

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

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

October 5, 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/MCF meetings are now available in audio format on the City's website at www.cityofmontclair.org and can be accessed the day following the meeting after 10:00 a.m.

Page No.

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

II. INVOCATION

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

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. PRESENTATIONS

- A. Introduction of New Employee
- B. Proclamation Declaring October 18–24, 2015, as "Freedom from Workplace Bullies Week" in the City of Montclair

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, Montclair Housing Authority Commissioners, and Montclair Community Foundation Board of Directors. (Government Code Section 54954.3)

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

VII. PUBLIC HEARINGS

- A. Consider Adoption of Resolution No. 15-3094 Approving an Amendment to the General Plan Land Use Map for 1.07 Acres at 10998 Central Avenue, Modifying the Land Use Designation from "General Commercial" to "Medium-Density Residential (8-14 Dwelling Units/Acre)" [CC]

Consider Adoption of Resolution No. 15-3095 Approving an Amendment to the City's Official Zoning Map for 1.07 Acres at 10998 Central Avenue, Modifying the Zoning Designation from "R-1(20)" (Single-Family Residential, Minimum 20,000 Square-Foot Lot Area) to "R-3" (Medium-High Density Residential) [CC]

Consider Approval of Tentative Tract Map No. 19971 for a Single-Lot Subdivision for a 13-Unit Residential Condominium Development at 10998 Central Avenue [CC]

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VIII. CONSENT CALENDAR

- A. Approval of Minutes

- 1. Minutes of the Regular Joint Council/Successor Agency Board/MHC Board/MHA Commission/MCF Board Meeting of September 21, 2015 [CC/SA/MHC/MHA/MCF]

- B. Administrative Reports

- 1. Consider Authorization for the Fire Department to Receive a \$1,000 Donation from Montclair Hospital Medical Center to Purchase Supplies for the Fire Department's Open House and Pancake Breakfast [CC]

Consider Approval of an Increase in Budget Appropriations for the Purchase of Supplies for the Fire Department's Open House and Pancake Breakfast [CC]

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- 2. Consider Authorization of a \$5,200 Appropriation from the Federal Asset Forfeiture Fund to Purchase Site Licenses and Software to Provide Connectivity for Four Mobile Data Computers [CC]

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- 3. Consider Authorization of a \$500 Appropriation from the Federal Asset Forfeiture Fund to Purchase Courier Delivery Services for Police Department Equipment [CC]

37

- 4. Consider Authorization of a \$460 Appropriation from the Federal Asset Forfeiture Fund to Pay for Law Enforcement Training [CC]

38

- 5. Consider Approval of Warrant Register and Payroll Documentation [CC]

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- C. Agreements - None

- D. Resolutions

- 1. Consider Adoption of Resolution No. 15-3096 Authorizing Placement of Liens on Certain Properties for Delinquent Sewer and Trash Charges [CC]

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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

Grinstead v. Montclair

B. City Manager/Executive Director

C. Mayor/Chairman

D. Council/SA Board/MHC Board/MHA Commissioners/MCF Board

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

1. Minutes of the Code Enforcement/Public Safety Committee Meeting of September 21, 2015 48
2. Minutes of the Personnel Committee Meeting of September 21, 2015 50

XII. ADJOURNMENT OF SUCCESSOR AGENCY BOARD OF DIRECTORS, MONTCLAIR HOUSING CORPORATION BOARD OF DIRECTORS, MONTCLAIR HOUSING AUTHORITY COMMISSIONERS, AND MONTCLAIR COMMUNITY FOUNDATION BOARD OF DIRECTORS

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

XIII. CLOSED SESSION ANNOUNCEMENTS

XIV. ADJOURNMENT OF CITY COUNCIL

The next regularly scheduled City Council, Successor Agency Board, Montclair Housing Corporation Board, Montclair Housing Authority Commission, and Montclair Community Foundation meetings will be held on Tuesday, October 19, 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, Montclair Housing Authority Commission, and Montclair Community Foundation Board 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 Office of the 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 October 1, 2015.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 15-3094 APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE MAP FOR 1.07 ACRES AT 10998 CENTRAL AVENUE, MODIFYING THE LAND USE DESIGNATION FROM "GENERAL COMMERCIAL" TO "MEDIUM-DENSITY RESIDENTIAL (8-14 DWELLING UNITS/ACRE)"

DATE: October 5, 2015

SECTION: PUBLIC HEARINGS

ITEM NO.: A

FILE I.D.: GPL100/LDU750/LDU600

DEPT.: COMMUNITY DEV.

CONSIDER ADOPTION OF RESOLUTION NO. 15-3095 APPROVING AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP FOR 1.07 ACRES AT 10998 CENTRAL AVENUE, MODIFYING THE ZONING DESIGNATION FROM "R-1(20)" (SINGLE-FAMILY RESIDENTIAL, MINIMUM 20,000 SQUARE-FOOT LOT AREA) TO "R-3" (MEDIUM-HIGH DENSITY RESIDENTIAL)

CONSIDER APPROVAL OF TENTATIVE TRACT MAP NO. 19971 FOR A SINGLE-LOT SUBDIVISION FOR A 13-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 10998 CENTRAL AVENUE

REASON FOR CONSIDERATION: Amendments to the City's adopted General Plan Land Use Map, Official Zoning Map, and approval of tentative tract maps require public hearing review and approval by the City Council.

Copies of proposed Resolution Nos. 15-3094 and 15-3095 and Tentative Tract Map No. 19971 are attached for the City Council's review and consideration.

BACKGROUND: At its meeting on September 21, 2015, the City Council voted to continue the public hearing on this item for two weeks in order for staff to provide additional information and to allow time for the applicant to prepare a presentation to Council.

The proposed amendments to the General Plan Land Use Map and Official Zoning Map and the tentative tract map, which have been recommended by the Planning Commission, were initiated by Montclair Holdings, LLC, on behalf of Crestwood Communities in connection with its desire to construct a 13-unit residential condominium development on 1.07 acres at 10998 Central Avenue. The applicant intends to construct the project pursuant to the City's R-3 development standards as set forth in Chapter 11.22 of the Montclair Municipal Code. The components of the project are as follows:

Prepared by:  Fiscal Impact Finance Review: 

Proofed by:  Reviewed and Approved By: 

General Plan Amendment. The applicant is requesting the General Plan designation for the subject 1.07 acres be changed from "General Commercial" to "Medium-Density Residential" (8-14 dwelling units per acre).

Zoning Map Amendment. The applicant is also requesting an amendment to the City's Official Zoning Map for the same acreage from the current "R-1(20)" (Single-Family Residential, Minimum 20,000 Square-Foot Lot Area) designation to "R-3" (Medium-High Density Residential).

Tentative Tract Map. To facilitate development of the property, the applicant is requesting approval of Tentative Tract Map No. 19971, which would create a single lot for residential condominium purposes, along with associated common areas for driveways, parking areas, landscaped areas, walkways, and recreation facilities that would include barbecues and a tot lot.

Precise Plan of Design. At its meeting on August 24, 2015, the Planning Commission certified the environmental assessment and adopted a Mitigated Negative Declaration for the requested entitlements, and approved the associated Precise Plan of Design, including the site plan, floor plans, conceptual colors and materials, and conceptual landscape plan for the development.

History. The subject property was annexed into the City of Montclair in April 1981 as part of Annexation No. 14. Based on historical aerial photography, the property was used for agricultural purposes until at least the mid-1950s and a single-family home was located along the site's southerly boundary until its demolition in 1987. The area immediately to the west of the subject site is zoned "R-3" and is developed with condominiums and townhomes constructed in the mid-1980s.

Analysis. When the developer first approached staff about the project several months ago, it was suggested to the applicant to pursue acquiring the vacant, 2.24-acre parcel immediately south of the subject property to combine it with the 1.07 acres under contract in order to develop a larger residential project. The developer indicated it was desirous of that; however, their staff and real estate broker were initially unsuccessful in locating and contacting a representative of the entity that owns the land to the south. Staff used its resources as well to try and locate a property contact, but was also unsuccessful.

In July 2015, the developer successfully located the owner of the property to ascertain his interest in selling. The developer offered the owner \$1.56 million for the property. The owner responded that he had paid \$2.3 million for the property in 2006 and, therefore, would be willing to sell for between \$2.4 and \$2.6 million, which translates into over \$1 million per acre. The property is currently assessed at \$1.372 million. According to the developer, if it were to agree to the seller's asking price for the property, it would necessitate an asking price of approximately \$600,000 per unit for each detached condominium, far above the market rate for such a housing product in Montclair and out of reach for the developer's target buyer. Accordingly, the developer decided not to pursue acquisition of the adjacent property.

Staff supports the requested change in the land use designation of the site for a number of reasons. While the property is nearly 300 feet in depth, it is only 159 feet in width, making it difficult to accommodate most types of commercial development; the mid-block location makes the property less attractive to commercial credit tenants than would be a location at a major, signalized intersection; and multi-family

development currently exists immediately adjacent to the westerly boundary of the property. Accordingly, staff supports the applicant's requests to amend the General Plan Land Use Map and the City's Official Zoning Map to accommodate the proposed development. At 12.15 units per acre, the project is consistent with the General Plan's "Medium-Density Residential" designation, which calls for 8 to 14 dwelling units per acre. Similarly, the proposed density complies with Chapter 11.22 of the Montclair Municipal Code, which allows for a density up to 20 units per acre on parcels of five acres or less.

Staff also supports the applicant's request for the Tentative Tract Map to accommodate the residential condominium development. Unlike "first generation" condominiums characterized by multiple dwelling units sharing common walls within a single building, the proposed project is designed more akin to a traditional zero-lot line development where each dwelling unit is detached from the neighboring unit. While a homeowners association would be established for the purpose of maintaining the community's common area landscaping, driveways, parking areas, and community facilities, each property owner would be responsible for maintaining the exterior of their respective residences, including paint and roofs, in compliance with the community's Covenants, Conditions, and Restrictions (CC&Rs).

Because of the configuration and location of the property, site planning options for the property were limited. However, the project has gone through multiple iterations in order to satisfy the requirements of various City departments. Because of its location along a major arterial roadway, staff supports the applicant's proposal to gate guard the community in order to limit access to residents and guests. Gate access for emergency responders would be required to be provided to the satisfaction of the Police and Fire Departments.

Limited Size of Homeowners Association (HOA). Staff has expressed some concern about whether a homeowners association consisting of only 13 residences can adequately fund regular maintenance and upkeep of common area facilities along with providing for adequate reserves for periodic repair or replacement of community improvements. Part of staff's concerns in this area stem from negative experiences with small-scale HOAs in Montclair established in the 1980s that have proven to be underfunded with respect to having adequate reserves to pay for capital expenditures and long-term maintenance items, such as exterior painting and roof replacement.

The State of California Department of Real Estate (DRE) requires developers to adopt a homeowners association budget in compliance with the California Civil Code. The DRE's requirements are far stricter now than they were even 20 years ago. Developers are required to submit line-item budgets that meet minimum requirements as set forth by the DRE. Because of the concerns expressed about the viability of a homeowners association with only 13 residential units, staff asked the applicant to submit a copy of the budget it prepared for Rivercrest, an 11-unit project it built in Ontario in 2012 (attached to this agenda report as Exhibit "A"). Staff believed the budget to be relevant for reference by the City Council because of the similarity in unit count (11 vs. 13) and land area (1.01 acres vs. 1.07 acres). Because of the Ontario project's location at an intersection, the applicant has indicated to staff that development has noticeably more landscaping than would the Montclair project; therefore, the landscape maintenance budget for the subject project would be less.

At the public hearing on September 21, 2015, a number of issues associated with the proposed project were discussed, including the status of the adjacent vacant properties, the number of amendments to the General Plan land use map expected to be submitted for consideration before the end of 2015, information on other tentative projects requiring General Plan Amendments, and the need and desire to contract for a comprehensive revamp of the City's General Plan, which was last updated in 1999. Brief discussions of these topics follow.

Adjacent Properties. Two vacant lots adjoin the subject parcel. The previously-mentioned 2.24-acre parcel to the south was acquired by the current owner in late 2006. The prior owner processed a zone change from R-1(20) to C-2 (Restricted Commercial) early that year in anticipation of constructing a strip commercial center. However, the center was never built and the current owner has never approached staff about any type of a development project on the site.

The vacant lot to the north of the subject parcel and west of Farmer Boys is an irregularly-shaped, .86-acre site created as part of Parcel Map No. 15907 in 2002, which also created the parcels upon which Farmer Boys and ARCO/am-pm are currently located. All three parcels are zoned C-2 (Restricted Commercial). The subdivider, who still owns the property, originally had intentions of constructing a two-story office/retail building on the property but ultimately scrapped the plans. The improvements on the adjacent parcels, including the drive aisle and parking, were consciously designed with the intention of providing reciprocal access to the third parcel at such time that it is developed.

Expected General Plan Amendments. During the public hearing at the Council meeting on September 21, 2015, staff was queried about how many more requests were expected before the end of 2015 to amend the General Plan land use map. At the time, staff responded there were potentially two additional requests that could be submitted for Planning Commission and City Council consideration before the end of the year, bringing the total for 2015 to four, which is the maximum allowed by State law. However, the developer has since withdrawn its interest from a potential residential project in the 4600 block of Holt Boulevard. An overview of the remaining potential project is summarized as follows:

4975 Mission Boulevard - Crestwood Communities proposes to construct 22 detached condominium units and nine (9) single-family detached residences on a 4.75-acre site. Crestwood has been making diligent attempts to acquire the subject property for close to a year but has been challenged with dealing with a property owner who has repeatedly backpedaled on offers and has constantly entertained proposals for other uses, sometimes concurrently, on the site. Despite those challenges, Crestwood now has the property under contract to purchase. The proposed development would require amendments to the General Plan land use map (from "General Commercial" to "Low Density Residential" and "Medium Density Residential") and the City's official zoning map (from "C-2" to "R-1" and "R-3").

The north half of the property is developed with a 19,000 square-foot commercial building constructed in 1966 to house a grocery store. The building has been largely vacant and unused for well over a decade. The most recent, legally established use in the building was a small taco restaurant in the mid-2000s. Since that time, a number of uses have been proposed for the building, including a thrift store selling bulk clothing by the pound, pet store, banquet

hall, roller derby rink, church, and an independently owned specialty store. The establishment of any of the noted uses, some of which were not supported by staff or believed to be marginal uses at best, only proposed to re-use the existing, outdated building and did not include developing the unimproved southerly two-plus acres of the property. Further, establishment of any new use in the existing building would trigger bringing the property into compliance with current codes, including landscaping, lighting, parking, and accessibility for the disabled. The single viable use that has been proposed for the site was for a trade school; however, staff was told by the real estate broker representing the prospective tenant that the property owner was unwilling to shoulder the costs of the required property improvements.

A conceptual site layout of the proposed project was recently reviewed and discussed at staff's weekly Development Review Committee meeting. While the Committee did not have issues with the single-family residential portion of the project, a question was raised about the detached condominium component along the Mission Boulevard frontage being incongruous with the adjacent land uses to the east and west. While Community Development staff did not disagree with that concern, it was pointed out the land uses on the south side of Mission Boulevard have gradually transformed over the past decade from commercial uses that are no longer viable or have outlived their useful life to residential uses. To that end, staff asked the developer to prepare a contextual site map illustrating how the block between Monte Vista and Fremont Avenues, which currently consists of two used car lots, an upholstery shop, a restaurant, a long-closed convenience market, and four older single-family residences, and a small amount of vacant land could be developed in a like fashion.

At its meeting on August 17, 2015, Council approved Crestwood's proposal for the identical residential product on three acres one-quarter mile to the east. Similarly, that project was site designed to potentially be extended westerly toward Fremont Avenue, which would displace an older residence, a former music school, and a used car lot. In that particular instance, Crestwood attempted to purchase the adjacent former music school and residence but the owner was not prepared to sell.

Irrespective of Council's decision on the entitlements being considered as part of this agenda item, it would be prudent to also provide the applicant with direction regarding its investment and proposed plans for the above-described project at 4975 Mission Boulevard. While the subject development has not yet been calendared for consideration by the Planning Commission, the applicant has already made a significant investment of finances and time toward development by entering into a contract with the seller and developing preliminary plans that are currently being reviewed by City departments.

The Planning Commission conducted a public hearing on the requests at its regular meeting on August 24, 2015. No members of the public spoke in opposition to the proposals during the public hearing.

FISCAL IMPACT: There would be no fiscal impact to the City's General Fund as a result of adoption of Resolution Nos. 15-3094 and 15-3095 and approval of Tentative Tract Map No. 19971.

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

1. Adopt Resolution No. 15-3094 approving an amendment to the General Plan Land Use Map for 1.07 acres at 10998 Central Avenue, modifying the land use designation from "General Commercial" to "Medium-Density Residential (8-14 dwelling units/acre)."
2. Adopt Resolution No. 15-3095 approving an amendment to the City's Official Zoning Map for 1.07 acres at 10998 Central Avenue, modifying the zoning designation from "R-1(20)" (Single-Family Residential, Minimum 20,000 Square-Foot Lot Area) to "R-3" (Medium-High Density Residential).
3. Approve Tentative Tract Map No. 19971 for a single-lot subdivision for a 13-unit residential condominium development at 10998 Central Avenue.

Attachment - DRE Budget Worksheet for Tract No. 18601 (Rivercrest, Ontario)


BUDGET WORKSHEET

RE 623 (Rev. 4/07)

GENERAL INFORMATION

This budget is a good faith estimate from plans prior to construction and/or completion (for new projects) or from a combination of plans and/or site inspections (for existing projects). For existing projects, there may have been historical data as support for some line items, but changes to the project may make historical data not applicable or reliable. This budget was prepared for the purpose of obtaining a public report.

The association must adopt a budget in accordance with the California Civil Code. If that budget is less than 10% or greater than 20% from this budget, you should contact the Department of Real Estate. The association may increase or decrease its budget. It is typical for costs to increase as the project ages. The association should conduct a reserve study after its first year of operation to adjust the reserve funding plan for any changes which may have taken place during construction.

DRE FILE NUMBER (IF KNOWN)	MASTER DRE FILE #	DEPUTY ASSIGNED FILE (IF KNOWN)
137408LA-F00		

SUBDIVISION IDENTIFICATION AND LOCATION

NAME AND/OR TRACT NUMBER
Rivercrest in Ontario Tract No. 18601

NAME TO BE USED IN ADVERTISING (IF DIFFERENT THAN NAME OR TRACT NUMBER)
n/a

STREET ADDRESS (IF ANY)	CITY	COUNTY
Pending	Ontario	San Bernardino
MAIN ACCESS ROAD(S)	NEAREST TOWN/CITY	MILES/DIRECTION FROM TOWN/CITY
Campus & Riverside Drive	n/a	n/a

TYPE OF SUBDIVISION

<input checked="" type="checkbox"/> Condominium	<input type="checkbox"/> Planned Development Land Project
<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Planned Development Mobile Home
<input type="checkbox"/> Stock Cooperative	<input type="checkbox"/> Community Apartment
<input type="checkbox"/> Stock Cooperative Conversion	<input type="checkbox"/> Out-of-State
<input type="checkbox"/> Limited Equity Housing Corporation	<input type="checkbox"/> Undivided Interest
<input type="checkbox"/> Planned Development	<input type="checkbox"/> Undivided Interest Land Project

NUMBER OF LOTS/UNITS	PHASE #	TOTAL # IN PROJECT	PREVIOUS DRE FILE #	# OF ACRES
11	1 of 1	1		1.01

BUDGET PREPARER

NAME	ATTENTION	TELEPHONE NUMBER
LAW OFFICES OF LOREN C. PHILLIPS	Joe A. Leyva	(626) 914-6400
ADDRESS	CITY	ZIP CODE
2060 Route 66, Suite 105 Box 5	Glendora	91740

Certification

I declare under penalty of perjury that the representations and answers to questions in this document and all documents submitted as a part of the homeowners budget are true and complete to the best of my knowledge and belief.

SIGNATURE OF BUDGET PREPARER	DATE
➤	

IMPROVEMENTS WORKSHEET

❖ If this phase will have any line items shown on pages 3, 4 and 5 hereof exempted from payment of assessments under Regulation 2792.16(c), asterisk those items on pages 3, 4 and 5 and list any partially deferred costs on a separate sheet showing calculations and attach. All exempted improvements must be covered by reasonable arrangements for completion. Include Planned Construction Statement (RE 611A) for review.

- 1. Number of buildings containing residential units Eleven
2. Estimated completion date for the residential units included in this phase August 2011
3. Estimated completion date for the common area and facilities included in this phase August 2011
4. Type of residential building for this project (i.e., high-rise, cluster, garden, etc.)..... Garden
5. Type of construction for these buildings (i.e., steel, concrete, wood frame, etc.) Wood Frame
6. Type of roof (i.e., shake, etc.)..... Clay Tile
7. Type of paving used in the project. Concrete
8. Type of exterior wall for residential buildings Stucco
9. Number of residential units per building..... One
10. Number of floors per building. Two
11. Number of bedrooms per unit. Two for Plan 1 and Three for Plan 2
12. Square footage of units (list number and size of each unit type)..... Plan 1 - 1,272; Plan 2 - 1,392 Buildings w/o yard
13. Type of parking facilities and number of spaces (i.e., detached garage, tuck-under, subterranean, carport, open, etc.). Each Unit 2 car garage and 5 guest spaces

Complete 14 and 15 for Phased Condominium Projects Only

- 14. Have you submitted budgets for all phases to be completed within the next three calendar years and a built-out budget?..... [] Yes [] No
15. If this condominium project involves phasing with a single lot, submit a budget for each phase plus a budget which will be used if future phases are not completed. (Commonly referred to as a worst case budget.)

BUDGET SUMMARY

PHASE NUMBER 1 of 1	DATE OF BUDGET 06-14-2011	DRE FILE NUMBER 137408LA-F00
NUMBER OF UNITS 11	TRACT NUMBER/NAME OF PROJECT 18601 Rivercrest in Ontario	

		<i>Per Unit Per Month</i>	<i>Total Monthly</i>	<i>Total Annual</i>
100 FIXED COSTS	101. Property Taxes	0.38	4.17	50.00
	102. Corporation Franchise Taxes			
	103. Insurance (attach proposal)	13.14	144.50	1,734.00
	104. Local License & Inspection Fees			
	105. Estimated Income Taxes			
	100 - SUB TOTAL	13.52	148.67	1,784.00
200 OPERATING COSTS	201. Electricity (attach work sheet)	3.04	33.44	401.28
	Lighting: Leased			
	202. Gas (attach work sheet)			
	203. Water (attach work sheet)	7.76	85.37	1,024.44
	204. Sewer/Septic Tanks/Storm Drains/ Water Retention Basins (include if not in 203)			
	205. Cable TV/Master Antenna			
	207. Custodial Area: <i>Number of Restrooms:</i>			
	207a. Custodial Supplies			
	208. Landscape Area: (See page 15.)	21.08	231.84	2,782.05
	208a. Landscape Supplies	2.34	25.67	307.98
	209. Refuse Disposal <i>Vender Name:</i> <i>Telephone Number:</i>	26.72	294.00	3,528.00
	210. Elevators <i>Number: Type:</i>			
	211. Private Streets, Driveways, Parking Areas <i>Area:</i>	9.09	100.00	1,200.00
	212. Heating & Air Conditioning Maintenance <i>Area:</i>			
	213. Swimming Pool <i>Number: Size: Mths. heated:</i> Spa <i>Number: Size:</i>			
	213a. Swimming Pool/Spa Supplies			
214. Tennis Court <i>Number:</i>				

		Per Unit Per Month	Total Monthly	Total Annual
200 OPERATING COSTS	215. Access Control <i>Guard hours per day:</i> <i>No. of motorized gates: Type:</i> <i>No. of Intercoms/Telephone Entry:</i>			
	216. Reserve Study	3.79	41.67	500.00
	217. Miscellaneous	5.00	55.00	660.00
	Minor Repairs			
	Pest Control			
	Snow Removal			
	Lakes/Waterways			
	Community Network			
	218. Fire Sprinklers, Fire Alarms & Fire Extinguishers			
	200 - Sub Total	78.82	866.99	10,403.75
300 RESERVE	301-313 (attach reserve work sheet)			
	300 - Sub Total	15.78	173.27	2,079.16
400 ADMINISTRATION	401. Management ①	11.37	125.00	1,500.00
	402. Legal Services	11.37	125.00	1,500.00
	403. Accounting	9.09	100.00	1,200.00
	404. Education	5.91	65.00	780.00
	405. Miscellaneous, office expense	5.91	65.00	780.00
	400 - Sub Total	43.65	480.00	5,760.00
TOTAL (100-400)		151.77	1,668.93	20,026.91
500 CONTINGENCY	501. New Construction 3%	4.56	50.07	600.81
	502. Conversions 5%			
	503. Revenue Offsets (attach documentation)	()	()	()
	TOTAL BUDGET	156.33	1,719.00	20,627.72

❖ DRE regulations allow the use of variable assessments against units only if one unit will derive as much as 10 percent more than another unit in the value of common goods and services supplied by the association.

After determining the percent of benefit derived from services provided (page 14) by the association, an easy chart to follow would be:

- Less than 10%..... equal assessments
- from 10% to 20%..... variable or equal
- Over 20%..... variable assessments

The budget and management documents indicate (check appropriate box):

- equal assessments
- variable assessments

❖ The inventory and quantities used in the preparation of this budget are normally derived from plans completed prior to construction and may vary slightly from actual field conditions. The calculated budget is a good faith estimate of the projected costs and should be deemed reliable for no more than one year. The Board of Directors should conduct an annual review of the Association's actual costs and revise the budget accordingly.

① Depending upon the level of service selected by the Association, the amount shown may be insufficient to cover the cost and may be higher.

RESERVES WORKSHEET

DRE FILE NUMBER 137408LA-F00		TRACT NUMBER 18601 Rivercrest in Ontario					
<i>Item</i>	(1) ● <i>Sq. Ft. or Number</i>	(2) ● <i>Unit Cost HOA Manual</i>	(3) ● <i>Replacement Cost</i>	(4) ● <i>Remaining Life</i>	<i>Yearly Reserve Columns 1x2 or 3+4</i>	<i>Cost Per Unit Per Month</i>	
Paint							
Wood Siding (paint/stain)							
Roof - Type:							
Roof - Type:							
Water Heaters							
Exterior Lights	20	5.00			100.00	0.76	
Hard Floors - Type:							
Carpets							
Elevators							
Streets & Drives	8,423	0.10/sf/yr	Asphalt	Streets	842.30	6.39	
Heating & Cooling	4,243	0.02/sf/yr	Concrete	Walks	84.86	0.65	
Pool Re-plaster							
Pool Heater							
Pool Filter							
Spa Re-plaster							
Spa Heater							
Spa Filter							
Pool/Spa Pumps - No:							
Tennis Courts - No:							
Furnishing/Equipment							
Fences (paint/stain)							
Fences (repair/replace) - Type:							
Walls (paint)	2,640	0.10/sf/yr			264.00	2.00	
Walls (repair/replace)	440	0.20/lnft/yr			88.00	0.67	
Wrought Iron Fencing (paint)							
Wrought Iron (repair/replace)							
Pumps/Motors - Type:							
Motorized Gates							
Wood Decking							
Septic Tanks							
Fountains							
Storm Drain Filters							
Other	Trellis		3,500.00	5 years	700.00	5.31	
● Use either Columns 1 and 2 or 3 and 4, but not both for a particular item.					TOTAL RESERVE	2,079.16	15.78

Note: For space purposes, we have included only the components most frequently found in common-interest subdivisions. Reserve items should not be limited to the list above, but be tailored to your particular project.

GENERAL PROJECT INVENTORY

- ❖ Complete schedules 1 through 6 below, then transfer the totals to Site Summary area.
- ❖ Frequently several buildings will be repeated in a subdivision. These may be combined on one line. Wherever additional space is required attach computations on a separate sheet.

SITE SUMMARY – TOTAL SUBDIVISION AREA			
1.01	_____ acres x 43,560 =	43,968	Total square feet.
1.	Building(s) footprint	21,036	sq. ft.
2.	Garages or carports	_____	sq. ft.
3.	Recreational facilities	_____	sq. ft.
4.	Paved surfaces	12,666	sq. ft.
5.	Restricted common areas	_____	sq. ft.
6.	Other: (attach description)	_____	sq. ft.
	Sub Total (1-6)	33,702	sq. ft.
	Total Square Ft. (from above)	43,968	sq. ft.
	Subtract Sub Total (1-6)	33,702	sq. ft.
	Remainder = landscape area	<u>10,266</u>	sq. ft.

INDIVIDUAL SUMMARY SCHEDULES

1. Buildings Containing Units

<i>Length</i>	<i>x</i>	<i>Width</i>	<i>=</i>	<i>Area of Each Bldg.</i>	<i>x</i>	<i>No. of Buildings</i>	<i>=</i>	<i>Total Area Square Feet</i>
_____	x	_____	=	1,912.36	x	11	=	21,036
_____	x	_____	=	_____	x	_____	=	_____
_____	x	_____	=	_____	x	_____	=	_____
_____	x	_____	=	_____	x	_____	=	_____
Total for Summary Item 1 above								<u>21,036</u>

2. Multiple Detached Garages and Carports

_____	x	_____	=	_____	x	_____	=	_____
_____	x	_____	=	_____	x	_____	=	_____
_____	x	_____	=	_____	x	_____	=	_____
Total for Summary Item 2 above								<u>n/a</u>

3. Recreational Facilities

Total Area

a. Recreation Room, Clubhouse, Lanai, or other
(length x width = total sq. ft.)

_____ x _____ = _____ sq. ft.

b. Pools

Number: _____
Size: _____ sq. ft.

c. Spas

Number: _____
Size: _____ sq. ft.

d. Tennis Courts

Number: _____
Size: _____
Surface Type: _____ sq. ft.

e. Other: (describe)

Tot Lot /Landscaping 10,266 sq. ft.

Total for Summary Item 3 above 10,266 sq. ft.

4. Paved Areas (streets, parking, walkways, etc.)
(length x width = square foot area)

Paving Material (concrete, asphalt, etc.)

_____ x _____ = 4,243 Concrete Common Area
_____ x _____ = 8,423 Asphalt Common Area
_____ x _____ = _____
_____ x _____ = _____

Total for Summary Item 4 above 12,666 sq. ft.

5. Restricted Common Areas Use (patio, etc.)
Describe and attach calculations

Total for Summary Item 5 above -0- sq. ft.

6. Other – Describe and attach calculations

Total for Summary Item 6 above -0- sq. ft.

ROOF RESERVE WORKSHEET

(See page 15)

<i>Building ❶</i>	<i>Flat Roofed Area</i>	<i>Shingled Area</i>	<i>Cement/Spanish Tile or Wood Shake Area</i>
	N/A		
Totals			
Modifications		x x	x x
Grand Totals			

ROOF PITCH TABLE

<i>Pitch</i>	<i>Rise</i>	<i>Multiplier</i>
One eighth	3" in 12"	1.03
One sixth	4" in 12"	1.06
Five 24ths	5" in 12"	1.08
One quarter	6" in 12"	1.12
One third	8" in 12"	1.20
One Half	12" in 12"	1.42
Five eighths	15" in 12"	1.60
Three quarters	18" in 12"	1.80

- ❶ Take areas of all buildings listed in Sections 1, 2 and 3a. Add 6% (a 1.06 multiplier) for each foot of roof overhang. In addition, adjust for roof pitch based upon the table above. The table converts horizontal area to roof area.

PAINTING WORKSHEET

EXTERIOR

Exterior painting area is determined by measuring the structure to find the perimeter (total distance around) and multiplying that by 10 for each story. Use a separate line for each story if the configuration of the building changes from story to story (for wood siding see Item 301 in the Cost Manual).

- Buildings (include garages, recreation buildings)

Type of Surface	Perimeter	x	10 ft.	x	No. of Stories	x	No. of Bldg. (if identical)	=	Total Area
_____	_____	x	10 ft.	x	_____	x	_____	=	_____
_____	_____	x	10 ft.	x	_____	x	_____	=	_____
_____	_____	x	10 ft.	x	_____	x	_____	=	_____
_____	_____	x	10 ft.	x	_____	x	_____	=	_____
Total building paint area									-0-

- Walls

Linear Feet	x	Height	x	2 ●	=	Total Area
440	x	6	x	2	=	5,280
Paint 1/2	x	side only	x	2	=	_____
_____	x	_____	x	2	=	_____
Total wall paint area						5,280
Total exterior paint area						5,280

INTERIOR

Interior painting reserve is determined by measuring the room perimeter and multiplying by 8' and adding ceiling area.

Room/Type	Walls	x	8 ft.	=	Wall Area	+	Ceiling	=	Total Area
Descrip.	Perimeter						(Length x Width)		
_____:	_____	x	8 ft.	=	_____	+	_____ x _____	=	_____
_____:	_____	x	8 ft.	=	_____	+	_____ x _____	=	_____
_____:	_____	x	8 ft.	=	_____	+	_____ x _____	=	_____
_____:	_____	x	8 ft.	=	_____	+	_____ x _____	=	_____
_____:	_____	x	8 ft.	=	_____	+	_____ x _____	=	_____
_____:	_____	x	8 ft.	=	_____	+	_____ x _____	=	_____
Total interior paint area									-0-

TOTAL EXTERIOR AND INTERIOR **5,280**

FENCES

Fence requiring paint or stain (see Item 312 in manual for wood and wrought iron)
 Compute separately using higher cost—put on separate line on page 5 of the Reserve Worksheet.

Linear Feet	x	Height	x	2 ●	=	Total Area
_____	x	_____	x	2	=	_____
_____	x	_____	x	2	=	_____
_____	x	_____	x	2	=	_____
Total fence area						-0-

● Always multiply by 2 to cover the area for both sides of the wall or fence. If the wall or fence will be painted or stained on one side only, adjust your calculation and make appropriate notation on the worksheet.

ELECTRICAL ENERGY CONSUMPTION WORKSHEET

A. Lights (see Note ❶)
*(number of lights x average watt per light
 x average number hours in use per day x .03 = KWH per month)*

KWH per month

1. Interior Lights (hallways, lobbies, garage, stairwells, etc.)

_____ x _____ x _____ x .03 = _____

2. Garage Lights

_____ x _____ x _____ x .03 = _____

3. Outdoor and walkway lights

20 x 20 x 8 x .03 = 96

4. Street Lights

_____ x _____ x _____ x .03 = _____

B. Elevators (number of cabs x number of floor stops per cab x 167 KWH = KWH per month)

_____ x _____ x 167 KWH = _____

C. Tennis Court Lights (number of courts x 1000 KWH = KWH per month)

_____ x 1000 KWH = _____

D. Electric Heating
*(0.25 KWH x sq. ft. heated = KWH per month for warm climates)
 (0.65 KWH x sq. ft. heated = KWH per month for cold climates)*

_____ x _____ = _____

E. Hot Water Heating (320 KWH x number of 40 gallon tanks = KWH per month)

320 KWH x _____ = _____

F. Air Conditioning (number of sq. ft. cooled x .34 KWH = KWH per month)

_____ x .34 KWH = _____

G. Electrical Motors (see Notes ❷ and ❸)
(horsepower x watts x hours of use per day x .03 x % of year in use = KWH per month)

Motor #1	_____	x	_____	x	_____	x	.03	x	_____	=	_____
Motor #2	_____	x	_____	x	_____	x	.03	x	_____	=	_____
Motor #3	_____	x	_____	x	_____	x	.03	x	_____	=	_____
Motor #4	_____	x	_____	x	_____	x	.03	x	_____	=	_____

H. Pool/Spa Heating
(Number of heaters x KWH rating x hours of daily use x 30 days = KWH per month)

_____ x _____ x _____ x 30 days = _____

TOTAL KWH PER MONTH 96

I. Total Monthly Cost
(total KWH per month x rate per KWH = total cost)

•	96	x	\$ 0.14	=	\$ 13.44
•	Monthly common meter charge				\$ 20.00
			Total Monthly Cost		\$ 33.44

Utility Company Name: SCE

Telephone Number: _____

Notes

- ❶ Do not include leased lights. Instead use lease agreement with rate schedule with budget work sheet. Put monthly charge into Item 201 leased lights. Use a minimum of 10 hours per day average usage for exterior lighting.
- ❷ Motors are found in swimming pool pumping systems, circulating hot water systems, ventilation systems in subterranean garages, security gates, interior hallways, and interior stairwells and also in private water systems and fountains. (Hours of use for pool pumps – see Item 201 in the Cost Manual.)
- ❸ Normally 1,000 watts per horsepower should be used. Check plate on motor or manufacturer’s specifications. If wattage is not listed, it can be calculated by multiplying amps x volts.

GAS CONSUMPTION WORKSHEET

1. Water Heaters **Therms**
(number of dwelling units on association meters + laundry rooms + outdoor showers + recreation rooms = number units x 20 Therms = Therms per month)
 _____ + _____ + _____ + _____ = _____ x 20 Therms = _____

2. Pool (see Note ❶)
(BTU rating x hours of daily use x .0003 x % of year in use = Therms)
 Pool #1 _____ x _____ x .0003 x _____% = _____
 Pool #2 _____ x _____ x .0003 x _____% = _____

3. Spa
(Number of spas (by size) x therm range = Therms used)
 _____ (8' diameter) x 300 Therms = _____
 _____ (10' diameter) x 350 Therms = _____
 _____ (12' diameter) x 400 Therms = _____

4. Central Heating
(BTU rating x average hours of daily use x .0003 = Therms used)
 _____ x _____ x .0003 = _____

5. Other
(number of gas barbecues, fireplaces, etc.) x 5 = Therms
 _____ x 5 = _____

Total Therms _____

(therms x rate = monthly charge)
 _____ x _____ = \$ _____
 _____ x _____ = \$ _____
 _____ x _____ = \$ _____

Meter Charge \$ _____
Total Monthly Cost \$ -0-

Utility Company Name: _____

Telephone Number: _____

❶ The presumption is a recreation pool with heating equipment will be used all year or 100%. For very hot or cold climates where a heater will not or cannot be used all year, a 70% usage should suffice. Less than 70% usage will require a Special Note in the Subdivision Public Report.

WATER AND SEWER WORKSHEET

A. Domestic (use only if units are billed through association)
 (number of units [include rec. rooms] x rate/100 CF x 10 = Water Cost)

_____ x _____ x 10 = \$ _____

B. Irrigation (see Note 1)
 (landscape area x rate/100 cf. x .0033 = Water Cost)

10,266 x 1.90 x .0033 = 64.37

C. Sewers (see Note 2)
 (Charge per unit per month x number units = Sewer Cost)

\$ 1.00 x 11 = \$ 11.00

or alternate calculation (% of A and B, etc.)

_____ (A) x _____ % = \$ _____

D. Meter Charge

Line size: 1" (2", 3" etc.) Charge per month: \$ 10.00

MONTHLY WATER COST: \$ 85.37

Utility Company Name: City of Ontario

Telephone Number: (909) 395-2050

Notes

- 1 Average usage is four-acre feet of water per acre of landscaping per year. This formula is based on four-acre feet of usage. Some areas like the low desert will require 8 to 12-acre feet of water per acre of landscaping per year and the "B" figure should be adjusted accordingly. (Example: 4 x figure for B = 12-acre feet.)
- 2 If some other method of billing is used for the sewage charge and/or this will not be a common expense, provide a letter from the sanitation district and or water company (whichever applicable) which so states.

PRORATION SCHEDULE WORKSHEET

Section I Variable Assessment Computation

A. Variable Costs Description	Monthly Cost
1. Insurance	\$ _____
2. Domestic Gas (if common)	\$ _____
3. Domestic Water (if common)	\$ _____
4. Paint	\$ _____
5. Roof	\$ _____
6. Hot Water Heater (if common)	\$ _____
7. Other	\$ _____
Total Variable Cost	\$ _____

B. Total livable square footage of all units from condominium plan: _____

C. Variable Factor (*variable monthly costs ÷ square footage = variable factor*): _____
 Multiply this factor by each unit size below in Section III.

Section II Equal Assessment Computation

A. Total Monthly Budget	\$ _____
Less Variable Costs	\$ _____
Total Monthly Equal Costs	\$ _____

B. Monthly Base Assessment: \$ _____
 (*total monthly cost ÷ number of units = monthly base assessment*)

Section III Assessment Schedule

Unit Size	x	Variable Factor	=	Variable Assessment	+	Base Assessment	=	Total Mth. Assessment	x	Unit Count	=	Total Mth. Budget *
A. _____	x	_____	=	_____	+	_____	=	_____	x	_____	=	_____
B. _____	x	_____	=	_____	+	_____	=	_____	x	_____	=	_____
C. _____	x	_____	=	_____	+	_____	=	_____	x	_____	=	_____
D. _____	x	_____	=	_____	+	_____	=	_____	x	_____	=	_____

VERIFICATION OF COMPUTATIONS

Total Monthly Budget (Section III) _____

Total Monthly Budget (Section IIA) _____

* Total Assessment x number of units of each type.

Section IV Variable Assessments

<i>Highest Assessment</i>	-	<i>Lowest Assessment</i>	÷	<i>Lowest Assessment</i>	=	% <i>Differential</i>
_____	-	_____	÷	_____	=	_____ %

SUPPLEMENTAL WORKSHEET

LANDSCAPE

A. Complete chart and transfer "total landscape cost per year" to line #208 on page 3 (cumulative per phase).

Type	Percent	Area	Annual Cost per S.F.	Total Cost per type
Ground cover	86%	8,829	0.25	2,207.25
Lawn	14%	1,437	0.40	574.80
Open space maintained				
Open space non-maintained				
Landscape repairs/supplies				
Other				
Total	100%	10,266		
TOTAL LANDSCAPE COST PER YEAR				\$2,782.05

B. Please provide information regarding water requirements of drought resistant plants/areas, if any. Indicate as a percentage of normal or standard watering requirements and provide source of information.

ROOF

A. If there is only one type of roof, with a constant slope factor across all roof surfaces, the following chart may not need to be completed. When this chart is completed, transfer total to roof line item on page 5.

Building	Type of Roof	Width of Overhang	Quantity (incl. overhang)	X Pitch Multiplier	= Adjusted S.F.	X Annual Cost per S.F.	= Total Annual Cost
				X	=	X	=
				X	=	X	=
				X	=	X	=
				X	=	X	=
				X	=	X	=
				X	=	X	=
TOTAL ROOF COST PER YEAR							

B. If a mansard will be/is constructed please provide the measurements and type of material to be used.

RESOLUTION NO. 15-3094

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE MAP, MODIFYING THE LAND USE DESIGNATION OF 1.07 ACRES OF LAND AT 10998 CENTRAL AVENUE FROM "GENERAL COMMERCIAL" TO "MEDIUM-DENSITY RESIDENTIAL (8-14 DU/AC)" TO FACILITATE CONSTRUCTION OF A 13-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT THEREON (APN 1011-334-03)

A. Recitals.

WHEREAS, Montclair Holdings, LLC (property owner), on behalf of Crestwood Communities, has filed an application for an amendment to the General Plan Land Use Map under Case No. 2015-9; and

WHEREAS, the application for said amendment to the General Plan Land Use Map applies to a 1.07-acre site described as follows:

That portion of Lot 4, Block 21, Monte Vista Tract No. 2, in the City of Montclair, County of San Bernardino, State of California, as per map recorded in Book 16, Page 33 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the northeast corner of said Lot 4; thence South along the east line of said Lot, 465 feet to the True Point of Beginning, said point being the southeast corner of the land described in the deed to Frederick Park and Don H. Anderson, recorded May 8, 1962, in Book 5695, Page 431 of Official Records; thence West 294.62 feet along the south line of said Park parcel to the west line of said Lot; thence South 158.39 feet, more or less, to the southwest corner of said Lot; thence East 294.62 feet to the southeast corner of said Lot; thence North 158.39 feet, more or less, to the True Point of Beginning.

The above-referenced property composing the proposed amendment area and also commonly known as 10998 Central Avenue, is also indicated on the attached Exhibit "A," a map incorporated herein by reference; and

WHEREAS, the subject 1.07-acre site is currently designated by the General Plan as "General Commercial" and is vacant and undeveloped; and

WHEREAS, the applicant submitted concurrent applications requesting a Zoning Map Amendment, Tentative Tract Map, and Precise Plan of Design for the subject site to change the land use designation of the site from "R-1(20) (Single-Family Residential, minimum 20,000 square-foot lot area) to "R-3" (Medium-High Density Residential), and to subdivide the property to construct 13 detached residential condominiums; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study (IS) for the amendments to the General Plan Land Use Map and Official Zoning Map, Tentative Tract Map, and Precise Plan of Design and released it for public review and comment on July 24, 2015. Based on the findings of the Initial Study, staff has determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect because revisions in the project have been made by or agreed to by the project proponent. Therefore, a Mitigated Negative Declaration (MND) is proposed for the project; and

WHEREAS, on July 24, 2015, the Notice of Availability of the IS/MND was filed with the San Bernardino County Clerk of the Board; and

WHEREAS, the minimum 21-day public review period for the IS/MND commenced on July 24, 2015 and concluded on August 24, 2015; and

WHEREAS, copies of the IS/MND 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 July 24, 2015; and

WHEREAS, on August 24, 2015, 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 amendment to the General Plan Land Use Map were heard, and said application was fully studied; and

WHEREAS, the Planning Commission reviewed and considered the amendment to the General Plan Land Use Map along with the information contained in the IS/MND, 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 amendment to the General Plan Land Use Map; and

WHEREAS, the Planning Commission also adopted a Mitigated 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 General Plan Land Use Map will not have a significant effect on the environment; and

WHEREAS, on September 21, 2015, 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 amendment to the General Plan Land Use Map 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:

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.
2. The City Council hereby approves the amendment to the General Plan Land Use Map associated with Case No. 2015-9, modifying the land use designation of the subject property from "General Commercial" to "Medium-Density Residential (8-14 dwelling units/acre)."

APPROVED AND ADOPTED this XX day of XX, 2015.

Mayor

ATTEST:

Deputy City Clerk

I, Andrea M. Phillips, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 15-3094 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, 2015, and that it was adopted by the following vote, to-wit:

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

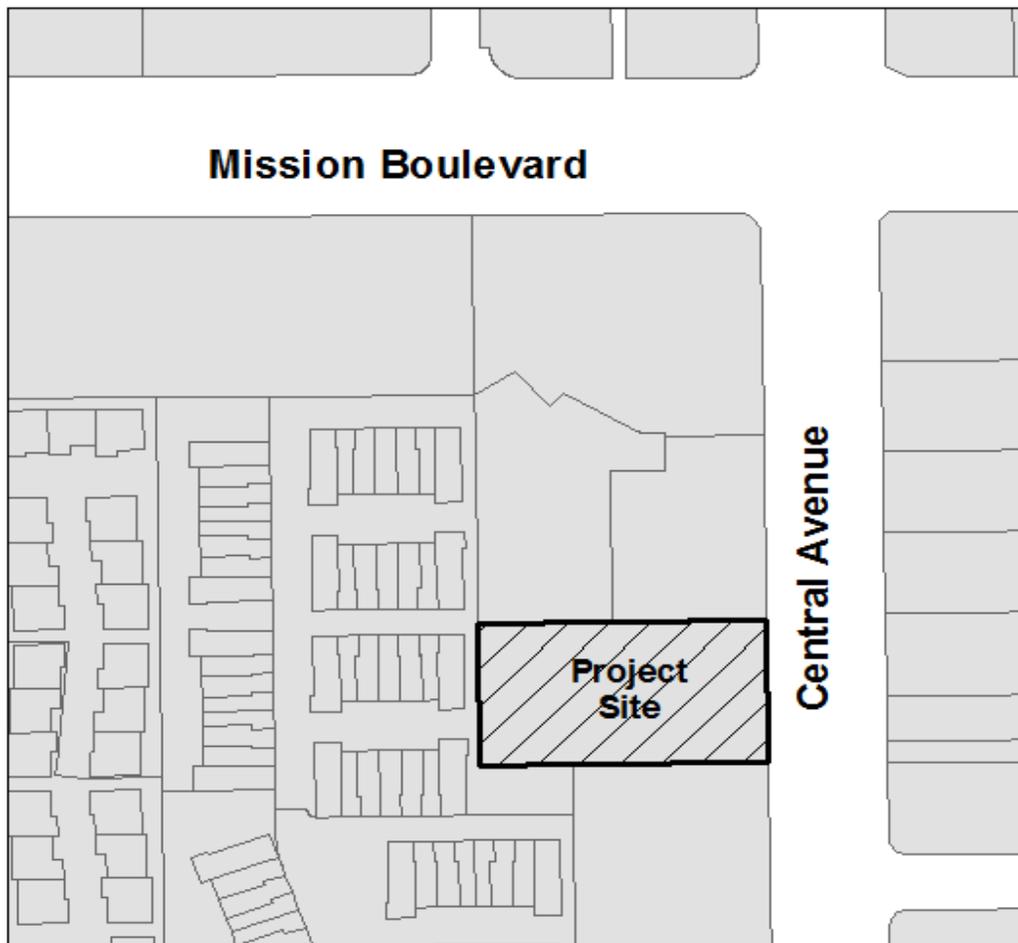
Andrea M. Phillips
Deputy City Clerk

Exhibit A
CASE NUMBER: 2015-9

PROJECT LOCATION: 10998 Central Avenue
ASSESSOR'S PARCEL NO.: 1011-334-03

PROPERTY OWNER: Montclair Holdings, LLC

General Plan Amendment	
<i>Existing</i>	<i>Proposed</i>
"General Commercial"	Medium-Density Residential (8-14 du/ac)



RESOLUTION NO. 15-3095

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR APPROVING AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF MONTCLAIR CHANGING THE ZONING DESIGNATION OF 1.07 ACRES OF LAND AT 10998 CENTRAL AVENUE FROM "R-1(20)" (SINGLE-FAMILY RESIDENTIAL, MINIMUM 20,000 SQUARE-FOOT LOT AREA) TO "R-3" (MEDIUM-HIGH DENSITY RESIDENTIAL) TO FACILITATE CONSTRUCTION OF A 13-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT THEREON (APN 1011-334-03)

A. Recitals.

WHEREAS, Montclair Holdings, LLC (property owner), on behalf of Crestwood Communities, has filed an application for an amendment to the Official Zoning Map of the City of Montclair under Case No. 2015-9; and

WHEREAS, the application for said amendment to the Official Zoning Map applies to a 1.07-acre site described as follows:

That portion of Lot 4, Block 21, Monte Vista Tract No. 2, in the City of Montclair, County of San Bernardino, State of California, as per map recorded in Book 16, Page 33 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at the northeast corner of said Lot 4; thence South along the east line of said Lot, 465 feet to the True Point of Beginning, said point being the southeast corner of the land described in the deed to Frederick Park and Don H. Anderson, recorded May 8, 1962, in Book 5695, Page 431 of Official Records; thence West 294.62 feet along the south line of said Park parcel to the west line of said Lot; thence South 158.39 feet, more or less, to the southwest corner of said Lot; thence East 294.62 feet to the southeast corner of said Lot; thence North 158.39 feet, more or less, to the True Point of Beginning.

The above-referenced property composing the proposed amendment area and also commonly known as 10998 Central Avenue, is also indicated on the attached Exhibit "A," a map incorporated herein by reference; and

WHEREAS, the subject 1.07-acre site is currently designated by the Official Zoning Map as "R-1(20)" (Single-Family Residential, minimum 20,000 square-foot lot area) and is vacant and undeveloped; and

WHEREAS, the applicant submitted concurrent applications requesting a General Plan Land Use Map Amendment, Tentative Tract Map, and Precise Plan of Design for the subject site to change the land use designation of the site from "General Commercial" to "Medium-Density Residential (8-14 dwelling units/acre)," and to subdivide the property to construct 13 detached residential condominiums; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City prepared an Initial Study (IS) for the amendments to the General Plan Land Use Map and Official Zoning Map, Tentative Tract Map, and Precise Plan of Design and released it for public review and comment on July 24, 2015. Based on the findings of the Initial Study, staff has determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect because revisions in the project have been made by or agreed to by the project proponent. Therefore, a Mitigated Negative Declaration (MND) is proposed for the project; and

WHEREAS, on July 24, 2015, the Notice of Availability of the IS/MND was filed with the San Bernardino County Clerk of the Board; and

WHEREAS, the minimum 21-day public review period for the IS/MND commenced on July 24, 2015 and concluded on August 24, 2015; and

WHEREAS, copies of the IS/MND 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 July 24, 2015; and

WHEREAS, on August 24, 2015, 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 amendment to the Official Zoning Map were heard, and said application was fully studied; and

WHEREAS, the Planning Commission reviewed and considered the amendment to the Official Zoning Map along with the information contained in the IS/MND, 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 amendment to the Official Zoning Map; and

WHEREAS, the Planning Commission also adopted a Mitigated 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 Official Zoning Map will not have a significant effect on the environment; and

WHEREAS, on September 21, 2015, 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 amendment to the Official Zoning Map 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:

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.
2. The City Council hereby approves the amendment to the Official Zoning Map of the City of Montclair associated with Case No. 2015-9, modifying the zoning designation of the subject property from "R-1(20)" (Single-Family Residential, minimum 20,000 square-footlot area) to "R-3" (Medium-High Density Residential).

APPROVED AND ADOPTED this XX day of XX, 2015.

Mayor

ATTEST:

Deputy City Clerk

I, Andrea M. Phillips, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 15-3095 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, 2015, and that it was adopted by the following vote, to-wit:

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

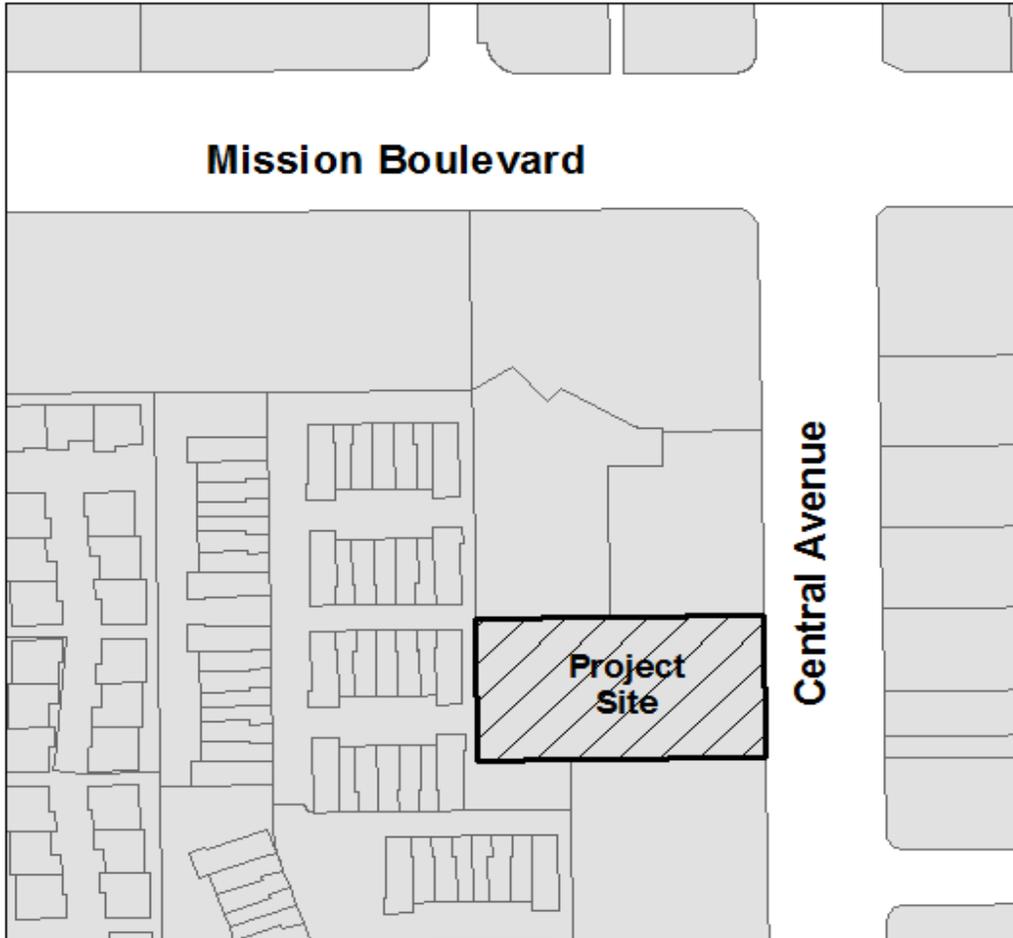
Andrea M. Phillips
Deputy City Clerk

Exhibit A
CASE NUMBER: 2015-9

PROJECT LOCATION: 10998 Central Avenue
ASSESSOR'S PARCEL NO.: 1011-334-03

PROPERTY OWNER: Montclair Holdings, LLC

Official Zoning Map Amendment	
<i>Existing</i>	<i>Proposed</i>
"R-1(20)" (Single-Family Residential, minimum 20,000 square- foot lot area)	"R-3" (Medium-High Density Residential)



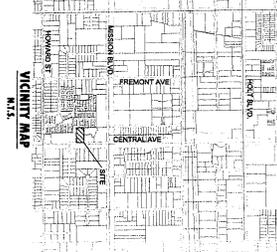
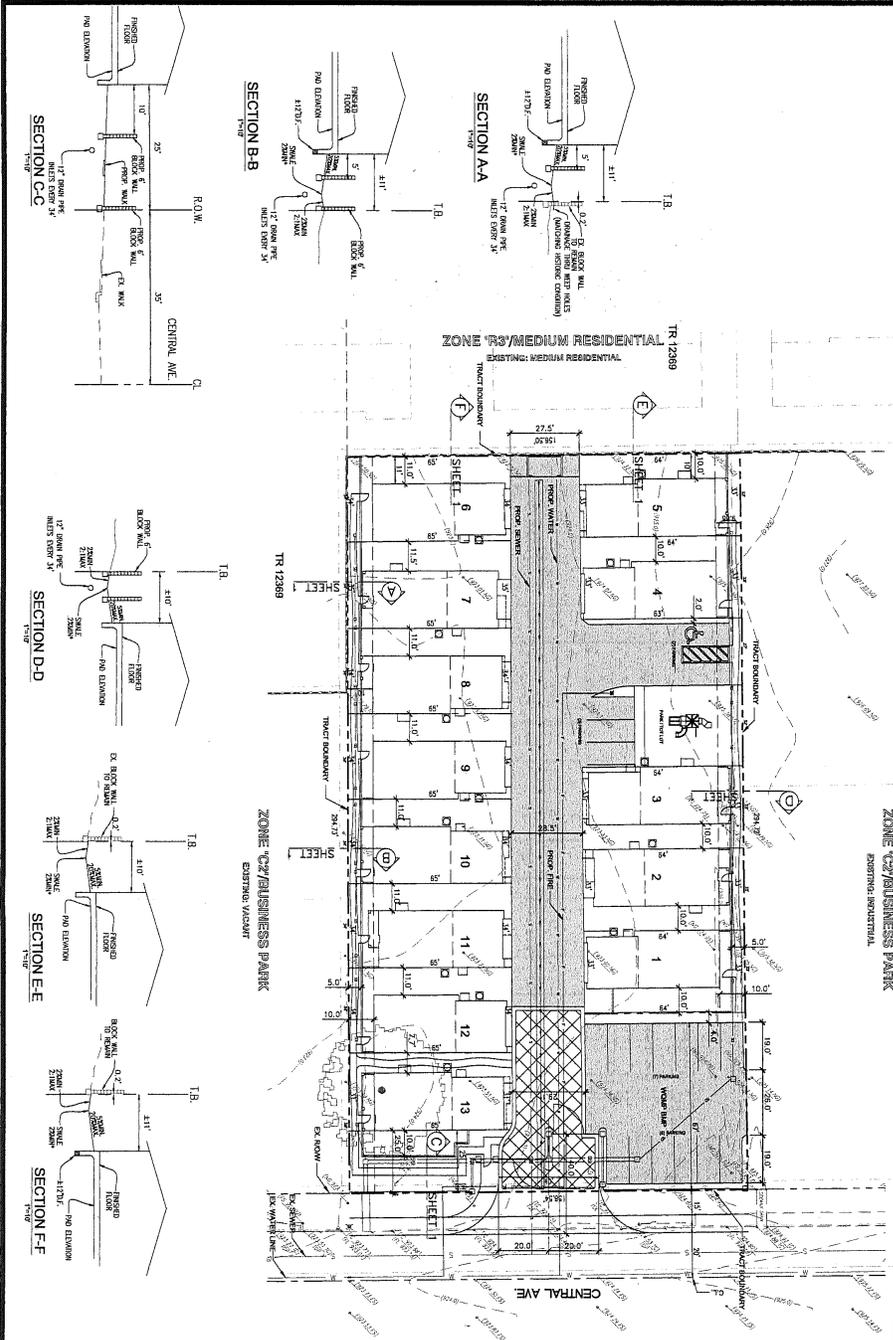
APRIL 2015
 APN 101-1-334-03

TENTATIVE TRACT MAP TENTATIVE TRACT NO. 19971

11 LOT
 1.0659 AC (GROSS & NET)

13 UNITS FOR RESIDENTIAL CONDOMINIUM PURPOSES
 IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA
 BEING A PORTION OF LOT 4, BLOCK 21, MONTE VISTA TRACT NO. 2, AS PER MAP RECORDED
 IN BOOK 16, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO.

- NOTES**
1. THESE PLANS AND SPECIFICATIONS ARE BASED ON THE RECORD MAPS AND SURVEY DATA PROVIDED BY THE CLIENT.
 2. THE LAND IS BEING DEVELOPED IN ACCORDANCE WITH THE ZONING REGULATIONS OF THE CITY OF MONTCLAIR, CALIFORNIA.
 3. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF MONTCLAIR, CALIFORNIA.
 4. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE COUNTY OF SAN BERNARDINO, CALIFORNIA.
 5. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE STATE OF CALIFORNIA.
 6. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE FEDERAL GOVERNMENT.
 7. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
 8. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE STATE GOVERNMENT.
 9. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE FEDERAL GOVERNMENT.
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 12. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE FEDERAL GOVERNMENT.
 13. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
 14. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE STATE GOVERNMENT.
 15. THE DEVELOPER HAS OBTAINED ALL NECESSARY PERMITS AND APPROVALS FROM THE FEDERAL GOVERNMENT.



LEGAL DESCRIPTION
 THAT PORTION OF LOT 4, BLOCK 21, MONTE VISTA TRACT NO. 2, IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN ON THE RECORD MAPS OF SAID TRACT AS RECORDED IN BOOK 16, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO, CALIFORNIA, BEING A PORTION OF LOT 4, BLOCK 21, MONTE VISTA TRACT NO. 2, AS PER MAP RECORDED IN BOOK 16, PAGE 33 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO, CALIFORNIA.

- OWNERS/DEVELOPER:** CRESTWOOD CORPORATION, 510 W. CITRUS EDGE ST., GLENORA, CA 91740
- DESIGNER:** ENRICH CONSULTANTS, INC., 10000 WILSON AVENUE, SUITE 100, GLENORA, CA 91740
- ENGINEER:** JAMES W. HARRIS, CIVIL ENGINEER, 10000 WILSON AVENUE, SUITE 100, GLENORA, CA 91740
- LAND SURVEYOR:** JAMES W. HARRIS, LAND SURVEYOR, 10000 WILSON AVENUE, SUITE 100, GLENORA, CA 91740
- SOIL ENGINEER:** JAMES W. HARRIS, SOIL ENGINEER, 10000 WILSON AVENUE, SUITE 100, GLENORA, CA 91740

- LEGEND**
- 1. FINISH FLOOR
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DEVELOPER
CRESTWOOD CORPORATION
 510 W. CITRUS EDGE ST.
 GLENORA CA 91740
 626.914.1943/FAX 626.335.9320

TENTATIVE TRACT 19971
TENTATIVE TRACT MAP

VERSION HISTORY

1	1
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SHEET OF 1

GRAPHIC SCALE
 0 10 20 40
 (IN FEET)
 1 INCH = 20 FT

ENCLOSURES ASSOCIATES, INC.
 10000 WILSON AVENUE, SUITE 100
 GLENORA, CA 91740
 626.914.1943

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION FOR THE FIRE DEPARTMENT TO RECEIVE A \$1,000 DONATION FROM MONTCLAIR HOSPITAL MEDICAL CENTER TO PURCHASE SUPPLIES FOR THE FIRE DEPARTMENT'S OPEN HOUSE AND PANCAKE BREAKFAST	DATE: October 5, 2015 SECTION: ADMIN. REPORTS ITEM NO.: 1 FILE I.D.: FIN357/FRD215
CONSIDER APPROVAL OF AN INCREASE IN BUDGET APPROPRIATIONS FOR THE PURCHASE OF SUPPLIES FOR THE FIRE DEPARTMENT'S OPEN HOUSE AND PANCAKE BREAKFAST	DEPT.: FIRE

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing the Fire Department to receive a \$1,000 donation from Montclair Hospital Medical Center for the purchase of supplies for the Fire Department's Open House and Pancake Breakfast.

BACKGROUND: The Montclair Fire Department annually hosts an Open House and Pancake Breakfast at Fire Station No. 1 to educate the community about emergency preparedness, fire and chemical safety information, and related City programs and services. This year's event will take place on Saturday, October 10, 2015, from 8:30 through 11:30 a.m. Montclair Hospital Medical Center (MHMC) has generously offered to donate \$1,000 toward the purchase of supplies for this year's Fire Department's Open House and Pancake Breakfast.

FISCAL IMPACT: Should the City Council approve this item, an additional appropriation would be created for Fire Department Account No. 1001-4531-52990-400 and this donation would fund that appropriation. There would be no financial impact to the City's General Fund related to the City Council's approval of this item.

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

1. Authorize the Fire Department to receive a \$1,000 donation from Montclair Hospital Medical Center to purchase supplies for the Fire Department's Open House and Pancake Breakfast.
2. Approve an increase in budget appropriations for the purchase of supplies for the Fire Department's Open House and Pancake Breakfast.

Prepared by: <u> <i>Angelic Bird</i> </u>	Fiscal Impact Finance Review:	<i>Donald L. Parker</i>
Proofed by: <u> <i>Zacile Rosette</i> </u>	Reviewed and Approved By:	<i>D.L.</i>

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A \$5,200 APPROPRIATION FROM THE FEDERAL ASSET FORFEITURE FUND TO PURCHASE SITE LICENSES AND SOFTWARE TO PROVIDE CONNECTIVITY FOR FOUR MOBILE DATA COMPUTERS	DATE: October 5, 2015 SECTION: ADMIN. REPORTS ITEM NO.: 2 FILE I.D.: PDT362 DEPT.: POLICE
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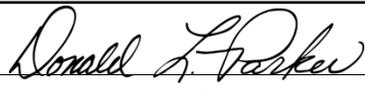
REASON FOR CONSIDERATION: The City Council is requested to consider authorizing the use of Federal Asset Forfeiture funds to purchase RADCOM mobile client licenses and enhanced mobile client software from PST Technologies Inc., to provide connectivity for four Police Department mobile data computers (MDCs).

BACKGROUND: New MDCs were recently purchased to replace old, obsolete devices in the Police Department Patrol fleet. During installation of the MDCs, staff discovered a shortage in the availability of RADCOM mobile client licenses and enhanced mobile client software, both of which are necessary to ensure connectivity between MDCs and the Computer Aided Dispatch/Records Management System (CAD/RMS). The additional licensing and software are needed to provide MDC connectivity in two Patrol and two Police Cadet vehicles.

The Police Department contracts with City of West Covina to provide software, hardware, and MDC connectivity to the CAD/RMS. The service provided by City of West Covina utilizes PST Technologies, Inc., RADCOM software and licensing, the cost of which is appropriated in the Police Department Fiscal Year 2015-16 Budget. Annual contract fees for said fiscal year have been paid; therefore, the licensing and software must be purchased directly from the vendor, PST Technologies, Inc.

Purchase of the RADCOM licenses would require a one-time expenditure of \$5,200, while the software would result in a recurring annual cost of \$1,400, which would be incorporated in the service contract with the City of West Covina and budgeted accordingly. RADCOM mobile client licenses and enhanced mobile client software are proprietary to PST Technologies, Inc.; therefore, multiple bid quotations were not sought.

FISCAL IMPACT: If approved by the City Council, funding to purchase RADCOM mobile client licenses and enhanced mobile client software for four MDCs would result in a \$5,200 appropriation and expenditure from the Federal Asset Forfeiture Fund (1144). Additionally, the cost for the enhanced mobile client software would result in a recurring annual expenditure of \$1,400, which would be incorporated into the Department's service contract with City of West Covina.

Prepared by: 	Fiscal Impact Finance Review:	
Proofed by: 	Reviewed and Approved By:	

RECOMMENDATION: Staff recommends the City Council consider authorizing a \$5,200 appropriation from the Federal Asset Forfeiture Fund to purchase site licenses and software to provide connectivity for four mobile data computers.

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A \$500 APPROPRIATION FROM THE FEDERAL ASSET FORFEITURE FUND TO PURCHASE COURIER DELIVERY SERVICES FOR POLICE DEPARTMENT EQUIPMENT	DATE: October 5, 2015 SECTION: ADMIN. REPORTS ITEM NO.: 3 FILE I.D.: PDT362 DEPT.: POLICE
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REASON FOR CONSIDERATION: The City Council is requested to authorize the use of Federal Asset Forfeiture funds to ship weapons to Midwest Distributors, the licensed firearms dealer that purchased the Department's submachine guns and tactical rifles.

BACKGROUND: On May 4, 2015, the City Council authorized the sale/trade-in of the Police Department's existing stock of assault rifles and MP-5 submachine guns to acquire 24 Colt short barrel tactical rifles. All State Police Equipment Company negotiated with Kentucky-based Midwest Distributors to purchase the Department's existing submachine guns and tactical rifles; however, the Department bears the responsibility of packaging and shipping the weapons.

Staff researched the Bureau of Alcohol, Tobacco, Firearms, and Explosives' (ATF) requirements for shipping weapons and found that, aside from the mandated transference of ownership, ATF had no specific shipping requirements. United Parcel Service and FedEx, the two most notable and reputable global courier delivery companies, were also contacted about their capabilities and requirements for shipping weapons. Only FedEx has a policy in place to accept weapons for shipment. The company also vets particular employees to handle these transactions. FedEx has specific facilities that are authorized to ship weapons—one being its Ontario, California facility.

Because of the nature of the items being shipped, FedEx requires they be delivered via overnight service. FedEx is unable to provide the actual freight costs until the weapons are packaged and weighed by the courier. The cost is estimated to be between \$300 and \$500.

FISCAL IMPACT: If authorized by the City Council, funding for the shipment of the weapons would result in an appropriation and expenditure from the Federal Asset Forfeiture Fund (1144) not to exceed \$500.

RECOMMENDATION: Staff recommends the City Council consider authorizing a \$500 appropriation from the Federal Asset Forfeiture Fund to purchase courier delivery services for Police Department equipment.

Prepared by:		Fiscal Impact Finance Review:	
Proofed by:		Reviewed and Approved By:	

AGENDA REPORT

SUBJECT: CONSIDER AUTHORIZATION OF A \$460
APPROPRIATION FROM THE FEDERAL ASSET
FORFEITURE FUND TO PAY FOR LAW
ENFORCEMENT TRAINING

DATE: October 5, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 4
FILE I.D.: PDT362
DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to consider authorizing the use of Federal Asset Forfeiture funds to cover the cost of tuition for narcotics investigation training.

BACKGROUND: The California Narcotic Officers' Association (CNOA) is hosting its 51st Annual Training Institute & Law Enforcement Expo on November 21-24, 2015, in San Francisco. Over 35 narcotics training workshops will be provided during the course of the four-day event, as well as displays and demonstrations of new products relevant to the law enforcement community.

The Department proposes to use Federal Asset Forfeiture funds to pay the cost of tuition so that its current Inland Regional Narcotic Enforcement Team (IRNET) Officer can attend the event. IRNET has agreed to cover the cost of travel, hotel accommodations, and per diem for said officer.

The *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, a manual provided by the U.S. Department of Justice governing use of federal forfeiture proceeds, states that use of asset forfeiture funds for training of officers and investigators is permissible.

FISCAL IMPACT: If approved by the City Council, funding for this item would result in a \$460 appropriation and expenditure from the Federal Asset Forfeiture Fund (1144).

RECOMMENDATION: Staff recommends the City Council authorize the appropriation of \$460 from the Federal Asset Forfeiture Fund to pay for law enforcement training.

Prepared by:




Fiscal Impact
Finance Review:



Proofed by:

Reviewed and
Approved By:



AGENDA REPORT

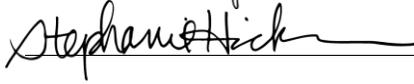
SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION **DATE:** October 5, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 5
FILE I.D.: FIN540
DEPT.: ADMIN. SVCS.

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

BACKGROUND: Mayor Pro Tem Raft has examined the Warrant Register dated October 5, 2015, and the Payroll Documentation dated September 20, 2015, and recommends their approval.

FISCAL IMPACT: The Warrant Register dated October 5, 2015, totals \$1,219,371.99. The Payroll Documentation dated September 20, 2015, totals \$595,836.98 gross, with \$414,998.48 net being the total cash disbursement.

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

Prepared by:		Fiscal Impact Finance Review:	
Proofed by:		Reviewed and Approved By:	

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 15-3096 AUTHORIZING PLACEMENT OF LIENS ON CERTAIN PROPERTIES FOR DELINQUENT SEWER AND TRASH CHARGES	DATE: October 5, 2015
	SECTION: RESOLUTIONS
	ITEM NO.: 1
	FILE I.D.: STB300-17
	DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: Staff has identified 182 sewer and trash accounts in the odd-numbered-month billing cycle that are more than three billing periods delinquent. Pursuant to Montclair Municipal Code Chapter 1.12, these properties are subject to lien.

A copy of proposed Resolution No. 15-3096 is attached for the City Council's review and consideration.

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

FISCAL IMPACT: Recoverable amount is \$48,583.64, plus \$3,822.00 for release of lien fees, plus \$9,100.00 in lien fees, for a total of \$61,505.64.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 15-3096 authorizing placement of liens on certain properties for delinquent sewer and trash charges as listed on Exhibit A of said Resolution.

Prepared by:	<u>Cathy Graves</u>	Fiscal Impact Finance Review:	<u>Donald L. Parker</u>
Proofed by:	<u>Janet Kulbeck</u>	Reviewed and Approved By:	<u>Donald L. Parker</u>

RESOLUTION NO. 15-3096

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTCLAIR
AUTHORIZING 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 182 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 September 10, 2015, that their delinquent accounts are subject to causing a lien to be placed on their properties for settlement of such delinquencies; and that such liens would be considered for approval by the Montclair City Council on Monday, October 5, 2015.

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 - October 2015*, 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, 2015.

Mayor

ATTEST:

Deputy City Clerk

I, Andrea M. Phillips, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that Resolution No. 15-3096 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, 2015, and that it was adopted by the following vote, to-wit:

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

Andrea M. Phillips
Deputy City Clerk

Exhibit A to Resolution NO. 15-3096
Report of Delinquent Civil Debts - October 2015

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
4255	3rd Street	Residential	\$ 302.70	\$ 21.00	\$ 50.00	\$ 373.70
11171	Ada Avenue	Residential	204.14	21.00	50.00	275.14
11246	Ada Avenue	Residential	229.20	21.00	50.00	300.20
10360	Amherst Avenue	Multi-family	327.78	21.00	50.00	398.78
10431	Amherst Avenue	Multi-family	515.55	21.00	50.00	586.55
10421	Amherst Avenue	Multi-family	501.30	21.00	50.00	572.30
10207	Amherst Avenue	Residential	219.32	21.00	50.00	290.32
5455	Applegate Street	Residential	264.84	21.00	50.00	335.84
5578	Bandera Street	Residential	226.43	21.00	50.00	297.43
4624	Bandera Street	Multi-family	982.10	21.00	50.00	1,053.10
5105	Bandera Street	Residential	322.34	21.00	50.00	393.34
4432-34	Bandera Street	Residential	643.07	21.00	50.00	714.07
4667	Bandera Street	Residential	241.27	21.00	50.00	312.27
5243	Bandera Street	Residential	233.90	21.00	50.00	304.90
5231	Bandera Street	Residential	229.29	21.00	50.00	300.29
5079	Bandera Street	Residential	321.21	21.00	50.00	392.21
5209	Bandera Street	Residential	437.89	21.00	50.00	508.89
5093	Bandera Street	Residential	280.62	21.00	50.00	351.62
5217	Bandera Street	Residential	298.02	21.00	50.00	369.02
5239	Bandera Street	Residential	203.99	21.00	50.00	274.99
10145	Bel Air Avenue	Senior	229.18	21.00	50.00	300.18
10205	Bel Air Avenue	Residential	205.55	21.00	50.00	276.55
10551	Belgian Place	Residential	229.20	21.00	50.00	300.20
5225	Belvedere Way	Residential	244.50	21.00	50.00	315.50
5223	Belvedere Way	Residential	231.76	21.00	50.00	302.76
10168	Benson Avenue	Residential	227.31	21.00	50.00	298.31
5212	Berkshire Way	Senior	321.53	21.00	50.00	392.53
4531	Bodega Court	Residential	350.71	21.00	50.00	421.71
10978	Buckingham Way	Residential	229.18	21.00	50.00	300.18
10976	Buckingham Way	Residential	214.68	21.00	50.00	285.68
10475	Calico Court	Residential	226.73	21.00	50.00	297.73
10437	Camarena Avenue	Residential	229.88	21.00	50.00	300.88
8963	Camulos Avenue	Residential	214.68	21.00	50.00	285.68
10259	Camulos Avenue	Residential	229.18	21.00	50.00	300.18
5014	Canoga Street	Residential	229.18	21.00	50.00	300.18
5440	Carlton Street	Residential	264.84	21.00	50.00	335.84
11253	Carriage Avenue	Residential	255.13	21.00	50.00	326.13
11158	Carriage Avenue	Residential	229.18	21.00	50.00	300.18
11178	Carrillo Avenue	Residential	203.99	21.00	50.00	274.99
4337	Clair Street	Residential	266.46	21.00	50.00	337.46

Exhibit A to Resolution NO. 15-3096
Report of Delinquent Civil Debts - October 2015

Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
5030	Clair Street	Residential	\$ 203.99	\$ 21.00	\$ 50.00	\$ 274.99
4397	Clair Street	Residential	203.99	21.00	50.00	274.99
4303	Clydesdale Way	Residential	203.99	21.00	50.00	274.99
10231	Coalinga Avenue	Residential	229.18	21.00	50.00	300.18
11148	Coalinga Avenue	Residential	250.95	21.00	50.00	321.95
10276	Coalinga Avenue	Residential	203.99	21.00	50.00	274.99
11465	Cobblestone Lane	Residential	235.04	21.00	50.00	306.04
11333	Dartmouth Lane	Residential	238.60	21.00	50.00	309.60
11322	Dartmouth Lane	Residential	264.84	21.00	50.00	335.84
10248	Del Mar Avenue	Residential	256.53	21.00	50.00	327.53
10236	Del Mar Avenue	Residential	229.28	21.00	50.00	300.28
4528	Donner Court	Residential	203.99	21.00	50.00	274.99
4506	Donner Court	Residential	228.94	21.00	50.00	299.94
4518	Donner Court	Residential	401.37	21.00	50.00	472.37
4522	Donner Court	Residential	203.99	21.00	50.00	274.99
11159	Essex Avenue	Residential	229.18	21.00	50.00	300.18
4665	Evert Street	Senior	206.46	21.00	50.00	277.46
4760	Evert Street	Residential	229.18	21.00	50.00	300.18
5384	Evert Street	Residential	203.99	21.00	50.00	274.99
4789	Evert Street	Residential	296.06	21.00	50.00	367.06
4114	Faircove Court	Residential	243.16	21.00	50.00	314.16
4703	Fauna Street	Residential	229.15	21.00	50.00	300.15
4852	Fauna Street	Residential	257.80	21.00	50.00	328.80
4932	Fauna Street	Residential	246.27	21.00	50.00	317.27
4649	Fauna Street	Senior	260.66	21.00	50.00	331.66
4456	Fauna Street	Residential	229.18	21.00	50.00	300.18
4219	Fauna Street	Residential	229.18	21.00	50.00	300.18
4244	Fauna Street	Residential	229.18	21.00	50.00	300.18
5061	Fauna Street	Residential	373.04	21.00	50.00	444.04
4256	Fauna Street	Residential	362.61	21.00	50.00	433.61
4849	Fauna Street	Residential	422.81	21.00	50.00	493.81
8919-21	Felipe Avenue	Multi-family	458.37	21.00	50.00	529.37
10242	Felipe Avenue	Residential	262.00	21.00	50.00	333.00
8907-09	Felipe Avenue	Multi-family	643.07	21.00	50.00	714.07
5382	Flora Street	Residential	336.36	21.00	50.00	407.36
5051	Flora Street	Residential	244.50	21.00	50.00	315.50
4932	Flora Street	Residential	357.94	21.00	50.00	428.94
4730	Flora Street	Residential	229.31	21.00	50.00	300.31
11272	Fremont Avenue	Residential	204.39	21.00	50.00	275.39
10989	Fremont Avenue	Residential	410.56	21.00	50.00	481.56

Exhibit A to Resolution NO. 15-3096
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Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
10287	Fremont Avenue	Residential	\$ 229.94	\$ 21.00	\$ 50.00	\$ 300.94
10253	Fremont Avenue	Residential	253.32	21.00	50.00	324.32
10796	Fremont Avenue	Residential	249.51	21.00	50.00	320.51
11049	Fremont Avenue	Residential	332.11	21.00	50.00	403.11
10149	Galena Avenue	Residential	229.18	21.00	50.00	300.18
10161	Geneva Avenue	Residential	229.18	21.00	50.00	300.18
4507	Grand Avenue	Residential	369.12	21.00	50.00	440.12
10192	Greenwood Avenue	Residential	230.71	21.00	50.00	301.71
3760	Hampton Drive	Residential	243.80	21.00	50.00	314.80
3752	Hampton Drive	Residential	231.35	21.00	50.00	302.35
5230	Hanover Way	Residential	203.99	21.00	50.00	274.99
11432	Hartford Lane	Residential	232.78	21.00	50.00	303.78
4103	Howard Street	Residential	229.18	21.00	50.00	300.18
4780	Howard Street	Residential	229.18	21.00	50.00	300.18
4910	Howard Street	Residential	255.17	21.00	50.00	326.17
5027	Howard Street	Residential	201.33	21.00	50.00	272.33
4605	Howard Street	Residential	228.89	21.00	50.00	299.89
4570	Howard Street	Residential	207.07	21.00	50.00	278.07
4980	Howard Street	Residential	336.94	21.00	50.00	407.94
4341	Howard Street	Residential	229.34	21.00	50.00	300.34
4331	Howard Street	Residential	227.09	21.00	50.00	298.09
10217	Kimberly Avenue	Residential	214.68	21.00	50.00	285.68
10386	Kimberly Avenue	Multi-family	437.04	21.00	50.00	508.04
10236	Kimberly Avenue	Residential	229.18	21.00	50.00	300.18
10321	Kimberly Avenue	Residential	271.16	21.00	50.00	342.16
11096	Kimberly Avenue	Residential	346.21	21.00	50.00	417.21
10311	Kimberly Avenue	Residential	324.98	21.00	50.00	395.98
10254	Kimberly Avenue	Residential	203.99	21.00	50.00	274.99
5476	Kingsley Street	Residential	228.89	21.00	50.00	299.89
4752	Kingsley Street	Residential	407.25	21.00	50.00	478.25
4724	Kingsley Street	Residential	321.53	21.00	50.00	392.53
4714	Kingsley Street	Residential	203.99	21.00	50.00	274.99
5019	Kingsley Street	Residential	240.64	21.00	50.00	311.64
4671	Kingsley Street	Multi-family	243.97	21.00	50.00	314.97
4821-23	Kingsley Street	Multi-family	274.62	21.00	50.00	345.62
5242	Kingsley Street	Residential	229.18	21.00	50.00	300.18
4831-33	Kingsley Street	Residential	262.47	21.00	50.00	333.47
5003	Kingsley Street	Residential	229.18	21.00	50.00	300.18
4921	Kingsley Street	Residential	226.43	21.00	50.00	297.43
4909	Kingsley Street	Residential	229.22	21.00	50.00	300.22

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Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
10360	Lehigh Avenue	Residential	\$ 415.07	\$ 21.00	\$ 50.00	\$ 486.07
4839	Mane Street	Residential	231.80	21.00	50.00	302.80
4846	Mane Street	Residential	245.30	21.00	50.00	316.30
4555	Mane Street	Residential	206.49	21.00	50.00	277.49
4535	Mane Street	Residential	250.99	21.00	50.00	321.99
4855	Mane Street	Residential	224.52	21.00	50.00	295.52
4908	Manzanita Street	Residential	203.99	21.00	50.00	274.99
11154	Marion Avenue	Residential	217.96	21.00	50.00	288.96
10231	Mills Avenue	Residential	271.17	21.00	50.00	342.17
5035	Mission Blvd.	Residential	203.99	21.00	50.00	274.99
5215	Monte Verde Street	Residential	239.36	21.00	50.00	310.36
5239	Monte Verde Street	Residential	229.18	21.00	50.00	300.18
11236	Monte Vista Avenue	Residential	303.16	21.00	50.00	374.16
10290	Monte Vista Avenue	Senior	245.06	21.00	50.00	316.06
11194	Monte Vista Avenue	Residential	284.07	21.00	50.00	355.07
11073	Monte Vista Avenue	Residential	312.53	21.00	50.00	383.53
10120	Monte Vista Avenue	Residential	321.53	21.00	50.00	392.53
10557	Morgan Circle	Residential	229.18	21.00	50.00	300.18
10163	Oak Glen Avenue	Senior	357.07	21.00	50.00	428.07
10604	Oak Glen Avenue	Residential	241.06	21.00	50.00	312.06
5035	Orchard Street	Residential	208.02	21.00	50.00	279.02
5171	Orchard Street	Residential	374.24	21.00	50.00	445.24
4843	Orchard Street	Residential	229.20	21.00	50.00	300.20
5422	Orchard Street	Residential	229.18	21.00	50.00	300.18
5097	Orchard Street	Residential	212.77	21.00	50.00	283.77
5358	Orchard Street	Residential	278.78	21.00	50.00	349.78
10557	Palomino Circle	Residential	300.08	21.00	50.00	371.08
3765	Peachwood Drive	Residential	317.23	21.00	50.00	388.23
3971	Peachwood Drive	Residential	274.52	21.00	50.00	345.52
10154	Poulsen Avenue	Residential	229.18	21.00	50.00	300.18
10250	Poulsen Avenue	Residential	236.94	21.00	50.00	307.94
10206	Pradera Avenue	Residential	229.18	21.00	50.00	300.18
4660	Rawhide Street	Residential	204.01	21.00	50.00	275.01
4668	Rawhide Street	Residential	229.17	21.00	50.00	300.17
4643	Rawhide Street	Residential	210.47	21.00	50.00	281.47
5177	San Antonio Way	Residential	229.18	21.00	50.00	300.18
11052	San Juan Way	Residential	229.18	21.00	50.00	300.18
11014	San Miguel Way	Residential	229.18	21.00	50.00	300.18
11020	San Pasqual Avenue	Residential	229.18	21.00	50.00	300.18
11143	San Pasqual Avenue	Residential	278.25	21.00	50.00	349.25

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Street No.	Street	Account Type	Delinquency	Release of Lien Fee	Lien Fee	Total Lien Amount
11000	San Pasqual Avenue	Residential	\$ 211.24	\$ 21.00	\$ 50.00	\$ 282.24
10221	Santa Anita Avenue	Residential	229.18	21.00	50.00	300.18
10133	Santa Anita Avenue	Residential	229.18	21.00	50.00	300.18
10183	Santa Anita Avenue	Residential	228.89	21.00	50.00	299.89
10166	Santa Anita Avenue	Residential	321.53	21.00	50.00	392.53
10246	Saratoga Avenue	Residential	227.09	21.00	50.00	298.09
11011	Stallion Avenue	Residential	229.18	21.00	50.00	300.18
10289	Tudor Avenue	Residential	233.38	21.00	50.00	304.38
10445	Tudor Avenue	Residential	226.43	21.00	50.00	297.43
10115	Vernon Avenue	Residential	229.18	21.00	50.00	300.18
10431	Vernon Avenue	Residential	239.49	21.00	50.00	310.49
5533	Vernon Court	Residential	255.13	21.00	50.00	326.13
5555	Vernon Court	Residential	203.99	21.00	50.00	274.99
4230	Via Amore	Residential	229.18	21.00	50.00	300.18
4198	Via Napoli	Residential	231.79	21.00	50.00	302.79
4237	Via Riviera	Residential	218.88	21.00	50.00	289.88
11053	Wesley Avenue	Residential	247.24	21.00	50.00	318.24
11178	Whitewater Avenue	Residential	229.18	21.00	50.00	300.18
11184	Whitewater Avenue	Residential	227.98	21.00	50.00	298.98
4536	Yosemite Drive	Residential	299.08	21.00	50.00	370.08
4515	Yosemite Drive	Residential	229.18	21.00	50.00	300.18
10476	Yosemite Drive	Residential	341.14	21.00	50.00	412.14
Totals:			\$ 48,583.64	\$ 3,822.00	\$ 9,100.00	\$ 61,505.64

**MINUTES OF THE MEETING OF THE MONTCLAIR
CODE ENFORCEMENT/PUBLIC SAFETY COMMITTEE
HELD ON MONDAY, SEPTEMBER 21, 2015, AT
6:00 P.M. IN THE CITY HALL CONFERENCE ROOM,
5111 BENITO STREET, MONTCLAIR, CALIFORNIA**

I. CALL TO ORDER

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

II. ROLL CALL

Present: Council Member Dutrey; Mayor Pro Tem Raft; City Manager Starr; Deputy City Manager/Executive Director, Office of Economic Development Staats; Police Captain Avels; Community Development Director Lustro; City Attorney Robbins.

III. APPROVAL OF MINUTES

A. Minutes of Code Enforcement Committee Meeting of August 17, 2015

It was the consensus of the Code Enforcement Committee to approve the minutes of the Code Enforcement Committee meeting of August 17, 2015.

IV. PUBLIC COMMENT

None.

V. OLD BUSINESS

1. Update on MVWD/City drought flyer (CE)

The finalized version of the flyer that includes logos of both agencies was distributed. Monte Vista Water District will mail, at their expense, to all residential and business mailing addresses in Montclair.

VI. NEW BUSINESS

1. License Plate Readers (PS)

Police Captain Avels reported the PD had purchased two Automatic License Plate Readers (ALPRs) in years past, which work with our Mobile Data Computers (MDCs); the ALPRs still functioned and the software was updated, but the MDC software had not been updated and fell out of the Department of Justice's guidelines. The updates have now been completed, but not yet tested. He anticipated the testing would be done

within the next week. PD has been looking into expanding the system with the purchase of two to three more camera systems. The cost was the most important factor because it is a large expenditure of approximately \$18,000 each, but it is something that would definitely be of great benefit to the community in locating stolen vehicles and PD hopes to get better pricing because of a multi-unit purchase and to utilize asset forfeiture funds.

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

Community Development Director Lustro commented the list is much shorter as Code Enforcement is making progress in getting a lot of the long-running problem properties abated. The World Brake building on Mission Boulevard has been demolished and two residential properties on Carlton Street have been purchased by the adjoining property owner and are being rehabilitated. A tenant space in a business park on Arrow Highway that was going to be added to the list because of suspicions about a marijuana grow had been completely cleared out and vacant when Code Enforcement went to serve warrants. City Attorney Robbins reported the Appellate Court upheld the lower court decision in the City's favor regarding the search of a motel's records on a property on Mission Boulevard.

VIII. NEXT MEETING

The next meeting is scheduled for Monday, October 19, 2015, at 6:00 p.m. in the City Hall Conference Room.

IX. ADJOURNMENT

At 6:30 p.m., Council Member Dutrey adjourned the Code Enforcement/Public Safety Committee.

Submitted for Code Enforcement/
Public Safety Committee approval,



Laura Embree
Recording Secretary

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
SEPTEMBER 21, 2015, AT 9:09 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 9:09 p.m.

II. ROLL CALL

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

III. APPROVAL OF MINUTES

A. Minutes of the Regular Personnel Committee Meeting of September 8, 2015.

Moved by City Manager Starr, seconded by Mayor Pro Tem Raft, and carried unanimously to approve the minutes of the Personnel Committee meeting of September 8, 2015.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

At 9:10 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 9:31 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 9:31 p.m., Mayor Pro Tem Raft adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager