

**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

November 16, 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. Proclamation Honoring Montclair Chamber of Commerce President/
CEO Darleen Curley Upon Her Retirement

B. Introduction of Promotee

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 - None

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 November 2, 2015 [CC/SA/MHC/MHA/MCF]

B. Administrative Reports

1. Consider Receiving and Filing of Treasurer's Report [CC] 5
2. Consider Approval of Warrant Register and Payroll Documentation [CC] 6
3. Consider Receiving and Filing of Treasurer's Report [SA] 7
4. Consider Approval of Warrant Register [SA] 8
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6. Consider Approval of Warrant Register [MHC] 10
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8. Consider Approval of Warrant Register [MHA] 12
9. Consider Setting a Public Hearing to Consider Ordinance No. 15-955 Amending Chapters 11.02 and 11.10 of the Montclair Municipal Code Related to the Regulation of Medical Marijuana [CC] 13
10. Consider Approval of the Filing of a Notice of Completion, Reduction of Faithful Performance Bond to 10 Percent, and Retention of Payment Bond for Six Months for the Reeder Citrus Ranch Structural Stability Project [CC]

Consider Release of Retention 30 Days after Recordation of Notice of Completion [CC] 19
11. Consider Confirming the Mayor's Recommendation to Reappoint Mayor Pro Tem Raft to the West Valley Mosquito and Vector Control District Board [CC] 21
12. Consider Authorization of a \$40,009 Appropriation from the Federal Asset Forfeiture Fund to Purchase Two Automated License Plate Recognition Systems from 3M Company for Frontline Law Enforcement Use [CC] 23
13. Consider Declaring Four Police Vehicles as Surplus and Available for Parts or Sale at Auction [CC] 25
14. Consider Declaring City Vehicle Unit No. 206 as Surplus and Authorizing its Sale at Auction or Scrap [CC] 26

C. Agreements - None

D. Resolutions

1. Consider Adoption of Resolution No. 15-3105 Declaring Support for an Energy Partnership Between Southern California Edison, SoCalGas, and San Bernardino Associated Governments to be known as the San Bernardino Regional Energy Partnership [CC]

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IX. PULLED CONSENT CALENDAR ITEMS

X. RESPONSE - None

XI. COMMUNICATIONS

A. City Department Reports

1. Fire Department
 - a. Montclair Firefighters Recognition Breakfast
 - b. SoCal READI Exercise
 - c. Selection of New Montclair-Upland Fire Chief
 - d. Spark of Love Toy Drive Information
2. Public Works Department
 - a. Capital Projects Update
3. Human Services Department
 - a. Holiday Programs

B. City Attorney

1. Closed Session Pursuant to Government Code Section 54956.9(d)(4) Regarding Potential Litigation
 - 1 Potential Case*
2. Closed Session Pursuant to Government Code Section 54957.6 Regarding Conference with Designated Labor Negotiator Edward C. Starr

Agency: City of Montclair

Employee Management
Organizations: Montclair City Confidential Employees Association
Montclair Fire Fighters Association
Montclair Police Officers Association
San Bernardino Public Employees - Teamsters Local 1932

C. City Manager/Executive Director

D. Mayor/Chairman

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

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

1. Minutes of the Real Estate Committee Meeting of April 20, 2015 31
 2. Minutes of the Personnel Committee Meeting of November 2, 2015 32
- 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 potential litigation and labor negotiations.)*
- 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 Monday, December 7, 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 November 12, 2015.

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: November 16, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 1

FILE I.D.: FIN520

DEPT.: ADMIN. SVCS.

REASON FOR CONSIDERATION: The City Council is requested to consider receiving and filing the City of Montclair Treasurer's Report for the month ending October 31, 2015, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending October 31, 2015.

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

RECOMMENDATION: Staff recommends the City Council receive and file the Treasurer's Report for the month ending October 31, 2015.

Prepared by:

Janet Kuelbeck

Fiscal Impact
Finance Review:

Donald L. Parker

Proofed by:

Andrea M Phillips

Reviewed and
Approved By:

Donald L. Parker

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER AND PAYROLL DOCUMENTATION **DATE:** November 16, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 2
FILE I.D.: FIN540
DEPT.: ADMIN. SVCS.

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

BACKGROUND: Mayor Pro Tem Raft has examined the Warrant Register dated November 16, 2015, and the Payroll Documentation dated November 1, 2015, and recommends their approval.

FISCAL IMPACT: The Warrant Register dated November 16, 2015, totals \$1,234,288.98. The Payroll Documentation dated November 1, 2015, totals \$558,641.03 gross, with \$407,725.16 net being the total cash disbursement.

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

Prepared by:	<u>Andrea M Phillips</u>	Fiscal Impact Finance Review:	<u>Michael Piotrowski</u>
Proofed by:	<u>Stephanie Hick</u>	Reviewed and Approved By:	<u>Michael Piotrowski</u>

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: November 16, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 3

FILE I.D.: FIN510

DEPT.: SUCCESSOR RDA

REASON FOR CONSIDERATION: The City Council acting as Successor to the Redevelopment Agency Board of Directors is requested to consider receiving and filing the Successor to the Redevelopment Agency Treasurer's Report for the month ending October 31, 2015, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Successor to the Redevelopment Agency Treasurer's Report for the period ending October 31, 2015.

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

RECOMMENDATION: Staff recommends the City Council acting as Successor to the Redevelopment Agency Board of Directors receive and file the Successor to the Redevelopment Agency Treasurer's Report for the month ending October 31, 2015.

Prepared by:

Michael Piotrowski

Fiscal Impact
Finance Review:

Donald L. Parker

Proofed by:

Andrea M. Phillips

Reviewed and
Approved By:

Donald L. Parker

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** November 16, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 4
FILE I.D.: FIN530
DEPT.: SUCCESSOR RDA

REASON FOR CONSIDERATION: The City Council acting as Successor to the Redevelopment Agency Board of Directors is requested to consider receiving and filing the Successor to the Redevelopment Agency Warrant Register for the month ending October 31, 2015, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Successor to the Redevelopment Agency Warrant Register dated 10.01.15-.31.15 in the amounts of \$24,339.50 for the Combined Operating Fund; \$0.00 for the Redevelopment Obligation Retirement Funds; \$0.00 from the Tax Exempt Bond Proceeds; and \$0.00 from the Taxable Bond Proceeds and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the City Council as Successor to the Redevelopment Agency Board of Directors approve the Successor to the Redevelopment Agency Warrant Register for the period ending October 31, 2015.

Prepared by:	<u>Michael Piotrowski</u>	Fiscal Impact Finance Review:	<u>Donald L. Parker</u>
Proofed by:	<u>Andrea M. Phillips</u>	Reviewed and Approved By:	<u>Donald L. Parker</u>

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: November 16, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 5

FILE I.D.: FIN525

DEPT.: MHC

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to receive and file the Montclair Housing Corporation Treasurer's Report for the month ending October 31, 2015, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending October 31, 2015.

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

RECOMMENDATION: Staff recommends the Montclair Housing Corporation Board of Directors receive and file the Treasurer's Report for the month ending October 31, 2015.

Prepared by:

Michael Piotrowski

Fiscal Impact
Finance Review:

Donald L. Parker

Proofed by:

Andrea M. Phillips

Reviewed and
Approved By:

Donald L. Parker

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** November 16, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 6
FILE I.D.: FIN545
DEPT.: MHC

REASON FOR CONSIDERATION: The Montclair Housing Corporation Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending October 31, 2015, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 10.01.15-10.31.15 in the amount of \$68,214.17 for the Montclair Housing Corporation and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the Montclair Housing Corporation Board of Directors approve the Warrant Register for the period ending October 31, 2015.

Prepared by:	<u>Michael Piotrowski</u>	Fiscal Impact Finance Review:	<u>Donald L. Parker</u>
Proofed by:	<u>Andrea M. Phillips</u>	Reviewed and Approved By:	<u>Donald L. Parker</u>

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING OF
TREASURER'S REPORT

DATE: November 16, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 7

FILE I.D.: FIN525

DEPT.: MHA

REASON FOR CONSIDERATION: The Montclair Housing Authority Board of Directors is requested to receive and file the Montclair Housing Authority Treasurer's Report for the month ending October 31, 2015, pursuant to state law.

BACKGROUND: Included in your agenda packet is a copy of the Treasurer's Report for the period ending October 31, 2015.

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

RECOMMENDATION: Staff recommends the Montclair Housing Authority Board of Directors receive and file the Treasurer's Report for the month ending October 31, 2015.

Prepared by:

Michael Piotrowski

Fiscal Impact
Finance Review:

Donald L. Parker

Proofed by:

Andrea M. Phillips

Reviewed and
Approved By:

Donald L. Parker

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF WARRANT REGISTER **DATE:** November 16, 2015
SECTION: ADMIN. REPORTS
ITEM NO.: 8
FILE I.D.: FIN545
DEPT.: MHA

REASON FOR CONSIDERATION: The Montclair Housing Authority Board of Directors is requested to consider receiving and filing the Warrant Register for the month ending October 31, 2015, pursuant to state law.

BACKGROUND: Vice Chairperson Raft has examined the Warrant Register dated 10.01.15-10.31.15 in the amount of \$0.00 for the Montclair Housing Authority and finds it to be in order.

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

RECOMMENDATION: Vice Chairperson Raft recommends the Montclair Housing Authority Board of Directors approve the Warrant Register for the period ending October 31, 2015.

Prepared by:	<u>Michael Piotrowski</u>	Fiscal Impact Finance Review:	<u>Donald L. Parker</u>
Proofed by:	<u>Andrea M Phillips</u>	Reviewed and Approved By:	<u>Donald L. Parker</u>

AGENDA REPORT

SUBJECT: CONSIDER SETTING A PUBLIC HEARING TO CONSIDER ORDINANCE NO. 15-955 AMENDING CHAPTERS 11.02 AND 11.10 OF THE MONTCLAIR MUNICIPAL CODE RELATED TO THE REGULATION OF MEDICAL MARIJUANA	DATE: November 16, 2015
	SECTION: ADMIN. REPORTS
	ITEM NO.: 9
	FILE I.D.: SUB100
	DEPT.: COMMUNITY DEV.

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

BACKGROUND: On October 9, 2015, Governor Brown signed into law the Medical Marijuana Regulation and Safety Act (MMRSA). The MMRSA consists of three separate pieces of legislation – Assembly Bill 266, Assembly Bill 243, and Senate Bill 643 – establishing a statewide regulatory scheme headed by the Department of Consumer Affairs governing the cultivation, processing, testing, distribution, and transporting of medical marijuana to qualified patients. Each bill has a different function but contains overlapping, identical language regarding certain aspects of medical marijuana control. The MMRSA does not mandate the City to allow cultivation, medical marijuana dispensaries, or mobile medical marijuana dispensaries.

The adoption of Ordinance No. 07-891 by the City Council in March 2007 banned the establishment of medical marijuana dispensaries within the City. With the passage of MMRSA, two areas of the new law require immediate attention by the City regarding deliveries/mobile dispensaries and cultivation.

The proposed ordinance is intended to affirm and clarify the previously approved prohibition of medical marijuana dispensaries in the City to be consistent with State law and include medical marijuana cultivation and deliveries as specifically prohibited land uses. If the proposed ordinance is adopted by the City Council, Chapters 11.02 and 11.10 of the Montclair Municipal Code would be amended accordingly.

The Planning Commission is scheduled to consider this item at its regularly scheduled meeting on November 23, 2015.

FISCAL IMPACT: The cost to publish a Notice of Public Hearing in the *Inland Valley Daily Bulletin* related to Ordinance No. 15-955 should not exceed \$500.

RECOMMENDATION: Staff recommends the City Council set a public hearing for Monday, December 7, 2015, at 7:00 p.m. in the Council Chambers to consider Ordinance No. 15-955 amending Chapters 11.02 and 11.10 of the Montclair Municipal Code related to the regulation of medical marijuana.

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

ORDINANCE NO. 15-955

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR, CALIFORNIA AMENDING SECTION 11.10.030 OF THE MONTCLAIR MUNICIPAL CODE PROHIBITING MEDICAL MARIJUANA DISPENSARIES, CULTIVATION OF MARIJUANA AND ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY

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

SECTION 1. Findings and Purpose. The City Council finds and declares as follows:

A. In 1996, the voters of the State of California approved Proposition 215 (codified as California Health and Safety Code § 11362.5 and entitled “The Compassionate Use Act of 1996” or “CUA”).

B. The intent of Proposition 215 was to enable persons who are in need of marijuana for medical purposes to use it without fear of criminal prosecution under limited, specified circumstances. The proposition further provides that “nothing in this section shall be construed to supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes.” The ballot arguments supporting Proposition 215 expressly acknowledged that “Proposition 215 does not allow unlimited quantities of marijuana to be grown anywhere.”

C. In 2004, the Legislature enacted Senate Bill 420 (codified as California Health & Safety Code § 11362.7 et seq. and referred to as the “Medical Marijuana Program” or “MMP”) to clarify the scope of Proposition 215 and to provide qualifying patients and primary caregivers who collectively or cooperatively cultivate marijuana for medical purposes with a limited defense to certain specified State criminal statutes. Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the Medical Marijuana Program to expressly recognize the authority of counties and cities to “[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective” and to civilly and criminally enforce such ordinances.

D. On March 5, 2007, the Montclair City Council unanimously adopted Ordinance No. 07-891 to prohibit medical marijuana dispensaries within any zone within the corporate boundaries of the City of Montclair.

E. In City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc. (2013) 56 Cal.4th 729, the California Supreme Court held that “[n]othing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land. . . .” Additionally, in Maral v. City of Live Oak (2013) 221 Cal.App.4th 975, the Court of Appeal held that “there is no right – and certainly no constitutional right – to cultivate medical marijuana. . . .” The

Court in Maral affirmed the ability of a local governmental entity to prohibit the cultivation of marijuana under its land use authority.

F. The Federal Controlled Substances Act, 21 U.S.C. § 801 et seq., classifies marijuana as a Schedule 1 Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision. The Federal Controlled Substances Act makes it unlawful under federal law for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana. The Federal Controlled Substances Act contains no exemption for medical purposes, although there is recent case law that raises a question as to whether the Federal Government may enforce the Act where medical marijuana is allowed.

G. On October 9, 2015 Governor Brown signed 3 bills into law (AB 266, AB 243, and SB 643) which collectively are known as the Medical Marijuana Regulation and Safety Act (hereafter “MMRSA”). The MMRSA set up a State licensing scheme for commercial medical marijuana uses while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a State license. The MMRSA allows the City to completely prohibit commercial medical marijuana activities.

H. The City Council finds that commercial medical marijuana activities, as well as cultivation for personal medical use as allowed by the CUA and MMP can adversely affect the health, safety, and well-being of City residents. Citywide prohibition is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, high water usage, malodorous smells and indoor electrical fire hazards that may result from such activities. Further, as recognized by the Attorney General’s August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, marijuana cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that surrounding homes or businesses may be negatively impacted by nuisance activity such as loitering or crime.

I. The limited immunity from specified state marijuana laws provided by the Compassionate Use Act and Medical Marijuana Program does not confer a land use right or the right to create or maintain a public nuisance.

J. The MMRSA contains language that requires the city to prohibit cultivation uses by March 1, 2016 either expressly or otherwise under the principles of permissive zoning, or the State will become the sole licensing authority. The MMRSA also contains language that requires delivery services to be expressly prohibited by local ordinance, if the City wishes to do so. The MMRSA is silent as to how the City must prohibit other type of commercial medical marijuana activities.

K. While the City Council believes that cultivation and all commercial medical marijuana uses are prohibited under the City’s permissive zoning regulations, it desires to enact this ordinance to expressly make clear that all such uses are prohibited in all zones throughout the City.

L. This Ordinance is consistent with the City's General Plan and each element thereof.

M. The Planning Commission held a duly noticed public hearing on November 23, 2015 at which time it considered all evidence presented, both written and oral and at the end of the hearing voted to adopt a resolution recommending that the City Council adopt this Ordinance.

N. The City Council held a duly noticed public hearing on this Ordinance on **December XX, 2015**, at which time it considered all evidence presented, both written and oral.

SECTION 2. Authority. This ordinance is adopted pursuant to the authority granted by the California Constitution and State law, including but not limited to Article XI, Section 7 of the California Constitution, the Compassionate Use Act, the Medical Marijuana Program, and The Medical Marijuana Regulation and Safety Act.

SECTION 3. Section 11.10.030 of the Montclair Municipal Code is amended to read as follows:

Section 11.10.030 Prohibited uses.

- A. Unlawful Uses. Uses that are unlawful under federal or state law shall not be treated as permitted uses, and shall not be determined to be similar to any uses permitted pursuant to this Title.
- B. Dispensaries prohibited. No medical marijuana or cannabis dispensary as defined in Section 11.02.010 of the Montclair Municipal Code or Business & Professions Code § 19300.5(n) as the same may be amended from time to time shall be permitted in any zone within the City of Montclair. For purposes of this Section, "Dispensary" shall also include a cooperative. "Dispensary" shall not include the following uses: (1) a clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code, (2) a health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code, (3) a residential care facility for persons with chronic life-threatening illnesses licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code, (4) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code, or (5) a residential hospice or home health agency licensed pursuant to Chapter 8 of Division 2 of the California Health and Safety Code.
- C. Commercial marijuana activities prohibited. Commercial cannabis activities of all types, including the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of medical cannabis or a medical cannabis product all as defined under Business & Professions Code Sec. 19300.5 as the same may be amended from time to time, are expressly prohibited in all zones and all specific plan

areas in the City of Montclair. No person shall establish, operate, conduct or allow a commercial cannabis activity anywhere within the City.

- D. Deliveries of medical marijuana prohibited. To the extent not already covered by subsection C above, all deliveries of medical cannabis are expressly prohibited within the City of Montclair, including the use by a dispensary of any technology platform owned and controlled by the dispensary, or independently licensed, that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a licensed dispensary of medical cannabis or medical cannabis products. No person shall conduct any deliveries that either originate or terminate within the City.
- E. Cultivation of marijuana prohibited. Cultivation of cannabis for commercial or non-commercial purposes, including cultivation by a qualified patient or a primary caregiver, is expressly prohibited in all zones and all specific plan areas in the City of Montclair. No person, including a qualified patient or primary caregiver, shall cultivate any amount of cannabis in the City, even for medical purposes. Cultivation shall include any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of cannabis.
- F. Intent. This section is meant to prohibit all medical marijuana or commercial cannabis activities for which a State license is required. Accordingly, the City shall not issue any permit, license or other entitlement for any activity for which a State license is required under the Medical Marijuana Regulation and Safety Act.

SECTION 4. Nothing in this Ordinance shall be interpreted to mean that the City's permissive zoning scheme allows any other use not specifically listed therein.

SECTION 5. CEQA. This ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15305, minor alterations in land use limitations in areas with an average slope of less than 20% that do not result in any changes in land use or density and section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City's permissive zoning provisions already prohibits all uses that are being expressly prohibited by this ordinance. Therefore, this ordinance has no impact on the physical environment as it will not result in any changes.

SECTION 6. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. To the extent the provisions of the Montclair Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 8. This Ordinance shall be in full force and effect thirty (30) days after passage.

SECTION 9. The City Clerk shall certify to the passage of this Ordinance and cause the same to be posted pursuant to Government Code Section 36933.

APPROVED AND ADOPTED this XX day of XX, 2015.

Mayor

ATTEST:

Deputy City Clerk

I, Andrea M. Phillips, Deputy City Clerk of the City of Montclair, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 15-955 of said City, which was introduced at a regular meeting of the City Council held on the XX day of XX, 2015, and finally passed not less than five (5) days thereafter on the XX day of XX, 2015, by the following vote, to-wit:

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

Andrea M. Phillips
Deputy City Clerk

AGENDA REPORT

SUBJECT: CONSIDER APPROVAL OF THE FILING OF A NOTICE OF COMPLETION, REDUCTION OF FAITHFUL PERFORMANCE BOND TO 10 PERCENT, AND RETENTION OF PAYMENT BOND FOR SIX MONTHS FOR THE REEDER CITRUS RANCH STRUCTURAL STABILITY PROJECT

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

DATE: November 16, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 10

FILE I.D.: PUB400

DEPT.: PUBLIC WORKS

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

BACKGROUND: On August 3, 2015, Rasmussen Brothers Construction, Inc., was awarded a contract for construction of the Reeder Citrus Ranch Structural Stability Project and entered into Agreement No. 15-67 with the City. All work required under Agreement No. 15-67 has been satisfactorily completed. The Reeder Citrus Ranch Structural Stability Project included construction of concrete footings and foundations.

FISCAL IMPACT: Rasmussen Brothers Construction, Inc., was awarded the construction contract for \$102,665. The City Council also authorized a construction contingency of \$15,000, bringing the total expenditure authorization to \$117,665. The project required no change orders or additional expenses, maintaining a final construction cost of \$102,665. The project is funded jointly by Community Development Block Grant Funds and the George C. and Hazel H. Reeder Heritage Foundation. The portion of costs not funded by the Community Development Block Grant funds will be billed to the George C. and Hazel H. Reeder Heritage Foundation.

RECOMMENDATION: Staff recommends the City Council take the following actions related to the Reeder Citrus Ranch Structural Stability Project:

1. Approve the filing of a Notice of Completion with the Office of the San Bernardino County Recorder, reduction of Faithful Performance Bond to 10 percent, and retention of Payment Bond for six months.
2. Release retention 30 days after recordation of Notice of Completion.

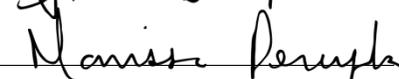
Prepared by:



Fiscal Impact
Finance Review:



Proofed by:



Reviewed and
Approved By:



RECORDING REQUESTED BY:

City of Montclair

AND WHEN RECORDED MAIL DOCUMENT AND
TAX STATEMENT TO:

NAME: **City of Montclair**

STREET ADDRESS: **5111 Benito Street**

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

Government Code 6103

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

NOTICE OF COMPLETION

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

fee

The full name and address of the undersigned is
Michael C. Hudson
Public Works Director
City Engineer
5111 Benito Street
Montclair, CA 91763

The work was completed on that certain work known as:

Reeder Citrus Rach Structural Stability Project

for the undersigned City of Montclair, 4th day of November, 2015
a Municipal Corporation, on the

The City accepted the job on the 16th day of November, 2015

The Contractor on said job was Rasmussen Brothers Construction, Inc.
40441 Gavilan Mountain Rd.
Fallbrook, CA 92028

The improvement consisted of:

Building Improvements

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

4405 Holt Boulevard, Montclair, CA 91763

VERIFICATION

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

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

Executed on: November 16, 2015 at 5111 Benito Street, Montclair, California

Michael C. Hudson
Public Works Director
City Engineer

AGENDA REPORT

SUBJECT:	CONSIDER CONFIRMING THE MAYOR'S RECOMMENDATION TO REAPPOINT MAYOR PRO TEM RAFT TO THE WEST VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD	DATE:	November 16, 2015
		SECTION:	ADMIN. REPORTS
		ITEM NO.:	11
		FILE I.D.:	CYC265
		DEPT.:	CITY MGR.

REASON FOR CONSIDERATION: The West Valley Mosquito and Vector Control District (West Valley MVCD) is a special district that was formed in 1983 in response to the needs of the residents of the West Valley area for the reduction of mosquitoes plaguing the community. Currently, Mayor Pro Tem Carolyn Raft represents the City on the West Valley MVCD Board of Trustees; however, Trustee Raft's term of office is due to expire on January 4, 2016. As such, the City is required to appoint or reappoint a representative to serve on the West Valley MVCD Board of Trustees.

Pursuant to Government Code §40605, the Mayor, with the approval of the City Council, shall make all appointments to boards, commissions, and committees.

BACKGROUND: The West Valley MVCD is a special district that was formed in 1983 that is dedicated to the management of insects and animals that are of public health importance. Vector control districts have existed in California for decades and are integral to the safety, health, and well-being of residents throughout the state.

West Valley MVCD's mission is to support public health through the suppression of vector populations, reduce outbreaks of human diseases, abate public nuisances, and increase the quality of life for the residents of the West Valley. To accomplish this mission, West Valley MVCD employs integrated vector management techniques including public education and outreach, surveillance, biological control, physical control and/or habitat modification, chemical control, research, partnering with other agencies, and legal action where necessary and as governed by federal and state law.

West Valley MVCD's boundaries include the cities of Chino, Chino Hills, Montclair, Ontario, Rancho Cucamonga, and unincorporated areas of west San Bernardino County. West Valley MVCD serves over 520,000 residents in 200 square miles of the West Valley. Governing power is vested in a six-member Board of Trustees. One member each is appointed by the City Councils of Chino, Chino Hills, Montclair, Ontario, and Rancho Cucamonga with the remaining board member being appointed by the San Bernardino County Board of Supervisors. Terms of office may be served for either two or four years.

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

Pursuant to Government Code §40605, the Mayor, with the approval of the City Council, shall make all appointments to boards, commissions, and committees. As the current term of office for Trustee Raft ends on January 4, 2016, the Mayor is recommending reappointing Mayor Pro Tem Raft to serve a four-year term on the West Valley MVCD Board of Trustees.

FISCAL IMPACT: Confirming the Mayor's recommendation to reappoint Mayor Pro Tem Raft to the West Valley Mosquito and Vector Control District would have no direct fiscal impact on the City.

RECOMMENDATION: Staff recommends the City Council confirm the Mayor's recommendation to reappoint Mayor Pro Tem Raft to the West Valley Mosquito and Vector Control District Board.

AGENDA REPORT

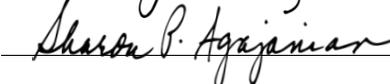
SUBJECT: CONSIDER AUTHORIZATION OF A \$40,009 APPROPRIATION FROM THE FEDERAL ASSET FORFEITURE FUND TO PURCHASE TWO AUTOMATED LICENSE PLATE RECOGNITION SYSTEMS FROM 3M COMPANY FOR FRONTLINE LAW ENFORCEMENT USE	DATE: November 16, 2015
	SECTION: ADMIN. REPORTS
	ITEM NO.: 12
	FILE I.D.: EQS225/PDT362
	DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to authorize the use of Federal Asset Forfeiture funds to purchase two automated license plate recognition (ALPR) systems to assist Patrol in the detection of stolen and/or wanted vehicles and subjects.

BACKGROUND: Staff has noticed an increase in the occurrence of auto thefts in the City. By the end of September 2015, auto thefts were up 5.6 percent over the 2014 year-end total, averaging 33 stolen vehicles per month. At this rate, 396 vehicles could be stolen locally by the end of this year, representing a potential increase of 37.5 percent over 2014.

To assist Patrol in locating stolen and wanted vehicles, and possibly apprehending suspects in the process, staff proposes to purchase and deploy two, four-camera ALPR systems on two Patrol vehicles. The cameras—mounted on the vehicle light bars—continually scan their fields of view for the presence of license plates; when detected, the camera is triggered to capture images of the vehicle and plate, which are instantly checked against one or more on-board databases. Visual and audible alerts immediately notify the officer of a "hit" against the database(s). ALPR systems offer enhanced officer productivity because they are capable of checking tens-of-thousands of license plates during a normal shift. More license plates scanned results in timely apprehension of suspects, recovery of property, greater intelligence collection, and increased officer safety.

Data obtained through the system is stored on the Back Office System Software (BOSS), an analysis software package that provides data-mining capability of historic license plate information. Users could locate and map "hits" based on partial license plates, street address, GPS coordinates, time and date, and other criteria. This information would aid Officers in criminal investigations, identifying hotspots, and other intelligence purposes. The BOSS program, which is installed on the Department's computer server to support the existing ALPR system, is proprietary to 3M Company and does not support data from other ALPR system vendors, making 3M Company the sole source for this purchase. For this reason, bid quotations were not sought from additional vendors.

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

The Department has two ALPR systems—one purchased in 2007 and a second in March of 2013. The former is a three-camera system that is outdated and not supported by modern technology. The 2013 model is a fully functioning, four-camera system that would be maintained and deployed by the Department along with the new systems.

FISCAL IMPACT: Because the Department previously purchased two ALPR systems from 3M Company, it has offered a 5 percent discount on the new units, plus an additional \$4,000 trade-in value for the obsolete 2007 system. The cost of two new four-camera systems is \$40,009, including tax, installation, one year of maintenance service, and vendor discounts.

In its FY2015–16 Budget, the Department allocated \$1,800 for annual maintenance of the 2013 ALPR system and the BOSS program. Purchase of two additional units would result in a recurring appropriation for maintenance costs of \$4,800 (\$1,500 for each ALPR system and \$300 for the BOSS program) to the Department’s subsequent annual budgets.

If authorized by the City Council, funding for two new ALPR systems would result in an appropriation and expenditure from the Federal Asset Forfeiture Fund (1144) in the amount of \$40,009, as well as a \$4,800 appropriation for maintenance to subsequent Police Department budgets.

RECOMMENDATION: Staff recommends the City Council authorize a \$40,009 appropriation from the Federal Asset Forfeiture Fund to purchase two automated license plate recognition systems from 3M Company for frontline law enforcement use.

AGENDA REPORT

SUBJECT: CONSIDER DECLARING FOUR POLICE VEHICLES AS SURPLUS AND AVAILABLE FOR PARTS OR SALE AT AUCTION

DATE: November 16, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 13

FILE I.D.: VEH120

DEPT.: POLICE

REASON FOR CONSIDERATION: The City Council is requested to consider declaring four Police Department vehicles that are no longer in service as surplus so they may be sold at auction or used for parts.

BACKGROUND: The vehicles have reached the end of their service lives, are no longer in use, and are proposed to be declared as surplus and made available for sale by auction or for parts to support vehicles currently in service in the Police Department's Patrol fleet or other City departments. Identification information for the vehicles is as follows:

<i>Year and Model</i>	<i>Vehicle Identification Number</i>	<i>Mileage</i>	<i>Estimated Sales Price</i>
2003 Ford Crown Victoria	2FAFP71W23X141245	116,549	\$1,000
2004 Ford Crown Victoria	2FAHP71W24X104657	124,706	\$1,100
2005 Ford Taurus	1FAFP56U75A160395	68,935	\$2,000
2005 Ford Taurus	1FAFP56U65A160386	54,754	\$1,500

FISCAL IMPACT: If approved by the City Council, the City would receive up to \$5,600 from auction of said vehicles. Proceeds from the sale would be returned to the Equipment Replacement Fund.

RECOMMENDATION: Staff recommends the City Council declare four Police vehicles as surplus and available for parts or auction.

Prepared by:



Fiscal Impact
Finance Review:



Proofed by:



Reviewed and
Approved By:



AGENDA REPORT

SUBJECT: CONSIDER DECLARING CITY VEHICLE UNIT NO. 206 AS SURPLUS AND AUTHORIZING ITS SALE AT AUCTION OR SCRAP

DATE: November 16, 2015

SECTION: ADMIN. REPORTS

ITEM NO.: 14

FILE I.D.: VEH120

DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: The City Council is requested to consider declaring a City vehicle that is no longer in service as surplus so it may be sold at auction or scrap.

BACKGROUND: The following vehicle has reached the end of its service life, is no longer in use, and is proposed to be declared as surplus for sale by auction or scrap. The vehicle identification number, mileage, and estimated sales price is listed below:

<i>Year and Model</i>	<i>Unit #</i>	<i>Vehicle Identification Number</i>	<i>Mileage</i>	<i>Estimated Sales Price</i>
1999 Chevrolet Pickup	206	1GBGC24R8XF034175	109,383	\$1,000

This vehicle has high mileage, has undergone excessive repair, and will not pass the smog inspection required for registration without extensive costly repairs.

FISCAL IMPACT: The City anticipates receipt of \$1,000 from the sale of the vehicle by the auction company. Proceeds from the sale would be returned to the Equipment Replacement Fund.

RECOMMENDATION: Staff recommends the City Council declare City Vehicle Unit No. 206 as surplus and authorize its sale at auction or scrap.

Prepared by:



Fiscal Impact
Finance Review:



Proofed by:



Reviewed and
Approved By:



AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 15-3105 DECLARING SUPPORT FOR AN ENERGY PARTNERSHIP BETWEEN SOUTHERN CALIFORNIA EDISON, SO CAL GAS, AND SAN BERNARDINO ASSOCIATED GOVERNMENTS TO BE KNOWN AS SAN BERNARDINO REGIONAL ENERGY PARTNERSHIP	DATE: November 16, 2015
	SECTION: RESOLUTIONS
	ITEM NO.: 1
	FILE I.D.: TRN530
	DEPT.: PUBLIC WORKS

REASON FOR CONSIDERATION: The San Bernardino Associated Governments (SANBAG) is requesting the participation of local governments in an Energy Partnership with SANBAG, Southern California Edison (SCE), and Southern California Gas (SoCalGas). The City Council is requested to consider adopting Resolution No. 15-3105, declaring support for SANBAG's Energy Partnership.

BACKGROUND: As the local demand for energy continues to grow, San Bernardino Regional Energy Partnership encourages the cooperation of local governments in promoting energy efficiency and regional sustainability goals. The goal of this partnership is to encourage participation in programs like the innovative design and construction of new buildings, in order to reduce pollution and conserve natural resources.

SANBAG will enter into agreements with SCE and SoCalGas on behalf of the City of Montclair and other local governments in order to act on their behalf in implementing the activities of the San Bernardino Regional Energy Partnership.

FISCAL IMPACT: There is no immediate fiscal impact to the City with the adoption of Resolution No. 15-3105. The Resolution is a declaration of support only and requires no other action by the City at this time. There is the potential for future energy cost savings depending on the effectiveness of this partnership.

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 15-3105 declaring support for an energy partnership between Southern California Edison, So Cal Gas, and San Bernardino Associated Governments to be known as San Bernardino Regional Energy Partnership.

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

RESOLUTION NO. 15-3105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTCLAIR DECLARING SUPPORT FOR AN ENERGY PARTNERSHIP BETWEEN SOUTHERN CALIFORNIA EDISON, SOCALGAS, AND SAN BERNARDINO ASSOCIATED GOVERNMENTS TO BE KNOWN AS "SAN BERNARDINO REGIONAL ENERGY PARTNERSHIP"

WHEREAS, the City of Montclair supports "energy efficiency" initiatives, policies, and construction standards in order to ensure that our communities follow and encourage sustainable practices; and

WHEREAS, local demand for electricity has grown, and it is expected that demand for electricity will continue to grow in the near future to support a growing population and economy; and

WHEREAS, citizens and businesses spend significant amounts for energy, it makes economic sense and good public policy to encourage energy efficiency in Montclair and our community; and

WHEREAS, energy efficiency programs enhance our environment by improving air quality, reducing greenhouse gases and other pollution, and conserving natural resources; and

WHEREAS, it is vital for our community to keep spending locally and to encourage innovations in the way we behave, build, and incorporate energy into our everyday business and personal lives; and

WHEREAS, there is a growing movement within California communities and businesses to improve everyday practices and create more sustainable and "greener" cities; and

WHEREAS, the communities comprised of the San Bernardino Regional Energy Partnership seek to promote innovative methods and state-of-the-art technologies used in the design and construction of new residential and commercial buildings within the region, in order to bring energy and natural resource consumption in line with our sustainability goals; and

WHEREAS, San Bernardino Associated Governments (SANBAG) has been identified by the participating partnership jurisdictions to enter into one agreement with Southern California Edison Company (SCE) and another agreement with Southern California Gas Company (SoCalGas) on their behalf to represent them and implement the activities of the participating jurisdictions of the San Bernardino Regional Energy Partnership; and

WHEREAS, San Bernardino Regional Energy Partnership brings together the City of Montclair, SCE, SoCalGas and other member agencies in a cooperative program to promote energy efficiency, regional sustainability goals, and collaboration; and

WHEREAS, the City of Montclair has confirmed that their goals are consistent with the programs identified in SCE's and SoCalGas's proposed Local Government Partnership programs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Montclair, as follows:

1. That the above recitations are true and correct.
2. That the City of Montclair supports the mission of the San Bernardino Regional Energy Partnership.
3. That the City of Montclair supports a commitment to sustainable practices through energy efficiency, and will provide leadership and guidance in promoting, facilitating, and instituting such practices in the region.
4. That the City of Montclair supports and endorses the San Bernardino Regional Energy Partnership as an effective method to help meet long-term regional economic and environmental goals.
5. That the City of Montclair will name one or more individuals to the San Bernardino Regional Energy Partnership working group that will review progress regularly with SCE and SoCalGas.
6. That the City of Montclair with the assistance of SCE, SoCalGas and other member agencies will identify energy efficiency programs and projects within municipal facilities and support implementation of community energy efficiency and sustainability goals within the City of Montclair.

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. 15-3105 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

MINUTES OF THE CITY OF MONTCLAIR REAL
ESTATE COMMITTEE MEETING HELD ON
MONDAY, APRIL 20, 2015 AT 5:30 P.M. IN
THE CITY HALL CONFERENCE ROOM, 5111
BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Mayor Eaton called the meeting to order at 5:37 p.m.

II. ROLL CALL

Present: Mayor Eaton, Council Member Dutrey; City Manager Starr, Deputy City Manager Staats, Community Development Director Lustro

III. APPROVAL OF MINUTES

Minutes of the Real Estate Committee of September, 19, 2012, were approved.

IV. PUBLIC COMMENT

None

V. REVIEW OF PLANS FOR THE MONTCLAIR PLAZA EXPANSION/ENHANCEMENT PROJECT

Community Development Director Lustro reviewed the plans for the proposed expansion/enhancement of the Montclair Plaza with the Committee Members. The proposed project is scheduled to be considered by the Planning Commission on April 27, 2015. Site plans and elevations for the project were explained to provide the Committee Members with an overview of the scope, phasing, and design of the project.

VI. OTHER ITEMS

No other items were discussed.

VII. ADJOURNMENT

At 5:58 p.m., Mayor Eaton adjourned the Real Estate Committee.

Submitted for Real Estate Committee approval,



Marilyn Staats Deputy City Manager/
Executive Director, Office of
Economic Development

**MINUTES OF THE MEETING OF THE MONTCLAIR
PERSONNEL COMMITTEE HELD ON MONDAY,
NOVEMBER 2, 2015, AT 7:45 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 7:45 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 October 19, 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 October 19, 2015.

IV. PUBLIC COMMENT - None

V. CLOSED SESSION

At 7:46 p.m., the Personnel Committee went into Closed Session regarding personnel matters related to appointments, resignations/terminations, and evaluations of employee performance.

At 8:05 p.m., the Personnel Committee returned from Closed Session. Mayor Pro Tem Raft stated that no announcements would be made at this time.

VI. ADJOURNMENT

At 8:05 p.m., Mayor Pro Tem Raft adjourned the Personnel Committee.

Submitted for Personnel Committee approval,



Edward C. Starr
City Manager