with the handicap accessibility upgrades as originally anticipated.

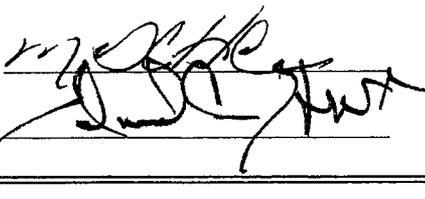
While the contractor is scheduled to relocate existing walls with Phase 1, the architect believes that now would be a good time to modify the existing design and construct a larger header in one location. It should reduce the cost of future construction. The additional design services also include the design of an employee restroom, employee break room sink, check-in counter with security doors, emergency exit lighting, and new restroom doors for the Community Center, all of which are included as part of construction for the Phase 1 Project.

Agreement No. 15-10 will continue services with Frick, Frick & Jetté Architects, Incorporated while amending Agreement No. 13-63. The amendment will add an additional \$13,150, bringing a total amount not to exceed of \$68,150. The term of the contract will also be extended for a period of six months, terminating August 21, 2015.

Prepared by: 
Proofed by: 

Reviewed and
Approved by:

Presented by:



FISCAL IMPACT: Funding for this ADA improvement project is provided through the Community Development Block Grant Program. The total project budget is \$400,000. The design contract with Frick, Frick & Jetté Architects, Incorporated, will be amended from \$55,000 to an amount not to exceed \$68,150.

RECOMMENDATION: Staff recommends the City Council approve Agreement No. 15-10 with Frick, Frick & Jetté Architects, Incorporated, amending Agreement No. 13-63 for additional design services for the Human Services and Recreation Facility ADA Upgrade Project.

**AMENDMENT NO. 1 TO AGREEMENT NO. 13-63
WITH
FRICK, FRICK, AND JETTÉ ARCHITECTS
FOR
HUMAN SERVICES & RECREATION BUILDING REMODEL**

This Agreement is entered into and effective on January 20, 2015

RECITALS:

WHEREAS, on August 20, 2013, the City of Montclair, a municipal corporation, ("City") and Frick, Frick, & Jetté, a California Corporation ("Consultant"), hereinafter referred to collectively as "Parties," entered into Agreement No. 13-63; and

WHEREAS, said agreement provided for various tasks as described in Exhibit A to be performed by Consultant; and

WHEREAS, said agreement provided for compensation to be paid by City to Consultant, also as described in Exhibit A; and

WHEREAS, Parties mutually desire to modify both tasks and compensation by amending Agreement No. 13-63.

NOW THEREFORE BE IT AGREED TO AMEND AGREEMENT NO. 13-63 BY CHANGING THE FOLLOWING SECTIONS:

1. TERM

This contract shall extend the completion date from February 20, 2015, to August 21, 2015, unless sooner terminated pursuant to the provisions of Agreement No. 13-63.

2. SERVICES

In addition to the services to be provided under Exhibit A of Agreement No. 13-63, Consultant shall also perform the tasks described and set forth under Exhibit A-1, attached hereto and incorporated herein as though set forth in full.

5. PAYMENT

(a) The City agrees to increase the total compensation under Agreement No. 13-63 from \$55,000 as provided for in Exhibit A to a total not to exceed \$68,150, an increase of \$13,150 as described in Exhibit A-1. This amount shall not exceed \$68,150 for the total term of the Agreement unless additional payment is approved as provided in Agreement No. 13-63.

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

CITY OF MONTCLAIR, CALIFORNIA

FRICK, FRICK, & JETTÉ

By:

By:

Paul M. Eaton, Mayor

Gino Bastianon, President

Attest: _____
Andrea M. Phillips, Deputy City Clerk

Date: _____

Date: _____

Approved as to form:

Diane Robbins, City Attorney

EXHIBIT A-1



FRICK, FRICK & JETTÉ
ARCHITECTS, INCORPORATED

January 5, 2015

Mr. Steve Stanton
Project Manager, Engineering Division
City of Montclair
5111 Benito Street
Montclair, CA 91763

Re: Additional Design Services - Human Services/Recreational Building Remodel

Dear Mr. Stanton:

As you are aware, the design scope was modified to include the following:

- Add new unisex restroom adjacent to women's restroom.
- Add sink and casework in break room.
- Add counters and roll up doors at reception area.
- Add exit signs and lowered doors at Community Center.

In addition, the proposed design costs for the removal of the weight room rear wall and the extension of a beam to support the roof structure (structural calculations, detailing and coordination) are included.

Frick, Frick & Jetté proposes a fixed fee of \$13,150.00 for the additional design work.

As stated in our original agreement dated August 20, 2013, Section 5(b), additional services shall be provided if authorized in advance and in writing by the City of Montclair. The additional fees are over and above the original contract amount for design services and are due and payable upon completion of the services. All other terms and conditions of the original agreement shall apply.

Please sign below authorizing the additional fee. If you have any questions, please feel free to contact our office.

Sincerely,
FRICK, FRICK & JETTÉ ARCHITECTS, INC.

Gino Bastianon
President

Authorized Representative, City of Montclair

Date

19-153 TOWN CENTER DRIVE, SUITE 101, APPLE VALLEY, CALIFORNIA 92308
(760) 240-6211 • www.fj-arch.com • FAX: (760) 240-7729

MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
JANUARY 5 2015, AT 8:12 P.M. IN THE CITY
ADMINISTRATIVE OFFICES, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Pro Tem Raft called the meeting to order at 8:12 p.m.

II. ROLL CALL

Present: Mayor Pro Tem Raft; Mayor Eaton; and City Manager Starr

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of December 15, 2014.

Moved by City Manager Starr, seconded by Mayor Pro Tem Raft, and carried unanimously to approve the minutes of the Personnel Committee meeting of December 15, 2014.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

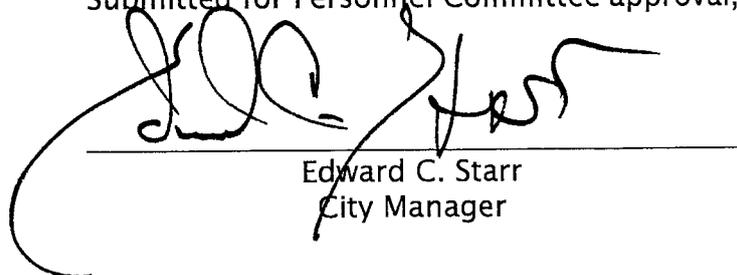
At 8:13 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 8:42 p.m., the Personnel Committee returned from Closed Session. Mayor Pro Tem Raft stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 8:42 p.m., Mayor Pro Tem Raft adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager

**MINUTES OF THE REGULAR MEETING OF THE PUBLIC
WORKS COMMITTEE HELD ON THURSDAY,
DECEMBER 18, 2014, AT 4:00 P.M. IN THE CITY
MANAGER'S CONFERENCE ROOM, 5111 BENITO STREET,
MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

As Council Member Carolyn Raft was recently appointed to the Public Works Committee to replace Council Member and Chair Leonard Paulitz due to his recent retirement, the first order of business was to appoint a new Chair. After discussion between Council Member Raft and Mayor Eaton, it was unanimously agreed that Council Member Raft be appointed as Chair. Chair Raft called the meeting to order at 4:04 p.m.

II. ROLL CALL

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

Also Present: City Manager Starr

III. APPROVAL OF MINUTES

Minutes of the Public Works Committee meeting of September 18, 2014, were approved with Chair Raft abstaining as she was not a member of the Committee at the time of the meeting.

IV. PUBLIC COMMENT

None

V. PUBLIC WORKS DEPT. UPDATES/ITEMS

A. Operations/Facilities and Grounds Items

1. Maintenance Activities Reports Attached

There were no questions or issues with the Maintenance Activities Report. Public Works Superintendent Mendez had nothing to add.

2. Sunrise Park Access

Public Works Director/City Engineer Hudson stated that reconstruction of the northerly wall has been completed. He also

expressed concern with blocking off the Benson Avenue access. A few years ago in response to complaints by adjacent residents, the access was closed off. However, it has been difficult to keep the access closed. An adjacent wall is only four feet tall and easily scaled. Also, locks have been repeatedly cut as well as the chain link fabric. Mr. Hudson said that we might try keeping the access open and see if we still get the complaints. Also, the City is looking into landscape alternatives for future closure of this area. The Committee had no objection to temporarily leaving the access open.

3. City Yard Employee Training

Public Works Superintendent Mendez has asked for assistance to train City Yard employees in CPR/First Aid from an outside source.

4. Splash Pad

Facilities and Grounds Superintendent McGehee stated that last week construction started for the Splash Pad resurfacing. New tiles are being put in and the Splash Pad should be opened for next season.

B. Engineering Division Items

1. City of Chino cooperative agreement for improvements to the Central Ave/SR-60 interchange project

Under San Bernardino Associated Governments' Nexus program, a program created under the Measure I extension, developers are required to contribute funds towards certain improvement projects for which their developments contribute to traffic congestion. Since the traffic tends to transcend city boundaries, SANBAG coined a term known as "trafficshed" to determine what areas contribute traffic to various freeway interchanges. When an interchange is improved or modified, each agency contributing traffic to that interchange is responsible for a portion of the improvement costs using its transportation development impact fees. Public Works Director/City Engineer Hudson stated the City of Chino is upgrading the Central Avenue/SR-60 interchange. A portion of Montclair is within the trafficshed of this interchange, making Montclair responsible for a portion of the improvement costs. Chino's cost estimate for this project is approximately \$12-\$13 million. Chino is asking the City of Montclair to contribute 1%, SANBAG's estimated share of the traffic, towards the project. They also included a contingency of 25% for unknowns. This estimated amount is \$125,000 but could be up to \$165,000 with the 25% contingency. The City of Montclair does have the funds through

the regional transportation development fees it has collected since 2006. The City Attorney has asked for a few changes to the agreement before it is brought to the City Council for approval.

2. Closure request of Sidewalk between Orchard Street and Rudisill Street/Amherst Avenue

A resident has requested the closure of a sidewalk adjacent to his property running between the intersection of Rudisill Street/Amherst Avenue and Orchard Street. This closure request was made because of individuals discarding trash, graffiti, and noise concerns. The path is between two private homes from Orchard Street to Amherst Avenue. Public Works Director/City Engineer Hudson reported that this issue had been discussed with the Committee several years ago, but there are at least two new property owners now. They would like to see the walkway closed. Mr. Hudson suggested, and the Committee concurred, that affected residents be surveyed to determine whether there were any objections. He also suggested that Ontario-Montclair School District be included in the survey. Results of the survey will be reported at a future Committee meeting.

VI. POLICE DEPARTMENT UPDATES/ITEMS

None

VII. COMMUNITY DEVELOPMENT DEPARTMENT PROJECT UPDATES/ITEMS

Removal of Historic Oak Tree at Wilderness Park.

Community Development Director Lustro updated the Committee on the 200-year old oak tree at Wilderness Park. The tree is in poor health despite significant efforts that have been made by Chino Basin Water Conservation District over the last year or two to improve its condition. A few years ago it was noticed that some branches were turning brown and dying. Upon investigation it was found that many years ago the area around the oak tree had been covered with soil that buried the roots deeper than they should have been. The tree was put into distress. Chino Basin, at the recommendation of an arborist, removed the excess fill around the tree, trimmed the tree, and tried deep watering. Despite these efforts, the health of the tree has not improved, and its condition continues to deteriorate. Chino Basin and its arborist are both of the opinion that the tree is beyond help and needs to be removed. Committee members and staff expressed regrets that such an old tree could not be saved but understood that for safety reasons the tree now had to be removed.

VIII. CAPITAL PROJECT UPDATES

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

A. MONTE VISTA AVENUE/UPRR GRADE SEPARATION PROJECT

Staff has been working with Caltrans on the request for authorization to award (RFA) process and has to make a few changes. Within a week, the City will send a new RFA to address further issues and goals. The next step will be to get the Caltrans Form E76 authorization needed to award the contract to the City's selected consultant. The contract will then be sent to the City Council for approval. The current schedule calls for the design to be completed by September.. Construction should be able to start in 2016.

B. CENTRAL AVENUE/UPRR GRADE SEPARATION RECONSTRUCTION

The request for proposals (RFP) is being prepared for the selection of a consultant to design the project.

C. RECREATION BUILDING REMODEL

This project was advertised and awarded by the City Council. The remodel is expected to start construction after the first of the year.

D. SUNRISE PARK BLOCK WALL RECONSTRUCTION

This project is complete and the site being regraded and cleaned. One property owner said her wall was damaged in the process of the new block wall construction. The claim is being reviewed. The contractor will soon tie in her wall with the new block wall.

E. CENTRAL AVENUE/SAN BERNARDINO STREET TRAFFIC SIGNAL UPGRADE

The RFA process is beginning with Caltrans. The design is complete and this project is 100% federally funded. The project will start construction in the 15/16 Fiscal Year. As soon as, Caltrans accepts the request for authorization to advertise, the approximate construction start date is in October 2015, but staff is trying to accelerate the schedule.

F. NORTHEAST RESIDENTIAL STREET RESURFACING PROJECT, PHASE 2

At the conclusion of a water line upgrade project by Monte Vista Water District, streets that were in poor condition were left even worse. The City resurfaced these street, but only to the extent water

line work had been done. Lack of funds at the time prevented some of the streets in the area from being resurfaced. This project will resurface the remainder of the streets in the northeast part of the City. The project is now being assembled and will include one collector street, San José Street.

G. GOLD LINE

Public Works Director/City Engineer Hudson reported that the Gold Line status will be a regular item for discussion for the Public Works Committee, but that there was nothing to report at this time.

IX. OTHER ITEMS

None

X. ADJOURNMENT

The next meeting of the Public Works Committee will be at 4:00 p.m. on January 15, 2015, if there are items that need to be discussed.

At 4:38 p.m., Chair Raft adjourned the meeting.

Submitted for Public Works Committee approval,

Cenica Leonard
Transcribing Secretary